

**No. 15142**

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**BELGIUM  
and  
TURKEY**

**Consular Convention (with exchanges of letters). Signed at  
Ankara on 28 April 1972**

*Authentic text: French.*

*Registered by Belgium on 30 November 1976.*

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**Convention consulaire (avec échanges de lettres). Signée à  
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*Enregistrée par la Belgique le 30 novembre 1976.*

[TRANSLATION — TRADUCTION]

## CONSULAR CONVENTION<sup>1</sup> BETWEEN THE KINGDOM OF BELGIUM AND THE REPUBLIC OF TURKEY

His Majesty the King of the Belgians and the President of the Republic of Turkey,

Desiring to regulate consular relations between the two States and thus to promote the further development of their relations in the spirit of the traditional friendship between the two States,

Desiring to lay down the conditions for the establishment of consular posts and the admission of consular officers to their respective territories, to specify their reciprocal rights, privileges and immunities and to define their powers,

Desiring thereby to facilitate the protection of individuals and bodies corporate of each High Contracting Party in the territories of the other,

Have decided to conclude for that purpose a Consular Convention and have designated as their Plenipotentiaries:

His Majesty the King of the Belgians:

Mr. Pierre Harmel, Minister for Foreign Affairs,

The President of the Republic of Turkey:

Mr. Ümit Halûk Bayülken, Minister for Foreign Affairs,

Who have agreed as follows:

### CHAPTER I. DEFINITIONS

*Article 1.* As used in this Convention:

1. The term "sending State" means the High Contracting Party by which the consular officer is appointed;

2. The term "receiving State" means the High Contracting Party within whose territories the consular officer performs the functions of his office and includes the political, administrative or territorial subdivisions of which it is composed;

3. The term "consular post" means any consulate-general, consulate or vice-consulate;

4. The term "consular district" means the territory in the receiving State within whose limits a consular officer performs his functions;

5. The term "consular premises" means any buildings or parts of buildings and the land ancillary thereto, irrespective of ownership, used exclusively for the purposes of the consular post;

6. The term "head of consular post" means the person charged with the duty of acting in that capacity;

7. The term "consular officer" means any person, including the head of a consular post, entrusted by the sending State as a career consular officer with the exercise of consular functions as consul-general, consul or vice-consul in the receiving State;

<sup>1</sup> Came into force on 3 April 1976, i.e., the thirtieth day after the date of the exchange of the instruments of ratification, which took place at Ankara on 4 March 1976, in accordance with article 59 (1).

8. The term “consular employee” means any person admitted by the receiving State to perform, at the direction of a consular officer, administrative, technical or other similar tasks in a consular post of the sending State;

9. The term “member of the service staff” means any person employed in the domestic service of a consular post of the sending State;

10. The term “members of the consular post” means all consular officers, consular employees and members of the service staff;

11. The term “consular archives” means all the papers, documents, correspondence, books, films, newspapers, tapes, registers, ciphers and codes of the consular post, together with the card-indexes and any article of furniture intended for their protection and safekeeping;

12. The term “vessel of the sending State” means any ship or craft registered in accordance with the legislation of the sending State, including those owned by the sending State, with the exception of warships.

#### CHAPTER II. ESTABLISHMENT OF CONSULAR POSTS AND APPOINTMENT OF THEIR MEMBERS

*Article 2.* 1. Each High Contracting Party shall have the right to establish and maintain consular posts in the territories of the other Party by mutual consent.

2. The seat of the consular post, its classification and the consular district shall be established by the sending State and shall be subject to the approval of the receiving State. The same shall hold true in respect of any change in the seat of the consular post, its classification or the consular district.

*Article 3.* 1. The diplomatic mission of the sending State shall notify the Ministry of Foreign Affairs of the receiving State of the appointment of any person as head of a consular post and shall transmit his commission to that Ministry. The commission shall specify, in particular, the seat, classification and district of the consular post.

2. The Ministry of Foreign Affairs of the receiving State shall, without delay and free of charge, grant an exequatur to the head of a consular post. The exequatur shall specify, in particular, the seat, classification and district of the consular post.

3. As soon as the exequatur has been received, the head of a consular post shall be admitted to the exercise of his functions and to the benefits of this Convention. Pending delivery of the exequatur, the receiving State may agree to admit him on a provisional basis to the exercise of his functions and to the benefits of this Convention.

4. If the exequatur is refused or withdrawn, the receiving State shall not be obliged to inform the sending State of the reasons for that decision. In such an event the sending State shall either recall the individual concerned or terminate his functions at the consular post, as the case may be.

*Article 4.* As soon as the head of a consular post is admitted, even provisionally, to the exercise of his functions, the receiving State shall notify the competent authorities of the consular district; it shall also ensure that the necessary measures are taken to enable the head of a consular post to carry out the duties of his office and to have the benefit of the provisions of this Convention.

*Article 5.* 1. The sending State shall inform the Ministry of Foreign Affairs of the receiving State of the full name, nationality, private address in the receiving State and the status of members of the consular post other than the head of the consular post.

2. The receiving State may, either at the time of notification or subsequently, decline to recognize, or to continue to recognize, any person referred to in paragraph 1 of this article as admitted in the capacity of member of the consular post. In such an event, the sending State shall either recall the person concerned or terminate his functions with the consular post, as the case may be.

*Article 6.* Each High Contracting Party may appoint only its own nationals as consular officers.

*Article 7.* 1. The sending State may appoint one or more members of its diplomatic mission accredited to the receiving State to perform consular functions, in addition to diplomatic functions, within that mission. Such an appointment shall be made in accordance with the provisions of article 3 or article 5, as the case may be.

2. The exercise of consular functions by members of a diplomatic mission, as referred to in paragraph 1 of this article, shall not affect the privileges and immunities they enjoy as members of the diplomatic mission.

*Article 8.* 1. If the head of a consular post dies, is absent or is otherwise prevented from performing his functions, the sending State may appoint a person to act as temporary head of the consular post. The person so appointed shall be recognized as such upon notification to the Ministry of Foreign Affairs of the receiving State and shall, during his mission, be accorded the same treatment as that accorded to the consular officer whom he is replacing or, if it should be more favourable to him, the same treatment he has hitherto received.

2. It shall be understood, however, that the receiving State shall not be obliged, under paragraph 1 of this article, to extend to the person appointed to act as temporary head of the consular post any right, privilege or immunity the exercise or enjoyment of which is subject to compliance with conditions specified in this Convention with which the person concerned does not comply.

3. When, in accordance with paragraph 1 of this article, a member of the diplomatic staff of the diplomatic mission of the sending State in the receiving State is appointed to act as temporary head of the consular post, he shall, if the receiving State does not object thereto, continue to enjoy diplomatic privileges and immunities.

### CHAPTER III. RIGHTS, PRIVILEGES AND IMMUNITIES

*Article 9.* 1. The receiving State shall accord all facilities necessary for the exercise of the functions of the consular post and shall take all appropriate steps to enable the members of the consular post to carry out their activities and to enjoy the rights, privileges and immunities accorded under this Convention.

2. The receiving State shall treat consular officers with the respect due to them by reason of their status and shall ensure their protection.

3. The receiving State shall take all necessary steps to ensure the protection of consular posts and the residences of consular officers.

*Article 10.* Except where the provisions of this Convention provide to the contrary, the members of the consular post shall be amenable to the jurisdiction of the judicial and administrative authorities of the receiving State in accordance with the legislation of that State.

*Article 11.* 1. Consular officers and consular employees who are not nationals of the receiving State shall not be amenable to the jurisdiction of the receiving State in respect of acts performed in their official capacity and falling within the functions of members of a consular post recognized under this Convention, unless the sending State first waives that immunity in a specific case, through the diplomatic channel.

2. The waiver of immunity from jurisdiction for the purposes of civil or administrative proceedings shall not be deemed to imply the waiver of immunity from the measures of execution resulting from the judicial decision; in respect of such measures, a separate waiver shall be necessary.

3. The initiation of proceedings by a consular officer or a consular employee in a matter where he might enjoy immunity from jurisdiction under paragraph 1 of this article shall preclude him from invoking immunity from jurisdiction in respect of any counter-claim directly connected with the principal claim.

4. The provisions of paragraph 1 of this article shall in no case preclude a consular officer or consular employee from being held liable in civil proceedings:

- (a) in respect of obligations which he has contracted when not acting expressly or implicitly as an agent of the sending State;
- (b) instituted by a third Party in respect of damage caused by any means of transport.

Means of transport owned personally by a member of the consular post shall be fully insured against third-party risks, from the standpoint of civil liability arising out of their use, and any such insurance shall meet the requirements of the legislation of the receiving State.

*Article 12.* 1. Consular officers shall not be liable to arrest or detention pending trial for acts performed otherwise than in their official capacity, except:

- (a) in the case of a grave crime and pursuant to a decision by the competent judicial authority; or
- (b) with the consent of the sending State.

For the purposes of this article, a "grave crime" means any offence which is punishable under the legislation of the receiving State by a penalty involving deprivation of liberty for a minimum of five years or a more severe penalty.

Consular officers may, however, be arrested to serve a sentence involving deprivation of liberty imposed by a judicial decision of final effect in a criminal matter.

2. If criminal proceedings are instituted against a consular officer, he must appear before the competent authorities. Nevertheless, the proceedings shall be conducted with the respect due to him by reason of his official position and in a manner which will hamper the exercise of consular functions as little as possible. When it has become necessary to detain a consular officer, the proceedings against him shall be instituted with the minimum of delay.

*Article 13.* In the event of the arrest or prosecution of a member of the consular post, the receiving State shall without delay inform the diplomatic mission of the sending State.

*Article 14.* 1. The members of the consular post may be required to give evidence, subject to the provisions of paragraphs 2 and 3 of this article. The court requiring their evidence shall take all necessary steps to avoid interference with the exercise of their official functions and, in the case of consular officers, such evidence may be taken at the consular post or at their residence or be the subject of a statement in writing if that is possible under the legislation of the receiving State.

2. The members of the consular post may, however, decline to give evidence concerning matters connected with the exercise of their official functions or to produce or surrender documents or articles from the consular archives. Any request so to give evidence may, however, be complied with in the interests of justice if, in the judgement of the head of the consular post, it is possible for this to be done without prejudice to the interests of the sending State.

3. No coercive measures shall be applied to consular officers and consular employees who are neither nationals nor permanent residents of the receiving State and who do not carry on any private gainful occupation there to make them appear before a court as witnesses or give evidence.

4. The provisions of the preceding paragraphs of this article shall also apply in respect of the jurisdiction of the administrative authorities.

*Article 15.* 1. Consular archives shall be inviolable and the authorities of the receiving State shall not, under any pretext, examine or seize them.

2. The consular archives shall be kept completely separate from documents and objects having nothing to do with the exercise of consular functions.

*Article 16.* 1. The authorities of the receiving State shall not enter the consular premises except with the permission of the head of the consular post, his substitute or the head of the diplomatic mission of the sending State. If such permission cannot be obtained, the consular premises may be entered only pursuant to appropriate writ or process. However, the procedure to secure such a writ or process may be begun only with the prior permission of the Ministry of Foreign Affairs of the receiving State. The permission of the head of the consular post, his substitute or the head of the diplomatic mission may, however, be assumed in case of fire or other disaster requiring prompt protective action.

2. The right of asylum shall not be granted in the consular premises to persons who are fugitives from justice. Should a consular officer refuse to surrender a fugitive from justice on the lawful demand of the authorities of the receiving State, the said authorities may, where necessary, but subject to the provisions of paragraph 1 of this article, enter the consular premises to apprehend the fugitive.

3. Access to the consular premises for the purposes specified in paragraphs 1 and 2 of this article shall not prejudice the inviolability of the consular archives.

4. The inviolability of the consular archives and the immunity of the consular premises may not be invoked for purposes not connected with the exercise of consular functions. If documents or property not connected with the exercise of consular functions are deposited in consular premises, the head of the consular post shall make the necessary arrangements to ensure that the application of the legislation of the receiving State concerning such documents or property is not impeded.

5. The consular premises may not be used in a manner incompatible with the exercise of consular functions.

*Article 17.* 1. Members of the consular post and members of their families forming part of their households who are not permanent residents of the receiving

State and who do not carry on any private gainful occupation there, shall be exempt from compliance with the general regulations concerning the residence of aliens in the receiving State and shall not be subject to deportation, with the exception, in the latter case, of members of the service staff and members of their families.

2. A special identity document shall be issued by the competent authority of the receiving State to the persons entitled to the benefits of paragraph 1 of this article.

3. The Ministry of Foreign Affairs of the receiving State or the authority designated by the latter shall be notified of:

- (a) the arrival of members of the consular post after they have been assigned to the consular post, any change affecting their status, as well as their final departure from the receiving State or the termination of their functions in the consular post;
- (b) the arrival and final departure of members of the family of a member of the consular post forming part of his household and, where appropriate, the fact that such a person joins his household or leaves it;
- (c) the hiring and termination of functions in a consular post of consular employees and members of the service staff engaged in the receiving State.

*Article 18.* Members of the consular post and members of their families forming part of their households who are neither nationals nor permanent residents of the receiving State shall be exempt, in that State, from all compulsory service in the armed forces or other organizations directly or indirectly connected with national defence, from any public service, including service in the police force, and from jury service of any kind. The same shall apply to any contribution in cash or in kind imposed in lieu of personal services or contributions.

*Article 19.* 1. The sending State may, under the conditions and in any of the forms provided for by the legislation of the receiving State:

- (a) purchase, lease, own or occupy land, buildings, parts of buildings and appurtenances as required for the purposes of establishing or maintaining consular premises;
- (b) construct, for the same purposes, buildings, parts of buildings or appurtenances on the land so acquired or owned;
- (c) convey the rights and property referred to in subparagraphs (a) and (b) of this paragraph.

2. Where necessary, the sending State may obtain assistance from the receiving State for the purchase, lease, possession, construction or improvement of land, buildings, parts of buildings or appurtenances for the purposes referred to in the preceding paragraph.

3. The provisions of this article shall not exempt the sending State from compliance with any building or town-planning legislation applicable to the area in which the buildings concerned are situated.

4. The receiving State shall also, where necessary, assist the sending State in obtaining suitable accommodation for members of the consular post other than the head of the consular post.

*Article 20.* 1. The coat of arms of the sending State, together with an appropriate inscription in the official language or languages of that State designating the consular post, may be displayed on the outer enclosure and on the outer wall of the

building occupied by the consular post and on or by the entrance door to the consular post. The same privilege shall apply to the residence of the head of the consular post.

2. The flag of the sending State may be flown at the consular post and at the residence of the head of the consular post.

3. The coat of arms of the sending State may be displayed and its flag flown on the means of transport used by the head of the consular post in the performance of his official functions.

However, in the exercise of the right to use the coat of arms or the national flag, regard shall be had to the legislation and usages of the receiving State.

*Article 21.* 1. The sending State shall be exempt from any form of requisitioning for purposes of national defence or public utility in respect of:

(a) consular premises, including the furniture and equipment thereof;

(b) the means of transport of the consular post.

2. Members of the consular post who are neither nationals nor permanent residents of the receiving State and who do not carry on any private gainful occupation there shall enjoy the same exemption in respect of:

(a) their private residences, including the furniture and equipment thereof;

(b) their means of transport.

3. Nothing in the provisions of the preceding paragraphs of this article shall, however, preclude the receiving State from the expropriation for purposes of national defence or public utility, in accordance with its legislation, of the consular premises of the sending State or the residence of a member of the consular post of that State; but if it is necessary to take any such measure, every consideration should be shown to avoid interference with the exercise of consular functions.

Moreover, fair and prior compensation shall be paid in the event of expropriation. Such compensation shall be payable in a form readily convertible into the currency of the sending State and transferable to that State prior to the expiry of a three-month period from the date on which the amount of compensation is determined.

*Article 22.* 1. The receiving State shall permit and protect freedom of communication on the part of the consular post for all official purposes. In communicating with the Government, the diplomatic missions and other consular posts, wherever situated, of the sending State, the consular post may use all appropriate means of communication, including messages in code or cipher.

2. The official correspondence of the consular post, regardless of the means of communication used, and sealed shipments, bearing visible external marks of their official character, shall be inviolable.

3. The sealed shipments of the consular post may be neither opened nor detained. Nevertheless, if the authorities of the receiving State have serious reasons to believe that the shipments contain anything other than correspondence, documents or articles intended for official purposes, they may request that such shipments be opened in their presence by an authorized representative of the sending State. If this request is refused by the authorities of the sending State, the shipments shall be returned to their place of origin.

4. Sealed shipments may be entrusted to the captain of a ship or of a commercial aircraft scheduled to land at an authorized port of entry. He shall be provided with an official document indicating the number of such shipments. A member of the



consular post may take possession of the sealed shipments directly and freely, subject to the provisions of paragraph 3 of this article.

*Article 23.* Subject to the laws and regulations of the receiving State concerning zones entry into which is prohibited or regulated for reasons of national security, all members of the consular post shall be permitted to travel freely in the receiving State for the purpose of performing their duties.

*Article 24.* 1. The sending State shall be exempt from all dues and taxes of any kind imposed or collected by the receiving State in respect of:

- (a) the purchase, lease ownership, rental, possession, construction or improvement of land, buildings, parts of buildings or appurtenances intended for use or used exclusively for the purposes of establishing or maintaining consular premises;
- (b) the purchase, lease, ownership, possession or use of any movable property, including vehicles, intended for use or used exclusively for the official needs of a consular post, in accordance with the legislation in force in the receiving State, it being understood that the exemption from duties and taxes imposed upon or by reason of importation or re-exportation is dealt with exclusively in article 27.

2. The exemption referred to in paragraph 1 of this article shall not apply to dues and taxes imposed or collected for specific services rendered.

3. The exemption referred to in paragraph 1 of this article shall not apply to dues and taxes which, in accordance with the legislation in force in the receiving State, are payable by persons who have contracted with the sending State or for which such persons are legally liable with regard to direct taxes and taxes assimilated thereto.

*Article 25.* 1. Members of the consular post shall be exempt from all dues and taxes of any kind imposed or collected by the receiving State in respect of the salaries, wages or allowances received from the sending State as compensation for their official functions.

2. Consular officers and consular employees shall, in addition, be exempt from all other dues and taxes of any kind imposed or collected by the receiving State, except:

- (a) indirect taxes of a kind which are normally incorporated in the price of goods or services;
- (b) dues and taxes on private immovable property situated in the territory of the receiving State;
- (c) estate, succession or inheritance duties, and similar dues and taxes, subject to the provisions of article 26;
- (d) dues and taxes on private income, including capital gains, having its source in the receiving State, and capital taxes relating to investments made in commercial or financial undertakings in the receiving State;
- (e) dues and taxes imposed or collected for specific services rendered;
- (f) registration, court or record fees, mortgage dues and stamp duties.

Members of the family forming part of the household of a consular officer or consular employee shall enjoy the same exemptions as that consular officer or employee.

Exemption from dues and taxes imposed upon or by reason of importation or re-exportation is dealt with exclusively in article 27.

3. The exemptions specified in this article shall not, however, apply to nationals or permanent residents of the receiving State, or to persons who carry on a private gainful occupation there.

4. The exemptions referred to in this article shall not apply to the dues and taxes which, in accordance with the legislation in force in the receiving State, are payable by persons other than members of the consular post or members of their families or for which such persons are legally liable with regard to direct taxes and taxes assimilated thereto.

5. Members of the consular post who employ persons whose salaries or wages are not exempt from income tax in the receiving State shall observe the obligations which the legislation of that State imposes upon employers concerning the levying of income tax.

*Article 26.* 1. In the event of the death of a member of the consular post or of a member of his family forming part of his household, the movable property forming part of the estate and situated in the receiving State shall be exempt in that State from estate, succession or inheritance duties and from all similar dues and taxes if the deceased was neither a national nor a permanent resident of that State and if the presence of that property in that State was due solely to the presence in the receiving State of the deceased as a member of the consular post or as a member of his family.

2. The receiving State shall permit the export, exempt from customs duties and all taxes and related charges, of the property referred to in paragraph 1 of this article, with the exception of property acquired in that State the export of which is prohibited or restricted.

*Article 27.* 1. The receiving State shall, in accordance with its legislation, permit the import and re-export of and shall grant in both cases exemption from all customs duties, taxes and related charges, other than charges for storage, cartage and similar services, on:

- (a) articles, including a single motor vehicle, for the official use of the consular post;
- (b) goods, including a single motor vehicle, for the personal use of consular officers;
- (c) a single motor vehicle imported by consular employees within two months of their arrival in the country to take up their consular appointment.

2. In accordance with the legislation in force in the receiving State, the privileges and exemptions referred to in paragraph 1 (b) of this article shall also be granted to members of the families forming part of the households of consular officers.

3. The privileges and exemptions referred to in paragraphs 1 and 2 of this article shall not apply to nationals or permanent residents of the receiving State, or to persons who carry on a private gainful occupation there.

4. The provisions of this article shall not apply to goods the import or export of which is prohibited by the legislation of the receiving State.

*Article 28.* 1. In the performance of their official functions, consular officers may levy the fees and charges prescribed by the legislation of the sending State. The fees and charges so collected shall be freely convertible and transferable to the sending State within a reasonable period of time.

2. The sending State shall be exempt from all dues and taxes of any kind imposed or collected by the receiving State on the sums referred to in paragraph 1 of this article and on the receipts for such sums.

*Article 29.* Without prejudice to their privileges and immunities, it is the duty of all persons enjoying such privileges and immunities to respect the legislation of the receiving State.

*Article 30.* 1. Every member of the consular post shall enjoy the privileges and immunities provided in the present Convention from the moment he enters the receiving State on proceeding to take up his post or, if already in that State, from the moment he enters on his duties with the consular post.

2. Members of the family of a member of the consular post forming part of his household shall receive the privileges and immunities provided in the present Convention from the date from which he enjoys privileges and immunities in accordance with paragraph 1 of this article, or from the date of their entry into the receiving State or from the date of their becoming members of such family, whichever is the latest.

3. When the functions of a member of the consular post have come to an end, his privileges and immunities and those of a member of his family forming part of his household shall normally cease at the moment when the person concerned leaves the receiving State or on the expiry of a reasonable period in which to do so, whichever is the sooner, but shall subsist until that time. In the case of the persons referred to in paragraph 2 of this article, their privileges and immunities shall come to an end when they cease to belong to the household of a member of the consular post, provided, however, that if such persons intend to leave the receiving State within a reasonable period thereafter, their privileges and immunities shall subsist until the time of their departure.

4. However, with respect to acts performed by a consular officer or a consular employee in the exercise of his functions, immunity from jurisdiction shall continue to subsist without limitation of time.

5. In the event of the death of a member of the consular post, the members of his family forming part of his household shall continue to enjoy the privileges and immunities accorded to them until they leave the receiving State or until the expiry of a reasonable period enabling them to do so, whichever is the sooner.

*Article 31.* The sending State, members of a consular post and the members of their families shall comply with the formalities prescribed by the administrative authorities of the receiving State with regard to the application of the provisions of chapter III.

#### CHAPTER IV. FUNCTIONS OF CONSULAR OFFICERS RELATING TO CIVIL AND ADMINISTRATIVE MATTERS

*Article 32.* 1. Consular officers shall be entitled to protect the rights and interests of the sending State and to further such interests, *inter alia*, in the commercial, economic, social, occupational, touristic, artistic, scientific, educational and manpower fields, as well as in respect of shipping and civil aviation; in addition, they shall be entitled to promote and expand co-operation between the sending State and the receiving State in these areas.

2. Consular officers shall be entitled to protect the nationals of the sending State, including bodies corporate, and to defend their rights and interests, as well as to further the development of their economic, commercial, cultural and scientific interests.

3. For the purposes referred to in the preceding paragraphs, consular officers may apply to private institutions and firms located within their districts.

*Article 33.* 1. In the exercise of their right to protect the nationals of the sending State and to defend their rights and interests, consular officers may, *inter alia*:

- (a) intervene in matters such as those relating to the entry into, stay in and departure from the receiving State on the part of any national of the sending State, his exercise of a professional or gainful occupation and the enjoyment of civil rights and of all rights arising out of applicable agreements or treaties;
- (b) subject to the provisions of article 35, interview, at the consular post and elsewhere, communicate with and advise any national of the sending State;
- (c) inquire into any incidents which have affected or may affect the interests of any such national;
- (d) assist nationals of the sending State in their relations with the judicial or administrative authorities of the receiving State, help them in their proceedings before such authorities, make arrangements, for that purpose, if the legislation of the receiving State permits, to provide them with the services of a lawyer or of any other person and, with the consent of the said authorities, act as interpreters on their behalf or designate an interpreter to assist them.

2. Consular officers may also, without prejudice to the application of the national legislation of the two countries and the conventions in force between the High Contracting Parties:

- (a) receive pensions, benefits or allowances payable to nationals of the sending State who are absent from the receiving State;
- (b) transmit to any beneficiary the pensions, benefits or allowances payable in accordance with the legislation of the sending State or under conventions relating to social security;
- (c) receive lost property belonging to nationals of the sending State with a view to transmitting it to the owners.

*Article 34.* 1. Consular officers shall be entitled, in accordance with the legislation of the receiving State, to take steps to ensure, without having to obtain special power of attorney, that nationals of the sending State are appropriately represented before the courts and other authorities of the receiving State, where, because of absence or for any other valid reason, such nationals are unable at the proper time to assume the defence of their rights and interests. The same shall apply to bodies corporate of the sending State.

2. The representation provided for in paragraph 1 of this article shall cease when the persons represented appoint their own agents or themselves assume the defence of their rights and interests.

*Article 35.* 1. Nationals of the sending State shall at all times be entitled to communicate with consular officers and to visit the consular post, subject to the provisions of paragraphs 2 to 4 of this article.

2. Consular officers shall be informed within five days by the authorities of the receiving State if any national of the sending State is committed to prison, arrested, detained pending trial or detained in custody in any way. The same shall apply to the expulsion of any such national.

3. Subject to the provisions of the legislation of the receiving State prohibiting or restricting communication, consular officers shall be permitted to visit, as soon as possible, any national of the sending State who has been arrested or detained in the receiving State, to converse with him in the language of his choice, even in private, to communicate with him and to arrange legal representation for him. Subject to the same reservation, any communication emanating from any such national and intended for the consular officer shall be transmitted to the latter without delay by the authorities of the receiving State.

4. Consular officers shall be entitled, on reasonable conditions, to visit a national of the sending State who has been convicted and is serving a sentence of imprisonment and to exchange communications with him, following notification to the competent authority and in conformity with prison regulations.

5. It is understood that the legislation of the receiving State and the prison regulations shall allow the full realization of the purposes for which the rights referred to in paragraphs 3 and 4 of this article are accorded.

6. Any national of the sending State referred to in paragraphs 3 and 4 may object to being visited by a consular officer; any such objection shall be expressed in the presence of the consular officer.

7. The authorities of the receiving State shall, as quickly as possible, notify any national of the sending State who has been arrested, detained or otherwise deprived of liberty of the possibility of communication accorded him under paragraphs 3 and 4 of this article.

*Article 36.* Consular officers shall be entitled:

- (a) to issue passports and other travel documents to nationals of the sending State and to any other person entitled to receive them, and to renew, amend or cancel such documents;
- (b) to issue identity documents to nationals of the sending State and to keep a register of them;
- (c) to grant any visa or issue any document authorising entry into the sending State;
- (d) to execute the necessary formalities to enable nationals of the sending State to participate in referendums and national and local elections in that State;
- (e) to legalize certificates of origin or provenance and other similar documents in respect of goods;
- (f) to legalize the signatures of authorities or public agents of the sending State and of the receiving State, as well as the signatures appended to documents by nationals of the sending State;
- (g) to issue extracts from, and plain or certified copies of, any document drawn up in accordance with the legislation of the sending State.

*Article 37.* 1. Consular officers shall be entitled to translate documents of any kind, irrespective of the persons, authorities or countries from which they emanate.

2. If documents to be translated must be produced before an authority of the receiving State, the latter may require that the translation be certified as an accurate translation by a sworn translator.

*Article 38.* 1. Consular officers shall be entitled:

- (a) to accept any declaration as prescribed by the legislation of the sending State relating to nationality and keep a register of such declarations;

- (b) to draw up or accept birth or death certificates or any other documents relating to the civil status of nationals of the sending State;
- (c) to draw up or accept certificates of acknowledgement of children born out of wedlock, whatever the nationality and age of the child, provided that the certificate is signed by a national of the sending State;
- (d) to solemnize a marriage, provided that the future spouses are nationals of the sending State and that the solemnization of such a marriage is not prohibited under the legislation of that State, and to draw up the relevant certificate;
- (e) to accept the necessary consent to enable a national of the sending State to marry, whatever the nationality of the persons providing such consent, and to draw up the relevant certificate;
- (f) to draw up certificates of adoption where the adopter or the person being adopted is a national of the sending State, whatever the nationality of the person who signs the certificate;
- (g) provided that the legislation of the receiving State does not so prohibit, to serve, at the request of the courts and the administrative authorities of the sending State, judicial and extra-judicial documents relating to its nationals.

2. The acceptance of any document relating to civil status and the solemnization of a marriage by a consular officer shall in no way exempt the parties concerned from the obligations prescribed under the legislation of the receiving State with regard to the requirements concerning declarations or registration.

3. The competent authority of the receiving State shall provide the consular post free of charge with an extract from any civil register document relating to a national of the sending State when the consular post requests it for administrative purposes or on behalf of an indigent person.

*Article 39.* Consular officers shall be entitled to publish notices addressed to nationals of the sending State and to accept declarations from them concerning military service and any other matter relating to their rights, obligations or interests, in so far as such notices and declarations are compatible with the legislation of the receiving State.

*Article 40.* 1. The receiving State shall recognize as valid the following notarized documents drawn up or accepted in accordance with the legislation of the sending State in the receiving State or on board vessels of the sending State or aircraft registered in that State by consular officials of the sending State invested by that State with notarial authority:

- (a) instruments and contracts concerning nationals of the sending State exclusively;
- (b) contracts of marriage, provided that the future spouses are nationals of the sending State;
- (c) certificates of consent to the marriage of a national of the sending State, whatever the nationality of the persons whose consent is received;
- (d) documents seeking parental approval for the marriage of a national of the sending State;
- (e) certificates of acknowledgement of children born out of wedlock, whatever the nationality and age of the child, provided that the certificate is signed by a national of the sending State;

(f) any instruments and contracts in which one or more parties are not nationals of the sending State, provided that such instruments and contracts relate to property situated in that State or to business to be transacted in that State.

2. The provisions of paragraph 1 of this article shall not apply to instruments and contracts concerning the creation, transfer or extinction of rights to immovable property situated in the receiving State.

3. Copies of or extracts from instruments and contracts drawn up or accepted under this article, duly certified by the competent consular officer and bearing the seal of the consular post, shall be authentic and shall have the same evidentiary value, both in legal proceedings and elsewhere, in the receiving State as if they had been issued by a notary, public official or any other competent authority of either State, provided that such instruments and contracts have been drawn up in the form required under the legislation of the sending State and that, where necessary, they have been stamped and registered and that all the formalities governing the matter in the State in which the instrument is to be executed have been observed.

4. In the event of a doubt being raised concerning the authenticity of a copy of or extract from an instrument or contract drawn up or accepted under this article, the party concerned may, in accordance with the legislation of the sending State, require the copy to be compared with the original, the provisions of article 15, paragraph 1, notwithstanding.

*Article 41.* 1. Consular officers shall be entitled to make arrangements for the protection of minors and other persons lacking full capacity who are nationals of the sending State, in accordance with the legislation of that State.

2. When arrangements must be made for the protection of a minor or other person lacking full capacity who is a national of the sending State and is resident in the receiving State, the authorities of the latter State shall, as soon as they have knowledge of the situation, inform the consular officer. If the arrangements for such protection are made by the consular officer, he shall so inform the authorities of the receiving State as soon as possible.

3. The provisions of paragraph 1 of this article shall not affect the right of the competent authorities of the receiving State to take the measures required under the legislation of that State with a view to safeguarding the interests of a minor or other person lacking full capacity where the person or the property of such individuals is in serious danger.

*Article 42.* 1. Consular officers shall be informed without delay, by the authorities of the receiving State, if a national of the sending State is confined because of mental illness.

2. Consular officers shall be authorized to visit, as soon as possible, any national of the sending State who has been so confined and to arrange, where appropriate, for his protection in accordance with the provisions of article 41.

*Article 43.* The competent authorities of the receiving State shall without delay inform the consular officer of the death of a national of the sending State.

*Article 44.* 1. Where the competent authorities of the receiving State have knowledge that there exists in that State:

(a) an estate bestowed by will or an intestate estate of a national of the sending State in relation to which no person other than a public administrator or similar

authority can be found who is entitled to claim administration of the estate and who is present or represented, or

- (b) property or rights deriving from an estate bestowed by will or an intestate estate in respect of which a consular officer may be entitled to intervene in accordance with the provisions of paragraph 5 of this article, they shall notify the consular officer accordingly.

The consular officer shall similarly notify the competent authorities if such information reaches him through another channel.

2. The consular officer shall be entitled, concurrently with the competent authority, to affix and remove seals and to draw up an inventory. If, however, any delay might be likely to endanger the estate, the consular officer or the competent authority shall be entitled to carry out such operations alone, provided that the other authority is notified accordingly without delay in order to secure the subsequent co-operation of that authority.

3. In the cases specified in paragraph 1 of this article, the consular officer may, in conformity with the legislation of the receiving State, take or arrange for the requisite conservatory measures.

4. In respect of any questions which might arise in connexion with the opening, administration and liquidation of the estate of a national of the sending State in the receiving State, consular officers shall be authorized *ipso facto* to represent beneficiaries who lack full capacity or who are not present in the receiving State and who are nationals of the sending State, in so far as they are not properly represented. Consular officers shall be officially recognized as representatives of such beneficiaries without being required to prove their authority to act as such by a special power of attorney.

5. If nationals of the sending State having an interest in an estate left in the receiving State lack full capacity or are absent from that State and are not represented, the consular officer may, irrespective of the nationality of the deceased, act as their representative without being required to produce any special power of attorney. The intervention of the consular officer shall cease as soon such nationals are present or properly represented.

The provisions of this paragraph shall not affect the rights, recognized by treaties, of consular officers of the State of which the deceased was a national.

6. A consular officer who is regarded as the representative of the persons concerned cannot be personally called to account before the competent authorities in connexion with any matter concerning the estate.

7. If a national of the sending State dies while travelling in or through the receiving State without having either his domicile or his permanent residence in that State, the consular officer shall be entitled, for the purpose of safeguarding the personal effects, valuables and other property in the possession of the deceased, to place them immediately in safe-keeping, in so far as they have not been claimed by an heir either in person or through a representative:

- (a) after satisfying any claim in respect of a lien by a person domiciled or permanently resident in the receiving State;
- (b) except that the administrative or judicial authorities of the receiving State shall be entitled to take possession of them if the interests of justice so require.

8. If a consular officer exercises the rights in the matter of succession referred to in this article, he shall comply with the legislation of the receiving State.



*Article 45.* 1. For the purpose of transmission to a national of the sending State who is not present in the receiving State, a consular officer may receive any money or property to which such national is entitled as a consequence of a person's death, in so far as such money or property can be transmitted to that national, and on the conditions prescribed.

2. When the consular officer receives the money or property referred to in paragraph 1 of this article, he shall comply with the conditions of proof in force in the receiving State in order to establish that such money or property has been transmitted to the national concerned; failing such proof, the money or property shall be returned.

CHAPTER V. FUNCTIONS OF CONSULAR OFFICERS IN RELATION TO SHIPPING  
AND CIVIL AVIATION

*Article 46.* 1. Consular officers or persons delegated by them shall be entitled to extend assistance to vessels of the sending State during their stay in the ports or the territorial or internal waters of the receiving State.

2. Consular officers or persons delegated by them shall be entitled to establish contact with the master of the vessel and members of the crew and to proceed personally on board the vessel as soon as it has received *pratique*. If consular officers or persons delegated by them request the assistance of the authorities of the receiving State in connexion with any matter concerning the performance of their duties, such assistance shall be granted them.

3. The master of the vessel and members of the crew may communicate with consular officers and proceed to the consular post, subject to compliance with the legislation of the receiving State concerning the admission, stay and departure of foreign nationals.

*Article 47.* Consular officers shall be entitled:

1. to question the master or any member of the crew of a vessel of the sending State, examine and stamp any of the ship's papers, take statements regarding its voyage and destination and in general facilitate the arrival, the stay in port and the departure of the vessel;
2. to make all arrangements for the engagement and discharge of the master or any member of the crew;
3. to settle disputes of any kind between the master and members of the crew, particularly disputes relating to wages and contracts of service;
4. to make all arrangements for the treatment in hospital and the repatriation of the master or any member of the crew;
5. to request the delivery to them of any birth certificate or death certificate which the master has drawn up on board the vessel during the sea voyage, as well as any wills which he has received;
6. to render aid and assistance to the master or members of the crew of a vessel of the sending State in their relations with the judicial and administrative authorities of the receiving State and, for that purpose, to provide them with the services of a lawyer or any other person, and to act as interpreter on their behalf or designate an interpreter to assist them;
7. to take all necessary steps for the maintenance of order and discipline on board the vessel;

8. to receive, draw up or sign any declaration or other document prescribed by the legislation of the sending State concerning the nationality of, ownership of or security interests in, and condition and operation of, a vessel of that State;
9. to ensure the application of the shipping legislation of the sending State on board vessels of that State.

*Article 48.* 1. The judicial authorities of the receiving State may exercise their jurisdiction in respect of offences committed on board a vessel of the sending State in the case of:

- (a) offences committed by or against any person other than the master or a member of the crew or by or against a national of the receiving State;
- (b) offences jeopardizing the tranquillity or safety of the port or punishable under the legislation of the receiving State regarding State security, public health, immigration, the safety of life at sea, customs or any similar matter;
- (c) offences committed outside the waters of the receiving State which are punishable under the legislation of that State by penalty involving deprivation of liberty for a minimum of three years or a more severe penalty;
- (d) offences committed in the waters of the receiving State which are:
  - (i) punishable under the legislation of that State by a penalty involving deprivation of liberty for a minimum of three years or a more severe penalty;
  - (ii) punishable by a less severe penalty, provided that the master or a member of the crew has filed a complaint with the said authorities and has previously informed the consular officer of the factors involved in the complaint.

In other cases, the said authorities shall act only at the request or with the consent of the consular officer.

2. Where the competent authorities of the receiving State intend to take coercive measures or to institute an official investigation on board a vessel of the sending State, they shall so inform the consular officer of that State.

Except in the case of an emergency or *force majeure*, the consular officer shall be so informed in such time as to enable him to be present when the authorities of the receiving State carry out the intended measures on board the vessel.

If the consular officer or his representative was not present, the competent authorities of the receiving State shall, at his request, inform him fully of the measures taken.

3. The provisions of this article shall not apply to any routine examination carried out by the authorities of the receiving State with regard to public health, immigration, the safety of life at sea, customs or water pollution.

4. The provisions of this article shall apply only within the limits of the competence vested in the judicial authorities under the legislation of the receiving State.

*Article 49.* 1. If a member of the crew who is not a national of the receiving State deserts a vessel of the sending State in the receiving State, the competent authorities of the latter State shall, in accordance with the legislation of the receiving State and at the request of the consular officer, aid in apprehending the deserter and in having him taken on board the vessel or another vessel of the sending State.

2. The authorities of the receiving State may not, however, take action in respect of a deserter in whose case there is reasonable cause for believing that his life or liberty will be endangered, afloat or ashore, for reasons of race, nationality, political opinion or religion, in any country to which the vessel may go.

3. If the deserter has been convicted of or charged with an offence, other than the desertion, against the legislation of the receiving State, the authorities of that State shall not be obliged to take action until he has served any sentence imposed on him.

*Article 50.* 1. Subject to the authorization of the master of the vessel, consular officers shall be entitled to visit vessels of any nationality bound for a port of the sending State in order to obtain such information as will enable them to draw up and sign the documents required under the legislation of the sending State for the entry of the vessel into the ports of that State and to provide the competent authorities of the sending State with any information they may request concerning public health or other matters.

2. Consular officers shall act with all possible dispatch when exercising the rights conferred on them by this article.

*Article 51.* 1. If a vessel of the sending State has been damaged, has run aground or has been wrecked in the receiving State, the competent authorities of that State shall immediately notify the consular officer of the occurrence and shall inform him of the measures taken to save and protect the vessel, crew, passengers, cargo, supplies and other articles on board.

2. In the cases referred to in paragraph 1 of this article, the authorities of the receiving State shall be required to take the necessary measures to protect the damaged, stranded or wrecked vessel, the lives of those on board, the cargo and the other articles on board, and to prevent looting and disorder on board the vessel. Such measures shall also extend to articles forming part of the vessel or of its cargo which have become separated from the vessel. The authorities of the receiving State shall also accord the consular officer the necessary assistance in taking any measures required as a result of the damage, stranding or shipwreck. Consular officers shall be entitled to request the authorities of the receiving State to take, and to continue taking, the necessary measures to save and protect the vessel, crew, passengers, cargo, supplies and other articles on board. Such measures shall, where appropriate, be taken in collaboration with the master of the vessel.

3. Where the wrecked vessel, the cargo or other articles which had been on board are found on or near the coast of the receiving State or are brought into a port of that State, and neither the master of the vessel nor the owner of the vessel or of the cargo nor his agent nor the underwriters are present or in a position to make arrangements for their preservation or disposal, the consular officer shall be authorized to make, as the representative of the owner of the vessel, such arrangements as the owner could have made for the same purposes, in conformity with the legislation of the receiving State, had he been present.

4. Consular officers may also take the measures prescribed in paragraph 3 of this article with respect to any article belonging to a national of the sending State and coming from, or forming part of the cargo of, a vessel which is brought into a port or found on or near the coast or on board the damaged, stranded or wrecked vessel. The competent authorities of the receiving State shall inform the consular officer without delay of the existence of such articles.

5. Provided that the legislation of the receiving State contains nothing to the contrary, the competent authorities of that State shall invite the consular officer to attend the inquiry held to determine the causes of the damage, stranding or shipwreck.

6. The intervention of the authorities of the receiving State shall not result in the levying of any taxes or charges other than those levied in similar circumstances in respect of a damaged, stranded or wrecked vessel of the receiving State, any articles on board or its cargo.

*Article 52.* 1. If the master or a member of the crew of a vessel of the sending State dies or disappears in the receiving State, whether on board the vessel or on shore, the master or his substitute and the consular officers shall have sole competence to draw up an inventory of the personal effects, valuables and other property left by the deceased or missing person and to perform such other acts as are necessary for the preservation of the assets and, where appropriate, the liquidation of the estate.

If, however, the deceased or missing person is a national of the receiving State, the master of the vessel or his substitute shall, at the time when the person is declared dead or missing, draw up an inventory, a copy of which shall be delivered to the authorities of the receiving State, and those authorities shall have sole competence to perform all such other acts as are necessary for the preservation of the assets and, where appropriate, the liquidation of the estate. The said authorities shall inform the consular post of the sending State accordingly.

2. If the master or a member of the crew, being a national of the sending State, dies or disappears in the receiving State on board a vessel registered in that State, the inventory of the personal effects, valuables and other property left by the deceased or missing person shall be drawn up, and the acts necessary for the preservation of the assets and, where appropriate, the liquidation of the estate, shall be performed in accordance with article 44, paragraph 7.

3. If, on board a vessel registered in one of the Contracting States, a national of the other Contracting State dies or disappears outside the territory of that State, the personal effects, valuables and other property left by the deceased or missing person shall be delivered to a consular officer of the State of which the person concerned is a national at the first port of call where the consular officer is available.

If that first port of call is in the territory of a Contracting State, the procedure followed shall be in accordance with the last subparagraph of paragraph 1 or with paragraph 2 of this article, as the case may be.

4. If a consular officer exercises the rights in the matter of succession referred to in this article, with the exception of the first subparagraph of paragraph 3, he shall comply with the legislation of the receiving State.

*Article 53.* The provisions of this chapter shall also apply *mutatis mutandis* to civil aviation, provided that they are not contrary to the provisions of other conventions in force between the High Contracting Parties.

#### CHAPTER VI. GENERAL PROVISIONS

*Article 54.* Consular officers shall be entitled to perform their functions only within their consular districts. However, provided that the diplomatic mission of the sending State has so notified the Ministry of Foreign Affairs of the receiving State and with the latter's consent, consular officers may, in specific cases, perform their functions outside their consular districts.

*Article 55.* In the performance of their official functions, consular officers shall be entitled to address any local authority and official bodies in their district.

They may not apply directly to the Ministry of Foreign Affairs, except in the absence of any diplomatic agent of the sending State.

*Article 56.* The provisions of this Convention concerning the functions of consular officers are not exhaustive. Consular officers shall also be authorized to perform other functions, provided that:

- (a) they have been conferred on them by the sending State;
- (b) they involve no conflict with the legislation of the receiving State;
- (c) the authorities of the receiving State raise no objection to the performance of such functions.

*Article 57.* After appropriate notification to the receiving State and provided that State does not object, a consular post of the sending State may perform consular functions in the receiving State on behalf of a third State.

*Article 58.* Any dispute relating to the interpretation or application of the provisions of this Convention and the exchange of letters appended thereto which may arise between the High Contracting Parties and which has not been settled through the diplomatic channel shall be referred, by either of the Parties, to the International Court of Justice at The Hague, unless in any particular case the Parties agree to submit the dispute to some other jurisdiction or to settle it in some other manner.

*Article 59.* 1. This Convention shall be ratified and the instruments of ratification shall be exchanged in Ankara as soon as possible. It shall enter into force on the thirtieth day after the date of exchange of the instruments of ratification.

2. The Convention shall continue in force until six months from the date on which either High Contracting Party has denounced it; such notice of denunciation shall be given in writing through the diplomatic channel.

3. Either High Contracting Party may propose to the other High Contracting Party that one or more articles of this Convention should be amended. In the event of agreement on an amendment, such amendment shall be the subject of a Protocol which shall constitute an integral part of this Convention.

IN WITNESS WHEREOF the respective Plenipotentiaries have signed this Convention and have thereto affixed their seals.

DONE at Ankara, on 28 April 1972, in two original copies, in the French language.

For His Majesty  
the King of the Belgians:

[Signed]

PIERRE HARMEL  
Minister for Foreign Affairs

For the President  
of the Republic of Turkey:

[Signed]

ÜMIT HALÜK BAYÜLKEN  
Minister for Foreign Affairs

## EXCHANGES OF LETTERS

## I a

Ankara, 28 April 1972

Sir,

On the occasion of the signing of the Consular Convention between our two countries, I have the honour, on behalf of my Government, to inform you that Belgium and the Grand Duchy of Luxembourg signed at Brussels on 30 September 1965<sup>1</sup> a Convention concerning co-operation in consular matters.

Accordingly, I venture to propose that, on the basis of article 57 of the Convention between our two countries, the Republic of Turkey should accord to Belgian consular officers the right to act, in accordance with chapters IV and V of the latter Convention, with a view to the defence of Luxembourg interests.

If the Government of the Republic of Turkey is able to signify its agreement to this proposal, this letter and your reply shall form an integral part of the Convention between our two countries.

Accept, Sir, etc.

[Signed]

PIERRE HARMEL

Minister for Foreign Affairs

His Excellency Mr. Ümit Halûk Bayülken  
Minister for Foreign Affairs of Turkey

## II a

Ankara, 28 April 1972

Sir,

I have the honour to acknowledge receipt of your letter of today's date concerning the defence of Luxembourg interests by Belgian consular officers, which reads as follows:

[See letter I a]

I have the honour to state, for the information of the Belgian Government, that the Government of the Republic of Turkey signifies its agreement to your proposal.

Accept, Sir, etc.

[Signed]

ÜMIT HALÛK BAYÛLKEN

Minister for Foreign Affairs

His Excellency Mr. Pierre Harmel  
Minister for Foreign Affairs of Belgium

<sup>1</sup> United Nations, *Treaty Series*, vol. 590, p. 35.

I b

Ankara, 28 April 1972

Sir,

On the occasion of the signing of the Consular Convention between our two countries, I have the honour to inform you that, the diplomatic and consular careers in Turkey having been combined, a Turkish diplomatic officer may be assigned to either an embassy or a consular post, in the former instance as a counsellor, first secretary, second secretary or third secretary, and in the latter instance as a consul-general, consul, vice-consul or consular agent: the "consular agent" of a consular post is equivalent to the third secretary of an embassy in the structure of Turkish Foreign Affairs offices.

Accordingly, I venture to propose that the consular agents of Turkish consular posts in Belgium should also be accorded the rights, privileges, immunities and functions provided for consular officers under the Convention.

If the Belgian Government is able to signify its agreement to this proposal, this letter and your reply shall form an integral part of the Convention between our two countries.

Accept, Sir, etc.

[Signed]

ÜMIT HALÜK BAYÜLKEN  
Minister for Foreign Affairs

His Excellency Mr. Pierre Harmel  
Minister for Foreign Affairs of Belgium

II b

Ankara, 28 April 1972

Sir,

I have the honour to acknowledge receipt of your letter of today's date concerning the rights, privileges, immunities and functions to be accorded to the consular agents of Turkish consular posts in Belgium, which reads as follows:

[See letter I b]

I have the honour to state, for the information of the Turkish Government, that the Belgian Government signifies its agreement to your proposal.

Accept, Sir, etc.

[Signed]

PIERRE HARMEL  
Minister for Foreign Affairs

His Excellency Mr. Ümit Halük Bayülken  
Minister for Foreign Affairs of Turkey

I c

Ankara, 28 April 1972

Sir,

On the occasion of the signing of the Consular Convention between our two countries, I have the honour, on behalf of my Government, to submit to you the following proposal which, in the event of agreement, shall form an integral part of the Convention:

“1. Each High Contracting Party shall be entitled to establish and maintain in the territories of the other Party consular posts headed by honorary consular officers, or honorary consular posts, and to appoint honorary consular officers to such posts, by mutual agreement.

“2. The regime relating to honorary consular officers and to the consular posts referred in paragraph 1 shall be based on the principle of reciprocity, account being taken of the legislation of the receiving State.

“3. The receiving State shall take such steps as may be necessary to protect the consular premises of the consular posts referred to in paragraph 1 against any intrusion or damage and to prevent any disturbance of the peace of such consular posts or impairment of their dignity.

“4. The consular archives and documents of the consular posts referred to in paragraph 1 shall be inviolable at all times and wherever they may be, provided that they are kept separate from other papers and documents and, in particular, from the private correspondence of the head of a consular post and of any person working with him, and from the materials, books or documents relating to their profession or trade.”

Accept, Sir, etc.

[Signed]

PIERRE HARMEL

Minister for Foreign Affairs

His Excellency Mr. Ümit Halûk Bayülken  
Minister for Foreign Affairs of Turkey

II c

Ankara, 28 April 1972

Sir,

I have the honour to acknowledge receipt of your letter of today's date concerning consular posts headed by honorary consular officers, honorary consular posts and honorary consular officers, which reads as follows:

[See letter I c]



I have the honour to state, for the information of the Belgian Government, that the Turkish Government signifies its agreement to your proposal.

Accept, sir, etc.

[Signed]

ÜMIT HALÛK BAYÛLKEN  
Minister for Foreign Affairs

His Excellency Mr. Pierre Harmel  
Minister for Foreign Affairs of Belgium

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