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**UNION OF SOVIET
SOCIALIST REPUBLICS
and
TURKEY**

**Consular Convention (with additional protocol). Signed at
Ankara on 27 April 1988**

Authentic texts: Russian, Turkish and English.

Registered by the Union of Soviet Socialist Republics on 30 April 1990.

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SOCIALISTES SOVIÉTIQUES
et
TURQUIE**

**Convention consulaire (avec protocole additionnel). Signée à
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*Enregistrée par l'Union des Républiques socialistes soviétiques le 30 avril
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CONSULAR CONVENTION¹ BETWEEN THE UNION OF SOVIET SOCIALIST REPUBLICS AND THE REPUBLIC OF TURKEY

The Union of Soviet Socialist Republics and the Republic of Turkey desiring to further develop friendly relations and to regulate the consular matters between the two countries have decided to conclude a Consular Convention and have agreed as follows:

PART I. PRELIMINARY PROVISIONS

Article 1. DEFINITIONS

For the purposes of the present Convention, the following expressions shall have the meanings hereunder assigned to them:

a) "Sending State" means the Contracting Party by whom a consular officer is appointed.

b) "Receiving State" means a Contracting Party within whose territory a consular officer performs his duties.

c) "Consular post" means any Consulate-General, Consulate, Vice-Consulate or Consular Agency.

d) "Consular district" means the area assigned to a consular post for the exercise of consular functions.

e) "Head of a consular post" means the person charged with the duty of acting in that capacity.

f) "Consular officer" means any person, including the head of a consular post, entrusted by the sending State with the exercise of consular functions in the capacity of Consul General, Consul, Vice Consul or Attaché.

g) "Consular employee" means any person employed in the administrative or technical service of a consular post.

h) "Member of the service staff" means any person employed in the domestic service of a consular post.

i) "Members of the consular post" means all consular officers, consular employees and members of the service staff.

j) "Members of the Consular staff" means consular officers, other than the head of a consular post, consular employees and members of the service staff.

k) "Member of the private staff" means a person who is employed exclusively in the private service of a consular officer.

l) "Members of the family" means a consular officer, his spouse (or her husband) and their minor children and also their parents who live together with themselves, whose maintenance is entrusted to them by the law of the sending State.

¹ Came into force on 3 December 1989, i.e., the thirtieth day following the exchange of the instruments of ratification, which took place at Moscow on 3 November 1989, in accordance with article 60 (1).

m) “Consular archives” includes all the papers, documents, correspondence, books, newspapers, films, tapes, photos, registers of the consular post, together with the ciphers and codes, all kinds of things intended for their protection or safe-keeping.

n) “Consular premises” means the buildings or part of buildings and the land ancillary thereto including the residence of the head of a consular post, irrespective of ownership, used exclusively for the purposes of the consular post.

o) “National” means, in relation to the sending State, any person who is regarded as a national by the law of that State.

p) “Bodies corporate” means the institutions founded by the law of the sending State, of which headquarters are located in that State.

q) “Vessel of the sending State” means any vessel, including those owned by the sending State other than a warship, registered at one of its own ports by the law of that State and entitled to sail under the flag of that State.

r) “Aircraft of the sending State” means any aircraft, including those owned by the sending State other than a military aircraft, registered by the law of that State and entitled to bear the identification signs of that State.

s) “Contracting Parties” means the States which signed the present Convention.

PART II

Article 2. ESTABLISHMENT OF CONSULAR POSTS AND CONSULAR DISTRICTS

1. A Consular post may be established and maintained in the territory of the receiving State only with the State’s consent.

2. The seat of [a] consular post, its classification and the consular district shall be established by the sending State and shall be subject to the approval of the receiving State.

3. The consent of the receiving State shall also be required if a consulate desires to open a vice-consulate or a consular agency in a locality other than that in which it is itself established.

4. The consent of the receiving State shall also be required for the opening of an office forming part of an existing consular post elsewhere than at the same seat thereof.

5. A consular officer may exercise his functions outside his consular district only with the prior consent of the receiving State.

6. The sending State may, after notifying the States concerned, entrust a consular post established in a particular State with the exercise of consular functions in another State with the consent of the States concerned. The receiving State may withdraw its consent at any time without having to explain the reason for its decision.

7. Upon appropriate notification to the receiving State, a consular post of the sending State may, with the consent of the receiving State, exercise consular functions in the receiving State on behalf of a third State. The receiving State may withdraw its consent at any time without having to explain the reason for its decision.

Article 3. NATIONALITY OF CONSULAR OFFICERS

1. The Contracting Parties may appoint their own nationals as Consular officers.

2. The Contracting Parties may employ only their own nationals or those of the receiving State as consular employees, [members] of the service staff and [members] of the private staff.

Article 4. WORKING STATUS OF THE CONSULAR OFFICERS

Consular Officers possessing the nationality of the sending State are not allowed to perform commercial or any other professional activities other than official functions in the receiving State. This principle also applies to members of the private staff and those of the family.

Article 5. APPOINTMENT OF A HEAD OF CONSULAR POST

1. The sending State shall notify the Ministry of Foreign Affairs of the receiving State of the appointment of the head of consular post and transmit to the same the consular commission or other document of appointment together with the Curriculum Vitae.

2. The commission shall specify the full name of the head of consular post, his nationality, his category, his consular district and the seat of the consular post.

3. Following the formalities above, the receiving State shall grant him an exequatur or other authorization in any form whatsoever which shall be free of charge. Pending delivery of the exequatur or other authorization, the receiving State may admit the head of the consular post on a provisional basis to enter upon the exercise of the functions and have the benefits of the provisions of this Convention.

4. However, the receiving State may refuse to grant an exequatur or other authorization without having to explain the reason for its decision.

Article 6. NOTIFICATION OF THE APPOINTMENT OF THE HEAD OF THE CONSULAR POST TO THE AUTHORITIES OF THE CONSULAR DISTRICT

As soon as the head of a consular post is admitted even provisionally to the exercise of his functions, the receiving State shall immediately notify the competent authorities of the consular district. It shall also ensure that the necessary measures are taken to enable the head of a consular post to carry out the duties of his office and to have the benefit of the provisions of the Convention.

Article 7. INABILITY OF THE HEAD OF A CONSULAR POST TO CARRY OUT HIS FUNCTIONS FOR ANY REASON

1. If the head of a consular post is unable for any reason to carry out his functions or the position of head of consular post is temporarily or continuously vacant, the sending State may empower a consular officer of the same or another consular post in the receiving State, or one of the members of the diplomatic staff of its diplomatic mission in the receiving State, or an officer from the central organization of the sending State, to act temporarily as head of the consular post. In the event of the last choice, the period of temporary duty shall not exceed 3 months within a calendar year. However, where necessary, this period can be extended by a permission to be obtained through the diplomatic channels.

2. All information concerning the identity of the person in charge of the said duties shall be notified to the Ministry of Foreign Affairs of the receiving State.

3. [The] provision of this Convention shall apply to the person who will be in charge of the consular functions in the capacity of head of consular post *ad interim*.

4. Pursuant to paragraph 1 of this article, a member of diplomatic staff of the diplomatic mission in the receiving State who was entrusted with the consular functions shall continue to enjoy diplomatic privileges and immunities.

Article 8. NOTIFICATION OF THE ARRIVALS, DEPARTURES AND CHANGES AFFECTING THE STATUS OF THE OTHER MEMBERS OF THE CONSULAR POST

1. The sending State shall notify the Ministry of Foreign Affairs of the receiving State of the full names, nationalities, titles, arrivals, final departures, changes affecting the status and private addresses in the receiving State of the members of the consular post other than the head of the consular post.

2. In addition, the local authorities shall be notified of:

- a) The arrivals and departures of the members of the family together with information regarding their identity;
- b) The identity, taking office, final departure and termination of service as such of the members of the private staff;
- c) Necessary data concerning the engagement or discharge of the persons possessing the nationality of the receiving State as consular [employees], [members] of the service staff and [members] of the private staff.

Article 9. TERMINATION OF THE FUNCTIONS OF THE MEMBERS OF A CONSULAR POST

The functions of a member of a consular post shall come to an end *inter alia*:

- a) On notification by the sending State to the receiving State that his functions have come to an end;
- b) On withdrawal of the *exequatur* or other authorization;
- c) The receiving State may at any time notify the sending State that a consular officer is declared *persona non grata* or that any other consular employee or member of the service staff is not acceptable without having to explain the reason for its decision. In that event, the sending State shall without delay recall the consular officer and also consular employee or member of the service staff if the last two possessed the nationality of that State.

Where a consular employee or member of the service staff do not possess the nationality of the sending State, that State shall immediately terminate the functions of these persons.

A member of the family of the consular officer may reside and a member of the private staff work in the receiving State only with the permission of that State. The latter may at any time cancel this permission without having to explain the reason for its decision.

In this case, the sending State shall act within the framework of the conditions specified in above paragraph.