

No. 26362

**UNION OF SOVIET SOCIALIST REPUBLICS
and
YUGOSLAVIA**

Consular Convention. Signed at Belgrade on 20 June 1987

Authentic texts: Russian and Serbo-Croatian.

Registered by the Union of Soviet Socialist Republics on 28 December 1988

**UNION DES RÉPUBLIQUES
SOCIALISTES SOVIÉTIQUES
et
YOUgoslavie**

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[TRANSLATION — TRADUCTION]

CONSULAR CONVENTION¹ BETWEEN THE UNION OF SOVIET
SOCIALIST REPUBLICS AND THE SOCIALIST FEDERAL RE-
PUBLIC OF YUGOSLAVIA

The Union of Soviet Socialist Republics and the Socialist Federal Republic of Yugoslavia,

In the interests of further strengthening the friendly relations between the two States on the basis of the principles of respect for sovereignty and independence, non-interference in internal affairs and equal rights,

Desiring further to develop consular relations,
Have agreed as follows.

CHAPTER I
DEFINITIONS

Article 1

For the purposes of this Convention, the following expressions shall have the meanings hereunder assigned to them:

(1) "Sending State" means the Contracting Party which appoints a consular officer.

(2) "Receiving State" means the Contracting Party in whose territory a consular officer exercises his functions.

(3) "Consular post" means any consulate-general, consulate, vice-consulate or consular agency.

(4) "Consular district" means the area of territory of the receiving State assigned to a consular post for the exercise of consular functions.

(5) "Head of a consular post" means the person charged by the sending State with the duty of directing a consular post.

(6) "Consular officer" means the head of a consular post or any person who is entrusted with the exercise of consular functions.

(7) "Consular employee" means any person employed in the administrative or technical service of a consular post.

(8) "Member of a consular post" means a consular officer, a consular employee or a member of the service staff.

(9) "Member of the service staff" means any person employed in the domestic service of a consular post.

(10) "Member of the private staff" means a person who is employed exclusively in the private service of a member of a consular post.

¹ Came into force on 8 February 1988, i.e., the thirtieth day following the exchange of the instruments of ratification, which took place at Moscow on 9 January 1988, in accordance with article 55.

(11) "Family member" means the spouse, dependent children or parents of a member of a consular post residing with him.

(12) "Consular premises" means the buildings or parts of buildings used exclusively for consular purposes and the land on which these buildings stand, irrespective of ownership.

(13) "Consular archives" means all correspondence, documents, books, registers, card indexes, printed material, stamps, films, photographs, audio or video tapes, ciphers, codes, office equipment and supplies and any equipment or article of furniture intended for their protection and safe keeping.

(14) "National" also means a legal entity.

(15) "Vessel of the sending State" means any vessel entitled to sail under the flag of that State, with the exception of warships.

(16) "Aircraft of the sending State" means any aircraft bearing the distinguishing marks of the sending State and registered in a Contracting Party, with the exception of military aircraft.

CHAPTER II CONSULAR RELATIONS

Article 2. ESTABLISHMENT OF CONSULAR POSTS

1. Each Contracting Party may establish consular posts in the territory of the other Contracting Party only with the consent of that Contracting Party.

2. The seat of the consular post, its classification and the consular district shall be determined by the Contracting Parties.

3. The sending State may change the seat of the consular post, its classification or consular district only with the consent of the receiving State.

4. The consular post may exercise its functions outside its consular district only with the consent of the receiving State.

Article 3. NATIONALITY OF MEMBERS OF A CONSULAR POST

1. Only nationals of the sending State may be consular officers.

2. Consular employees and members of the service staff may be nationals of the sending State or of the receiving State.

Article 4. APPOINTMENT OF THE HEAD OF A CONSULAR POST

1. The head of a consular post is appointed by the sending State and is admitted to the exercise of his functions by the receiving State.

2. Before appointing the head of a consular post, the sending State shall establish, through the diplomatic channel, that the receiving State consents to recognize the person in question as head of the consular post.

Article 5. THE CONSULAR COMMISSION AND THE EXEQUATUR

1. The sending State shall submit to the receiving State through the diplomatic channel the consular commission or similar document of appointment of a head of a consular post, indicating his full name, rank, credentials, the consular district and the seat of the consular post.

2. On the basis of the commission or similar instrument of appointment, the receiving State shall promptly issue to the head of a consular post an exequatur or other form of authorization.

3. The head of a consular post may be admitted to the exercise of his functions on receipt of the exequatur from the receiving State.

4. The receiving State may admit the head of a consular post to the exercise of his functions on a provisional basis, in accordance with the provisions of this Convention, pending delivery of the exequatur.

Article 6. NOTIFICATION TO THE AUTHORITIES OF THE CONSULAR DISTRICT

As soon as the head of a consular post is admitted even provisionally to the exercise of his functions, the receiving State shall immediately notify the competent authorities of the consular district and shall take the necessary measures to enable the head of a consular post to carry out his duties and to have the benefit of the provisions of this Convention.

Article 7. TEMPORARY EXERCISE OF THE FUNCTIONS OF THE HEAD OF A CONSULAR POST

1. If the head of a consular post is unable to carry out his functions or if the position of head of consular post is vacant, a consular officer of the same or another consular post or a member of the diplomatic staff of the diplomatic mission of the sending State in the receiving State may be designated to take temporary charge of the consular post.

2. The receiving State shall be notified of the full name of the acting head of the consular post in good time through the diplomatic channel.

3. While he is exercising these functions, the acting head of a consular post shall enjoy all the privileges and immunities afforded to a head of a consular post under this Convention.

4. A member of the diplomatic staff of a diplomatic mission acting as head of a consular post in accordance with paragraph 1 of this article shall continue to enjoy all the privileges and immunities afforded to him by virtue of his diplomatic status.

Article 8. TERMINATION OF THE FUNCTIONS OF A MEMBER OF A CONSULAR POST

The functions of a member of a consular post shall come to an end:

(1) On notification by the sending State to the receiving State through the diplomatic channel;

(2) On notification by the receiving State to the sending State through the diplomatic channel that the exequatur or other authorization of a head of a consular post has been withdrawn or that a consular officer or consular employee or a member of the service staff is unacceptable. In such cases, the sending State shall recall the head of the consular post or the consular officer or terminate the services of the consular employee or the member of the service staff;

(3) In the cases referred to in subparagraph (2) of this article, the receiving State shall not be obliged to give reasons for its decision.

Article 9. NOTIFICATION OF APPOINTMENTS, ARRIVALS AND DEPARTURES

The sending State shall promptly notify the receiving State through the diplomatic channel of:

- (1) The arrival of a member of a consular post, indicating his full name, position, and, where applicable, his rank;
- (2) The final departure or suspension from his duties of a member of a consular post, or any other changes in his status occurring during the course of his service with the consular post;
- (3) The arrival and final departure of a person belonging to the family of a member of a consular post and the fact that a person becomes or ceases to be a member of the family;
- (4) The engagement and discharge of persons resident in the receiving State as consular employees or as members of the service staff or of the private staff.

Article 10. ACCOMMODATION

1. The sending State may, in accordance with the laws and regulations of the receiving State, acquire as property, occupy or lease any land, buildings, or parts of buildings, erect and reconstruct buildings and adapt any land required for the purposes of establishing consular premises and living quarters for members of a consular post. Where necessary, the receiving State shall assist the sending State in this connection.

2. Nothing in the provisions of paragraph 1 of this article shall be deemed to exempt the sending State from the obligation to comply with any building or town-planning laws or regulations applicable to the area in which the land, buildings or parts of buildings are situated.

Article 11. IDENTITY OF DOCUMENTS

1. The competent authorities of the receiving State shall issue to each consular officer, free of charge, a document certifying his identity and duties.

2. The provisions of paragraph 1 of this article shall also extend to consular employees and members of the service staff, provided that they are not nationals of the receiving State or nationals of the sending State residing permanently in the receiving State.

3. The provisions of paragraph 1 of this article shall also extend to members of the family of a member of a consular post, provided that they are not nationals of the receiving State or nationals of the sending State residing permanently in the receiving State and provided that they are not engaged in any private gainful occupation.

Article 12. PROHIBITION AGAINST ENGAGING IN SPECIFIC ACTIVITIES

A member of a consular post may not carry on for personal profit any commercial or other professional activity in the receiving State.

Article 13. PERFORMANCE OF CONSULAR FUNCTIONS BY A DIPLOMATIC MISSION

1. The provisions of this Convention shall also apply in the case of the performance of consular functions by a diplomatic mission.

2. The receiving State shall be notified through the diplomatic channel of the full name of any member of the diplomatic staff of a diplomatic mission assigned to perform consular functions.

3. The privileges and immunities of any members of the diplomatic staff of a diplomatic mission assigned to perform consular functions shall be the same as those of members of the diplomatic staff.

Article 14. APPOINTMENT OF HONORARY CONSULS

1. The Contracting Parties may appoint an honorary consul by mutual agreement.

2. The status of an honorary consul shall be determined by agreement between the Contracting Parties.

CHAPTER III
PRIVILEGES AND IMMUNITIES

Article 15. FACILITIES FOR THE PERFORMANCE OF THE FUNCTIONS
OF A CONSULAR POST

The receiving State shall accord the necessary facilities for the normal performance of the functions of a consular post.

Article 16. USE OF NATIONAL COAT OF ARMS AND FLAG

1. The sending State shall have the right to affix to the building occupied by the consular post and to the residence of the head of the consular post a shield bearing the coat of arms of the sending State and the name of the consular post in the languages of the sending and receiving States.

2. The sending State may fly its national flag on the building occupied by the consular post, on the residence of the head of the consular post and on his means of transport when used by him in the performance of his official functions.

3. In the exercise of the rights accorded by this article, regard shall be had to the laws, regulations and practices of the receiving State.

Article 17. INVIOLABILITY OF CONSULAR PREMISES

1. Consular premises shall be inviolable.

2. The receiving State is under a special obligation to take all appropriate steps to protect the consular premises against any intrusion or damage and to prevent any disturbance of the peace of the consular post or impairment of its dignity.

3. The authorities of the receiving State may enter the consular premises used by the consular post exclusively for the purpose of its work only with the consent of the head of the consular post, the head of the diplomatic mission of the sending State, or a person designated by one of them.

Article 18. INVIOLABILITY OF CONSULAR ARCHIVES

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

Article 19. FREEDOM OF COMMUNICATION

1. The receiving State shall permit and protect freedom of communication on the part of the consular post for all official purposes. In communicating with the Government, the diplomatic missions and other consular posts, wherever situated, of the sending State, the consular post may employ all means of communication, including diplomatic or consular couriers, bags and messages in code or cipher. It may install and operate a radio transmitter only with the prior consent of the receiving State.

2. The official correspondence of the consular post shall be inviolable. "Official correspondence" means any correspondence relating to the consular post and its functions.

3. The packages constituting the consular bag shall be sealed and bear visible external marks of their character and the addresses of the sender and the addressee, and may contain only official correspondence, documents and articles intended exclusively for official use.

4. A consular courier, who may be neither a national of the receiving State nor a permanent resident of that State, shall be provided with an official document indicating his status and the number of packages constituting the consular bag.

5. The receiving State shall protect a consular courier and shall afford him the assistance necessary for the performance of his functions. He shall enjoy personal inviolability and shall not be liable to any form of arrest or detention or be subjected to any measure which limits or deprives him of his freedom.

6. The captain of a vessel or aircraft to whom a consular bag is entrusted shall be provided with an official document indicating the number of packages constituting the bag. A consular officer may take possession of a bag directly and freely from the captain of the vessel or of the aircraft and may also hand a consular bag to him.

Article 20. CONSULAR FEES

1. A consular post may levy in the territory of the receiving State the consular fees provided by the laws of the sending State for the performance of consular functions.

2. The sums collected as the consular fees referred to in paragraph 1 of this article shall be exempt from all dues and taxes in the receiving State.

3. The receiving State shall afford facilities for the transmission of the consular fees received by a consular post to the sending State.

Article 21. PROTECTION OF CONSULAR OFFICERS

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 privileges and immunities provided for in this Convention and to prevent any attack on their person, freedom or dignity.

Article 22. PERSONAL INVIOABILITY OF CONSULAR OFFICERS

1. Consular officers may not be detained or arrested or be liable to any other form of restriction or deprivation of freedom except in the case of a grave crime and

pursuant to a decision by the competent court or in order to carry out the decision of a court.

2. If a court intends to institute criminal proceedings against a consular officer, it shall be required to notify the head of the consular post or the diplomatic mission of the sending State accordingly.

3. The notification pursuant to paragraph 2 of this article shall, to the extent possible, be given prior to the beginning of the proceedings in order to enable the head of the consular post or another consular officer to be present during the hearing. If the head of the consular post or other consular officer is not present, the competent organ of the receiving State shall be required to prepare a full report on the matter.

4. If criminal proceedings are instituted against a consular officer, he must appear before the competent authorities. Nevertheless, the proceedings shall be conducted with the respect due to him by reason of his official position and, except in the case specified in paragraph 1 of this article, in a manner which will hamper the exercise of consular functions as little as possible.

Article 23. NOTIFICATION OF THE PROSECUTION OR DEPRIVATION OF FREEDOM OF A CONSULAR EMPLOYEE OR MEMBER OF THE SERVICE STAFF

If criminal proceedings are instituted against a consular employee or a member of the service staff or if they are deprived of their personal freedom, the competent authorities of the receiving State shall immediately inform the head of the consular post.

Article 24. IMMUNITY FROM JURISDICTION

1. Consular officers and consular employees shall not be amenable to the jurisdiction of the receiving State in respect of acts performed in the exercise of consular functions.

2. The provisions of paragraph 1 of this article shall not apply in respect of a civil action either:

(1) Arising out of a contract concluded by a consular officer or consular employee in which he did not contract expressly or impliedly as an agent of the sending State; or

(2) By a third party for damage arising from an accident in the receiving State caused by a vehicle, vessel or aircraft.

Article 25. EVIDENCE

1. A member of a consular post may be called upon to give evidence in the course of judicial or administrative proceedings.

2. A consular employee or a member of the service staff shall not, except in the cases mentioned in paragraph 5 of this article, decline to give evidence.

3. If a consular officer should decline to give evidence, no coercive measure or other penalty may be applied to him.

4. The authority requesting the evidence shall avoid interference with the work of a consular officer in the performance of his functions. It may, when possible, take evidence from the consular officer at the consular post or at his residence, or accept a statement from him in writing.

5. A member of a consular post shall not be required to give evidence concerning matters connected with the exercise of his functions or to produce official documents and correspondence of the consular post.

Article 26. WAIVER OF PRIVILEGES AND IMMUNITIES

1. The sending State may waive, with regard to a member of a consular post, the privileges and immunities provided for in articles 22, 24 and 25 of this Convention.

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

3. The initiation of proceedings by a consular officer in a matter where he might enjoy immunity from jurisdiction under article 24 shall preclude him from invoking immunity from jurisdiction in respect of any counter-claim directly connected with the principal claim.

4. 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 judicial decision; in respect of such matters, a separate waiver shall be necessary.

*Article 27. EXEMPTION FROM REGISTRATION OF ALIENS
AND RESIDENCE PERMITS*

Members of a consular post and members of their families forming part of their households shall be exempt from all obligations under the laws and regulations of the receiving State in regard to the registration of aliens and residence permits.

Article 28. EXEMPTION FROM TAXATION

1. Consular premises and the residence of the head of a consular post of which the sending State or a person acting on its behalf is the owner or lessee shall be exempt from all national, regional and municipal dues and taxes, other than those levied for specific services rendered.

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

3. Consular officers and consular employees and members of their families shall be exempt from all dues and taxes, personal or real, national, regional or municipal, except:

(1) Dues or taxes on private immovable property situated in the territory of the receiving State, subject to the provisions of paragraph 1 of this article;

(2) Estate, succession or inheritance duties levied by the receiving State, subject to the provisions of paragraph (2) of article 52 of this Convention;

(3) Dues and taxes on private income from sources in the receiving State;

(4) Dues and taxes levied for specific services rendered;

(5) Registration or court fees, subject to the provisions of paragraph 1 of this article.

4. Wages received by members of the service staff shall be exempt from dues and taxes.

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

Article 29. EXEMPTION FROM CUSTOMS DUTIES AND INSPECTION

1. The receiving State shall permit entry of and grant exemption from customs duties and related charges other than charges for storage, cartage and similar services, on:

(1) Articles for the official use of the consular post, including means of transport;

(2) Articles for the personal use of a consular officer or members of his family forming part of his household, including articles intended for his establishment and means of transport.

2. Consular employees and members of the service staff shall enjoy the privileges and exemptions from the taxes and charges specified in paragraph 1 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 and may be inspected only if there is serious reason to believe that it contains articles other than those referred to in subparagraph (2) of paragraph 1 of this article, or articles the import or export of which is prohibited by the laws of the receiving State or which are subject to its quarantine regulations.

4. Inspection of personal baggage may be carried out only in the presence of the consular officer or member of his family concerned.

Article 30. EXEMPTION FROM PERSONAL SERVICES

Members of a consular post and members of their families forming part of their households shall be exempt from service in the armed forces and from public service of any kind in the receiving State.

Article 31. FREEDOM OF MOVEMENT

Subject to its laws and regulations concerning zones entry into which is prohibited or restricted for reasons of national security, the receiving State shall ensure freedom of movement in its territory to all members of a consular post.

Article 32. PRIVILEGES OF OTHER PERSONS

1. Consular employees and members of the service staff who are nationals of the sending State permanently resident in the receiving State or nationals of the receiving State shall enjoy only those privileges provided for in paragraph 5 of article 25 of this Convention.

2. Members of the family of a member of a consular post shall enjoy the same privileges granted to members of a consular post, provided that they are not nationals of the receiving State or permanently resident in that State.

CHAPTER IV
CONSULAR FUNCTIONS

Article 33. GENERAL CONSULAR FUNCTIONS

General consular functions consist in:

- (1) Protecting the interests of the sending State and its nationals, in accordance with the provisions of this Convention;
- (2) Furthering the development of commercial, economic, scientific, cultural, sporting and tourist relations between the sending State and the receiving State and strengthening friendly relations between them;
- (3) Ascertaining by all lawful means conditions and developments in the areas referred to in paragraph (2) of this article, reporting thereon to the sending State and giving information to persons interested;
- (4) Assisting nationals of the sending State.

Article 34. COMMUNICATION WITH THE AUTHORITIES OF THE RECEIVING STATE

1. In the course of performing his consular functions, a consular officer may address the competent local authorities of the consular district and the competent central authorities of the receiving State if this is allowed by the laws, regulations and usages of the receiving State or under international agreements.

2. A consular officer may address himself directly to the Ministry of Foreign Affairs of the receiving State only in the absence of members of the diplomatic staff of the diplomatic mission of the sending State.

Article 35. REGISTRY OF NATIONALS

A consular officer shall:

- (1) Maintain a register of nationals of the sending State residing or present in the territory of the consular district. For this purpose, he may request the cooperation of the competent authorities of the receiving State;
- (2) Comply with all the formalities connected with military service, including the registration and calling up of nationals of the sending State, and transmit the call-up notices and other documents to them in connection with the fulfilment of their military duties, to the extent that this is provided for by the legislation of the sending State.

Article 36. REPRESENTATION OF NATIONALS OF THE SENDING STATE

1. A consular officer may, in the performance of his official functions, represent nationals of the sending State before a court or other authority of the receiving State where, because of absence or any other reason, they are unable personally to defend their rights and interests or are unable to designate an authorized representative, or do not assume the defence of their rights and interests.

2. The provisions of paragraph 1 of this article shall not affect the legislation of the receiving State with respect to the requirement that an attorney be present.

Article 37. ISSUE OF PASSPORTS AND VISAS

A consular officer shall:

- (1) Issue, amend, extend and revoke passports or other travel documents of nationals of the sending State;
- (2) Issue and extend visas and other similar documents of persons travelling to the sending State.

Article 38. MATTERS RELATING TO CIVIL STATUS

A consular officer shall:

- (1) Register the births and deaths of nationals of the sending State and issue the appropriate certificates;
- (2) Register marriages between nationals of the sending State, if he is authorized to do so by the sending State and if the receiving State does not object, and issue marriage certificates;
- (3) Carry out the formalities for adopting, provided that the child to be adopted and the person adopting the child are nationals of the sending State.

Article 39. NOTARIAL FUNCTIONS

1. A consular officer shall perform the following functions:

- (1) Draw up and accept for safe keeping the wills of nationals of the sending State;
- (2) Witness signatures on contracts and other documents having legal force outside the territory of the receiving State which do not relate to valid rights to immovable property in the territory of the receiving State;
- (3) Witness the signatures of nationals of the sending State on documents and copies of documents of all kinds;
- (4) Translate documents into, and certify translations of documents in, the official languages of the receiving State and the sending State;
- (5) Accept declarations acknowledging paternity or maternity;
- (6) Accept for safe keeping money, documents, securities and valuables, in accordance with the legislation of the receiving State;
- (7) Perform other notarial functions entrusted to him by the sending State, provided that they are not contrary to the legislation of the receiving State.

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

Article 40. GUARDIANSHIP AND TRUSTEESHIP

1. A consular officer shall deal with matters relating to guardianship and trusteeship for nationals of the sending State present in the territory of the receiving State, provided that the legislation of the sending State permits such actions and provided that they are not contrary to the legislation of the receiving State.

2. If a consular officer is unable to act in accordance with paragraph 1 of this article, he shall be authorized to recommend to the competent authorities of the receiving State a person to fulfil the obligations of a guardian, or to request those authorities to take the necessary action on behalf of the person over whom guardianship is exercised and to provide regular information concerning the guardianship.

CONSULAR FUNCTIONS WITH RESPECT TO SEA AND RIVER NAVIGATION

Article 41. RIGHTS AND OBLIGATIONS OF CONSULAR OFFICERS

A consular officer shall extend assistance to vessels of the sending State calling at or staying (docking) in a port, or in or departing from the territorial waters of the receiving State, and to the master and members of the crew.

Article 42. COMMUNICATION WITH THE AUTHORITIES OF THE RECEIVING STATE

1. In the exercise of his functions with respect to sea and river navigation, a consular officer may request assistance from the authorities of the receiving State.

2. The authorities of the receiving State shall provide the necessary assistance to the consular officer in all cases except where there are justified grounds for refusing assistance. In the latter case, the authorities of the receiving State shall state the reasons for the refusal.

Article 43. BOARDING AND COMMUNICATION WITH A VESSEL

A consular officer may go on board a vessel, and the master and members of the crew may communicate with the consular officer as soon as the vessel is granted pratique.

Article 44. POWERS OF A CONSULAR OFFICER

A consular officer shall:

(1) Without prejudice to the powers of the authorities of the receiving State, investigate the circumstances of any incident occurring on board a vessel, question the master and any member of the crew of such vessel, examine the vessel's papers, take statements regarding its voyage and destination, and facilitate the vessel's entry into, departure from and stay in the port;

(2) Without prejudice to the powers of the authorities of the receiving State, settle disputes between the master and any member of the crew, including disputes concerning contracts of service and conditions of work, in accordance with the legislation of the sending State;

(3) Arrange for hospital treatment for, or the repatriation of, the master or any member of the crew;

(4) Receive, draw up or authenticate any declaration or other document relating to vessels provided for by the legislation of the sending State;

(5) In the case of a vessel acquired abroad, issue a provisional certificate of entitlement for the vessel to fly the flag of the sending State;

(6) Take any other action on board the vessel required to give effect to the legislation of the sending State.

*Article 45. ACTIONS OF A COURT OR OTHER COMPETENT AUTHORITY
OF THE RECEIVING STATE IN RESPECT OF A VESSEL*

1. If a court or other competent authority of the receiving State intends to take any coercive measures in respect of a vessel of the sending State or to conduct an official investigation on board such a vessel, it shall so notify the consular officer. Such notification shall be given before the beginning of the proceedings so that a consular officer may be present during the proceedings. If the consular officer is not present, the competent authorities of the receiving State shall furnish the consular officer, at his request, with a full account of the proceedings.

2. A court or other competent authority of the receiving State may not interfere in the internal affairs of a vessel in any matter except at the request or with the consent of the master of the vessel.

Article 46. SHIPWRECKS

1. If a vessel of the sending State is shipwrecked in port or in the territorial or internal waters of the receiving State, or if any article from a shipwrecked vessel of the sending State or a third State, being the property of a national of the sending State or of the State itself, is found on or near the coast of the receiving State or is brought into a port of that State, the competent authorities of the receiving State shall, as soon as possible, so inform a consular officer. They shall also inform the consular officer of the measures which have already been taken to save the people on board, the vessel, its cargo and other property on board the vessel, and articles belonging to the vessel or forming part of its cargo which have been separated from it.

2. A consular officer shall furnish assistance to a damaged vessel, the members of its crew and its passengers. The consular officer may take the measures referred to in paragraph 1 of this article, as well as measures to repair the vessel, or may request the competent authorities to take, or to continue to take, such measures.

3. A consular officer shall be authorized, without special power of attorney, to arrange, on behalf of the owner of a vessel of the sending State, for the safe keeping or disposal of the damaged vessel or property which has been separated therefrom if the owner of the vessel of the sending State or his representative is unable to do so.

4. The provisions of paragraph 3 above shall also apply to any article found on or near the coast of the receiving State forming part of the cargo of a vessel of the receiving State or a third State and belonging to the sending State or a national of that State.

5. A damaged vessel, its cargo, rigging, provisions, articles or property shall not be subject to the imposition of customs duties or charges, provided that they are not brought into the territory of the receiving State for use in that State.

6. Assistance furnished by the authorities of the receiving State shall not establish a right to impose taxes or other charges except as compensation for expenditures related to the shipwreck.

Article 47. CONSULAR FUNCTIONS WITH RESPECT TO AIRCRAFT

The provisions of articles 41 to 46 shall likewise apply, *mutatis mutandis*, to aircraft of the sending State.

Article 48. LEGAL DEFENCE

1. With a view to protecting the rights and interests of nationals of the sending State, a consular officer shall have the right, within his consular district, to communicate freely with such nationals, to visit them, to give them advice, to provide them with the necessary aid in their dealings with the courts and other competent authorities of the receiving State, to render assistance on matters being considered by those authorities and, where the legislation of the receiving State permits, to provide an attorney, offer a translator or himself act as a translator.

2. Nationals of the sending State shall have the right to communicate with the consular post of that State at any time. The receiving State may not in any way restrict access to the consular post by nationals of the sending State.

3. If a national of the sending State is arrested or otherwise deprived of his freedom, the competent authorities of the receiving State shall so notify the consular officer without delay, no later than three days following the date of the arrest.

4. A consular officer shall have the right to communicate with a national of the sending State who has been arrested or otherwise deprived of freedom, to visit him and to converse with him in the language of the sending State. This visit shall be arranged without delay, no later than five days following the date of receipt of the notification of arrest or other form of deprivation of freedom.

5. Whenever a national of the sending State has been convicted and is serving a sentence in the receiving State, a consular officer shall have the right to visit him and to converse with him in the language of the sending State.

6. Visits shall be permitted at the intervals specified under the regulations of the institution in which the national of the sending State who has been arrested, otherwise deprived of freedom, or convicted, is held.

7. A consular officer shall have the right to transmit to a national to whom the provisions of this article are applicable parcels containing food products, clothing, medicines and books, as well as writing materials, in the amount and at the intervals provided for under the rules of the institution in which the national is held.

8. The competent authorities of the receiving State shall without delay inform a national of the sending State who has been imprisoned, detained or otherwise deprived of freedom of the provisions of this article.

9. The rights referred to in this article shall be exercised in conformity with the laws and regulations of the receiving State, subject to the proviso that the said laws and regulations shall not invalidate those rights.

Article 49. NOTIFICATION OF ACCIDENTS

The competent authorities of the receiving State shall have the duty to inform the consular post nearest to the scene of the occurrence of any automobile or railway accident involving the death of, or serious bodily injury to, a national of the sending State or of any significant material loss incurred by a national of the sending State.

INHERITANCE

Article 50. NOTIFICATION OF DEATH

1. The competent authority of the receiving State shall notify the consular post immediately of the death of a national of the sending State and shall at the same time convey to it all the information available concerning the heirs, their whereabouts or place of residence, the estate and any other information needed in order to deal with the inheritance.

2. Where the consular post is the first to learn of the death of a national of the sending State, it shall immediately so notify the competent authorities of the receiving State.

Article 51. ARRANGEMENTS FOR THE SAFE KEEPING OF ESTATES

1. Where the estate of a national of the sending State is situated in the receiving State, the competent authorities shall, on request or pursuant to their official duties, make the necessary arrangements for the safe keeping of the estate and to prevent any damage thereto.

2. A consular officer shall have the right to be present when an inventory of the estate is compiled and to participate in the arrangements for its safe keeping.

3. In all cases, the competent authorities of the receiving State shall inform the consular post immediately of the measures taken for the safe keeping and disposal of the estate.

4. A consular officer shall have the right to represent nationals of the sending State during proceedings relating to the estate conducted by the competent authorities of the receiving State without receiving any special authorization, if the heir is absent or has not designated an authorized representative.

5. The right of representation of a consular officer under paragraph 4 of this article shall cease when the absent national assumes the defence of his rights or appoints an authorized representative.

6. If a national of the sending State dies while temporarily present in the receiving State, his effects and money shall be handed over to the consular post of the sending State as inventoried and without any formalities, after payment of any debts.

Article 52. ESTATE OF A MEMBER OF A CONSULAR POST

In the event of the death of a member of a consular post or a member of his family, the receiving State shall:

(1) 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;

(2) Not levy any tax or duty on the estate in the receiving State.

Article 53. INSURANCE AGAINST THIRD PARTY RISKS

Means of transport used by a consular post and means of transport belonging to members of a consular post or members of their families shall be insured against third party risks if such insurance is required under the laws of the receiving State.

Article 54. RESPECT FOR THE LAWS OF THE RECEIVING STATE

Without prejudice to their privileges and immunities, it is the duty of all persons enjoying such privileges and immunities in accordance with this Convention to respect the laws and regulations of the receiving State.

CHAPTER V
FINAL PROVISIONS

Article 55

1. This Convention shall be subject to ratification and shall enter into force on the thirtieth day following the exchange of the instruments of ratification.

The exchange of the instruments of ratification shall take place in Moscow.

2. This Convention is concluded for an indefinite period and shall remain in force until the expiry of one year from the date on which one Contracting Party gives the other Contracting Party notice in writing through the diplomatic channel of its intention to terminate this Convention.

3. Upon the entry into force of this Convention, the Consular Convention between the Union of Soviet Socialist Republics and the Federal People's Republic of Yugoslavia, signed on 21 July 1960¹ in Belgrade, and the Agreement Supplementing the Consular Convention between the Union of Soviet Socialist Republics and the Socialist Federal Republic of Yugoslavia of 21 July 1960, signed on 22 May 1980² in Moscow, shall cease to have effect.

DONE at Belgrade, on 20 June 1987, in duplicate, in the Russian and Serbo-Croat languages, both texts being equally authentic.

For the Union
of Soviet Socialist Republics:

[E. SHEVARDNADZE]

For the Socialist Federal Republic
of Yugoslavia:

[R. DISDAREVICH]

¹ United Nations, *Treaty Series*, vol. 1374, p. 9.

² *Ibid.*, vol. 1458, p. 378.