

No. 9383

**UNION OF SOVIET SOCIALIST REPUBLICS
and
UNITED STATES OF AMERICA**

**Consular Convention (with protocol). Signed at Moscow on
1 June 1964**

Authentic texts: Russian and English.

Registered by the Union of Soviet Socialist Republics on 15 January 1969.

**UNION DES RÉPUBLIQUES SOCIALISTES
SOVIÉTIQUES**

et

ÉTATS-UNIS D'AMÉRIQUE

**Convention consulaire (avec protocole). Signée à Moscou le
1^{er} juin 1964**

Textes authentiques : russe et anglais.

Enregistrée par l'Union des Républiques socialistes soviétiques le 15 janvier 1969.

CONSULAR CONVENTION¹ BETWEEN THE GOVERNMENT
OF THE UNION OF SOVIET SOCIALIST REPUBLICS
AND THE GOVERNMENT OF THE UNITED STATES
OF AMERICA

The Government of the Union of Soviet Socialist Republics and the Government of the United States of America,

Desiring to cooperate in strengthening friendly relations and to regulate consular relations between both states,

Have decided to conclude a consular convention and for this purpose have agreed on the following :

DEFINITIONS

Article 1

For the purpose of the present Convention, the terms introduced hereunder have the following meaning :

1) "Consular establishment" means any consulate general, consulate, vice consulate or consular agency;

2) "Consular district" means the area assigned to a consular establishment for the exercise of consular functions;

3) "Head of consular establishment" means a consul general, consul, vice consul, or consular agent directing the consular establishment;

4) "Consular officer" means any person, including the head of the consular establishment, entrusted with the exercise of consular functions. Also included in the definition of "consular officer" are persons assigned to the consular establishment for the training in the consular service.

5) "Employee of the consular establishment" means any person performing administrative, technical, or service functions in a consular establishment.

¹ Came into force on 12 July 1968, i.e., on the thirtieth day following the exchange of the instruments of ratification which took place at Washington on 13 June 1968, in accordance with article 30 (1).

OPENING OF CONSULAR ESTABLISHMENTS, APPOINTMENT
OF CONSULAR OFFICERS AND EMPLOYEES

Article 2

1. A consular establishment may be opened in the territory of the receiving state only with that state's consent.

2. The location of a consular establishment and the limits of its consular district will be determined by agreement between the sending and receiving states.

3. Prior to the appointment of a head of a consular establishment, the sending state shall obtain the approval of the receiving state to such an appointment through diplomatic channels.

4. The diplomatic mission of the sending state shall transmit to the foreign affairs ministry of the receiving state a consular commission which shall contain the full name of the head of the consular establishment, his citizenship, his class, the consular district assigned to him, and the seat of the consular establishment.

5. A head of a consular establishment may enter upon the exercise of his duties only after having been recognized in this capacity by the receiving state. Such recognition after the presentation of the commission shall be in the form of an exequatur or in another form and shall be free of charge.

6. The full name, function and class of all consular officers other than the head of a consular establishment, and the full name and function of employees of the consular establishment shall be notified in advance by the sending state to the receiving state.

The receiving state shall issue to each consular officer an appropriate document confirming his right to carry out consular functions in the territory of the receiving state.

7. The receiving state may at any time, and without having to explain its decision, notify the sending state through diplomatic channels that any consular officer is *persona non grata* or that any employee of the consular establishment is unacceptable. In such a case the sending state shall accordingly recall such officer or employee of the consular establishment. If the sending state refuses or fails within a reasonable time to carry out its obligations under the present paragraph, the receiving state may refuse to recognize the officer or employee concerned as a member of the consular establishment.

8. With the exception of members of the staff of the diplomatic mission of the sending state, as defined in paragraph (c) of Article 1 of the Vienna Conven-

tion on Diplomatic Relations,¹ no national of the sending state already present in the receiving state or in transit thereto may be appointed as a consular officer or employee of the consular establishment.

Article 3

Consular officers may be nationals only of the sending state.

Article 4

The receiving state shall take the necessary measures in order that a consular officer may carry out his duties and enjoy the rights, privileges, and immunities provided for in the present Convention by the laws of the receiving state.

Article 5

1. The receiving state shall either facilitate the acquisition on its territory, in accordance with its laws and regulations, by the sending state of premises necessary for its consular establishment or assist the latter on obtaining accommodation in some other way.

2. It shall also, where necessary, assist the sending state in obtaining suitable accommodation for the personnel of its consular establishment.

Article 7

1. If the head of the consular establishment cannot carry out his functions or if the position of head of a consular establishment is vacant, the sending state may empower a consular officer of the same or another consular establishment, or one of the members of the diplomatic staff of its diplomatic mission in the receiving state, to act temporarily as head of the consular establishment. The full name of this person must be transmitted in advance to the foreign affairs ministry of the receiving state.

2. A person empowered to act as temporary head of the consular establishment shall enjoy the rights, privileges and immunities of the head of the consular establishment.

3. When, in accordance with the provisions of paragraph 1 of the present Article, a member of the diplomatic staff of the diplomatic mission of the sending state in the receiving state is designated by the sending state as an acting head

¹ United Nations, *Treaty Series*, Vol. 500, p. 95.

of the consular establishment, he shall continue to enjoy diplomatic privileges and immunities.

CONSULAR FUNCTIONS

Article 7

A consular officer shall be entitled within his consular district to perform the following functions, and for this purpose may apply orally or in writing to the competent authorities of the consular district :

1) To protect the rights and interests of the sending state and its nationals, both individuals and bodies corporate;

2) To further the development of commercial, economic, cultural and scientific relations between the sending state and the receiving state and otherwise promote the development of friendly relations between them;

3) To register nationals of the sending state, to issue or amend passports and other certificates of identity, and also to issue entry, exit, and transit visas;

4) To draw up and record certificates of birth and death of citizens of the sending state taking place in the receiving state, to record marriages and divorces, if both persons entering into marriage or divorce are citizens of the sending state, and also to receive such declarations pertaining to family relationships of a national of the sending state as may be required under the law of the sending state, unless prohibited by the laws of the receiving state;

5) To draw up, certify, attest, authenticate, legalize and take other actions which might be necessary to validate any act or document of a legal character, as well as copies thereof, including commercial documents, declarations, registrations, testamentary dispositions, and contracts, upon the application of a national of the sending state, when such document is intended for use outside the territory of the receiving state, and also for any person, when such document is intended for use in the territory of the sending state;

6) To translate any acts and documents into the Russian and English languages and to certify to the accuracy of the translations;

7) To perform other official consular functions entrusted to him by the sending state if they are not contrary to the laws of the receiving state.