

No. 5709

**CZECHOSLOVAKIA
and
ROMANIA**

Consular Convention. Signed at Bucharest, on 21 May 1960

Official texts: Czech and Romanian.

Registered by Czechoslovakia on 6 June 1961.

**TCHÉCOSLOVAQUIE
et
ROUMANIE**

Convention consulaire. Signée à Bucarest, le 21 mai 1960

Textes officiels tchèque et roumain.

Enregistrée par la Tchécoslovaquie le 6 juin 1961.

[TRANSLATION — TRADUCTION]

No. 5709. CONSULAR CONVENTION¹ BETWEEN THE CZECHOSLOVAK REPUBLIC AND THE ROMANIAN PEOPLE'S REPUBLIC. SIGNED AT BUCHAREST, ON 21 MAY 1960

The President of the Czechoslovak Republic and the Presidium of the Grand National Assembly of the Romanian People's Republic, endeavouring, in conformity with the desires and interests of the peoples of the two countries, further to develop mutual relations and general co-operation, have decided to conclude this Convention and have appointed as their plenipotentiaries :

The President of the Czechoslovak Republic :

Dr. Ivan Rohal'-Il'kiv, Ambassador Extraordinary and Plenipotentiary of the Czechoslovak Republic in the Romanian People's Republic,

The Presidium of the Grand National Assembly of the Romanian People's Republic :

Aurel Mălinașan, Deputy Minister for Foreign Affairs, who, having exchanged their full powers, found in good and due form, have agreed as follows :

I. ESTABLISHMENT OF CONSULATES, APPOINTMENT AND ACCEPTANCE OF CONSULS

Article 1

(1) Each Contracting Party shall be entitled to establish in the territory of the other Party consulates-general, consulates, vice-consulates and consular agencies (hereinafter referred to as "consulates ") and to appoint consuls-general, consuls, vice-consuls and consular agents (hereinafter referred to as "consuls ").

(2) The places of residence of consuls and their consular districts shall be determined by agreement between the Contracting Parties.

Article 2

(1) Before appointing a consul, the sending State shall request the consent of the receiving State to the appointment of the person in question.

(2) The consul shall enter upon his duties after the presentation of the consular commission and the issue of an exequatur by the receiving State. The

¹ Came into force on 24 March 1961, the day of the exchange of the instruments of ratification at Prague, in accordance with article 22.

consular commission shall show the consul's surname, given name, consular rank, place of residence and consular district.

(3) Upon issuance of the exequatur, the authorities of the receiving State shall make all necessary arrangements so that the consul may perform his official duties and may enjoy the rights, privileges and immunities accorded him by this Convention and by the laws of the receiving State.

Article 3

(1) The function of consuls shall be terminated by their recall or death.

(2) In the event of a consul's recall, absence, illness or death, his deputy, whose name shall be communicated to the competent authorities of the receiving State, shall be entitled to take temporary charge of the consulate.

(3) A deputy consul shall, while he is performing the functions of a consul, enjoy all the rights, privileges and immunities accorded to consuls by this Convention.

Article 4

(1) Consuls must be nationals of the sending State.

(2) In the performance of their functions, consuls shall be assisted by :

(a) Consular officers, who must also be nationals of the sending State;

(b) Consular employees, i.e. persons who perform administrative and technical duties (interpreters, translators, typists, drivers, telephonists, house-keepers and other persons performing similar duties).

II. RIGHTS, PRIVILEGES AND IMMUNITIES

Article 5

Consuls and consular officers shall not be subject to the jurisdiction of the authorities of the receiving State in respect of acts performed in their official capacity.

Article 6

(1) Consuls and consular officers may be summoned by the authorities of the receiving State to give evidence on matters not connected with their official duties. Such summons shall not provide for coercive measures.

(2) If a consul or consular officer is prevented by the exigencies of his service or by other circumstances from appearing before the authorities of the receiving State, the examination may be carried out at the consulate or at his residence.

Article 7

(1) Consular offices, archives and official correspondence, including cables and telephone and teletype communications, shall be inviolable. Personal property and correspondence must be kept separate. Consuls shall be entitled to use codes and the diplomatic pouch.

(2) The authorities of the receiving State may not use force in consular offices or in the living quarters of consuls or consular officers.

Article 8

Consuls shall be entitled to affix to buildings in which consular offices are situated the coat-of-arms of the sending State and an inscription designating the consulate. They shall be entitled to fly the flag of the sending State at the said buildings and on vehicles used for official purposes.

Article 9

(1) Subject to reciprocity, consuls and consular officers shall be exempt from all forms of personal and material service. This exemption shall also apply to immovable property used by them as living quarters or offices.

(2) Remuneration received by the said persons in their official capacity shall be exempt from taxes and charges.

(3) The exemptions provided for in paragraphs (1) and (2) of this article shall also apply to consular employees who are nationals of the sending State.

(4) Immovable property of the sending State which is intended for use as consulate premises or as living quarters for consular staff shall be exempt from taxes.

Article 10

(1) Consuls shall enjoy, subject to reciprocity, the same exemptions from customs duties as the receiving State accords to members of diplomatic missions.

(2) Articles intended for the official use of consulates shall enjoy complete exemption from customs duties.