

No. 7318

**CZECHOSLOVAKIA
and
DEMOCRATIC REPUBLIC OF VIET-NAM**

**Consular Convention. Signed at Hanoi, on 14 January
1963**

Official texts: Czech and Vietnamese.

Registered by Czechoslovakia on 24 June 1964.

**TCHÉCOSLOVAQUIE
et
RÉPUBLIQUE DÉMOCRATIQUE DU VIET-NAM**

Convention consulaire. Signée à Hanoï, le 14 janvier 1963

Textes officiels tchèque et vietnamien.

Enregistrée par la Tchécoslovaquie le 24 juin 1964.

[TRANSLATION — TRADUCTION]

No. 7318. CONSULAR CONVENTION¹ BETWEEN THE CZECHOSLOVAK SOCIALIST REPUBLIC AND THE DEMOCRATIC REPUBLIC OF VIET-NAM. SIGNED AT HANOI, ON 14 JANUARY 1963

The President of the Czechoslovak Socialist Republic and the President of the Democratic Republic of Viet-Nam, endeavouring, in conformity with the desire and interests of the peoples of the two States, further to broaden mutual relations and general co-operation, particularly in the sphere of consular relations, on the basis of the principles of proletarian internationalism, have decided to conclude this Consular Convention and for this purpose have appointed as their plenipotentiaries :

The President of the Czechoslovak Socialist Republic:

Cěněk Herold, Ambassador Extraordinary and Plenipotentiary of the Czechoslovak Socialist Republic in the Democratic Republic of Viet-Nam;

The President of the Democratic Republic of Viet-Nam :

Nguyen Co Thach, Deputy Minister for Foreign Affairs of the Democratic Republic of Viet-Nam,

who, having exchanged their full powers, found in good and due form, have agreed on the following provisions:

I. ESTABLISHMENT OF CONSULATES, APPOINTMENT AND ADMISSION OF CONSULS

Article 1

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

2. The places at which consulates are to be established and the consular districts shall be determined by agreement between the Contracting Parties.

Article 2

1. Before sending a consul to enter upon his duties, the sending State shall request, through the diplomatic channel, the consent of the receiving State to the appointment of the person in question.

¹ Came into force on 8 April 1964, the date of the exchange of the instruments of ratification at Prague, in accordance with article 25.

2. The diplomatic mission of the sending State shall present the consular commission to the Ministry of Foreign Affairs of the receiving State. The consular commission shall show the seat of the consulate and the consular district as determined by agreement between the two Parties.

3. The consul shall enter upon his duties after the issue of an exequatur by the receiving State.

Article 3

1. In the event that a consul is temporarily absent or is unable for some other reason to perform his official duties, or in the event of his recall or death, the sending State may authorize a member of the diplomatic staff of its diplomatic mission, or a responsible officer of the same or another consulate, to take temporary charge of the consulate. The name and functions of such officer shall be communicated in advance to the Ministry of Foreign Affairs of the receiving State.

2. The officer authorized to take temporary charge of a consulate shall enjoy all the rights, privileges and advantages accorded to consuls by this Convention.

II. RIGHTS, IMMUNITIES AND PRIVILEGES OF CONSULS AND CONSULAR OFFICERS

Article 4

The competent authorities of the receiving State shall render the necessary assistance to consuls and consular officers in the performance of their official duties.

Article 5

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

Article 6

In proceedings not connected with their official duties, consuls and consular officers may be required to give evidence before the authorities of the receiving State.

Where consuls and consular officers are for various reasons unable to appear, they may give evidence at the consulate premises or at their residences, or may send a deposition in writing to the said authorities.

Consuls and consular officers shall be entitled to decline to give information relating to their official duties.

Article 7

1. Consular offices shall be inviolable. The authorities of the receiving State shall not use force, in any form whatsoever, on the official premises of consulates or at the private residence of a consul.

2. The archives of consulates shall be inviolable. The official document archives of consulates shall not contain private papers.

3. Correspondence and telegrams dispatched and received by consuls in connexion with their official duties shall be inviolable and shall not be subject to inspection.

4. Consuls may use codes and the diplomatic bag.

Article 8

Consuls shall be entitled to display on consulate buildings the coat of arms of the sending State and an inscription designating the consulate. The State flag of the sending State may be flown from consulate buildings and on the automobile of a consul.

Article 9

1. Consuls and consular officers who are nationals of the sending State shall be exempt from personal services and material obligations and from direct taxes.

2. Immovable property of the sending State which is intended for use as consulate premises or as living quarters for consuls and consular officers shall be exempt from taxes and from material obligations.

Article 10

The baggage of consuls and articles imported for their use and for the use of consulates shall, subject to reciprocity, be exempt from customs duties to the extent to which exemption is enjoyed by diplomatic officers and diplomatic missions.

Article 11

The provisions of articles 9 and 10 shall also apply to the wives and minor children of consuls and consular officers, who live with them and who are nationals of the sending State, to the extent prescribed for members of the diplomatic officers and staff of diplomatic missions of the sending State.