

No. 25801

**UNION OF SOVIET SOCIALIST REPUBLICS
and
GHANA**

Consular Convention. Signed at Accra on 22 February 1985

Authentic texts: Russian and English.

Registered by the Union of Soviet Socialist Republics on 22 March 1988.

**UNION DES RÉPUBLIQUES SOCIALISTES
SOVIÉTIQUES
et
GHANA**

Convention consulaire. Signée à Accra le 22 février 1985

Textes authentiques : russe et anglais.

*Enregistrée par l'Union des Républiques socialistes soviétiques le 22 mars
1988.*

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

The Union of Soviet Socialist Republics and the Republic of Ghana,
In the interests of further developing friendly relations and co-operation,
Guided by the desire to regulate consular relations between them,

Have decided to conclude the present Consular Convention and for this purpose have agreed as follows:

SECTION I. DEFINITIONS

Article 1

In this Convention:

1. "Consular establishment" means any consulate-general, consulate, vice-consulate or consular agency.
2. "Consular district" means the area of the receiving state assigned to a consular establishment for the exercise of consular functions.
3. "Head of consular establishment" means the person charged by the sending state with the duty of acting in that capacity.
4. "Consular officer" means any person, including the head of a consular establishment, entrusted in that capacity with the exercise of consular functions.
5. "Employee of the consular establishment" means any person, who is not a consular officer, performing administrative or technical functions in a consular establishment.
6. "Member of the service staff" means any person employed in the domestic service of a consular establishment.
7. "Members of the consular establishment" means consular officers, employees of the consular establishment and members of the service staff.
8. "Consular premises" means the building or parts of buildings used for the purposes of the consular establishment, the land ancillary thereto and the residence of the head of the consular establishment, irrespective of ownerships.
9. "Consular archives" means all the papers, documents, correspondence, books, films, tapes and registers of the consular establishment together with the ciphers and codes, the card-indexes and any article of furniture intended for their protection or safe keeping.
10. "Vessel of the sending state" means any vessel entitled to sail under the flag of that state, excluding warships.
11. "Aircraft of the sending state" means any aircraft bearing the identification signs of the sending state, excluding military aircraft.

¹ Came into force on 10 November 1985, i.e., the thirtieth day following the exchange of the instruments of approval, which took place at Accra on 11 July and 11 October 1985, in accordance with article 45 (1).

SECTION II. OPENING OF CONSULAR ESTABLISHMENTS AND APPOINTMENT
OF MEMBERS OF THE CONSULAR ESTABLISHMENT

Article 2

1. A consular establishment may be opened in the territory of the receiving state only with that state's consent.

2. The seat of the consular establishment, its classification and the consular district shall be determined by agreement between the sending and receiving states.

In case of disagreement as to the number of the members of the consular establishment, this question shall be settled by agreement between the sending and receiving states.

3. Subsequent changes in the seat of the consular establishment, its classification or the consular district may be made by the sending state only with the consent of the receiving state.

Article 3

A consular officer shall be a citizen of the sending state.

Article 4

1. Prior to the appointment of the head of a consular establishment, the sending state shall ascertain through diplomatic channels that the person in question will obtain agreement by the receiving state to recognize him as the head of the consular establishment.

2. Upon receipt of the agreement of the receiving state, the sending state shall, through its diplomatic mission or in another appropriate manner, transmit to the Ministry of Foreign Affairs of the receiving state a document drawn up in each case of appointment in the form of a commission or a similar certificate stating the powers of the head of the consular establishment, his full name, his post, the consular district in which he is to perform his duties, and the seat of the consular establishment.

3. Upon receipt by the receiving state of the commission or similar certificate of appointment, the head of the consular establishment may enter upon the exercise of his functions after the receiving state grants him an authorization, called an exequatur, in any form whatsoever.

An exequatur shall be granted by the receiving state as soon as possible and free of charge.

4. Pending the grant of an exequatur, the receiving state may accord the head of the consular establishment a provisional authorization to perform his functions. In such a case the provisions of this Convention shall apply.

5. As soon as the head of the consular establishment has been granted an authorization, even a provisional authorization, to perform his functions the receiving state shall immediately notify thereof the competent authorities of the consular district. Furthermore, it shall take all the necessary measures in order that the head of the consular establishment may carry out the duties of his post and enjoy the privileges and immunities under the present Convention.

Article 5

1. If the head of the consular establishment is unable for any reason to carry out his functions or if the position of head of a consular establishment is temporarily vacant, the sending state may empower a consular officer of the same or another consular establishment in the receiving state, or one of the members of the diplomatic staff of its diplomatic mission in the receiving state, to act temporarily as head of the consular establishment. The full name of this person shall be transmitted in advance to the Ministry of Foreign Affairs of the receiving state.

2. As long as a person empowered to act as temporary head of the consular establishment continues to act in this capacity he shall enjoy the same privileges and immunities as are accorded to the head of the consular establishment under this Convention.

3. The designation of a member of the diplomatic staff of the diplomatic mission of the sending state in accordance with paragraph 1 of this Article as an acting head of the consular establishment shall not affect the privileges and immunities accorded to him by virtue of his diplomatic status.

Article 6

1. The receiving state may at any time, and without having to explain its decision, notify the sending state through diplomatic channels that any consular officer is *persona non grata* or that any employee of the consular establishment or any member of the service staff is unacceptable. In such a case the sending state shall recall such a person.

If the sending state fails within a reasonable time to carry out this obligation, the receiving state may revoke the exequatur of that person or refuse to recognize such a person as a member of a consular establishment.

2. A person appointed as a member of the consular establishment may be declared unacceptable before his arrival in the territory of the receiving state or, if he is already in the receiving state, before he enters upon the exercise of his duties in the consular establishment. In any such case the sending state shall cancel his appointment.

Article 7

1. The sending state shall notify the Ministry of Foreign Affairs of the receiving state of the full name and function of a consular officer other than the head of the consular establishment.

2. The sending state shall notify the Ministry of Foreign Affairs of the receiving state of the full name, nationality and function of an employee of the consular establishment or a member of the service staff who has been appointed to the consular establishment.

3. The competent authorities of the receiving state shall issue appropriate identification certificates to a member of the consular establishment and members of his family.

Article 8

1. The sending state may, in conformity with the conditions and in a form prescribed by the law of the receiving state, acquire ownership, possession, use or

leasehold of plots of land, buildings and parts of buildings, build and reconstruct buildings and improve the plots of land necessary for lodging consular offices and providing living quarters for the members of the consular establishment. Where necessary, the receiving state shall render the sending state appropriate assistance in this respect.

2. The provisions of paragraph 1 of this Article shall not exempt the sending state from compliance with any building or town planning laws and regulations applicable to the area in which the plots of land, buildings, parts of buildings or auxiliary premises are situated.

SECTION III. PRIVILEGES AND IMMUNITIES

Article 9

The receiving state shall ensure a member of the consular establishment its protection and take the necessary measures in order that a member of the consular establishment may perform his duties and enjoy the privileges and immunities under this Convention.

The receiving state shall take all appropriate steps to protect the consular premises and living quarters of the consular officers against any intrusion or damage and to prevent any disturbance of the peace or impairment of dignity of the consular establishment or the living quarters of the consular officers.

Article 10

1. The national flag of the sending state may be flown at the consular premises and on the means of transport of the head of the consular establishment.

2. The consular shield with the national coat-of-arms of the sending state and the name of the consular establishment in the language of the sending state and in the language of the receiving state may be affixed on the outer side of the building in which the consular establishment is located.

3. In the exercise of the rights provided for in this Article, regard shall be had to the laws, regulations and usages of the receiving state.

Article 11

1. Consular premises shall be inviolable.

The authorities of the receiving state shall not enter the consular premises without the consent of the head of the consular establishment or of the head of the diplomatic mission of the sending state or a person designated by one of them.

2. In case of fire in the consular premises or other disaster endangering the lives of nationals or property of the receiving state located in the immediate proximity of the consular premises, such consent shall be given as promptly as possible.

3. The means of transport of the consular establishment and of the consular officers shall be immune from search, requisition, arrest or execution.

4. The provisions of paragraph 1 of this Article shall also apply to the living quarters of the consular officers.

Article 12

The consular archives shall be inviolable at all times and wherever they may be.

Article 13

1. The consular establishment shall have the right to communicate with the Government of the sending state as well as with the diplomatic mission and the other consular establishments of the sending state wherever situated.

The receiving state shall permit and protect freedom of communication of consular establishments for all official purposes.

2. In such communications, the consular establishment may use all appropriate means of communication, including diplomatic and consular couriers, diplomatic and consular pouches and messages in code or cipher. The consular establishment may install and use a wireless transmitter only with the consent of the receiving state.

The same fees shall apply to the consular establishment in the use of ordinary means of communication as apply to the diplomatic mission.

3. The official correspondence of the consular establishment shall be inviolable. Official correspondence means all correspondence relating to the consular establishment and its functions.

4. The consular pouch shall be neither opened nor detained.

5. All the packages constituting the consular pouch shall bear visible external marks of their character and may contain only official correspondence and documents or articles intended exclusively for official use.

6. The consular courier shall be provided with an official document indicating his status and the number of packages constituting the consular pouch.

In the performance of his functions the consular courier shall be protected by the receiving state. He shall enjoy personal inviolability and shall not be liable to any form of arrest or detention.

7. The sending state, its diplomatic mission and consular establishments may designate consular couriers *ad hoc*; in such cases the provisions of paragraph 6 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 pouch in his charge.

8. A consular pouch may be entrusted to the commander of a vessel or aircraft. The commander shall be provided with an official document indicating the number of packages constituting the pouch, but he shall not be considered to be a consular courier. A consular officer may take possession of a consular pouch directly and freely from the commander of a vessel or aircraft as well as to transmit such pouch to him.

Article 14

1. A consular officer and members of his family shall enjoy immunity from the criminal, civil, and administrative jurisdiction of the receiving state, except in respect of civil proceedings:

- (a) Relating to private immovable property situated in the territory of the receiving state unless they possess it on behalf of the sending state for consular purposes;
- (b) Relating to succession, when they act as testamentary executors, trustees of the estate of succession, successors or beneficiaries in their private capacity and not on behalf of the sending state;

- (c) Relating to any professional or commercial activity carried on by them in the receiving state outside the scope of their official functions;
- (d) Arising out of a contract concluded by them in which they did not contract, expressly or impliedly, as agents of the sending state;
- (e) By a third party for damage arising from an accident in the receiving state caused by a road transport vehicle, vessel or aircraft.

2. No measures of execution shall be taken with respect to the persons referred to in paragraph 1 of this Article, except for cases covered by sub-paragraph[s] (a), (b), (c), (d) and (e) of the said paragraph and only on condition that appropriate measures are taken without the violation of their personal inviolability and that of their residence.

Article 15

1. An employee of the consular establishment and a member of the service staff shall not be subject to the jurisdiction of the receiving state in matters relating to their official activity. This provision does not exempt them from obligation to compensate for damages caused by means of transport.

2. An employee of the consular establishment and a member of the service staff shall not be liable to arrest or to any form of detention except in the case when the judicial authorities bring against them an accusation of commitment of a grave crime or on the grounds of a judicial decision of final effect. In this Convention a grave crime means a deliberate crime which under the laws of the receiving state entails at least five-year imprisonment or heavier penalty.

3. In case an employee of the consular establishment and a member of the service staff being out of their official functions commit in the territory of the receiving state any act to be punishable under the laws of the receiving state, the sending state shall be immediately notified to the effect through the diplomatic channel and the head of the consular establishment shall be informed simultaneously.

Article 16

1. The sending state may waive immunity with regard to a member of the consular establishment and members of his family. Such waiver must always be expressed and communicated in writing.

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

2. The initiation of proceedings by a member of the consular establishment or a member of his family in a matter where he might enjoy immunity from jurisdiction under Article 15 shall preclude him from invoking immunity from jurisdiction in respect of any counter-claim directly connected with the principal claim.

Article 17

1. A consular officer shall be under no obligation to give evidence as a witness.

2. An employee of the consular establishment or a member of the service staff may be required to give witness testimony before courts or other competent autho-

rities of the receiving state. He may decline to give witness testimony with regard to matters falling within the scope of his official duties.

However, in no case are any coercive measures against an employee of the consular establishment or a member of the service staff permissible.

3. The authority requiring the evidence of an employee of the consular establishment or of a member of the service staff shall avoid interference with the performance of their functions. It may take such evidence at the consular premises or accept a statement in writing.

4. A member of the consular establishment invited as a witness may, in lieu of taking an oath, affirm the correctness of his testimony.

5. The provisions of this Article shall apply, to the extent capable of such application, to members of the family of a member of the consular establishment.

Article 18

A member of the consular establishment and members of his family shall be exempt in the receiving state from service in the Armed Forces and from compulsory public service of any kind.

Article 19

A member of the consular establishment and members of his family shall be exempt from all requirements relative to registration, permission to reside or permission to work as regards the work for the sending state as well as other similar requirements if such are provided for in the laws and regulations of the receiving state with regard to foreign nationals.

Article 20

1. No national, regional or municipal tax, charge or fee shall be imposed in respect of the consular premises or living quarters of a member of the consular establishment which are owned or leased by the sending state or any person acting in its name or in respect of the transactions or instruments relating to the acquisition of the said property.

2. The provisions of paragraph 1 of this Article shall not apply to payments for specific services rendered.

Article 21

Movable property which is in the ownership, possession or use of the sending state and used for consular purposes shall be exempt from taxes or other similar charges.

This provision shall also apply in respect of the acquisition of such property for consular purposes.

Article 22

1. A member of the consular establishment and members of his family shall be exempt from all taxes, charges and fees, personal or real, national, regional or municipal, except:

(a) Taxes and charges on personal immovable property situated in the territory of the receiving state, subject to the provisions of Article 20 of this Convention;

- (b) Estate, succession or inheritance duties, and duties on transfers, levied by the receiving state, subject to the provisions of Article 24 of this Convention;
- (c) Taxes and charges on private income having its source in the receiving state;
- (d) Charges levied for specific services rendered;
- (e) Registration, court or record fees, mortgage dues and stamp duties, subject to the provisions of Article 20 of this Convention.

2. The remuneration received by a member of the consular establishment from the sending state shall be exempt from all taxes or other similar charges imposed by the receiving state in respect of wages.

Article 23

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

- (a) Articles for the official use of the consular establishment, including means of transport;
- (b) Articles for the personal use of a member of the consular establishment or members of his family, including articles intended for their establishment.

2. Personal baggage accompanying a member of the consular establishment and members of his family shall be exempt from inspection. It may be inspected only if there is serious reason to believe that it contains articles not covered by exemptions referred to in paragraph 1 of this Article, or articles the import or export of which is prohibited by law or is subject to the quarantine regulations of the receiving state. Such inspection shall be carried out in the presence of the member of the consular establishment or member of his family concerned, or their authorized representative.

Article 24

In the event of the death of a member of the consular establishment or of a member of his family the receiving state:

- (a) 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 at the time of his death;
- (b) Shall not levy 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 establishment or as a member of his family.

Article 25

Subject to the laws and regulations of the receiving state concerning zones, entry into which is prohibited or regulated for reasons of national security, a member of the consular establishment shall be permitted to travel freely within the limits of the consular district to carry out his official duties.

Article 26

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, including those relative to the control of traffic and the insurance of the means of transport.

Article 27

The privileges and immunities under this Convention, except for the first part of paragraph 2 of Article 17, paragraph 3 of Article 17 and Article 25, shall not apply to the employees of the consular establishment, members of the service staff or members of the families of the members of the consular establishment if they are nationals or residents of the receiving state.

SECTION IV. CONSULAR FUNCTIONS

Article 28

A consular officer shall, in accordance with the provisions of this Convention:

- (a) Protect in the receiving state the interests of the sending state and of its nationals;
- (b) Further the development of commercial, economic, cultural, sports and scientific relations between the sending state and the receiving state and otherwise promote friendly relations between them.

Article 29

A consular officer may ascertain by all lawful means conditions and developments in the commercial, economic, cultural, sports and scientific life of the receiving state, reporting thereon to the Government of the sending state and giving information to persons concerned of the sending state.

Article 30

1. A consular officer shall exercise the functions specified in this Section. Furthermore, a consular officer may perform other consular functions entrusted to him by the sending state, provided they are not in contradiction with the laws of the receiving state.

2. A consular officer shall exercise his functions within the consular district. He may exercise his functions outside the consular district only with the consent of the authorities of the receiving state.

3. In connection with the exercise of his functions, a consular officer may apply to and correspond with the competent authorities of the consular district and the competent central bodies of the receiving state inasmuch as this is permitted by the laws, regulations and usages of that state or by the relevant international treaties.

Article 31

1. A consular officer shall:

- (a) Keep register of nationals of the sending state; the competent authorities of the receiving state shall render a consular officer every assistance in obtaining information required for this purpose concerning nationals of the sending state;

- (b) Receive any declaration relating to the nationality of the sending state including denunciation, acquisition or affirmation thereof;
- (c) Issue, amend, renew and revoke passports, entry, exit and transit visas and other similar documents;
- (d) Register birth or death of nationals of the sending state and receive notifications and documents on these matters;
- (e) Register marriages and divorces, provided that both persons concerned are nationals of the sending state;
- (f) Receive any declarations pertaining to family relationships of nationals of the sending state;
- (g) Formalize adoption, provided that the adoptee and the adopter are nationals of the sending state;
- (h) Collect in the territory of the receiving state consular fees.

2. The provisions of sub-paragraphs (e), (f) and (g) of paragraph 1 of this Article shall not exempt any person concerned from the obligation to fulfil the formalities required under the laws of the receiving state.

Article 32

1. A consular officer shall:

- (a) Receive, draw up and attest declarations by nationals of the sending state and issue appropriate documents to them;
- (b) Draw up, attest and receive for safe keeping wills of nationals of the sending state;
- (c) Draw up and attest acts and transactions between nationals of the sending state insofar as such acts and transactions are not inconsistent with the laws of the receiving state and are not relative to the establishment or transfer of rights to immovable property; draw up and attest acts and transactions between nationals of the sending state, on the one part, and nationals of other states, on the other part, insofar as such acts and transactions are relative exclusively to the property or rights in the sending state or pertain to cases to be considered in that state, provided that such acts and transactions are not inconsistent with the laws of the receiving state;
- (d) Legalize documents issued by the authorities or officials of the sending or receiving state and authenticate copies, transactions and extracts from such documents;
- (e) Translate documents and certify the accuracy of the transaction;
- (f) Certify signatures of nationals of the sending state in all kinds of documents;
- (g) Receive for safe keeping property and documents from nationals of the sending state or for them insofar as this is not inconsistent with the laws of the receiving state.

2. However, it is understood that when any statement or document mentioned in paragraph 1 of the present Article is required to be used in the receiving state, the relevant authority of the receiving state shall recognize the validity of these documents, and also have them legalized if so required under the laws of the receiving state.

Article 33

1. The competent authorities of the receiving state shall as soon as possible notify a consular officer of each case of the death in the receiving state of a national of the sending state and shall inform him of the estate, the successors, the beneficiaries as well as of the existence of a will.

2. The competent authorities of the receiving state shall as soon as possible inform a consular officer of an estate left in the receiving state when the successor or the beneficiary is the sending state or a national of the sending state.

3. If a consular officer is the first to learn of the death in the receiving state of a national of the sending state or of an estate left, he shall likewise inform the competent authorities of the receiving state.

Article 34

A consular officer may represent without any special power of attorney in the receiving state, nationals of the sending state if they are absent or for other reasons unable to defend their interests. This representation remains operative until the persons so represented appoint their attorneys or assume defence of their rights and interests.

Article 35

If a national of the sending state dies during his sojourn in the receiving state, not being domiciled in that state, his personal effects, money, documents and other property shall be transmitted without any formalities to the consular establishment for the purpose of the temporary keeping. All subsequent measures, including the removal of the said things, if so needed, shall be done according to the laws of the receiving state.

Article 36

A consular officer may, on behalf of a national of the sending state, if such national is not present in the receiving state, receive from a court, authorities or an individual, money or other property to which the national concerned is entitled as a consequence of the death of any person, including the estate, payments made in pursuance of accident compensation laws and the proceeds of life insurance policies.

Article 37

1. A consular officer may propose to courts or other competent authorities of the receiving state appropriate persons to act as guardians or trustees for nationals of the sending state or for the property of nationals of the sending state.

2. If the court or competent authorities consider that the person proposed is for any reason unacceptable, the consular officer may propose a new candidate.

Article 38

1. A consular officer may meet with, communicate with, advise and assist in every possible way any national of the sending state, including making arrangements for legal assistance to him.

A consular officer may request assistance from the competent authorities of the receiving state in a search of missing nationals of the sending state permanently residing or temporarily staying in the territory of the receiving state.

The receiving state shall in no way restrict communication of a national of the sending state with the consular establishment or his access thereto.

2. The competent authorities of the receiving state shall notify a consular officer of the sending state of the arrest, imprisonment or detention in other form of a national of the sending state. Such notification shall be given as soon as possible within seven days following the arrest, imprisonment or detention in other form of that national.

3. A consular officer may visit and communicate with a national of the sending state who has been arrested or is held under any other form of detention or is serving a sentence of imprisonment. Without prejudice to the rights of the consular officer under this Convention, the consular officer shall refrain from taking any action in accordance with this paragraph if such national expressly opposes such action in the presence of the consular officer and a representative of the appropriate authorities of the receiving state.

4. The rights of the consular officer under paragraph 3 of this Article shall be granted as soon as possible within seven days following the arrest, imprisonment or detention in other form of a national of the sending state.

Subsequently, such rights shall be granted periodically.

5. The rights referred to in this Article shall be exercised in conformity with the laws and regulations of the receiving state, provided, however, that the said laws and regulations must not nullify these rights.

Article 39

1. A consular officer shall be entitled to render every assistance and aid to a vessel of the sending state in a port or territorial or inland waters of the receiving state within his consular district.

2. A consular officer may proceed on board the vessel, and the master and members of the crew of the vessel may communicate with the consular officer as soon as the vessel has received pratique.

3. A consular officer may invoke the aid of the competent authorities of the receiving state in any matter relating to the performance of his duties with respect to a vessel of the sending state or to the master and members of the crew of such a vessel.

Article 40

A consular officer shall:

- (a) Inquire, without prejudice to the rights of the authorities of the receiving state, into the circumstances of incidents occurring on board the vessel, question the master and members of the crew of the vessel, examine the vessel's papers, take statements with regard to her voyage and destination and also facilitate the entry into, stay in and departure from, a port of the vessel;
- (b) Without prejudice to the rights of the authorities of the receiving state, 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 laws of the sending state;

- (c) Make arrangements for the treatment in a hospital and for the repatriation of the master or any member of the crew of the vessel;
- (d) Receive, draw up or certify any declaration or other document prescribed by the laws of the sending state in regard to the vessel;
- [(e)] In case of a vessel acquired abroad, issue a provisional certificate authorizing the vessel to sail under the flag of the sending state.

Article 41

Where it is the intention of the courts or other competent authorities of the receiving state to take any coercive action or to institute any formal inquiry on board a vessel of the sending state, they shall so inform a consular officer. Such notification shall be made in time to enable the consular officer to be present. 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.

Article 42

1. The competent authorities of the receiving state shall as soon as possible notify a consular officer of any accident suffered by a vessel of the sending state in a port or in the territorial or inland waters of the receiving state. The competent authorities of the receiving state shall also notify, as soon as possible, the consular officer in a case where any article forming part of the cargo of a wrecked vessel of the receiving state, or a third state, being the property of a national of the sending state or the sending state itself, is found on or near the coast of the receiving state or is brought into a port of that state. They shall also inform him of measures already taken for the preservation of the vessel, of the lives of persons on board the vessel, of the cargo and other property on board and of articles belonging to the vessel, or forming part of her cargo, which have become separated from the vessel.

2. A consular officer shall render assistance to a wrecked vessel, the members of her crew and her passengers.

A consular officer may take the measures referred to in paragraph 1 of this Article and also measures for the repair of the vessel, or may request the competent authorities to take, or continue to take, such measures.

3. A consular officer shall be authorized, without any special power of attorney, to make on behalf of the owner of the vessel from the sending state arrangements for the custody or disposal of the wrecked vessel or property which has become separated from the vessel if neither the owner of the vessel from the sending state nor his representative is in a position to make them.

4. The provisions of the preceding paragraph shall also apply to any article found on or near the coast of the receiving state and forming part of the cargo which is the property of the sending state or its national and which was on board of a wrecked vessel of the receiving state or a third state.

5. No customs duties or charges shall be levied against a wrecked vessel, its cargo, equipment, stores, articles or property, in the territory of the receiving state, unless they are imported for use in that state.

Article 43

Articles 39 to 42, respectively, shall also apply to aircraft.

Article 44

1. Members of the diplomatic staff of the diplomatic mission of the sending state in the receiving state who are charged with the performance of consular functions within that mission shall have the same rights and duties as consular officers under this Convention.

2. The performance of consular functions by persons referred to in paragraph 1 of this Article shall not affect the privileges and immunities accorded to them by virtue of their diplomatic status.

SECTION V. FINAL PROVISIONS

Article 45

1. The present Convention shall enter into force on the thirtieth day following the exchange of instruments notifying of its approval in conformity with the domestic legislation of each Contracting Party.

2. This Convention shall remain in force until six months from the date on which one of the Contracting Parties informs in writing to the other Contracting Party of its desire to terminate it.

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

DONE at Accra on this 22nd day of February, One Thousand Nine Hundred and Eighty-five (1985) in two copies, each in the Russian and English languages, both texts being equally authentic.

For the Union
of Soviet Socialist Republics:
[Signed — Signé]¹

For the Republic
of Ghana:
[Signed — Signé]²

¹ Signed by V. Semenov — Signé par V. Semenov.

² Signed by A. Osamoā — Signé par A. Osamoā.