

No. 6005

**ROMANIA
and
HUNGARY**

**Consular Convention. Signed at Budapest, on 18 March
1959**

Official texts: Romanian and Hungarian.

Registered by Romania on 15 December 1961.

**ROUMANIE
et
HONGRIE**

Convention consulaire. Signée à Budapest, le 18 mars 1959

Textes officiels roumain et hongrois.

Enregistrée par la Roumanie le 15 décembre 1961.

[TRANSLATION — TRADUCTION]

No. 6005. CONSULAR CONVENTION¹ BETWEEN THE ROMANIAN PEOPLE'S REPUBLIC AND THE HUNGARIAN PEOPLE'S REPUBLIC. SIGNED AT BUDAPEST, ON 18 MARCH 1959

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

The Presidential Council of the Hungarian People's Republic,

Desiring to strengthen further the fraternal relations existing between the two countries and their peoples and to develop co-operation in the sphere of consular relations, have decided to conclude a Consular Convention and for this purpose have appointed as their plenipotentiaries :

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

Vasile Pogăceanu, Ambassador Extraordinary and Plenipotentiary;

The Presidential Council of the Hungarian People's Republic :

István Sebes, 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 consulates in the territory of the other Contracting Party in accordance with this Convention.

2. The places of residence of consuls and their consular districts shall be determined by agreement between the Contracting Parties in each individual case.

Article 2

1. For the purposes of this Convention, the term "consulate" means a consulate-general, consulate or vice-consulate and the term "consul" means a consul-general, consul or vice-consul.

2. The term "consular officers" means consulate secretaries, advisers and trainees.

¹ Came into force on 15 October 1959, thirty days after the exchange of the instruments of ratification at Bucharest, in accordance with article 27.

3. The term "consular employees" means chief clerks, bookkeepers, translators, shorthand-typists, typists and other persons permanently employed on the consulate staff.

Article 3

1. Consuls and consular officers must be nationals of the sending State.
2. The Contracting Parties shall not appoint or accept honorary consuls.

Article 4

Each Contracting Party shall, before appointing a consul, communicate his name to the other Contracting Party through the diplomatic channel.

Article 5

1. A consul may enter upon his duties after the presentation of the consular commission and the issue of an exequatur by the receiving State. The consular commission shall show the consular district and place of residence of the consul.

2. After a consul has been recognized, the authorities of the receiving State shall make all necessary arrangements to enable him to perform his duties and enjoy the rights and privileges to which he is entitled under this Convention and under the laws of the receiving State.

Article 6

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

2. In the event of a consul's recall, the withdrawal of his exequatur, or his temporary absence, illness or death, his deputy shall assume the functions of consul. The deputy's name and the period of time for which he is to assume the said functions shall be communicated in advance to the Ministry of Foreign Affairs of the receiving State.

3. A person placed in temporary charge of a consulate shall enjoy the privileges and exemptions accorded to consuls by this Convention.

II. PRIVILEGES AND EXEMPTIONS

Article 7

Consuls of the Contracting Parties, consular officers and consular employees 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 8

1. Consuls, consular officers and consular employees may be summoned to give evidence before the judicial authorities of the receiving State. A summons addressed to a consul or consular officer must contain no reference to the application of penalties or other coercive measures in the event of failure to appear.

2. If a consul, consular officer or consular employee is prevented by the exigencies of his service, by illness or for other valid reasons from appearing before the authorities of the receiving State, a deposition may be taken orally at the consulate or at his residence, or may be made in writing where this is in accordance with the laws of the receiving State.

3. Consuls, consular officers and consular employees may refuse to make a deposition concerning matters connected with their official duties.

Article 9

1. The official correspondence of consuls shall be inviolable and shall not be subject to examination; this shall also apply to telegraphic communications.

2. The offices of consulates shall be inviolable. The authorities of the receiving State shall not use force, in any form whatsoever, in the said offices or in the living quarters of consuls.

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

4. 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 ordinary postal services or telecommunications.

Article 10

Consuls shall be entitled to affix to consulate buildings a shield bearing the coat of arms of the sending State and the designation of the consulate. They shall be entitled to fly the flag of the sending State from consulate buildings and on vehicles used for official purposes.

Article 11

Consuls, consular officers and their spouses and minor children who are nationals of the sending State shall be exempt from all forms of personal and material service and from direct taxes. Consular employees and their spouses and minor children shall enjoy the same exemption provided that they are nationals of the sending State. The exemption from taxation referred