

No. 5017

**CZECHOSLOVAKIA
and
HUNGARY**

Consular Convention. Signed at Prague, on 27 March 1959

Official texts: Czech and Hungarian.

Registered by Czechoslovakia on 18 February 1960.

**TCHÉCOSLOVAQUIE
et
HONGRIE**

Convention consulaire. Signée à Prague, le 27 mars 1959

Textes officiels tchèque et hongrois.

Enregistrée par la Tchécoslovaquie le 18 février 1960.

[TRANSLATION — TRADUCTION]

No. 5017. CONSULAR CONVENTION¹ BETWEEN THE
CZECHOSLOVAK REPUBLIC AND THE HUNGARIAN
PEOPLE'S REPUBLIC. SIGNED AT PRAGUE, ON
27 MARCH 1959

The President of the Czechoslovak Republic and
The Presidium of the Hungarian People's Republic,

Desiring to strengthen further the friendly relations existing between the two States and to intensify co-operation in the sphere of consular relations as in others,

Have decided to conclude a consular convention and for this purpose have appointed as their plenipotentiaries :

The President of the Czechoslovak Republic :

Dr. Antonín Gregor, First Deputy Minister of Foreign Affairs of the Czechoslovak Republic;

The Presidium of the Hungarian People's Republic :

Mr. József Gábor, Ambassador Extraordinary and Plenipotentiary of the Hungarian People's Republic in Czechoslovakia,

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) In accordance with this Convention, each Contracting Party shall be entitled to establish consulates in the territory of the other Party.

(2) The place of residence and the consular district of a consul shall in all cases be determined by agreement between the Contracting Parties.

Article 2

(1) A consul appointed by the sending State shall enter upon his duties when, after presentation of the consular commission, he is granted an exequatur by the receiving State. The consular commission shall indicate the consular district and place of residence of the consul.

¹ Came into force on 20 December 1959, thirty days after the exchange of the instruments of ratification which took place at Budapest on 20 November 1959, in accordance with article 23.

(2) The authorities of the receiving State shall make all necessary arrangements so that consuls may perform their official duties without obstruction and may enjoy all the rights, privileges and immunities guaranteed them by the laws of the receiving State and by this Convention.

Article 3

(1) The function of a consul shall terminate on his recall, or by withdrawal of his *exequatur*, or in case of his death.

(2) In the event of a consul's recall, the withdrawal of his *exequatur*, or his death or temporary absence, or in any other circumstances making it impossible for him to perform his duties, the consul's deputy shall be entitled to take over those duties. Such a transfer of duties shall be notified in good time to the competent authority of the receiving State.

(3) A deputy consul temporarily in charge of a consulate shall enjoy the same rights, privileges and immunities as under the terms of this Convention are accorded to a consul.

Article 4

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

II

RIGHTS, PRIVILEGES AND IMMUNITIES

Article 5

Consuls and consular employees of the Contracting Parties shall not be subject to the jurisdiction of the receiving State in respect of the performance of their official duties.

Article 6

Consuls shall be entitled to affix to the consular building the coat-of-arms of the sending State and an inscription designating the consulate; they shall also be entitled to fly the flag of the sending State at the consulate building, at their residence and on the vehicles used by them.

Article 7

(1) Consuls and consular employees and their wives and minor children shall, if they are citizens of the sending State, be exempt from the personal services and direct taxes to which citizens of the receiving State are subject.

(2) Exemption from taxation shall not apply to income earned in the receiving State or to immovable property situated in its territory.

(3) Land, buildings and transport facilities shall be exempt from liability to military and other material service and obligations only if they are used for official purposes or personal needs by consuls or by consular employees who are citizens of the sending State.

Article 8

Immovable property of the sending State which serves as consulate premises or as the living quarters of consuls and consular employees shall not be subject to direct taxes.

Article 9

(1) Subject to reciprocity, consuls and consular employees who are citizens of the sending State shall enjoy the same exemptions with regard to customs duties as persons holding similar positions on the staff of diplomatic missions of the Contracting Parties.

(2) Articles intended for the official needs of a consulate shall not be subject to customs duties or other charges.

(3) The provisions of paragraph (1) shall also apply to the wives and minor children of the persons referred to therein.

Article 10

(1) Consuls and consular employees shall, if duly summoned, give evidence before authorities of the receiving State in matters not connected with their official duties.

(2) If a consul or consular employee is unable to appear, his testimony shall be taken at his residence or in the offices of the consulate. This privilege shall not be accorded to clerical and technical personnel.

(3) Summonses addressed to consuls shall contain no threat of penalties in the event of failure to appear before an authority of the receiving State.

Article 11

(1) Consular premises and archives shall be inviolable. The authorities of the receiving State may not enter such premises or the consul's living quarters except with the consent of the consul, nor may they use force therein.

Papers of a private nature shall not be kept in consular archives.