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**UNION OF SOVIET SOCIALIST REPUBLICS  
and  
YUGOSLAVIA**

**Consular Convention. Signed at Belgrade on 21 July 1960**

*Authentic texts: Russian and Serbo-Croatian.*

*Registered by the Union of Soviet Socialist Republics on 19 October 1984.*

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**UNION DES RÉPUBLIQUES SOCIALISTES  
SOVIÉTIQUES  
et  
YOUgoslavie**

**Convention consulaire. Signée à Belgrade le 21 juillet 1960**

*Textes authentiques : russe et serbo-croate.*

*Enregistrée par l'Union des Républiques socialistes soviétiques le 19 octobre 1984.*

## [TRANSLATION — TRADUCTION]

CONSULAR CONVENTION<sup>1</sup> BETWEEN THE UNION OF SOVIET SOCIALIST REPUBLICS AND THE SOCIALIST FEDERAL REPUBLIC OF YUGOSLAVIA

The Presidium of the Supreme Soviet of the Union of Soviet Socialist Republics, on the one hand, and the President of the Socialist Federal Republic of Yugoslavia, on the other hand,

Guided by the desire to determine and regulate consular relations between the two States with a view to concluding a Consular Convention, have appointed as their plenipotentiaries:

The Presidium of the Supreme Soviet of the Union of Soviet Socialist Republics:  
Ivan Konstantinovich Zamchevsky, Ambassador Extraordinary and Plenipotentiary of the Union of Soviet Socialist Republics in the Federal People's Republic of Yugoslavia;

The President of the Socialist Federal Republic of Yugoslavia: Lyubomir Radovanovich, Ambassador of the State Secretariat for Foreign Affairs,  
who, having exchanged their full powers, found in good and due form, have agreed as follows:

ESTABLISHMENT OF CONSULATES, APPOINTMENT AND ACCEPTANCE  
OF CONSULS, AND CONSULAR STAFF

*Article 1.* 1. Each Contracting Party may, in accordance with this Convention, open consulates in the territory of the other Contracting Party.

2. The places in which consuls are stationed and their consular districts shall be determined by agreement between the Contracting Parties in each individual case.

*Article 2.* Before appointing a consul, the Contracting Party concerned shall obtain, through the diplomatic channel, the consent of the other Contracting Party to such appointment.

*Article 3.* 1. The diplomatic mission of the sending State shall present to the Ministry of Foreign Affairs of the receiving State the consular commission setting forth the consul's surname and first name, rank, nationality, the consular district for which he will be responsible, and his duty station.

2. The consul may not enter upon his duties until the Government of the receiving State has recognized him in that capacity. Such recognition shall be granted in the form of an exequatur issued after the commission has been presented.

3. After the consul has been recognized, the authorities of the receiving State shall make the necessary arrangements to enable the consul to perform his duties and enjoy the rights, exemptions and privileges to which he is entitled under this Convention and under the laws of the receiving State.

<sup>1</sup> Came into force on 2 August 1961 by the exchange of the instruments of ratification, which took place at Moscow, in accordance with article 28.

*Article 4.* 1. The functions of a consul shall cease upon his recall, by withdrawal of his exequatur or in the event of his death.

2. In the instances stipulated in paragraph 1 of this article, and in the event of the consul's absence or illness, the sending State may authorize an officer of the consulate concerned or of another consulate or an officer of its diplomatic mission to take temporary charge of the consulate. The Ministry of Foreign Affairs of the receiving State shall be informed beforehand of the appointment of such a person.

3. A person authorized to take temporary charge of the consulate shall enjoy the rights, exemptions and privileges accorded to consuls by this Convention.

*Article 5.* For the purposes of this Convention:

1. The term "consulate" means a consulate general, consulate, vice-consulate or consular agency.

2. The term "consul" means a consul-general, consul, vice-consul or consular agent in charge of a consulate.

3. The term "consular officers" means consuls who are not in charge of consulates and other consular staff having consular rank.

4. The term "consular employees" means all persons working in the consulate except for those referred to in paragraphs 2 and 3 of this article.

5. The term "consular staff" means the consul, consular officers and consular employees.

*Article 6.* Only nationals of the sending State may be consuls or consular officers.

#### RIGHTS, EXEMPTIONS AND PRIVILEGES

*Article 7.* 1. Consuls, consular officers and consular employees, provided that they are nationals of the sending State, shall not be subject to the jurisdiction of the receiving State in respect of their official duties.

2. For other acts, consuls and consular officers may not be subject to detention, arrest or other limitation of freedom except in cases involving the execution of a valid court sentence or prosecution for particularly heinous felonies, such as crimes against life or personal liberty.

The diplomatic mission of the sending State must be notified of the institution of criminal proceedings against a consul or a consular officer and of his detention or arrest. It must be informed beforehand of the detention or arrest if the consul or consular officer has not been detained at the scene of the crime.

*Article 8.* Consuls may affix to consular buildings shields bearing the coat of arms of their country and an inscription designating the consulate, and to fly the flag of their State from the said buildings and place it on means of transport (motor vehicles, launches, etc.) which they personally use in the performance of their official duties.

*Article 9.* Members of the consular staff and their spouses and minor children who are nationals of the sending State shall be exempt from direct taxes and all monetary or other obligations to which nationals of the receiving State are subject, provided that if the corresponding categories of staff of diplomatic missions are also exempt from such obligations. This exemption shall not extend

to taxes on income not derived from official duties or to payment for services rendered by institutions, enterprises or organizations.

*Article 10.* 1. Immovable property of the sending State that is used for the consular premises or for the personal housing of the consular staff shall be exempt from all taxes and charges.

2. Motor vehicles, launches and other means of transport, radio receivers and television sets, and other movable property owned by the sending State and serving the needs of the consulate shall be exempt from all taxes and charges.

3. The exemptions referred to in paragraphs 1 and 2 of this article shall not apply to payment for services rendered by institutions, enterprises or organizations.

*Article 11.* Members of the consular staff and their spouses and minor children, provided that they are nationals of the sending State, shall be granted, on the basis of reciprocity, the same exemptions from customs duties as are granted to the corresponding categories of staff of diplomatic missions.

*Article 12.* 1. Members of the consular staff who are nationals of the sending State shall testify in the courts of the receiving State when summoned. The summons must be in the form of an official letter. No coercive measures of any kind may be taken against such staff to ensure their appearance as witnesses in court.

2. Members of the consular staff may refuse to testify on matters concerning their official duties and may also refuse to produce correspondence and official documents of the consulate.

3. If a consul or consular officer is prevented by the exigencies of his service or for other reasons from appearing before the judicial organs to give evidence, he must give notification to that effect and, if so required by the judicial organs, make a deposition in writing.

4. Members of the consular staff who are nationals of the sending State and who are summoned to give evidence shall not be required to take an oath.

5. The provisions of this article shall also apply to proceedings conducted by administrative authorities.

*Article 13.* 1. The official correspondence of consulates, regardless of what means of communication are used, shall be inviolable and shall not be subject to examination.

2. In their communications with the authorities of the sending State, consulates shall be entitled to use codes and diplomatic couriers. Consulates shall be charged at the same rates as diplomatic missions for the use of ordinary means of communication.

3. Consular archives shall be inviolable. Private papers shall not be kept in the consular archives.

4. The official premises of the consulate shall be inviolable. The authorities of the receiving State may take no coercive measures of any kind in the consular premises without the consent of the consul. Moreover, no coercive measures of any kind may be taken in the living quarters of the consul without his consent, except where article 7, paragraph 2, applies.

## FUNCTIONS OF CONSULS

*Article 14.* Consuls shall help strengthen friendly relations between the Contracting Parties and shall facilitate the development of economic and cultural ties between them.

*Article 15.* 1. Consuls shall be entitled, within their consular district, to protect the rights and interests of their State and of the nationals and juridical persons of the sending State.

2. In the performance of their duties, consuls may apply to the authorities of their consular district and make representations to them concerning the rights and interests of their State and of nationals or juridical persons of the sending State.

3. If the intervention of the consul does not lead to a positive result or if it turns out that the case involves authorities not belonging to the consular district, then the further conduct of the case shall fall within the competence of the diplomatic mission.

*Article 16.* Consuls shall be entitled, without any special powers, to represent in the courts and before other authorities of the receiving country nationals and juridical persons of the sending State if owing to absence or for other reasons they are unable to protect their own rights and interests within the appropriate time-limit. Such representation shall continue until the persons represented appoint their own agent or themselves assume the protection of their rights and interests.

*Article 17.* 1. Consuls shall be entitled to keep a register of nationals of the sending country, to issue or renew their passports and, when necessary, other documents in lieu of a passport, and to perform other tasks connected with the registration and documentation of nationals of the sending State.

2. Consuls shall issue, to their own and to foreign nationals and to stateless persons, visas for entry into and exit from the sending State.

3. Consuls may, where authorized to do so by the laws of the sending State, issue certificates of the birth or death of citizens of their State. They may receive applications for marriage and prepare marriage documents where both parties to the marriage are nationals of the sending State.

The consul shall inform the competent bodies of the receiving State of every marriage they perform if so required by the regulations of that State.

Consuls may register the dissolution of the marriage if the said dissolution is performed by the competent bodies of the sending State.

The above provisions shall not exempt the persons concerned from the obligation to make the requisite applications and complete the appropriate registration in accordance with the laws of the receiving State.

*Article 18.* Consuls may call nationals of the sending State and may carry out the following functions at consulates, at their residences, at the residences of nationals of their State and on board vessels sailing under that State's flag:

- (a) To receive and certify declarations from nationals of the sending State;
- (b) To draw up, attest and accept for safe keeping the wills and other unilateral legal instruments and similar declarations of nationals of the sending State;

- (c) To draw up or certify agreements concluded between nationals of the sending State, provided that such agreements are not contrary to the laws of the receiving State. A consul may not draw up or certify any agreement concerning the establishment or alienation of rights to immovable property situated in the territory of the receiving State;
- (d) To draw up or certify agreements between nationals of the sending State and nationals of the receiving State, provided that such agreements relate exclusively to rights and interests situated in the territory of the sending State or to transactions to be carried out in the territory of that State, and provided that such agreements are not contrary to the laws of the receiving State;
- (e) To certify the signatures on documents of nationals of the sending State; to legalize documents issued by the authorities or officials of the sending State or the receiving State, and to certify copies of such documents;
- (f) To certify translations of documents issued by the authorities and officials of the sending State or the receiving State;
- (g) To accept documents, money, valuables, legacies and other property of nationals of the sending State. Money and articles accepted by the consul may be exported from the receiving State only in accordance with the regulations of that State;
- (h) To perform such other acts as may be required, provided that they are not contrary to the laws of the receiving State.

*Article 19.* The documents referred to in article 18, copies or translations thereof or extracts therefrom which have been drawn up or certified by the consul with his official seal shall be regarded in the receiving State as instruments, documents, copies, translations and extracts having the same standing in law and the same evidentiary value as if they had been drawn up, translated or certified by competent authorities and institutions of the receiving State.

However, the instruments, documents, copies, translations and extracts mentioned above shall be subject to such legalization as the laws of the receiving State may require.

*Article 20.* 1. In the event of the death of a national of the sending State the competent bodies of the receiving State shall immediately notify the consul in whose consular district the national died and shall transmit to the consul an extract from the death register and any information they may have concerning the estate of the deceased and its estimated value, the existence of heirs or other persons entitled to share in the estate, if they are known, and their whereabouts, and the existence of a will.

2. If a competent body of the receiving State learns that a national of the sending State has an interest in an inheritance which it is administering, it shall so notify the consul of that State.

*Article 21.* Consuls shall have the following rights with respect to estates left by nationals of the sending State and may exercise these rights personally or through duly authorized representatives:

- (a) The right to participate in taking and signing the inventory of the estate;
- (b) The right to communicate with the competent authorities of the receiving State for the purpose of making arrangements to protect the estate from damage or destruction.

*Article 22.* 1. Movable property left in the territory of one of the Contracting Parties after the death of a national of the other Contracting Party shall be handed over to the consul of the State of which the deceased was a national for disposal in accordance with the laws of the sending State.

2. Paragraph 1 of this article shall not apply:

- (a) If within six months after the death of the testator, a person claiming title to the estate or part of the estate or a legatee whose residence is situated in the territory of the receiving State requests that the estate should be administered by a competent court of the receiving State. In such a case, the estate shall be administered in accordance with the laws of the sending State. The foregoing provision shall apply only in the event that the deceased was a permanent resident of the receiving State;
- (b) Until all liabilities attached to that movable property have been settled, provided that the competent bodies have been informed of them within six months after the death of the testator.

3. In the case of immovable property, the applicable laws shall be the laws of the State in whose territory that property is situated.

*Article 23.* 1. Consuls may appoint guardians and curators for nationals of the sending State. They shall be entitled to supervise the activities of guardians and curators.

The decision as to the need to appoint a guardian shall be taken by the competent body of the receiving State in accordance with the regulations of that State.

2. If a consul learns that the property of nationals of the sending State is without an administrator, he may appoint a trustee.

*Article 24.* 1. Consuls or consular officers may provide help and assistance to vessels sailing under the flag of the sending State and entering the waters of the receiving State within the consular district.

The master and crew of such a vessel may communicate with the consul and consular officers.

2. Where the courts or other competent bodies of the receiving State intend to take coercive measures of any kind on board vessels of the sending State, the consul shall be notified in advance so that he may be present when the measures are taken. This provision shall also apply in the event that members of the crew of the vessel are to be questioned ashore by the local port authorities. If notification cannot be given before such action is initiated, because of its extreme urgency, then it shall be given at the same time as the action is initiated or, as a last resort, during that action.

If the consul was not present at official proceedings, the courts and other bodies of the receiving State shall provide him as a matter of urgency with all possible information, taking into account the nature of the case.

3. The provisions of paragraph 2 of this article shall not apply to customs, passport and health control of the vessel, crew and passengers.

*Article 25.* If a vessel of the sending State is wrecked or damaged in the waters of the receiving State, the competent bodies of that State shall notify the appropriate consul as soon as possible and inform him of the measures which have

been taken or will be taken for the rescue or safety of the lives of the people on board, and of the vessel and cargo.

The competent bodies of the receiving State shall assist the consul in his action in connection with the wreck of or damage to the vessel.

*Article 26.* The provisions of this Convention referring to sea and river navigation shall also apply *mutatis mutandis* to air transport, except for provisions running counter to international treaties binding on both Contracting Parties.

#### FINAL PROVISIONS

*Article 27.* The provisions of this Convention concerning the rights and duties of consuls shall apply to the staff of diplomatic missions of the Contracting Parties responsible for performing consular functions and about whom notification has been given by the diplomatic mission to the Ministry of Foreign Affairs of the receiving State. The performance of consular functions by such persons shall not affect their diplomatic privileges and immunities.

*Article 28.* This Convention is subject to ratification and shall enter into force on the date of the exchange of the instruments of ratification, which shall take place at Moscow.

The Convention shall remain in force until the expiry of six months after the date on which one Contracting Party informs the other that it wishes to terminate it.

DONE at Belgrade, on 21 July 1960, in duplicate, in the Russian and Serbo-Croat languages, both texts being equally authentic.

For the Presidium  
of the Supreme Soviet  
of the Union of Soviet  
Socialist Republics:

[I. K. ZAMCHEVSKY]

For the President  
of the Socialist Federal Republic  
of Yugoslavia:

[L. RADOVANOVICH]