

No. 5787

**CZECHOSLOVAKIA
and
PEOPLE'S REPUBLIC OF CHINA**

Consular Treaty. Signed at Prague, on 7 May 1960

Official texts: Czech and Chinese.

Registered by Czechoslovakia on 7 August 1961.

**TCHÉCOSLOVAQUIE
et
RÉPUBLIQUE POPULAIRE DE CHINE**

Convention consulaire. Signée à Prague, le 7 mai 1960

Textes officiels tchèque et chinois.

Enregistrée par la Tchécoslovaquie le 7 août 1961.

[TRANSLATION — TRADUCTION]

No. 5787. CONSULAR TREATY¹ BETWEEN THE CZECHOSLOVAK REPUBLIC AND THE PEOPLE'S REPUBLIC OF CHINA. SIGNED AT PRAGUE, ON 7 MAY 1960

The President of the Czechoslovak Republic and the President of the People's Republic of China, on the basis of the principles of proletarian internationalism and endeavouring, in conformity with the desire and interests of the peoples of the two countries, further to broaden friendly relations and general co-operation, have decided to conclude this Treaty and have appointed as their plenipotentiaries :

The President of the Czechoslovak Republic :

Mr. Václav David, Minister for Foreign Affairs,

The President of the People's Republic of China :

Mr. Tsao Ying, Ambassador Extraordinary and Plenipotentiary of the People's Republic of China in the Czechoslovak Republic.

The plenipotentiaries of the two Contracting Parties, having exchanged their full powers, found in good and due form, have agreed as follow :

I. ESTABLISHMENT OF CONSULATES, APPOINTMENT AND ACCEPTANCE OF CONSULS

Article 1

(1) Each Contracting Party may established consulates-general and consulates (hereinafter referred to as "consulates") in the territory of the other Contracting Party and may appoint consuls-general and consuls (hereinafter referred to as "consuls").

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

Article 2

(1) The sending State shall, before appointing the head of a consulate, request the consent of the receiving State to the appointment of the person in question.

(2) The diplomatic mission of the sending State shall present the consular commission of the head of the consulate to the Ministry of Foreign Affairs of the receiving State. The consular commission shall show the consul's place of residence and consular district as determined by agreement between the two Contracting Parties.

¹ Came into force on 8 June 1961, upon the exchange of the instruments of ratification at Peking, in accordance with article 21.

(3) The head of the consulate shall enter upon his duties after the issue of the *exequatur* by the receiving State.

Article 3

(1) In the event that the head of a consulate is temporarily absent or is unable for the other reason to perform his official duties, or in the event of his recall or death, the sending State may authorize an officer of its diplomatic mission, or a responsible officer performing consular functions at the same or another consulate, temporarily to perform the functions of the head of the consulate. The said officer's name and previous functions shall be communicated in advance to the Ministry of Foreign Affairs of the receiving State.

(2) An officer authorized to perform temporarily the functions of the head of a consulate shall enjoy all the rights, privileges and advantages accorded by this Treaty of the heads of consulates.

II. RIGHTS, PRIVILEGES AND ADVANTAGES OF CONSULS

Article 4

(1) The competent authorities of the receiving State shall ensure that consuls and consular officers are able to carry out their official duties successfully and shall render them the necessary assistance in the performance thereof.

(2) Consuls shall enjoy the appropriate privileges and advantages arising out of this Treaty and prescribed by the legislation of the receiving State.

Article 5

Consuls shall not be subject to the jurisdiction of the courts of the receiving State in respect of acts performed in their official capacity.

Article 6

Consuls shall be required to attend as witnesses before the courts of the receiving State in proceedings not connected with their official duties. Where consuls are, for various reasons, unable to appear, they may make a deposition at their consulate premises or residences or may send a deposition in writing.

Article 7

(1) Consular offices shall be inviolable. The authorities of the receiving State shall not use force, in any form whatsoever, in the official premises of a consulate.