

No. 5865

**HUNGARY
and
GERMAN DEMOCRATIC REPUBLIC**

Consular Convention. Signed at Budapest, on 3 July 1957

Official texts: Hungarian and German.

Registered by Hungary on 26 September 1961.

**HONGRIE
et
RÉPUBLIQUE DÉMOCRATIQUE ALLEMANDE**

Convention consulaire. Signée à Budapest, le 3 juillet 1957

Textes officiels hongrois et allemand.

Enregistrée par la Hongrie le 26 septembre 1961.

[TRANSLATION — TRADUCTION]

No. 5865. CONSULAR CONVENTION¹ BETWEEN THE
HUNGARIAN PEOPLE'S REPUBLIC AND THE GERMAN
DEMOCRATIC REPUBLIC. SIGNED AT BUDAPEST,
ON 3 JULY 1957

The Presidential Council of the Hungarian People's Republic and the President of the German Democratic Republic, desiring to establish closer relations between the two States in the consular field as in others, have decided to conclude the following Convention and have appointed as their plenipotentiaries :

The Presidential Council of the Hungarian People's Republic :

Imre Horváth, Minister for Foreign Affairs;

The President of the German Democratic Republic :

Dr. Lothar Bolz, Deputy Chairman of the Council of Ministers and Minister for Foreign Affairs,

who, having exchanged their full powers, found in good and due form, have agreed as follows :

I. ACCEPTANCE OF CONSULS

Article 1

Each Contracting Party shall accept in its territory consuls-general, consuls and vice-consuls (hereinafter referred to as "consuls") from the other Party. The places of residence of the consuls to be appointed and their consular districts shall be determined by special agreements between the Contracting Parties.

Article 2

Consuls appointed by the sending State shall enter upon their duties after they have been granted an exequatur by the receiving State. The consular district must be specified in the consular commission.

Article 3

(1) The function of a consul shall be terminated by his recall, the withdrawal of his exequatur or his death.

¹ Came into force on 22 February 1958, one month after the exchange of the instruments of ratification at Berlin, in accordance with article 23.

(2) In the event of a consul's recall, the withdrawal of his exequatur, or his death or temporary absence, or when he is unable to act for any other reason, his deputy shall be entitled to assume the functions of consul provided that the competent authority of the receiving State has been notified, in advance, of his official status. A deputy placed in temporary charge of a consulate shall enjoy all the rights, privileges and exemptions accorded to consuls by this Convention.

II. EXEMPTIONS AND PRIVILEGES OF CONSULS

Article 4

(1) The receiving State shall guarantee that consuls and their staff will not be obstructed in the performance of their official duties. The authorities of the receiving State shall afford consuls and their staff all necessary support in the performance of their duties.

(2) The offices of consulates shall be inviolable. The authorities of the receiving State shall not use force in any form whatsoever, without the consuls' consent, in the offices or in the living quarters of consuls.

(3) Consular archives shall be inviolable. Private papers shall not be kept in consular archives.

(4) Official correspondence shall be inviolable and shall not be subject to examination in any form. This shall apply also to telegrams, telephone calls and teletype and radio communications.

(5) In their communications with the authorities of the sending State, consuls shall be entitled to use codes and the services of diplomatic couriers. Consuls shall be charged at the same rates as diplomatic representatives for the use of public means of communication.

Article 5

Consuls shall be entitled to affix to consulate buildings the coat of arms of the sending State and an inscription designating the consulate. They may fly the flag of the sending State from consulate buildings, from their living quarters and on vehicles used by them for official purposes.

Article 6

Consuls and members of their staff who are nationals of the sending State shall not be subject to the jurisdiction of the receiving State in respect of the performance of their official duties.

Article 7

Consuls and members of their staff may be required to give evidence before the competent authorities of the receiving State on any matter not connected

with their official duties. If a consul is unable to appear, he shall be examined at his residence or shall make a deposition in writing. A summons addressed to a consul must contain no threat of penalties or of other coercive measures in the event of failure to appear.

Article 8

(1) Consuls and members of their staff who are nationals of the sending State shall be exempt from military and other forms of service and from direct taxes. The exemption from taxation shall not apply to income earned or immovable property situated in the receiving State, which shall be taxed in accordance with the laws of the receiving State.

(2) Land and buildings shall not be exempt from military and other forms of material service unless they are used for official or residential purposes by consuls and members of their staff who are nationals of the sending State.

(3) Consuls and members of their staff who are nationals of the sending State shall be granted, subject to reciprocity, the same exemptions with regard to customs duties as members of diplomatic missions.

Article 9

The provisions of article 8 shall apply *mutatis mutandis* to the spouses and minor children of consuls who live with them.

III. FUNCTIONS OF CONSULS

Article 10

(1) Consuls shall protect the rights and interests of the sending State and of its nationals (individuals and bodies corporate).

(2) In the performance of their official duties, consuls may apply to the State authorities of their consular district; they may make representations to the said authorities in the event of any violation of the rights and interests of the sending State or of its nationals. Relations with the central authorities of the receiving State shall be reserved to the diplomatic mission.

Article 11

Consuls shall be entitled to keep a register of nationals of the sending State who are permanently or temporarily resident in their consular district.

Article 12

(1) Consuls shall be entitled to issue passports to nationals of the sending State.