

**CONSULAR CONVENTION<sup>1</sup> BETWEEN THE  
GOVERNMENT OF INDIA AND THE  
GOVERNMENT OF THE GERMAN  
DEMOCRATIC REPUBLIC  
New Delhi, 12 December 1975**

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The Republic of INDIA

AND

The GERMAN Democratic Republic,

DESIRING to regulate consular relations and to contribute towards further developing the friendly relations between the two States,

HAVE decided to conclude a Consular Convention and for this purpose

HAVE AGREED as follows :

CHAPTER I  
DEFINITIONS

*Article 1*

For the purposes of this Convention :

1. "Consular post" means a consulate-general, consulate, vice-consulate or consular agency;
2. "Consular district" means the area assigned to a consular post for the performance of consular functions;
3. "Head of consular post" means the person charged with the duty of acting in that capacity;
4. "Consular officer" means any person, including the head of a consular post, charged with the performance of consular functions;
5. "Consular employee" means a person who performs administrative

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1 Came into force on 6 May 1977.

- or technical functions in the consular post but who is not a consular officer ;
6. "Member of the service staff" means any person employed in the domestic service of a consular post;
  7. "Members of the consular post" means consular officers, consular employees and members of the service staff;
  8. "Members of the family" means the spouse of a member of the consular post, his children and parents and those of his spouse, provided that they form part of the household of the member of the consular post, are residing with him, are supported by him and are not citizens of the receiving State;
  9. "Consular premises" means buildings or parts of buildings and land ancillary thereto, irrespective of ownership, used exclusively for the purposes of the consular post;
  10. "Consular archives" comprise all the official correspondence, documents, books, cipher and the technical means of work of the consular post as well as articles of furniture designed for their safe keeping and protection;
  11. "Vessel of the sending State" stands for any watercraft lawfully flying the flag of the sending State;
  12. "Aircraft of the sending State" means any aircraft lawfully registered in the sending State and displaying its nationality sign;
  13. "Citizen of the sending State" means any person having the citizenship of the sending State pursuant to its laws and regulations;
  14. "Juridical persons of the sending State" means bodies corporate established pursuant to the laws and regulations of the sending State.

## CHAPTER II

### ESTABLISHMENT OF A CONSULAR POST AND APPOINTMENT OF CONSULAR OFFICERS

#### *Article 2*

1. A consular post may be established in the receiving State only with that State's consent.
2. The seat of the consular post, its status and the area of the consular district shall be agreed upon between the sending State and the receiving State.

*Article 3*

1. Prior to the appointment of the head of the consular post by the sending State, the consent of the receiving State to the appointment of such a person shall be obtained through diplomatic channels.
2. After such consent has been obtained, the diplomatic mission of the sending State shall transmit to the Ministry of External Affairs of the receiving State through diplomatic channels the consular commission or other document appointing the head of consular post. The said commission or document shall specify the full name of the head of the consular post, his citizenship, his rank, the seat of the consular post and the consular district.
3. The head of the consular post may perform his functions only after he has been granted an *exequatur* by the receiving State. The *exequatur* shall be granted as soon as possible. Pending its delivery, the receiving State may allow the head of the consular post to perform his functions provisionally.

*Article 4*

1. If for some reason or other the head of the consular post is unable to perform his functions or if the post of the head of the consular post is temporarily vacant, the sending State may charge a consular officer of the consular post concerned or of another of its consular posts or a member of the diplomatic staff of its diplomatic mission in the receiving State to act temporarily as head of the consular post. The sending State shall notify in advance the receiving State through diplomatic channels the full name and other particulars of the acting head of the consular post.
2. The person temporarily acting as head of the consular post shall enjoy the same rights, facilities, privileges and immunities as are accorded to the head of the consular post under this Convention.
3. If a member of the diplomatic staff of the diplomatic mission of the sending State in the receiving State is temporarily put in charge of the consular post, he shall continue to enjoy diplomatic privileges and immunities.

*Article 5*

1. The sending State shall notify in writing to the receiving State through diplomatic channels the full name as well as the rank of all consular officers other than the head of the consular post.

2. The receiving State shall be notified in advance of the arrival and the final departure of a member of the consular post as well as of members of his family.

*Article 6*

Only a citizen of the sending State not resident in the sending State can be appointed as a consular officer.

*Article 7*

1. The receiving State may at any time and without having to explain the reasons for its decision, notify the sending State through the diplomatic channels that a consular officer is *persona non grata* or that a consular employee is unacceptable.

The sending State shall thereupon recall the person concerned.

2. If the sending State fails to carry out within a reasonable period its obligation under paragraph 1, the receiving State may cease to recognize such a person as a member of the consular post.

CHAPTER III  
FACILITIES, PRIVILEGES AND IMMUNITIES

*Article 8*

The receiving State shall take all appropriate measures to enable consular officers and consular employees to perform their functions efficiently and to enjoy the facilities, privileges and immunities provided for in this Convention.

*Article 9*

1. The receiving State shall assist the sending State in procuring consular premises and accommodation for the members of the consular post.
2. The sending State may, in accordance with the laws and regulations of the receiving State, acquire, take on lease or rent consular premises and accommodation for the members of the consular post provided that they are citizens of the sending State and do not reside in the receiving State.

*Article 10*

1. The coat-of-arms of the sending State and the designation of the consular post may be displayed on the consular building in the languages of the sending and the receiving States.

2. The national flag of the sending State may be flown on the consular building, on the residence of the head of the consular post and on his means of transport when used on official business.

*Article 11*

1. The receiving State shall ensure the protection of the consular premises and the residence of the head of the consular post.
2. The consular premises used exclusively for the purpose of the work of the consular post and the residence of the head of the consular post shall be inviolable. The agents of the receiving State may not enter them except with the consent of the head of the consular post or the head of the diplomatic mission of the sending State or by a person designated by either of them.

*Article 12*

Consular archives shall be inviolable at all times and wherever they may be Non-official papers must not be held together with consular archives.

*Article 13*

1. The consular post shall have the right to communicate with its government and the diplomatic missions and other consular posts of the sending State, wherever situated. For this purpose, the consular post may use all appropriate means of communication, including diplomatic or consular couriers, diplomatic or consular bag and messages in code or cipher. However, the consular post may install and use transmitter only with the consent of the receiving State.
2. For the use of normal means of communication, the same conditions shall be applied in the case of a consular post as are applied in the case of a diplomatic mission.
3. The official correspondence of the consular post and the consular bag shall be inviolable and may not be examined or detained. The consular bag must bear visible external marks of its official character and may contain only official papers and articles intended exclusively for official use.
4. The consular courier, who shall carry an official document showing his status and the number of packages constituting the consular bag, shall be granted by the receiving State the same facilities, privileges and immunities as are enjoyed by diplomatic couriers

of the sending State provided he holds a diplomatic passport issued by the sending State.

5. The sending State, its diplomatic missions and its consular posts may designate consular couriers *ad hoc*, who hold a diplomatic or an official passport. The provisions of paragraph 4 of this Article shall also apply to such a courier except that the privileges and immunities mentioned therein shall cease to apply when he has delivered to the consignee the consular bag in his charge.
6. A consular bag may be entrusted to the captain of a ship or the commander of commercial aircraft scheduled to land at an authorised port of entry. He shall be provided with an official document indicating the number of packages constituting the bag, but he shall not be considered to be a consular courier. By arrangement with the appropriate local authorities, the consular post may send one of its members to hand over to or to take possession of the bag, directly and freely from the captain of the ship or the commander of the aircraft.

#### *Article 14*

The receiving State shall treat consular officers, consular employees and members of their families with due respect and shall take all appropriate measures to prevent any attack on their person, freedom or dignity.

#### *Article 15*

The head of the consular post and the members of his family shall enjoy personal inviolability and immunity from the criminal jurisdiction of the receiving State.

#### *Article 16*

1. A consular officer, other than the head of the consular post, shall not be liable to arrest or detention pending trial, except in the case of a grave crime and pursuant to a decision by the competent judicial authority of the receiving State.
2. Except in the case specified in paragraph 1 of this Article, a consular officer shall not be committed to prison or be liable to any other form of restriction on his personal freedom save in execution of a judicial decision of final effect.
3. If criminal proceedings are instituted against a consular officer, other than the head of the consular post, he must appear before the competent authorities. Nevertheless, the proceedings shall be

conducted with the respect due to such consular officer by reason of his official position and, except in the case specified in paragraph 1 of this Article, in a manner which will hamper the performance of consular functions as little as possible. When, in circumstances mentioned in paragraph 1 of this Article, it becomes necessary to arrest or detain a consular officer, the proceedings against him shall be instituted with the minimum of delay.

4. The members of the family of a consular officer shall enjoy immunity from criminal jurisdiction of the receiving State to the same extent as the consular officer.

#### *Article 17*

1. Consular officers and consular employees shall not be amenable to the jurisdiction of the judicial or administrative authorities of the receiving State in matters relating to the performance of their official duties.
2. The provisions of paragraph 1 of this Article shall not apply in respect of civil action :
  - (1) relating to private immovable property situated in the receiving State provided that it is not used on behalf of the sending State for purposes of the consular post;
  - (2) relating to succession in which they act in their private capacities, and not on behalf of the sending State, as executors, administrators, heirs or legatees;
  - (3) relating to any professional or commercial activities which they undertake in the receiving State outside their official functions;
  - (4) arising out of contracts concluded by them in which they do not contract expressly or impliedly on behalf of the sending State;
  - (5) relating to an action by third party for damage caused by an accident in the receiving State involving a vehicle, vessel or aircraft.
3. The provisions of paragraphs 1 and 2 of this Article shall also apply to the members of the service staff, if citizens of the sending State.

*Article 18*

1. Members of the consular post may be summoned to appear as witnesses before the courts, tribunals or other competent organs with judicial powers of the receiving State. However, they are not obliged to give evidence on matters connected with the performance of their official functions.
2. If a member of the consular post refuses to appear as a witness before the courts, tribunals or other competent organs with judicial powers of the receiving State, no coercive measures or penalties whatsoever may be imposed on him.
3. The authorities referred to in paragraphs 1 and 2 of this Article, when requiring the evidence of a consular officer or consular employee, shall avoid interference with the performance of his functions. They may, when possible, take such evidence of the consular officer at his residence or at the consular post or accept a statement from him in writing.
4. The provisions of paragraph 1 of this Article shall also apply to the members of the family of a consular officer and consular employee, including those who are citizens of the receiving State or are permanently resident therein.

*Article 19*

1. The sending State may waive the privileges and immunities granted to members of the consular post and members of their families in Articles 15, 16, 17 and 18. The waiver must always be in writing .
2. The initiation of proceedings by a consular officer or a consular employee in a matter where he might enjoy immunity from jurisdiction shall preclude him from invoking immunity from jurisdiction in respect of any counter-claim directly connected with the principal claim.
3. The waiver of immunity from jurisdiction in respect of civil or administrative proceedings shall not be held to imply waiver of immunity in respect of execution of the judgement for which a separate waiver shall be required.



*Article 20*

Member of the consular post and members of their families shall be exempt from any form of obligatory public service in the receiving State.

*Article 21*

Consular officers and consular employees and members of their families shall not be subject to the obligations arising from the laws and regulations of the receiving State concerning alien registration, residence permit and other similar regulations relating to foreigners.

*Article 22*

1. The consular premises and the residence of the head of consular post which the sending State or any person acting on its behalf owns, takes on rent or lease, shall be exempt from all central, state or municipal dues and taxes whatsoever.
2. The exemption from dues and taxes referred to in paragraph 1 shall not apply to :
  - (1) such dues and taxes if, under the laws and regulations of the receiving State, they are payable by the person who contracted with the sending State or with the person acting on its behalf, and
  - (2) indirect taxes of a kind which are normally incorporated in the price of goods or services.
  - (3) exemption provided for in this Article shall not apply to charges and fees for specific services rendered.

*Article 23*

1. Consular officers and consular employees and members of their families, if citizens of the sending State, shall be exempt from all central, state and municipal dues and taxes except :
  - (1) indirect taxes of a kind which are normally incorporated in the price of goods or services;
  - (2) dues and taxes on private immovable property situated in the receiving State, subject to the provisions of Article 22;
  - (3) estate, succession or inheritance duties and duties on transfers levied by the receiving State subject to the provisions of paragraph 3 of this Article;

- (4) dues and taxes on private income having its source in the receiving State and any other tax of a similar nature;
  - (5) charges levied for specific services rendered;
  - (6) registration, court or record fees, mortgage dues and stamp duties, subject to the provisions of Article 22.
2. Members of the service staff, if citizens of the sending State, shall be exempt from dues and taxes on the wages which they receive for their services.
  3. The receiving State shall not levy central, state or municipal, estate, succession or inheritance duties and duties on transfers, on movable property of a deceased member of the consular post or one of the members of his family the presence of which in the receiving State was due solely to the presence there of the deceased as a member of the consular post or as a member of the family of a member of the consular post.

*Article 24*

1. The receiving State shall, in accordance with its laws and regulations and on the basis of reciprocity, permit entry of and grant exemption from customs duties, taxes, and related charges other than charges for storage, cartage and similar services, on :
  - (1) articles for the official use of the consular post;
  - (2) articles for the personal use of a consular officer, or members of his family, including a motor vehicle. The articles intended for consumption shall not exceed the quantities necessary for direct use by the persons concerned.
2. Consular employees, who are citizens of the sending State, and members of their families, shall enjoy exemptions in respect of articles, other than motor vehicles, referred to in sub-paragraph 2 of paragraph 1 of this Article, at the time of first installation in accordance with the applicable baggage rules of the receiving State.
3. Personal baggage accompanying consular officers and members of their families shall be exempt from customs inspection. Such baggage may be inspected only if there is serious reason to believe that it contains articles other than those referred to in sub-paragraph 2 of paragraph 1 of this Article, or articles the import or export of which is prohibited by the laws and regulations of the receiving State or which are subject to its quarantine laws and regulations. Such inspection shall be carried out in the presence of the consular officer or a member of his family.

*Article 25*

Members of the consular post and members of their families shall enjoy freedom of movement and travel in the receiving State, with the exception of those areas entry into and sojourn in which is restricted or prohibited under the laws and regulations of the receiving State.

*Article 26*

The facilities, privileges and immunities provided for under this Convention shall not apply to a consular employee, or a member of the family of a consular officer or a consular employee, if he is a citizen of the receiving State or is permanently resident therein. However, the receiving State must exercise its jurisdiction over these persons in such a manner as not to interfere unduly with the performance of the functions of the consular post.

CHAPTER IV  
CONSULAR FUNCTIONS

*Article 27*

A consular officer shall have the right :

1. to represent the rights and interests of the sending State, and of its citizens, both natural and juridical;
2. to promote the development of commercial, economic, cultural and scientific relations between the sending State and the receiving State; and
3. to otherwise promote the development of friendly relations between the sending State and the receiving State in accordance with the provisions of this Convention.

*Article 28*

1. A consular officer may perform his consular functions only within the consular district. The performance of consular functions outside the consular district requires in each individual case the consent of the receiving State.
2. In the performance of his consular functions a consular officer may address :
  - (1) the competent local authorities of his consular district;
  - (2) the competent central authorities of the receiving State if and to the extent that this is allowed by the laws, regulations and usages of the receiving State.

*Article 29*

A consular officer shall have the right, in accordance with the laws and regulations of the receiving State and without requiring special authorization, to represent citizens of the sending State before the authorities of the receiving State or to take measures for such representation if the persons concerned are unable, on account of absence or other serious grounds, to protect their rights and interests in time. The same applies to the representation of juridical persons of the sending State. Such representation shall continue till the persons represented designate their own attorneys or undertake the protection of their own rights and interests.

*Article 30*

A consular officer shall have the right :

1. to register citizens of the sending State;
2. to receive applications and issue or deliver documents on questions concerning citizenship subject to the laws and regulations of the sending State;
3. to issue, endorse, extend, renew, cancel or withdraw travel documents from citizens of the sending State;
4. to issue visas.

*Article 31*

1. A consular officer shall have the right :

- (1) to keep marriage, birth and death registers of the citizens of the sending State;
  - (2) to solemnize marriages in accordance with the laws and regulations of the sending State if both persons concerned are citizens of the sending State unless such marriage is prohibited by the laws and regulations of the receiving State;
  - (3) to accept certificates owning children born out of wedlock regardless of the child's citizenship and age, provided that such a certificate bears the signature of a citizen of the sending State;
  - (4) to carry out adoptions provided that the adopting person and the child to be adopted are citizens of the sending State.
2. The consular officer shall inform the competent authorities of the receiving State of action taken under the provisions of paragraph

1 of this Article if this is required by the laws and regulations of the receiving State.

*Article 32*

A consular officer shall have the right :

1. to receive and to attest statements made by the citizens of the sending State;
2. to receive, attest and to keep for safe custody last wills as well as other documents relating to unilateral legal acts of citizens of the sending State;
3. to receive, attest and to keep for safe custody documents on legal transactions between the citizens of the sending State, with the exception of such transactions which establish, transfer or abolish titles to property rights in immovable property situated in the receiving State;
4. to attest signatures of the citizens of the sending State on documents and to attest copies of, and extracts from, documents;
5. to authenticate documents issued by the competent authorities or officers of the receiving State to be used in the sending State;
6. to attest translations of documents issued by the competent authorities of the sending State or the receiving State;
7. to perform other notarial acts entrusted to him by the sending State.

*Article 33*

The documents drawn up, attested or translated by a consular officer of the sending State under Article 32 will be regarded in the receiving State as having the same legal significance and evidentiary value as if they had been drawn up, attested or translated by the appropriate authority or office in the receiving State.

*Article 34*

1. A consular officer shall have the right :

- (1) to accept for safe custody property and documents from citizens of the sending State or on behalf of such citizens so far as it does not offend against the laws and regulations of the receiving State, it being understood that transfer of such property or documents outside the receiving State shall not be done contrary to the laws and regulations of that State.

- (2) to accept from the authorities of the receiving State documents, money, valuables and other objects lost by citizens of the sending State during their stay in the receiving State in order to return them to their owners.
2. The objects accepted for safe custody in accordance with paragraph 1 may only be exported from the receiving State, if it is not contrary to the laws and regulations of that State.

*Article 35*

1. The competent authorities of the receiving State shall inform as soon as possible the consular post concerned about the death of a citizen of the sending State and of the opening of a probate proceeding if any in the receiving State provided that the heirs, persons who appear to have legal claims to inheritance, or legatees are citizens of the sending State, who do not reside in the receiving State and have no representative there. If the consular post concerned is the first to learn of the death of a citizen of the sending State, it is required to inform the competent authorities of the receiving State in order to secure the estate. In case of the death of a citizen of the sending State, the competent authorities of the receiving State shall issue a death certificate to the consular post.
2. A consular officer may request the competent authorities of the receiving State to take measures to protect and administer the estate left in that State by a citizen of the sending State. The authorities of the receiving State are obliged to report on measures already taken. A consular officer may directly support the authorities of the receiving State in taking action to protect and administer the estate. He may represent the heirs provided they are citizens of the sending State and can neither be present in the probate proceeding nor have appointed an authorised representative.
3. The authorities of the receiving State shall deliver to a consular officer the estate or its sale proceeds provided that the heir, the person entitled to a reserve portion or legatee is a citizen of the sending State and does not reside in the receiving State on the condition that :
  - (1) Debts with which the estate is encumbered are paid by the sending State or their payment is guaranteed by the sending State.
  - (2) All taxes and other dues in respect of the estate are paid

by the sending State or their payment is guaranteed by the sending State.

- (3) The competent authorities of the receiving State have permitted delivery of the estate or the amount obtained from the sale.
- (4) The authorities of the receiving State shall deliver to a consular officer the personal effects, money and valuables as are left by citizens of the sending State who have died during their temporary stay in the receiving State.
- (5) The export of the assets mentioned in paragraphs 3 and 4 is subject to the laws and regulations of the receiving State.
- (6) The above provisions shall also apply to the commander and crew members of an aircraft of the sending State and to the captain and crew members of a vessel of the sending State who died or are missing in the receiving State, irrespective of their citizenship but provided that they are not citizens of the receiving State.

#### *Article 36*

1. A consular officer shall have the right, subject to the laws and regulations of the receiving State, to look after the rights and interests of a minor or of a citizen of the sending State whose legal capacity is limited but who resides in the receiving State and, if need be, to appoint a guardian, a curator or an estate manager. The consular officer is obliged to obtain consent of the competent authorities of the receiving State of such appointment.
2. The competent authorities of the receiving State shall inform the consular officer of cases where it is necessary to appoint a guardian or a curator for a citizen of the sending State residing in the receiving State. The same applies to the appointment of an estate manager if the estate is situated in the receiving State.
3. The competent authorities of the receiving State are entitled to provisionally take measures as may be necessary for the protection of the interests of a minor or of a citizen of the sending State whose legal capacity is limited and who resides in the receiving State. If the consular officer informs the competent authorities of the receiving State that he will not appoint a guardian, curator or estate manager, the competent authorities of the receiving State may appoint a guardian, curator or estate manager. In that case the consular officer may propose to the competent authorities of the receiving State a suitable person.

*Article 37*

1. A consular officer shall have the right within the limits of his consular district to meet and maintain contact with any citizen of the sending State, to give him advice and to render all assistance including legal assistance in cases of necessity.
2. The receiving State shall not in any manner restrict the contacts of the citizens of the sending State with their consular post or their access to it.

*Article 38*

1. The competent authorities of the receiving State shall inform the consular post concerned without delay about the arrest, detention, or taking into custody of a citizen of the sending State.
2. A consular officer shall have the right to visit and to maintain contacts with a citizen of the sending State under arrest or detention or who is serving a prison sentence or is detained in any other manner. The competent authorities of the receiving State shall without delay, forward to the consular post concerned in accordance with the laws and regulations of the receiving State written communications from the citizen of the sending State who has been arrested, detained, taken into custody or is serving a prison sentence. The right of the consular officer under this paragraph shall be exercised in accordance with the laws and regulations of the receiving State provided, however, that such laws and regulations do not annul these rights.
3. The competent authorities of the receiving State shall inform the person concerned without delay of his rights under paragraph 2.

*Article 39*

1. A consular officer shall have the right to render all assistance to vessels of the sending State in ports, and the internal and territorial waters of the receiving State.
2. A consular officer may at any time board a vessel of the sending State provided she has not been put in quarantine. In cases where the vessel has not yet been completely cleared for free communication with the shore, the competent authorities of the receiving State must be informed before a consular officer goes on board a vessel of the sending State. The captain and the crew members are entitled to contact the consular officer and call at the consular post subject to the laws and regulations of the receiving State.



3. In the exercise of his functions under this Article, a consular officer may address himself to the competent authorities of the receiving State and seek their help in all questions relating to vessel of the sending State, her captain, crew members, passengers and cargo.

#### *Article 40*

A consular officer shall have the right :

1. to investigate, without prejudice to the rights of the authorities of the receiving State, any incidents that may have occurred during the course of voyage on board the vessel of the sending State and to question the captain and crew members;
2. to settle, without prejudice to the rights of the authorities of the receiving State, all disputes between the captain and crew members, including disputes concerning wages and the ship's articles, and to take steps toward hiring or discharging the captain or crew members, if this is permitted under the laws and regulations of the sending State;
3. to make arrangements for medical treatment or for repatriation of the captain, crew members or passengers;
4. to receive, issue or certify any declaration or other document prescribed by the laws and regulations of the sending State with regard to vessels and their cargoes.

#### *Article 41*

1. If the courts or other competent authorities of the receiving State intend to carry out any coercive measures or make any investigation on board a vessel of the sending State, the consular officer shall be informed beforehand by the competent authorities of the receiving State, so that he may be present when these measures are carried out. If the urgency of the measures to be carried out does not admit of such advance information, the competent authorities of the sending State shall furnish the consular officer on request with a written account of the incidents and the measures taken.
2. The provisions of paragraph 1 shall also apply if the captain or crew members are to be interrogated ashore by the competent authorities on incidents relating to the vessel of the sending State.
3. The provisions of this Article shall not apply to the normal customs, passports and sanitary inspections.

*Article 42*

1. The competent authorities of the receiving State shall immediately inform a consular officer when a vessel of the sending State is shipwrecked, runs aground or suffers some other accident in a port, the territorial or internal waters of the receiving State, and shall communicate to him what measures have already been taken for the salvage and rescue of persons, vessel and cargo. The consular officer may extend any assistance to such a vessel, the members of its crew and passengers. He may also take measures to repair the vessel and secure the cargo.
2. The consular officer may, on behalf of the owner of the vessel of the sending State, take such measures as could have been arranged by the owner of the vessel or of the cargo himself, provided that neither the captain nor the vessel's owner, his agent or the competent insurance company are in a position to make the necessary arrangements for securing or disposing of such a vessel or her cargo.
3. The provisions of paragraphs 1 and 2 of this Article shall also apply to objects which are the property of citizens of the sending State, and were on board a vessel of the receiving State or of a third State, or were found on the shores or in the waters of the receiving State as stranded goods or were delivered to a port of that State.
4. The competent authorities of the receiving State shall extend all necessary assistance to a consular officer in taking the measures relating to the salvage of a vessel of the sending State.
5. No customs duties shall be levied against a wrecked vessel, its cargo or stores, in the territory of the receiving State, unless they are delivered for use in that State.

*Article 43*

Articles 39, 40 and 42 of the present Convention shall apply *mutatis mutandis* also to aircraft of the sending State.

*Article 44*

Apart from the functions provided for in this Convention a consular officer may perform other consular functions entrusted to him by the sending State, if they are not prohibited by the laws and regulations of the receiving State.

*Article 45*

A consular officer shall have the right to levy in the receiving State consular fees for the performance of consular services prescribed under the laws and regulations of the sending State.

CHAPTER V  
GENERAL AND FINAL PROVISIONS

*Article 46*

1. All persons enjoying facilities, privileges and immunities under this Convention are obliged, without prejudice to such facilities, privileges and immunities, to respect the laws and regulations of the receiving State, including those relating to traffic and insurance of motor vehicles. They are also obliged not to interfere in the internal affairs of that State.
2. The consular premises must not be used in any manner incompatible with the performance of consular functions.

*Article 47*

1. The provisions of this Convention shall also apply to the performance of consular functions by a diplomatic mission of the sending State. The rights and duties of consular officers as stipulated in this Convention shall also apply to members of the diplomatic staff of the diplomatic mission of the sending State who have been entrusted with the performance of consular functions. The names of these members shall be notified to the Ministry of Foreign Affairs of the receiving State.
2. The performance of consular functions by persons mentioned in paragraph 1 of this Article shall not affect their facilities, privileges and immunities as members of the diplomatic staff of the diplomatic mission.

*Article 48*

With the approval of the receiving State the sending State may perform consular functions in the receiving State on behalf of a third State.

*Article 49*

1. This Convention shall be subject to ratification. It shall enter into force 30 days after the exchange of the instruments of ratification, which shall take place in Berlin.

2. This Convention shall remain in force until the expiry of six months from the date on which one of the Contracting Parties shall have given to the other Contracting Party a written notice through diplomatic channels, of its intention to terminate the Convention.

IN WITNESS WHEREOF the respective plenipotentiaries of the two Contracting Parties have signed this Convention and have affixed thereto their seals.

DONE in duplicate at New Delhi, this the twelveth day of December 1975 in the Hindi, German and English languages, all texts being equally authentic.

For the Republic of India

For the German Democratic Republic

*Sd/-*

Y.B. CHAVAN  
Minister of External Affairs

*Sd/-*

OSKAR FISCHER  
Minister of Foreign Affairs

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