

No. 23143

**UNION OF SOVIET SOCIALIST REPUBLICS
and
TUNISIA**

Consular Convention. Signed at Moscow on 6 April 1977

Authentic texts: Russian and Arabic.

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

**UNION DES RÉPUBLIQUES SOCIALISTES
SOVIÉTIQUES
et
TUNISIE**

Convention consulaire. Signée à Moscou le 6 avril 1977

Textes authentiques : russe et arabe.

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

[TRANSLATION — TRADUCTION]

CONSULAR CONVENTION¹ BETWEEN THE UNION OF SOVIET
SOCIALIST REPUBLICS AND THE REPUBLIC OF TUNISIA

The Union of Soviet Socialist Republics and the Republic of Tunisia,
Desiring further to develop the existing friendly relations and co-operation between
the two States,

Wishing to regulate consular relations between them,

Have decided to conclude this Consular Convention and have appointed as their
plenipotentiaries for that purpose:

The Presidium of the Supreme Soviet of the Union of Soviet Socialist Republics: Igor
Nikolayevich Zemskov, Deputy Minister for Foreign Affairs of the Union of Soviet
Socialist Republics;

The President of the Republic of Tunisia: Brahim Turki, Secretary of State to the Minister
for Foreign Affairs of the Republic of Tunisia,

who, following exchange of their credentials, which have been found to be in good and
proper order, have agreed as follows:

SECTION I. DEFINITIONS

Article 1. The following expressions shall have the meaning hereunder assigned to
them:

1. “Consulate” shall mean a consulate-general, consulate, vice-consulate or consular
agency;
2. “Consular district” shall mean the area assigned to a consulate for the exercise
of consular functions;
3. “Head of Consulate” shall mean a person charged with the duty of acting in that
capacity;
4. “Consular officer” shall mean any person, including the head of a consulate, who
is authorized to exercise consular functions;
5. “Consular employee” shall mean any person performing administrative or technical
duties in the consulate;
6. “Member of the service staff” shall mean any person performing service duties
for the consulate;
7. “Members of the consular staff” shall mean consular officers, consular employees
and members of the service staff;
8. “Member of the private staff” shall mean a person who is employed exclusively
in the private service of a member of the consular staff;
9. “Consular premises” shall mean the buildings or parts of buildings and the land
ancillary to those buildings or parts of buildings used exclusively for the purposes of the
consulate or of its sub-units, irrespective of ownership;

¹ Came into force on 10 June 1984, i.e., the thirtieth day following the exchange of the instruments of ratification, which took place at Tunis on 11 May 1984, in accordance with article 47.

10. "Consular archives" shall include all papers, documents, correspondence, books, films, tapes and registers of the consulate, together with ciphers and codes, card-indexes and any article of furniture intended for their protection or safe keeping. The term "consular archives" shall not include unofficial papers;

11. "Vessel" with respect to the sending State, shall mean, any vessel registered under the laws of that State. The term "vessel" shall not include warships;

12. "National", with respect to the sending State, shall mean, any individual who is a national of that State under its laws and also, depending on the context, any legal entity established under the laws of the sending State.

13. "Members of family" shall mean the spouse of a member of the consular staff, his minor children, his father and mother and also the parents of his spouse provided that they form part of his household and are dependent upon him.

SECTION II. ESTABLISHMENT AND CONDUCT OF CONSULAR RELATIONS

Article 2. 1. The establishment of a consulate in the receiving State shall be subject to the consent of that State.

2. The seat of the consulate, its classification and the limits of its consular district shall be established by the sending State, by agreement with the receiving State.

3. Any subsequent change in the seat of the consulate, its classification or consular district may be made only with the consent of the receiving State.

Article 3. A consular officer shall be a national of the sending State.

Article 4. 1. Prior to the appointment of a head of consulate, the sending State shall ascertain through the diplomatic channel that the appointment of the person in question as head of the consulate is acceptable to the receiving State.

2. The sending State shall transmit through its diplomatic mission to the Ministry of Foreign Affairs of the receiving State the consular commission or other document of appointment of the head of consulate. The commission or other document shall specify the full name of the head of consulate, his rank, the consular district in which he will perform his duties and the seat of the consulate.

3. On presentation of the commission or other document of appointment of the head of consulate, the exequatur or other authorization shall be granted as soon as possible and free of charge by the receiving State.

4. The head of consulate may take up his duties as soon as the receiving State has granted him the exequatur or other authorization.

5. Pending delivery of the exequatur or other authorization, the receiving State may permit the head of consulate to exercise his consular functions on a provisional basis.

6. As soon as the head of consulate has been recognized, even on a provisional basis, the authorities of the receiving State shall make the necessary arrangements to enable him to perform his functions.

Article 5. The receiving State may at any time, and without having to explain the reason for its decision, notify the sending State through the diplomatic channel that the exequatur or other authorization granted to a head of consulate has been revoked or that a member of the consular staff is unacceptable. The sending State shall thereupon recall the member of staff in question in the event that he has already taken up his appointment. If the sending State fails to carry out this obligation within a reasonable period, the receiving State may decline to recognize the person concerned as a member of the consular staff.

Article 6. 1. The Ministry for Foreign Affairs of the receiving State or the authorities designated by that Ministry shall be notified of:

- (a) The appointment of members of the consular staff, their arrival after appointment to the consulate, their final departure or the termination of their functions and any other changes affecting their status that may occur in the course of their service with the consulate;
- (b) The arrival and final departure of each member of family of members of the consular staff forming part of their household and, where appropriate, the fact that a person becomes or ceases to be such a member of family;
- (c) The arrival and final departure of members of the private staff and, where appropriate, the termination of their service as such;
- (d) The engagement and discharge of persons resident in the receiving State as members of the private staff entitled to privileges and immunities.

2. When possible, prior notification of arrival and final departure shall also be given.

Article 7. 1. If the head of a consulate is unable for any reason to act as such or if the post of head of consulate is temporarily vacant, the sending State may authorize a consular officer belonging to the same or another consulate in the receiving State or one of the members of the diplomatic staff or its diplomatic mission in the receiving State to act as temporary head of the consulate. The full name of the person concerned shall be notified in advance to the Ministry of Foreign Affairs of the receiving State.

2. A person authorized to act as temporary head of a consulate shall be entitled to perform the functions of the head of consulate and to enjoy the same privileges and immunities as are accorded to the head of a consulate under this Convention.

3. Where a member of the diplomatic staff of the diplomatic mission of the sending State in the receiving State is authorized by the sending State to act as temporary head of a consulate under the provisions of paragraph 1 of this article, he shall continue to enjoy diplomatic privileges and immunities.

SECTION III. PRIVILEGES AND IMMUNITIES

Article 8. The receiving State shall afford protection to consular officers and shall make the necessary arrangements to enable them to perform their functions and to enjoy the rights, privileges and immunities to which they are entitled under this Convention and the laws of the receiving State. The receiving State shall make the necessary arrangements to ensure the protection of consular premises and the living quarters of consular officers.

Article 9. 1. The receiving State shall facilitate the acquisition on its territory, in accordance with its laws and regulations, by the sending State of consular premises or assist the latter in obtaining consular premises in some other way.

2. It shall also, where necessary, assist the consulate in obtaining suitable accommodation for members of the consular staff.

Article 10. The sending State shall be entitled to construct on the land belonging to it buildings and ancillary premises required for the purposes of the Consulate provided that it respects the laws and regulations concerning construction and town planning in force in the region where that land is situated.

Article 11. 1. Consular premises and the living quarters of members of the consular staff on which the sending State or any person acting on its behalf is the owner or lessee shall be exempt from all national, regional or municipal dues and taxes whatsoever, other than such as represent payment for specific services rendered.

2. The exemption from taxation referred to in paragraph 1 of this article shall not apply to such dues and taxes if, under the laws and regulations of the receiving State, they are payable by the person who contracted with the sending State or with the person acting on its behalf.

Article 12. The consular premises and the residence of the head of consulate shall be inviolable. Representatives of the authorities of the receiving State may not enter such premises except with the consent of the head of the consulate, the head of the diplomatic mission of the sending State in the receiving State, or a person designated by one of them.

In case of fire in the consular premises or other natural disaster threatening the security of nationals and property of the receiving State situated in the immediate vicinity, consent shall be granted at the earliest appropriate opportunity.

Article 13. 1. A consular shield bearing the coat of arms of the sending State and designating the consulate in the language of that State and the language of the receiving State may be affixed to the building occupied by the consulate.

2. The flag of the sending State may be flown on the consular building and also on the residence of the head of the consulate.

3. A head of consulate may fly the flag of the sending State on his means of transport when used on official business.

Article 14. The consular archives shall be inviolable.

Article 15. 1. The consulate of the sending State shall enjoy freedom of communication for official purposes. In communicating with the Government, the diplomatic missions and other consulates, wherever situated, of the sending State, the consulate may employ all normal means of communication, as well as consular or diplomatic couriers, consular or diplomatic bags and messages in cipher. The consulate may use a wireless transmitter only with the consent of the receiving State.

2. The official correspondence of the consulate shall be inviolable. Official correspondence means all correspondence relating to the consulate and its functions.

3. The consular bag and packages constituting that bag which bear visible external marks of their official character shall be inviolable and shall not be subject to detention by the authorities of the receiving State.

The packages constituting the consular bag shall contain only official correspondence and articles intended for official use.

4. The consular courier shall enjoy personal inviolability. He shall be provided with an official document attesting to his status and a courier's list indicating the number of packages constituting the consular bag.

The consular courier shall be a national only of the sending State.

5. The sending State, its diplomatic missions and consulates may designate consular couriers *ad hoc*. In such cases the provisions of paragraph 4 of this article shall also apply except that the immunities therein mentioned shall cease to apply when such a courier has delivered to the consignee the consular bag in his charge.

6. A consular bag may be entrusted to the captain of a civilian ship or aircraft scheduled to arrive at an authorized port or airport. The captain shall be provided with an official document indicating the number of packages constituting the consular bag, but he shall not be considered to be a consular courier. By arrangement with the appropriate local authorities, the consulate may send one of the members of its staff to take possession of the bag directly and freely from the captain of the ship or of the aircraft.

Article 16. 1. The consulate may levy for consular acts in the territory of the receiving State the charges provided by the laws and regulations of the sending State.

2. The sums collected in the form of the fees and charges referred to in paragraph 1 of this article, and the receipts for such charges, shall be exempt from all dues and taxes in the receiving State.

Article 17. The receiving State shall treat consular officers and members of their families residing with them with due respect and shall take all appropriate steps to prevent any attack on their person, freedom or dignity.

Article 18. 1. Consular officers and members of their families residing with them shall be immune from the jurisdiction of the receiving State, except in the case of civil actions:

- (a) Relating to private immovable property situated in the territory of the receiving State, unless they hold it on behalf of the sending State for consular purposes;
- (b) Relating to successions in which they are involved in the capacity of executor, administrator, heir or legatee as private persons and not on behalf of the sending State;
- (c) Relating to professional or commercial activity exercised by them in the receiving State outside their official functions;
- (d) Arising out of a contract concluded by them in which they did not contract expressly or impliedly as representatives of the sending State;
- (e) Instituted by a third party for damage arising in the receiving State from an accident caused by a means of transport.

2. No measures of execution may be taken in respect of the persons referred to in paragraph 1 of this article except in the cases envisaged in subparagraphs (a), (b), (c), (d) and (e) of the paragraph and provided that the measures concerned can be taken without infringing the inviolability of their persons or living quarters.

3. The immunities provided for in this article shall not apply to persons who are nationals or permanent residents of the receiving State.

Article 19. 1. Members of the consular staff may be called upon to give evidence as witnesses in the course of judicial or administrative proceedings. A consular employee or a member of the service staff shall not, except in the cases mentioned in paragraph 3 of this article, decline to give evidence. If a consular officer should decline to do so, no coercive measure or penalty may be applied to him.

2. The authority requiring the evidence of a consular officer shall avoid interference with the performance of his functions. It may, when possible, take such evidence at his residence or at the consulate or accept a statement from him in writing.

3. Members of the consular staff are under no obligation to give evidence concerning matters connected with the exercise of their functions or to produce official correspondence and documents relating thereto. Neither are they under any obligation to give evidence as experts with regards to the law of the sending State.

4. The provisions of this article shall apply *mutatis mutandis* to members of the families of members of the consular staff, provided that they reside with them and are not nationals of the receiving State or of a third State.

Article 20. 1. The sending State may waive, with regard to a member of the consular staff, the immunities and privileges provided for in this Convention.

The waiver shall in all cases be express and shall be communicated to the receiving State in writing.

2. The initiation of proceedings by a member of the consular staff in a matter where he might enjoy immunity from jurisdiction under article 18 of this Convention shall preclude him from invoking immunity from jurisdiction in respect of any counter-claim directly connected with the principal claim.

3. The waiver of immunity from jurisdiction for the purposes of civil or administrative proceedings shall not be deemed to imply a waiver of immunity with regard to execution of the decision. In that respect, a separate waiver shall be necessary.

Article 21. 1. Members of the consular staff and members of their families residing with them shall, provided that they are nationals of the sending State, are not permanent residents of the receiving State and are not carrying on any private gainful occupation in that State, be exempt from all obligations under the laws and regulations of the receiving State in regard to the registration of aliens, residence permits, work permits and other similar obligations affecting aliens.

2. The private employees of consular officers and of consular employees shall be exempt from obligations in regard to work permits imposed by the laws and regulations of the receiving State concerning the employment of foreign labour provided that they do not carry on any other gainful occupation in the receiving State.

Article 22. Members of the consular staff and members of their families residing with them shall, provided that they are nationals of the sending State and are not permanently resident of the receiving State, be exempt in the receiving State from service in the armed forces and from compulsory public service of any kind.

Article 23. 1. Subject to the provisions of paragraph 3 of this article, members of the consular staff shall, with respect to services rendered for the sending State, be exempt from social security provisions which may be in force in the receiving State.

2. The exemption provided for in paragraph 1 of this article shall apply also to members of the private staff who are in the sole employ of members of the consular staff, on condition:

- (a) That they are not nationals of or permanently resident of the receiving State; and
- (b) That they are covered by the social security provisions which are in force in the sending State or a third State.

3. Members of the consular staff who employ persons to whom the exemption provided for in paragraph 2 of this article does not apply shall observe the obligations which the social security provisions of the receiving State impose upon employers.

Article 24. The sending State shall be exempt from taxes or other similar charges of any kind in respect of the acquisitions, ownership, possession or use of movable property by that State for consular purposes.

Article 25. 1. Consular officers and consular employees and members of their families forming part of their households shall be exempt from all taxes, charges and dues, personal or real, national, regional or municipal, except:

- (a) Indirect taxes of a kind which are normally incorporated in the price of goods or services;
- (b) Dues or taxes on private immovable property situated in the territory of the receiving State, provided that such property is not held on behalf of the sending State for consular purposes;
- (c) Estate, succession or inheritance duties levied by the receiving State, subject to the exception provided for in article 27, paragraph 2;

- (d) Dues and taxes on private income having its source in the receiving State and capital taxes relating to investments made in commercial undertakings in the receiving State;
- (e) Charges levied for specific services rendered;
- (f) Registration, court or record fees, mortgage dues and stamp duties in connection with immovable property, subject to the exception provided for in article 11.

2. Members of the service staff who are nationals of the sending State shall be exempt from taxes and dues on the wages which they receive for their services.

Article 26. 1. The receiving State shall, in accordance with such laws and regulations as it may adopt, permit entry of and grant exemption from all customs duties, taxes and related charges other than charges for storage, cartage and similar services, on:

- (a) Articles for the official use of the consulate;
- (b) Articles for the personal use of a consular officer or members of his family forming part of his household, including articles intended for his installation. The articles intended for consumption shall not exceed the quantities necessary for direct utilization by the persons concerned.

2. Consular employees who are nationals of the sending State shall enjoy the privileges and exemptions specified in paragraph 1 (b) of this article in respect of articles imported at the time of first installation.

3. Personal baggage accompanying consular officers and members of their families forming part of their households shall be exempt from customs inspection. It may be inspected only if there is serious reason to believe that it contains articles other than those referred to in paragraph 1 (b) of this article, or articles the import or export of which is prohibited by the laws and regulations of the receiving State or which are subject to its quarantine regulations. Such inspection shall be carried out only in the presence of the consular officer or member of his family concerned.

Article 27. In the event of the death of a member of the consular staff or of a member of his family forming part of his household, the receiving State:

1. Shall permit the export of the movable property of the deceased, with the exception of any such property acquired in the receiving State the export of which was prohibited by law at the time of his death;

2. Shall not levy any national, regional or municipal estate, succession or inheritance duties on movable property the presence of which in the receiving State was due solely to the presence in that State of the deceased as a member of the consular staff or as a member of his family.

Article 28. Without prejudice to their privileges and immunities, it is the duty of all persons enjoying such privileges and immunities to respect the laws and regulations of the receiving State, particularly road traffic regulations.

They also have a duty not to interfere in the internal affairs of that State.

Article 29. Members of the consular staff shall comply with any requirement imposed by the laws and regulations of the receiving State in respect of insurance against third party risks arising from the use of any means of transport.

Article 30. Subject to the laws and regulations of the receiving State concerning areas entry into which is prohibited or restricted for reasons of national security, consular officers and consular employees shall be permitted to travel freely within the limits of the consular district.

SECTION IV. CONSULAR FUNCTIONS

Article 31. A consular officer shall promote the development and strengthening of friendly relations between the sending State and the receiving State and shall facilitate economic, commercial, scientific and cultural relations between them.

Article 32. 1. A consular officer shall be entitled to perform the functions specified in this section and other consular functions, provided that they are not contrary to the law of the receiving State.

2. A consular officer shall be entitled to perform his functions within the limits of the consular district. Beyond those limits a consular officer may perform his functions only with the consent of the authorities of the receiving State.

3. A consular officer may apply to the competent authorities of the consular district in connection with the performance of his functions.

Article 33. A consular officer shall be entitled to protect the rights and interests of the sending State and of its nationals.

Article 34. 1. A consular officer shall be entitled:

- (a) To keep a register of nationals of the sending State;
- (b) To issue, amend, extend, renew and revoke passports, entry, exit, and transit visas and other similar documents;
- (c) To register or receive notification or documents concerning the birth or death of a national of the sending State;
- (d) In accordance with the law of the sending State, to celebrate marriages and register the dissolution of marriages, provided that both parties are nationals of the sending State and that such action is not contrary to the law of the receiving State;
- (e) To receive any declaration pertaining to the family relationships of a national of the sending State;
- (f) To receive declarations and documents relative to nationality.

2. A consular officer shall, where local law so requires, notify the competent authorities of the receiving State of the registration at the consulate of changes in civil status in accordance with paragraph 1 (c) and (d) of this article.

3. The provisions of paragraph 1 (c) and (d) of this article shall not exempt the persons concerned from the obligation to comply with the formalities imposed by the law of the receiving State.

Article 35. 1. A consular officer shall be entitled to perform the following acts:

- (a) To receive, draw up and certify declarations of nationals of the sending State and to issue to them the relevant documents;
- (b) To attest and accept for safekeeping the wills of nationals of the sending State;
- (c) In accordance with the law of the sending State, to draw up and certify instruments and agreements between nationals of the sending State, provided that such instruments and agreements are not contrary to the law of the receiving State;
- (d) To draw up or certify instruments and agreements between nationals of the sending State and nationals of the receiving State, provided that such agreements relate exclusively to interests situated in the territory of the sending State or to business to be carried out in the territory of that State, and provided also that such agreements are not contrary to the law of the receiving State;

- (e) To legalize documents issued by authorities or officials of the sending State or the receiving State and to certify copies and translations of such documents and extracts therefrom;
- (f) To translate documents and to certify the accuracy of the translation;
- (g) To certify the signatures of nationals of the sending State on documents of any kind, provided that the contents of such documents are not contrary to the law of the receiving State;
- (h) To accept for safekeeping property and documents from or for nationals of the sending State, provided that such action is not contrary to the law of the receiving State.

2. Documents drawn up, certified or translated by a consular officer in accordance with paragraph 1 of this article shall be regarded in the receiving State as documents having the same legal significance and evidentiary value as if they had been drawn up, certified or translated by the competent authorities or institutions of the receiving State.

Article 36. 1. The competent authorities of the receiving State shall notify a consular officer as soon as possible of the death of a national of the sending State and shall convey to him information concerning the estate, heirs and legatees and concerning the existence of a will.

2. The competent authorities of the receiving State shall notify a consular officer as soon as possible of the opening of a succession in the receiving State where an heir or legatee is a national of the sending State.

3. Where the consular officer is the first to learn of the death of a citizen of the sending State or of the opening of a succession, he shall, in turn, notify the competent authorities of the receiving State.

Article 37. 1. Where a national of the sending State holds or claims a right to property left in the receiving State after the death of a person of any nationality and is not present in the receiving State or otherwise represented in that State, the consular officer shall be entitled to represent the interests of the said national to the same extent as if powers of attorney had been executed by him in favour of the consular officer. Such representation shall end as soon as the consular officer is notified that the said national is defending his interests in the receiving State either personally or through a duly appointed agent.

2. Where a national of the sending State dies in the receiving State while temporarily present therein, the consular officer shall be entitled, in accordance with the law of the sending State, to dispose of the money, documents, property and effects of the deceased, provided that such action is not contrary to the law of the receiving State.

Article 38. A consular officer may, on behalf of a national of the sending State, where such national is not present in the receiving State, receive from a court, authority, or individual money or other property to which the said national is entitled as a consequence of the death of any person, including shares in a legacy, payments made in pursuance of industrial accident laws and sums payable for life insurance. The court, authority or individual in question may require the consular officer to fulfil such conditions as may be imposed in respect of:

- (a) Execution of powers of attorney or other authority by the said national of the sending State;
- (b) Submission of proof that the money or other property has been received by the person in question;
- (c) Return of the money or other property in the absence of such proof.

Article 39. 1. A consular officer shall be entitled to propose to a court or other competent authority of the receiving State the names of appropriate persons to act as guardians or trustees in respect of a national of the sending State or in respect of the property of such a national in any case where such property is left without supervision.

2. If the court or competent authority considers that a person who has been proposed is for any reason unacceptable, the consular officer may propose a new candidate.

Article 40. 1. A consular officer shall be entitled to meet and communicate with any national of the sending State and to advise and render any kind of aid to such national, including arrangements for providing him with legal assistance.

The receiving State shall do nothing to restrict communication between a national of the sending State and the consulate or the access of such national to the consulate.

2. Where a national of the sending State is arrested or otherwise detained, the competent authorities of the receiving State shall so notify a consular officer of the sending State no later than six days from the time of arrest or detention.

3. Where a national of the sending State has been arrested or otherwise detained or is serving a term of imprisonment, a consular officer shall be entitled to visit and communicate with him no later than 10 days from the time of arrest or detention.

The rights referred to in this paragraph shall be exercised in accordance with the laws and regulations of the receiving State, provided, however, that the said laws and regulations shall not invalidate these rights.

Article 41. 1. A consular officer shall be entitled to extend any kind of assistance and aid to a vessel of the sending State in the ports or the territorial or inland waters of the receiving State.

He may proceed on board the vessel as soon as the vessel has received *pratique*. From that moment, the master and members of the crew of the vessel may communicate with a consular officer.

2. A consular officer may request assistance from the competent authorities of the receiving State on any matters relating to the performance of his functions with respect to a vessel of the sending State and the master and members of the crew of such vessel.

Article 42. A consular officer shall be entitled:

- (a) To investigate, without prejudice to the rights of the authorities of the receiving State, any incident occurring on board a vessel of the sending State during its voyage or when it is in port, question the master and any member of the crew of such vessel, examine the vessel's papers, take statements with regard to its voyage and destination, and facilitate the vessel's entry into, stay in and departure from the port;
- (b) Without prejudice to the rights of the authorities of the receiving State, to settle disputes of any kind between the master and any member of the crew, including disputes as to contracts of service and conditions of work, to the extent that this is permitted under the law of the sending State;
- (c) To make arrangements for the treatment in hospital and the repatriation of the master or any member of the crew;
- (d) To receive, draw up or authenticate any declaration or other document prescribed by the law of the sending State in connection with vessels;
- (e) To issue a provisional certificate of the right to fly the flag of the sending State in respect of a newly acquired or newly built vessel.

Article 43. 1. Where the courts or other competent authorities of the receiving State intend to take any coercive measures or to institute any formal inquiry on board a vessel of the sending State, the competent authorities of the receiving State shall so notify a consular officer. Such notification shall be made before such action is initiated so as to enable the consular officer to be present at the proceedings. If the consular officer has not been present, he shall, upon request, be provided by the competent authorities of the receiving State with full information with regard to what has taken place.

2. The provisions of paragraph 1 of this article shall apply also in any case where it is the intention of the authorities to question the master or any member of the crew ashore.

3. The provisions of this article shall not, however, apply to any routine examination with regard to immigration, customs or public health or to any action taken at the request, or with the consent, of the master of the vessel.

Article 44. 1. Where a vessel of the sending State is wrecked, runs aground or is otherwise damaged in the waters of the receiving State, the competent authorities of the receiving State shall as soon as possible notify the consulate and inform it of the measures taken to save the crew, the vessel and its cargo.

A consular officer may extend all possible assistance to the vessel, the members of its crew and its passengers and may also take measures for the preservation of the cargo and the repair of the vessel.

A consular officer may request the authorities of the receiving State to take such measures.

2. A consular officer may make such arrangements as are necessary with respect to the vessel and its cargo if the owner of the vessel, its master or other authorized agent are not in a position to do so.

3. A consular officer may also make such arrangements as are necessary with respect to articles forming part of the cargo of a damaged vessel which are the property of the sending State or of one of its nationals and are found on or near the coast of the receiving State or are brought into a port of the consular district.

4. The competent authorities of the receiving State shall provide assistance to the consular officer with respect to the measures which he takes in connection with damage to the vessel.

5. A wrecked vessel, its cargo and provisions shall not be subject to any customs duties or fees in the receiving State if they are not handed over for use in that State.

Article 45. Articles 41 to 44 shall also apply, as appropriate, to civilian aircraft.

Article 46. The provisions of this Convention shall apply to members of the diplomatic staff who are entrusted with the performance of consular functions in the consular department of the diplomatic mission of the sending State.

In such cases, they shall continue to enjoy the privileges and immunities extended to them in their capacity as diplomats.

SECTION V. FINAL PROVISIONS

Article 47. 1. This Convention is subject to ratification in accordance with the procedures established in the Contracting States, and shall enter into force on the thirtieth day after the exchange of instruments of ratification.

2. The exchange of instruments of ratification of this Convention shall take place at Tunis.

3. This Convention shall remain in force until the expiry of six months from the date on which one Contracting Party gives notice in writing to the other of its intention to terminate it.

IN WITNESS WHEREOF the Plenipotentiaries of the Contracting Parties have signed this Convention and have thereto affixed their seals.

DONE at Moscow on 6 April 1977, in duplicate in the Russian and Arabic languages, both texts being equally authentic.

For the Union of Soviet
Socialist Republics:

[I. ZEMSKOV]

For the Republic
of Tunisia:

[IBRAHIM TURKI]