

No. 8815

**UNION OF SOVIET SOCIALIST REPUBLICS
and
JAPAN**

**Consular Convention (with Protocol and exchange of
notes). Signed at Tokyo, on 29 July 1966**

Official texts : Russian and Japanese.

Registered by the Union of Soviet Socialist Republics on 27 October 1967.

**UNION DES RÉPUBLIQUES SOCIALISTES
SOVIÉTIQUES
et
JAPON**

**Convention consulaire (avec Protocole et échange de
notes). Signée à Tokyo, le 29 juillet 1966**

Textes officiels russe et japonais.

Enregistrée par l'Union des Républiques socialistes soviétiques le 27 octobre 1967.

[TRANSLATION — TRADUCTION]

No. 8815. CONSULAR CONVENTION ¹ BETWEEN THE
UNION OF SOVIET SOCIALIST REPUBLICS AND JAPAN.
SIGNED AT TOKYO, ON 29 JULY 1966

The Union of Soviet Socialist Republics and Japan,

Desiring to co-operate in strengthening friendly relations and to regulate consular relations between the two States,

Have decided to conclude a Consular Convention and for that purpose have appointed as their plenipotentiaries :

The Union of Soviet Socialist Republics : Andrei Andreevich Gromyko,
Minister for Foreign Affairs of the USSR ;

Japan : Etsusaburo Shiina, Minister for Foreign Affairs of Japan,
who, having exchanged their full powers, found in good and due form, have agreed as follows :

PART I

DEFINITIONS

Article 1

1. The term “ consulate ” means a consulate-general, consulate, vice-consulate or consular agency of the sending State.

2. The term “ consular officer ” means any person authorized by the sending State to exercise consular functions and who has been appointed or whose name has been communicated in such a capacity in accordance with articles 3 and 4. The term “ consular officer ” also includes persons assigned to the consulate for training in consular duties (trainees).

3. The term “ head of consulate ” means the consular officer who is in charge of a consulate.

4. The term “ consular employee ” means any person, other than a consular officer, who performs administrative or technical work in the consulate. The term “ consular employee ” includes also, save as provided for in article 18, paragraph 2, article 23, paragraph 2, and article 25, paragraphs 2

¹ Came into force on 23 August 1967, the thirtieth day after the exchange of the instruments of ratification at Moscow, in accordance with article 43.

and 3, drivers, servants, gardeners and similar staff employed in the domestic service of the consulate.

5. The term “consular district” means the area assigned to the consulate for the exercise of consular functions.

6. The term “national”, in relation to the sending State, means all individuals who possess the citizenship of that State, as well as legal persons created under the laws of that State.

7. the term “vessel”, in relation to the sending State, means any vessel registered in a port of that State. The term does not include military vessels.

PART II

ESTABLISHMENT OF CONSULATES, APPOINTMENT OF CONSULAR OFFICERS AND EMPLOYEES

Article 2

1. The sending State may establish a consulate in the territory of the receiving State only with the consent of the receiving State.

2. The seat of the consulate and the limits of the consular district shall be defined by agreement between the sending State and the receiving State.

Article 3

1. Before appointing a head of consulate, the sending State shall obtain, through the diplomatic channel, the consent of the receiving State to such appointment.

2. Before the head of consulate enters upon his duties, the sending State shall communicate to the receiving State, through the diplomatic channel, the consular commission, setting forth the full name and rank of the person concerned, and the seat of the consulate.

3. The receiving State, on receiving the consular commission mentioned in paragraph 2 of this article, shall grant as soon as possible and free of charge an exequatur to the head of consulate recognizing him in that capacity. The receiving State shall, when necessary, pending the grant of an exequatur, issue a provisional authorization.

Article 4

1. Before a consular officer who is not a head of consulate enters upon his duties, the sending State shall notify the receiving State, through the diplomatic channel, of his appointment stating his full name, position and rank.

2. The receiving State shall, on receiving the notification of appointment referred to in paragraph 1 of this article, issue to the consular officer as soon as possible and free of charge the appropriate document authorizing him to perform his consular functions.

Article 5

The receiving State shall immediately notify its competent authorities of the full name of the consular officer.

Article 6

A consular officer shall be a national of the sending State.

Article 7

Before a consular employee enters upon his duties, the sending State shall, through the diplomatic channel, notify the receiving State of his full name, citizenship and duties.

Article 8

Upon the termination of the functions of a consular officer or consular employee the sending State shall so notify the receiving State through the diplomatic channel.

Article 9

The sending State may not appoint as a consular officer or consular employee a national of that State who is already resident in, or on his way to, the receiving State. This provision does not extend to members of the diplomatic mission of the sending State, or consular officers or consular employees performing their duties in the receiving State.

Article 10

The receiving State may at any time, without being obliged to give reasons for its decision, notify the sending State through the diplomatic channel that a consular officer or employee is unacceptable. On receiving such notification, the sending State shall be obliged to recall a consular

officer or a consular employee who is a national of the sending State. If a consular employee is not a national of the sending State, his functions shall be terminated.

If the sending State refuses to fulfil this obligation or does not fulfil it within a reasonable length of time, the receiving State may refuse to recognize the person concerned as a consular officer or consular employee.

Article 11

1. If a consular officer is unable to perform his functions owing to absence, illness, death or other causes, the sending State may, after notifying the receiving State, temporarily assign in his stead, for the performance of consular functions, another consular officer, or a consular employee or member of a diplomatic mission of the sending State in the receiving State, as well as another person if advance notice has been given and with the consent of the receiving State. The person replacing the consular officer in the performance of his functions in accordance with the provisions of this paragraph shall enjoy the rights, privileges and immunities and be subject to the obligations laid down in the present Convention.

2. The provisions of this Convention shall also apply to consular functions performed by the consular department of the diplomatic mission of the sending State. Members of the diplomatic mission of the sending State who are assigned to perform consular functions shall, after the sending State has notified the receiving State thereof, enjoy the rights, privileges and immunities and be subject to the obligations laid down in this Convention.

3. With the exception of cases provided for in paragraph 5, article 36 of this Convention, the performance of consular functions indicated in paragraphs 1 and 2 of this article by members of the diplomatic mission shall not affect any privileges and immunities they enjoy by virtue of being members of the diplomatic mission.

Article 12

The receiving State shall accord all facilities for the consular officer to perform his duties and to enjoy the rights, privileges and immunities provided for in the present Convention and in the laws of the receiving State.

Article 13

1. The sending State, subject to compliance with the laws of the receiving State, may acquire as property, hold or lease in any form provided for in the laws of the receiving State, plots of land, buildings, parts of buildings, and appurtenances required by the sending State for the purposes of esta-