

No. 7310

**ALBANIA, ARGENTINA, AUSTRALIA,
AUSTRIA, BELGIUM, etc.**

**Vienna Convention on Diplomatic Relations. Done at Vienna,
on 18 April 1961**

Official texts: English, French, Chinese, Russian and Spanish.

Registered ex officio on 24 June 1964.

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AUTRICHE, BELGIQUE, etc.**

**Convention de Vienne sur les relations diplomatiques.
Faite à Vienne, le 18 avril 1961**

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Enregistrée d'office le 24 juin 1964.

No. 7310. VIENNA CONVENTION¹ ON DIPLOMATIC RELATIONS. DONE AT VIENNA, ON 18 APRIL 1961

The States Parties to the present Convention,

Recalling that peoples of all nations from ancient times have recognized the status of diplomatic agents,

Having in mind the purposes and principles of the Charter of the United Nations concerning the sovereign equality of States, the maintenance of international peace and security, and the promotion of friendly relations among nations,

Believing that an international convention on diplomatic intercourse, privileges and immunities would contribute to the development of friendly relations among nations, irrespective of their differing constitutional and social systems,

Realizing that the purpose of such privileges and immunities is not to benefit individuals but to ensure the efficient performance of the functions of diplomatic missions as representing States,

Affirming that the rules of customary international law should continue to govern questions not expressly regulated by the provisions of the present Convention,

Have agreed as follows :

Article I

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

- (a) the " head of the mission " is the person charged by the sending State with the duty of acting in that capacity;
- (b) the " members of the mission " are the head of the mission and the members of the staff of the mission;

¹The Vienna Convention on Diplomatic Relations was adopted on 14 April 1961 by the United Nations Conference on Diplomatic Intercourse and Immunities held at the Neue Hofburg in Vienna, Austria, from 2 March to 14 April 1961. The Conference also adopted the Optional Protocol concerning the Acquisition of Nationality (see p. 223 of this volume), the Optional Protocol concerning the Compulsory Settlement of Disputes (see p. 241 of this volume), the Final Act and four resolutions annexed to that Act. The Convention and the two Protocols were deposited with the Secretary-General of the United Nations. The Final Act, by unanimous decision of the Conference, was deposited in the archives of the Federal Ministry for Foreign Affairs of Austria. The text of the Final Act and of the annexed resolutions is published for the purpose of information on p. 212 of this volume. For the proceedings of the Conference, see *United Nations Conference on Diplomatic Intercourse and Immunities, Official Records*, Vols. I and II (United Nations Publication, Sales Nos. : 61.X.2 and 62.X.1).

The Convention, in accordance with its article 51, came into force on 24 April 1964, the thirtieth day following the date of deposit with the Secretary-General of the United Nations of the twenty-second instrument of ratification or accession. For the list of States on behalf of which the instruments of ratification or accession were deposited as at the date of the registration of the Convention, see p. 204 of this volume.

- (c) the “ members of the staff of the mission ” are the members of the diplomatic staff, of the administrative and technical staff and of the service staff of the mission;
- (d) the “ members of the diplomatic staff ” are the members of the staff of the mission having diplomatic rank;
- (e) a “ diplomatic agent ” is the head of the mission or a member of the diplomatic staff of the mission;
- (f) the “ members of the administrative and technical staff ” are the members of the staff of the mission employed in the administrative and technical service of the mission;
- (g) the “ members of the service staff ” are the members of the staff of the mission in the domestic service of the mission;
- (h) a “ private servant ” is a person who is in the domestic service of a member of the mission and who is not an employee of the sending State;
- (i) the “ premises of the mission ” are the buildings or parts of buildings and the land ancillary thereto, irrespective of ownership, used for the purposes of the mission including the residence of the head of the mission.

Article 2

The establishment of diplomatic relations between States, and of permanent diplomatic missions, takes place by mutual consent.

Article 3

1. The functions of a diplomatic mission consist *inter alia* in :

- (a) representing the sending State in the receiving State;
- (b) protecting in the receiving State the interests of the sending State and of its nationals, within the limits permitted by international law;
- (c) negotiating with the Government of the receiving State;
- (d) ascertaining by all lawful means conditions and developments in the receiving State, and reporting thereon to the Government of the sending State;
- (e) promoting friendly relations between the sending State and the receiving State, and developing their economic, cultural and scientific relations.

2. Nothing in the present Convention shall be construed as preventing the performance of consular functions by a diplomatic mission.

Article 4

1. The sending State must make certain that the *agrément* of the receiving State has been given for the person it proposes to accredit as head of the mission to that State.

2. The receiving State is not obliged to give reasons to the sending State for a refusal of *agrément*.

Article 5

1. The sending State may, after it has given due notification to the receiving States concerned, accredit a head of mission or assign any member of the diplomatic staff, as the case may be, to more than one State, unless there is express objection by any of the receiving States.

2. If the sending State accredits a head of mission to one or more other States it may establish a diplomatic mission headed by a *chargé d'affaires ad interim* in each State where the head of mission has not his permanent seat.

3. A head of mission or any member of the diplomatic staff of the mission may act as representative of the sending State to any international organization.

Article 6

Two or more States may accredit the same person as head of mission to another State, unless objection is offered by the receiving State.

Article 7

Subject to the provisions of Articles 5, 8, 9 and 11, the sending State may freely appoint the members of the staff of the mission. In the case of military, naval or air attachés, the receiving State may require their names to be submitted beforehand, for its approval.

Article 8

1. Members of the diplomatic staff of the mission should in principle be of the nationality of the sending State.

2. Members of the diplomatic staff of the mission may not be appointed from among persons having the nationality of the receiving State, except with the consent of that State which may be withdrawn at any time.

3. The receiving State may reserve the same right with regard to nationals of a third State who are not also nationals of the sending State.

Article 9

1. The receiving State may at any time and without having to explain its decision, notify the sending State that the head of the mission or any member of the diplomatic staff of the mission is *persona non grata* or that any other member of the staff of the mission is not acceptable. In any such case, the sending State shall, as appropriate, either recall the person concerned or terminate his functions with the mission. A person may be declared *non grata* or not acceptable before arriving in the territory of the receiving State.

2. If the sending State refuses or fails within a reasonable period to carry out its obligations under paragraph 1 of this Article, the receiving State may refuse to recognize the person concerned as a member of the mission.

Article 10

1. The Ministry for Foreign Affairs of the receiving State, or such other ministry as may be agreed, shall be notified of :

- (a) the appointment of members of the mission, their arrival and their final departure or the termination of their functions with the mission;
- (b) the arrival and final departure of a person belonging to the family of a member of the mission and, where appropriate, the fact that a person becomes or ceases to be a member of the family of a member of the mission;
- (c) the arrival and final departure of private servants in the employ of persons referred to in sub-paragraph (a) of this paragraph and, where appropriate, the fact that they are leaving the employ of such persons;
- (d) the engagement and discharge of persons resident in the receiving State as members of the mission or private servants entitled to privileges and immunities.

2. Where possible, prior notification of arrival and final departure shall also be given.

Article 11

1. In the absence of specific agreement as to the size of the mission, the receiving State may require that the size of a mission be kept within limits considered by it to be reasonable and normal, having regard to circumstances and conditions in the receiving State and to the needs of the particular mission.

2. The receiving State may equally, within similar bounds and on a non-discriminatory basis, refuse to accept officials of a particular category.

Article 12

The sending State may not, without the prior express consent of the receiving State, establish offices forming part of the mission in localities other than those in which the mission itself is established.

Article 13

1. The head of the mission is considered as having taken up his functions in the receiving State either when he has presented his credentials or when he has notified his arrival and a true copy of his credentials has been presented to the Ministry for Foreign Affairs of the receiving State, or such other ministry as may be agreed, in accordance with the practice prevailing in the receiving State which shall be applied in a uniform manner.

2. The order of presentation of credentials or of a true copy thereof will be determined by the date and time of the arrival of the head of the mission.

Article 14

1. Heads of mission are divided into three classes, namely :
- (a) that of ambassadors or nuncios accredited to Heads of State, and other heads of mission of equivalent rank;
 - (b) that of envoys, ministers and internuncios accredited to Heads of State;
 - (c) that of chargés d'affaires accredited to Ministers for Foreign Affairs.

2. Except as concerns precedence and etiquette, there shall be no differentiation between heads of mission by reason of their class.

Article 15

The class to which the heads of their missions are to be assigned shall be agreed between States.

Article 16

1. Heads of mission shall take precedence in their respective classes in the order of the date and time of taking up their functions in accordance with Article 13.

2. Alterations in the credentials of a head of mission not involving any change of class shall not affect his precedence.

3. This article is without prejudice to any practice accepted by the receiving State regarding the precedence of the representative of the Holy See.

Article 17

The precedence of the members of the diplomatic staff of the mission shall be notified by the head of the mission to the Ministry for Foreign Affairs or such other ministry as may be agreed.

Article 18

The procedure to be observed in each State for the reception of heads of mission shall be uniform in respect of each class.

Article 19

1. If the post of head of the mission is vacant, or if the head of the mission is unable to perform his functions, a chargé d'affaires ad interim shall act provisionally as head of the mission. The name of the chargé d'affaires ad interim shall be notified, either by the head of the mission or, in case he is unable to do so, by the Ministry for Foreign Affairs of the sending State to the Ministry for Foreign Affairs of the receiving State or such other ministry as may be agreed.

2. In cases where no member of the diplomatic staff of the mission is present in the receiving State, a member of the administrative and technical staff may, with the consent of the receiving State, be designated by the sending State to be in charge of the current administrative affairs of the mission.

Article 20

The mission and its head shall have the right to use the flag and emblem of the sending State on the premises of the mission, including the residence of the head of the mission, and on his means of transport.

Article 21

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

2. It shall also, where necessary, assist missions in obtaining suitable accommodation for their members.

Article 22

1. The premises of the mission shall be inviolable. The agents of the receiving State may not enter them, except with the consent of the head of the mission.

2. The receiving State is under a special duty to take all appropriate steps to protect the premises of the mission against any intrusion or damage and to prevent any disturbance of the peace of the mission or impairment of its dignity.

3. The premises of the mission, their furnishings and other property thereon and the means of transport of the mission shall be immune from search, requisition, attachment or execution.

Article 23

1. The sending State and the head of the mission shall be exempt from all national, regional or municipal dues and taxes in respect of the premises of the mission, whether owned or leased, other than such as represent payment for specific services rendered.

2. The exemption from taxation referred to in this Article shall not apply to such dues and taxes payable under the law of the receiving State by persons contracting with the sending State or the head of the mission.

Article 24

The archives and documents of the mission shall be inviolable at any time and wherever they may be.

Article 25

The receiving State shall accord full facilities for the performance of the functions of the mission.

Article 26

Subject to its laws and regulations concerning zones entry into which is prohibited or regulated for reasons of national security, the receiving State shall ensure to all members of the mission freedom of movement and travel in its territory.

Article 27

1. The receiving State shall permit and protect free communication on the part of the mission for all official purposes. In communicating with the Government and the other missions and consulates of the sending State, wherever situated, the mission may employ all appropriate means, including diplomatic couriers and messages in code or cipher. However, the mission may install and use a wireless transmitter only with the consent of the receiving State.

2. The official correspondence of the mission shall be inviolable. Official correspondence means all correspondence relating to the mission and its functions.

3. The diplomatic bag shall not be opened or detained.

4. The packages constituting the diplomatic bag must bear visible external marks of their character and may contain only diplomatic documents or articles intended for official use.

5. The diplomatic courier, who shall be provided with an official document indicating his status and the number of packages constituting the diplomatic bag, shall be protected by the receiving State in the performance of his functions. He shall enjoy personal inviolability and shall not be liable to any form of arrest or detention.

6. The sending State or the mission may designate diplomatic couriers *ad hoc*. In such cases the provisions of paragraph 5 of this Article shall also apply, except that the immunities therein mentioned shall cease to apply when such a courier has delivered to the consignee the diplomatic bag in his charge.

7. A diplomatic bag may be entrusted to the captain of a commercial aircraft scheduled to land at an authorized 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 diplomatic courier. The mission may send one of its members to take possession of the diplomatic bag directly and freely from the captain of the aircraft.

Article 28

The fees and charges levied by the mission in the course of its official duties shall be exempt from all dues and taxes.

Article 29

The person of a diplomatic agent shall be inviolable. He shall not be liable to any form of arrest or detention. The receiving State shall treat him with due respect and shall take all appropriate steps to prevent any attack on his person, freedom or dignity.

Article 30

1. The private residence of a diplomatic agent shall enjoy the same inviolability and protection as the premises of the mission.

2. His papers, correspondence and, except as provided in paragraph 3 of Article 31, his property, shall likewise enjoy inviolability.

Article 31

1. A diplomatic agent shall enjoy immunity from the criminal jurisdiction of the receiving State. He shall also enjoy immunity from its civil and administrative jurisdiction, except in the case of :

- (a) a real action relating to private immovable property situated in the territory of the receiving State, unless he holds it on behalf of the sending State for the purposes of the mission;
- (b) an action relating to succession in which the diplomatic agent is involved as executor, administrator, heir or legatee as a private person and not on behalf of the sending State;
- (c) an action relating to any professional or commercial activity exercised by the diplomatic agent in the receiving State outside his official functions.

2. A diplomatic agent is not obliged to give evidence as a witness.

3. No measures of execution may be taken in respect of a diplomatic agent except in the cases coming under sub-paragraphs (a), (b) and (c) of paragraph 1 of this Article, and provided that the measures concerned can be taken without infringing the inviolability of his person or of his residence.

4. The immunity of a diplomatic agent from the jurisdiction of the receiving State does not exempt him from the jurisdiction of the sending State.

Article 32

1. The immunity from jurisdiction of diplomatic agents and of persons enjoying immunity under Article 37 may be waived by the sending State.

2. Waiver must always be express.

3. The initiation of proceedings by a diplomatic agent or by a person enjoying immunity from jurisdiction under Article 37 shall preclude him from invoking immunity from jurisdiction in respect of any counter-claim directly connected with the principal claim.

4. Waiver of immunity from jurisdiction in respect of civil or administrative proceedings shall not be held to imply waiver of immunity in respect of the execution of the judgment, for which a separate waiver shall be necessary.

Article 33

1. Subject to the provisions of paragraph 3 of this Article, a diplomatic agent shall with respect to services rendered for the sending State be exempt from social security provisions which may be in force in the receiving State.

2. The exemption provided for in paragraph 1 of this Article shall also apply to private servants who are in the sole employ of a diplomatic agent, on condition :

- (a) that they are not nationals of or permanently resident in the receiving State; and
- (b) that they are covered by the social security provisions which may be in force in the sending State or a third State.

3. A diplomatic agent who employs persons to whom the exemption provided for in paragraph 2 of this Article does not apply shall observe the obligations which the social security provisions of the receiving State impose upon employers.

4. The exemption provided for in paragraphs 1 and 2 of this Article shall not preclude voluntary participation in the social security system of the receiving State provided that such participation is permitted by that State.

5. The provisions of this Article shall not affect bilateral or multilateral agreements concerning social security concluded previously and shall not prevent the conclusion of such agreements in the future.

Article 34

A diplomatic agent shall be exempt from all dues and taxes, personal or real, national, regional or municipal, except :

- (a) indirect taxes of a kind which are normally incorporated in the price of goods or services;
- (b) dues and taxes on private immovable property situated in the territory of the receiving State, unless he holds it on behalf of the sending State for the purposes of the mission;
- (c) estate, succession or inheritance duties levied by the receiving State, subject to the provisions of paragraph 4 of Article 39;
- (d) dues and taxes on private income having its source in the receiving State and capital taxes on investments made in commercial undertakings in the receiving State;
- (e) charges levied for specific services rendered;
- (f) registration, court or record fees, mortgage dues and stamp duty, with respect to immovable property, subject to the provisions of Article 23.

Article 35

The receiving State shall exempt diplomatic agents from all personal services, from all public service of any kind whatsoever, and from military obligations such as those connected with requisitioning, military contributions and billeting.

Article 36

1. The receiving State shall, in accordance with such laws and regulations as it may adopt, permit entry of and grant exemption from all customs duties, taxes, and related charges other than charges for storage, cartage and similar services, on :

- (a) articles for the official use of the mission;
- (b) articles for the personal use of a diplomatic agent or members of his family forming part of his household, including articles intended for his establishment.

2. The personal baggage of a diplomatic agent shall be exempt from inspection, unless there are serious grounds for presuming that it contains articles not covered by the exemptions mentioned in paragraph 1 of this Article, or articles the import or export of which is prohibited by the law or controlled by the quarantine regulations of the receiving State. Such inspection shall be conducted only in the presence of the diplomatic agent or of his authorized representative.

Article 37

1. The members of the family of a diplomatic agent forming part of his household shall, if they are not nationals of the receiving State, enjoy the privileges and immunities specified in Articles 29 to 36.

2. Members of the administrative and technical staff of the mission, together with members of their families forming part of their respective households, shall, if they are not nationals of or permanently resident in the receiving State, enjoy the privileges and immunities specified in Articles 29 to 35, except that the immunity from civil and administrative jurisdiction of the receiving State specified in paragraph 1 of Article 31 shall not extend to acts performed outside the course of their duties. They shall also enjoy the privileges specified in Article 36, paragraph 1, in respect of articles imported at the time of first installation.

3. Members of the service staff of the mission who are not nationals of or permanently resident in the receiving State shall enjoy immunity in respect of acts performed in the course of their duties, exemption from dues and taxes on the emoluments they receive by reason of their employment and the exemption contained in Article 33.

4. Private servants of members of the mission shall, if they are not nationals of or permanently resident in the receiving State, be exempt from dues and taxes on the emoluments they receive by reason of their employment. In other respects, they may enjoy privileges and immunities only to the extent admitted by the receiving State. However, the receiving State must exercise its jurisdiction over those persons in such a manner as not to interfere unduly with the performance of the functions of the mission.

Article 38

1. Except insofar as additional privileges and immunities may be granted by the receiving State, a diplomatic agent who is a national of or permanently resident in that State shall enjoy only immunity from jurisdiction, and inviolability, in respect of official acts performed in the exercise of his functions.

2. Other members of the staff of the mission and private servants who are nationals of or permanently resident in the receiving State shall enjoy privileges and immunities only to the extent admitted by the receiving State. However, the receiving State must exercise its jurisdiction over those persons in such a manner as not to interfere unduly with the performance of the functions of the mission.

Article 39

1. Every person entitled to privileges and immunities shall enjoy them from the moment he enters the territory of the receiving State on proceeding to take up his post or, if already in its territory, from the moment when his appointment is notified to the Ministry for Foreign Affairs or such other ministry as may be agreed.

2. When the functions of a person enjoying privileges and immunities have come to an end, such privileges and immunities shall normally cease at the moment when he leaves the country, or on expiry of a reasonable period in which to do so, but shall subsist until that time, even in case of armed conflict. However, with respect to acts performed by such a person in the exercise of his functions as a member of the mission, immunity shall continue to subsist.

3. In case of the death of a member of the mission, the members of his family shall continue to enjoy the privileges and immunities to which they are entitled until the expiry of a reasonable period in which to leave the country.

4. In the event of the death of a member of the mission not a national of or permanently resident in the receiving State or a member of his family forming part of his household, the receiving State shall permit the withdrawal of the movable property of the deceased, with the exception of any property acquired in the country the export of which was prohibited at the time of his death. Estate, succession and inheritance duties shall not be levied on movable property the presence of which in the receiving State was due solely to the presence there of the deceased as a member of the mission or as a member of the family of a member of the mission.

Article 40

1. If a diplomatic agent passes through or is in the territory of a third State, which has granted him a passport visa if such visa was necessary, while

proceeding to take up or to return to his post, or when returning to his own country, the third State shall accord him inviolability and such other immunities as may be required to ensure his transit or return. The same shall apply in the case of any members of his family enjoying privileges or immunities who are accompanying the diplomatic agent, or travelling separately to join him or to return to their country.

2. In circumstances similar to those specified in paragraph 1 of this Article, third States shall not hinder the passage of members of the administrative and technical or service staff of a mission, and of members of their families, through their territories.

3. Third States shall accord to official correspondence and other official communications in transit, including messages in code or cipher, the same freedom and protection as is accorded by the receiving State. They shall accord to diplomatic couriers, who have been granted a passport visa if such visa was necessary, and diplomatic bags in transit the same inviolability and protection as the receiving State is bound to accord.

4. The obligations of third States under paragraphs 1, 2 and 3 of this Article shall also apply to the persons mentioned respectively in those paragraphs, and to official communications and diplomatic bags, whose presence in the territory of the third State is due to *force majeure*.

Article 41

1. Without prejudice to their privileges and immunities, it is the duty of all persons enjoying such privileges and immunities to respect the laws and regulations of the receiving State. They also have a duty not to interfere in the internal affairs of that State.

2. All official business with the receiving State entrusted to the mission by the sending State shall be conducted with or through the Ministry for Foreign Affairs of the receiving State or such other ministry as may be agreed.

3. The premises of the mission must not be used in any manner incompatible with the functions of the mission as laid down in the present Convention or by other rules of general international law or by any special agreements in force between the sending and the receiving State.

Article 42

A diplomatic agent shall not in the receiving State practise for personal profit any professional or commercial activity.

Article 43

The function of a diplomatic agent comes to an end, *inter alia* :

- (a) on notification by the sending State to the receiving State that the function of the diplomatic agent has come to an end;
- (b) on notification by the receiving State to the sending State that, in accordance with paragraph 2 of Article 9, it refuses to recognize the diplomatic agent as a member of the mission.

Article 44

The receiving State must, even in case of armed conflict, grant facilities in order to enable persons enjoying privileges and immunities, other than nationals of the receiving State, and members of the families of such persons irrespective of their nationality, to leave at the earliest possible moment. It must, in particular, in case of need, place at their disposal the necessary means of transport for themselves and their property.

Article 45

If diplomatic relations are broken off between two States, or if a mission is permanently or temporarily recalled :

- (a) the receiving State must, even in case of armed conflict, respect and protect the premises of the mission, together with its property and archives;
- (b) the sending State may entrust the custody of the premises of the mission, together with its property and archives, to a third State acceptable to the receiving State;
- (c) the sending State may entrust the protection of its interests and those of its nationals to a third State acceptable to the receiving State.

Article 46

A sending State may with the prior consent of a receiving State, and at the request of a third State not represented in the receiving State, undertake the temporary protection of the interests of the third State and of its nationals.

Article 47

1. In the application of the provisions of the present Convention, the receiving State shall not discriminate as between States.

2. However, discrimination shall not be regarded as taking place :

- (a) where the receiving State applies any of the provisions of the present Convention restrictively because of a restrictive application of that provision to its mission in the sending State;

- (b) where by custom or agreement States extend to each other more favourable treatment than is required by the provisions of the present Convention.

Article 48

The present Convention shall be open for signature by all States Members of the United Nations or of any of the specialized agencies or Parties to the Statute of the International Court of Justice, and by any other State invited by the General Assembly of the United Nations to become a Party to the Convention, as follows : until 31 October 1961 at the Federal Ministry for Foreign Affairs of Austria and subsequently, until 31 March 1962, at the United Nations Headquarters in New York.

Article 49

The present Convention is subject to ratification. The instruments of ratification shall be deposited with the Secretary-General of the United Nations.

Article 50

The present Convention shall remain open for accession by any State belonging to any of the four categories mentioned in Article 48. The instruments of accession shall be deposited with the Secretary-General of the United Nations.

Article 51

1. The present Convention shall enter into force on the thirtieth day following the date of deposit of the twenty-second instrument of ratification or accession with the Secretary-General of the United Nations.

2. For each State ratifying or acceding to the Convention after the deposit of the twenty-second instrument of ratification or accession, the Convention shall enter into force on the thirtieth day after deposit by such State of its instrument of ratification or accession.

Article 52

The Secretary-General of the United Nations shall inform all States belonging to any of the four categories mentioned in Article 48 :

- (a) of signatures to the present Convention and of the deposit of instruments of ratification or accession, in accordance with Articles 48, 49 and 50;
- (b) of the date on which the present Convention will enter into force, in accordance with Article 51.

Article 53

The original of the present Convention, of which the Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations, who shall send certified copies thereof to all States belonging to any of the four categories mentioned in Article 48.

IN WITNESS WHEREOF the undersigned Plenipotentiaries, being duly authorized thereto by their respective Governments, have signed the present Convention.

DONE at Vienna, this eighteenth day of April one thousand nine hundred and sixty-one.

FOR AFGHANISTAN:

POUR L'AFGHANISTAN:

阿富汗:

За Афганистан:

FOR EL AFGANISTÁN:

FOR ALBANIA:

POUR L'ALBANIE:

阿爾巴尼亞:

За Албанию:

FOR ALBANIA:

S. ÇARÇANI

FOR ARGENTINA:

POUR L'ARGENTINE:

阿根廷:

За Аргентину:

FOR LA ARGENTINA:

C. BOLLINI SHAW

FOR AUSTRALIA:

POUR L'AUSTRALIE:

澳大利亞:

За Австралию:

FOR AUSTRALIA:

J. PLIMSOLL

30 March 1962

FOR AUSTRIA:
POUR L'AUTRICHE:
奧地利:
За Австрию:
POR AUSTRIA:

KREISKY

FOR BELGIUM:
POUR LA BELGIQUE:
比利時:
За Бельгию:
POR BÉLGICA:

G. DELCOIGNE
Le 23 octobre 1961

FOR BOLIVIA:
POUR LA BOLIVIE:
玻利維亞:
За Боливию:
POR BOLIVIA:

FOR BRAZIL:
POUR LE BRÉSIL:
巴西:
За Бразилию:
POR EL BRASIL:

J. DE SOUZA LEÃO

FOR BULGARIA:
POUR LA BULGARIE:
保加利亞:
За България:
FOR BULGARIA:

IV. DASKALOV
Y. GOLÉMANOV

FOR BURMA:
POUR LA BIRMANIE:
緬甸:
За Бирму:
FOR BIRMANIA:

FOR THE BYELORUSSIAN SOVIET SOCIALIST REPUBLIC:
POUR LA RÉPUBLIQUE SOCIALISTE SOVIÉTIQUE DE BIÉLORUSSIE:
白俄羅斯蘇維埃社會主義共和國:
За Белорусскую Советскую Социалистическую Республику:
FOR LA REPÚBLICA SOCIALISTA SOVIÉTICA DE BIELORRUSIA:

S. SHARDYKO

FOR CAMBODIA:
POUR LE CAMBODGE:
柬埔寨:
За Камбоджу:
FOR CAMBOYA:

FOR CAMEROUN:
POUR LE CAMEROUN:
喀麥隆:
За Камерун:
POR EL CAMERÚN:

FOR CANADA:
POUR LE CANADA:
加拿大:
За Канаду:
POR EL CANADÁ:

C. S. A. RITCHIE
February 5th, 1962

FOR THE CENTRAL AFRICAN REPUBLIC:
POUR LA RÉPUBLIQUE CENTRAFRICAINE:
中非共和國:
За Центральноафриканскую Республику:
POR LA REPÚBLICA CENTROAFRICANA:

M. GALLIN-DOUATHE
28 mars 1962

FOR CEYLON:
POUR CEYLAN:
錫蘭:
За Цейлон:
POR CEILÁN:

R. S. S. GUNewardENE

FOR CHAD:

POUR LE TCHAD:

查德:

За Чад:

FOR EL CHAD:

FOR CHILE:

POUR LE CHILI:

智利:

За Чили:

FOR CHILE:

Luis MELO LECAROS

FOR CHINA:

POUR LA CHINE:

中國:

За Китай:

FOR LA CHINA:

HU Ching-yu

CHEN Tai-chu

FOR COLOMBIA:

POUR LA COLOMBIE:

哥倫比亞:

За Колумбию:

FOR COLOMBIA:

M. AGUDELO G.

Antonio BAYONA

FOR THE CONGO (BRAZZAVILLE):
POUR LE CONGO (BRAZZAVILLE):
剛果 (伯拉沙維爾):
За Конго (Браззавиль):
POR EL CONGO (BRAZZAVILLE):

FOR THE CONGO (LÉOPOLDVILLE):
POUR LE CONGO (LÉOPOLDVILLE):
剛果 (利奧波德維爾):
За Конго (Леопольдвиль):
POR EL CONGO (LEOPOLDVILLE):

J. KAHAMBA

FOR COSTA RICA:
POUR LE COSTA-RICA:
哥斯大黎加:
За Коста-Рику:
POR COSTA RICA:

Gonzalo ORTIZ
14 Febrero de 1962

FOR CUBA:
POUR CUBA:
古巴:
За Кубу:
POR CUBA:

M. G. INCHAUSTEGUI
16 de enero de 1962

FOR CYPRUS:
POUR CHYPRE:
賽普勒斯:
За Кипр:
POR CHIPRE:

FOR CZECHOSLOVAKIA:
POUR LA TCHÉCOSLOVAQUIE:
捷克斯洛伐克:
За Чехословакию:
POR CHECOESLOVAQUIA:

Dr. Richard JEŽEK

FOR DAHOMEY:
POUR LE DAHOMEY:
達荷美:
За Дагомею:
POR EL DAHOMEY:

FOR DENMARK:
POUR LE DANEMARK:
丹麥:
За Данию:
POR DINAMARCA:

H. H. SCHRØDER

FOR THE DOMINICAN REPUBLIC:
POUR LA RÉPUBLIQUE DOMINICAINE:
多明尼加共和國:
За Доминиканскую Республику:
POR LA REPÚBLICA DOMINICANA:

Carlos SANCHEZ Y SANCHEZ
30 March 1962

FOR ECUADOR:
POUR L'ÉQUATEUR:
厄瓜多:
За Эквадор:
POR EL ECUADOR:

Con reserva a los párrafos 2, 3 y 4 del artículo 37¹
N. M. PONCE

FOR EL SALVADOR:
POUR LE SALVADOR:
薩爾瓦多:
За Сальвадор:
POR EL SALVADOR:

FOR ETHIOPIA:
POUR L'ÉTHIOPIE:
衣索比亞:
За Эфиопию:
POR ETIOPÍA:

¹[Translation] With reservation to paragraphs 2, 3 and 4 of article 37.

¹[Traduction] Avec réserve aux paragraphes 2, 3 et 4 de l'article 37.

FOR THE FEDERAL REPUBLIC OF GERMANY:
POUR LA RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE:
德意志聯邦共和國:
За Федеративную Республику Германии:
POR LA REPÚBLICA FEDERAL DE ALEMANIA:

Werner DANKWORT

FOR THE FEDERATION OF MALAYA:
POUR LA FÉDÉRATION DE MALAISIE:
馬來亞聯邦:
За Малайскую Федерацию:
POR LA FEDERACIÓN MALAYA:

FOR FINLAND:
POUR LA FINLANDE:
芬蘭:
За Финляндию:
POR FINLANDIA:

Otso WARTIOVAARA
Le 20 octobre 1961

FOR FRANCE:
POUR LA FRANCE:
法蘭西:
За Францию:
POR FRANCIA:

Armand BÉRARD
Le 30 mars 1962

FOR GABON:
POUR LE GABON:
加彭:
За Габон:
POR EL GABÓN:

FOR GHANA:
POUR LE GHANA:
迦納:
За Ганы:
POR GHANA:

E. O. ASAFU-ADJAYE
E. Kodjoe DADZIE

FOR GREECE:
POUR LA GRÈCE:
希臘:
За Греция:
POR GRECIA:

“ With the reservation that the last sentence of paragraph 2 of article 37 of the Convention shall not apply.”¹

Dimitri S. BITSIOS
29th March 1962

FOR GUATEMALA:
POUR LE GUATEMALA:
瓜地馬拉:
За Гватемалы:
POR GUATEMALA:

Francisco LINARES ARANDA

¹[Traduction—Translation] Sous réserve que la dernière phrase du paragraphe 2 de l'article 37 de la Convention ne s'applique pas.

FOR GUINEA:
POUR LA GUINÉE:
幾內亞:
За Гвинею:
FOR GUINEA:

FOR HAITI:
POUR HAÏTI:
海地:
За Гаити:
FOR HAÏTI:

FOR THE HOLY SEE:
POUR LE SAINT-SIÈGE:
教廷:
За Святейший Престол:
FOR LA SANTA SEDE:

Sac. Agostino CASAROLI
Sac. Ottavia DE LIVA

FOR HONDURAS:
POUR LE HONDURAS:
宏都拉斯:
За Гондурас:
FOR HONDURAS:

FOR HUNGARY:
POUR LA HONGRIE:
匈牙利:
За Венгрию:
FOR HUNGRÍA:

USTOR Endre

FOR ICELAND:

POUR L'ISLANDE:

冰島:

За Исландию:

FOR ISLANDIA:

FOR INDIA:

POUR L'INDE:

印度:

За Индию:

FOR LA INDIA:

FOR INDONESIA:

POUR L'INDONÉSIE:

印度尼西亞:

За Индонезию:

FOR INDONESIA:

FOR IRAN:

POUR L'IRAN:

伊朗:

За Иран:

FOR IRÁN:

Prof. Dr A. MATINE-DAFTARY

27 mai 1961

FOR IRAQ:

POUR L'IRAQ:

伊拉克:

За Ирак:

FOR IRAK:

“ With the reservation that paragraph 2 of article 37 shall be applied on the basis of reciprocity.”¹

Adnan PACHACHI

20 February 1962

FOR IRELAND:

POUR L'IRLANDE:

愛爾蘭:

За Ирландию:

FOR IRLANDA:

T. J. HORAN

D. P. WALDRON

FOR ISRAEL:

POUR ISRAËL:

以色列:

За Израиль:

FOR ISRAEL:

Joseph LINTON

FOR ITALY:

POUR L'ITALIE:

義大利:

За Италию:

FOR ITALIA:

Vittorio ZOPPI

March 13th, 1962

¹[*Traduction — Translation*] Sous réserve que le paragraphe 2 de l'article 37 soit appliqué sur une base de réciprocité.

FOR THE IVORY COAST:
POUR LA CÔTE-D'IVOIRE:
象牙海岸:
За Берег Слоновой Кости:
POUR LA COSTA DE MARFIL:

FOR JAPAN:
POUR LE JAPON:
日本:
За Японию:
POUR EL JAPÓN:

Karsuo OKAZAKI
 26 March 1962¹

¹ At the time of signing the Convention, the Permanent Representative of Japan to the United Nations presented the following statement:

"I have the honour to notify, under the instructions of my Government, that the Government of Japan, upon signing the Vienna Convention on Diplomatic Relations done at Vienna on 18 April 1961, wishes to make the following declaration with regard to Article 34 (a) of the said Convention:

"It is understood that the taxes referred to in Article 34 (a) include those collected by special collectors under the laws and regulations of Japan provided that they are normally incorporated in the price of goods or services. For example, in the case of the travelling tax, railway, shipping and airline companies are made special collectors of the tax by the Travelling Tax Law. Passengers of railroad trains, vessels and airplanes who are legally liable to pay the tax for their travels within Japan are required to purchase travel tickets normally at a price incorporating the tax without being specifically informed of its amount. Accordingly, taxes collected by special collectors such as the travelling tax have to be considered as the indirect taxes normally incorporated in the price of goods or services referred to in Article 34 (a)."

¹ Au moment de signer la Convention, le Représentant permanent du Japon auprès de l'Organisation des Nations Unies a produit la déclaration ci-après:

[Traduction — Translation] D'ordre de mon Gouvernement, j'ai l'honneur de faire connaître que le Gouvernement du Japon, en signant la Convention de Vienne sur les relations diplomatiques, en date, à Vienne, du 18 avril 1961, tient à faire la déclaration ci-après au sujet de l'article 34, a, de ladite Convention:

Il est entendu que les impôts visés à l'article 34, alinéa a, comprennent les impôts recouverts par des percepteurs spéciaux en vertu des lois et règlements du Japon, sous réserve que ces impôts soient normalement incorporés dans le prix des marchandises ou des services. C'est ainsi que, dans le cas de l'impôt sur les voyages, les compagnies de chemins de fer, de navigation et d'aviation sont considérées comme percepteurs spéciaux de l'impôt par la loi relative à l'impôt sur les voyages. Les voyageurs empruntant le train, le bateau ou l'avion qui sont légalement tenus d'acquitter l'impôt sur les voyages à l'intérieur du Japon doivent normalement acheter leurs billets à un prix comprenant l'impôt sans être expressément informés du montant de celui-ci. En conséquence, les impôts recouverts par des percepteurs spéciaux, comme l'impôt sur les voyages, doivent être considérés comme des impôts indirects normalement incorporés dans le prix des marchandises ou des services, au sens de l'article 34, alinéa a.

FOR JORDAN:
POUR LA JORDANIE:
約旦:
За Иордания:
FOR JORDANIA:

FOR KUWAIT:
POUR LE KOWEIT:
科威特:
За Кувейт:
FOR KUWEIT:

FOR LAOS:
POUR LE LAOS:
寮國:
За Лаос:
FOR LAOS:

FOR LEBANON:
POUR LE LIBAN:
黎巴嫩:
За Ливан:
FOR EL LÍBANO:

E. DONATO

FOR LIBERIA:
POUR LE LIBÉRIA:
賴比瑞亞:
За Либерия:
FOR LIBERIA:

N. BARNES

FOR LIBYA:
POUR LA LIBYE:
利比亞:
За Ливню:
FOR LIBIA:

FOR LIECHTENSTEIN:
POUR LE LIECHTENSTEIN:
列支敦斯登:
За Лихтенштейн:
FOR LIECHTENSTEIN:

Heinrich Prinz VON LIECHTENSTEIN

FOR LUXEMBOURG:
POUR LE LUXEMBOURG:
盧森堡:
За Люксембург:
FOR LUXEMBURGO:

M. STEINMETZ
2 février 1962

FOR MADAGASCAR:
POUR MADAGASCAR:
馬達加斯加:
За Мадагаскар:
FOR MADAGASCAR:

FOR MALI:
POUR LE MALI:
馬利:
За Мали:
FOR MALÍ:

FOR MEXICO:

POUR LE MEXIQUE:

墨西哥:

За Мексика:

FOR MÉXICO:

Carlos Darío OJEDA

Federico A. MARISCAL

Manuel CABRERA

FOR MONACO:

POUR MONACO:

摩納哥:

За Монако:

FOR MÓNACO:

FOR MOROCCO:

POUR LE MAROC:

摩洛哥:

За Марокко:

FOR MARRUECOS:

FOR NEPAL:

POUR LE NÉPAL:

尼泊爾:

За Непал:

FOR NEPAL:

FOR THE NETHERLANDS:

POUR LES PAYS-BAS:

荷蘭:

За Нидерланды:

FOR LOS PAÍSES BAJOS:

FOR NEW ZEALAND:

POUR LA NOUVELLE-ZÉLANDE:

紐西蘭:

За Новую Зеландию:

FOR NUEVA ZELANDIA:

M. NORRISH

28th March 1962

FOR NICARAGUA:

POUR LE NICARAGUA:

尼加拉瓜:

За Никарагуа:

FOR NICARAGUA:

FOR THE NIGER:

POUR LE NIGER:

奈及爾:

За Нигер:

FOR EL NIGER:

FOR NIGERIA:

POUR LA NIGÉRIA:

奈及利亞:

За Нигерию:

FOR NIGERIA:

Alhaji MUHAMMADU

31st March 1962

FOR NORWAY:

POUR LA NORVÈGE:

挪威:

За Норвегию:

FOR NORUEGA:

Egil AMLIE

FOR PAKISTAN:

POUR LE PAKISTAN:

巴基斯坦:

За ПакИстан:

FOR EL PAKISTÁN:

ZAFRULLA KHAN

March 29, 1962

FOR PANAMA:

POUR LE PANAMA:

巴拿馬:

За Панаму:

FOR PANAMÁ:

J. E. LEFEVRE

FOR PARAGUAY:

POUR LE PARAGUAY:

巴拉圭:

За Парагвай:

FOR EL PARAGUAY:

FOR PERU:
POUR LE PÉROU:
祕魯：
За Перу:
POR EL PERÚ:

FOR THE PHILIPPINES:
POUR LES PHILIPPINES:
菲律賓：
За Филиппины:
POR FILIPINAS:

Roberto REGALA
Oct. 20, 1961

FOR POLAND:
POUR LA POLOGNE:
波蘭：
За Польшу:
POR POLONIA:

Henryk BIRECKI
Miroslaw GASIOROWSKI

FOR PORTUGAL:
POUR LE PORTUGAL:
葡萄牙：
За Португалию:
POR PORTUGAL:

FOR THE REPUBLIC OF KOREA:
POUR LA RÉPUBLIQUE DE CORÉE:
大韓民國:
За Корейскую Республику:
POR LA REPÚBLICA DE COREA:

Soo Young LEE
28 March 1962

FOR THE REPUBLIC OF VIET-NAM:
POUR LA RÉPUBLIQUE DU VIET-NAM:
越南共和國:
За Республику Вьетнам:
POR LA REPÚBLICA DE VIET-NAM:

FOR ROMANIA:
POUR LA ROUMANIE:
羅馬尼亞:
За Румынию:
POR RUMANIA:

DIMITRIU

FOR SAN MARINO:
POUR SAINT-MARIN:
聖馬利諾:
За Сан-Марино:
POR SAN MARINO:

Dr. Will MÜLLER-FEMBECK
25.X.1961

FOR SAUDI ARABIA:
POUR L'ARABIE SAOUDITE:
沙烏地阿拉伯:
За Саудовскую Аравию:
POR ARABIA SAUDITA:

FOR SENEGAL:
POUR LE SÉNÉGAL:
塞內加爾:
За Сенегал:
POR EL SENEGAL:

L. BOISSIER-PALUN

FOR SOMALIA:
POUR LA SOMALIE:
索馬利亞:
За Сомали:
POR SOMALIA:

FOR SPAIN:
POUR L'ESPAGNE:
西班牙:
За Испанию:
POR ESPAÑA:

FOR THE SUDAN:
POUR LE SOUDAN:
蘇丹:
За Судан:
POR EL SUDÁN:

FOR SWEDEN:
POUR LA SUÈDE:
瑞典:
За Швецию:
FOR SUECIA:

Z. PRZYBYSZEWSKI WESTRUP

FOR SWITZERLAND:
POUR LA SUISSE:
瑞士:
За Швейцарию:
FOR SUIZA:

Paul RUEGGER

FOR TANGANYIKA:
POUR LE TANGANYIKA:
坦干伊喀:
За Танганьйку:
FOR TANGANYIKA:

V. K. KYARUZI
27 February 1962

FOR THAILAND:
POUR LA THAÏLANDE:
泰國:
За Таиланд:
FOR TAILANDIA:

O. VANIKKUL
30 octobre 1961

FOR TOGO:
POUR LE TOGO:
多哥:
За Того:
FOR EL TOGO:

FOR TUNISIA:
POUR LA TUNISIE:
突尼西亞:
За Тунис:
FOR TÚNEZ:

FOR TURKEY:
POUR LA TURQUIE:
土耳其:
За Турцию:
FOR TURQUÍA:

FOR THE UKRAINIAN SOVIET SOCIALIST REPUBLIC:
POUR LA RÉPUBLIQUE SOCIALISTE SOVIÉTIQUE D'UKRAINE:
烏克蘭蘇維埃社會主義共和國:
За Украинскую Советскую Социалистическую Республику:
FOR LA REPÚBLICA SOCIALISTA SOVIÉTICA DE UCRANIA:

K. ZABIGAILO

FOR THE UNION OF SOUTH AFRICA:
POUR L'UNION SUD-AFRICAINE:
南非聯邦:
За Южно-Африканский Союз:
FOR LA UNIÓN SUDAFRICANA:

B. G. FOURIE
28th March 1962

FOR THE UNION OF SOVIET SOCIALIST REPUBLICS:
POUR L'UNION DES RÉPUBLIQUES SOCIALISTES SOVIÉTIQUES:
蘇維埃社會主義共和國聯邦:
За Союз Советских Социалистических Республик:
POR LA UNIÓN DE REPÚBLICAS SOCIALISTAS SOVIÉTICAS:

TUNKIN

FOR THE UNITED ARAB REPUBLIC:
POUR LA RÉPUBLIQUE ARABE UNIE:
阿拉伯聯合共和國:
За Объединенную Арабскую Республику:
POR LA REPÚBLICA ARABE UNIDA:

FOR THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND:
POUR LE ROYAUME-UNI DE GRANDE-BRETAGNE ET D'IRLANDE DU NORD:
大不列顛及北愛爾蘭聯合王國:
За Соединенное Королевство Великобритании и Северной Ирландии:
POR EL REINO UNIDO DE GRAN BRETAÑA E IRLANDA DEL NORTE:

Patrick DEAN
December 11, 1961

FOR THE UNITED STATES OF AMERICA:
POUR LES ETATS-UNIS D'AMÉRIQUE:
美利堅合眾國:
За Соединенные Штаты Америки:
POR LOS ESTADOS UNIDOS DE AMÉRICA:

H. FREEMAN MATTHEWS
June 29, 1961
Warde M. CAMERON
March 23, 1962

FOR THE UPPER VOLTA:

POUR LA HAUTE-VOLTA:

上伏爾他:

За Верхнюю Вольту:

FOR EL ALTO VOLTA:

FOR URUGUAY:

POUR L'URUGUAY:

烏拉圭:

За Уругваѝ:

FOR EL URUGUAY:

Nelson IRINIZ CASAS

FOR VENEZUELA:

POUR LE VENEZUELA:

委內瑞拉:

За Венесуэлу:

FOR VENEZUELA:

Ramón CARMONA

avec les réserves en pli accompagné
con las reservas que se incluyen*¹

En nombre del Gobierno que represento, formulo las siguientes reservas a la Convención de Viena sobre Relaciones e Inmunidades Diplomáticas :

1^o) Venezuela no admite, conforme al Decreto Ley de 23 de Mayo de 1.876, artículo 2^o, la concurrencia en una misma persona del carácter diplomático y consular, por lo cual no puede aceptar el numeral 2^o del artículo 3^o de la Convención citada.

[Translation]

* With the annexed reservations.

¹ On behalf of the Government which I represent, I wish to formulate the following reservations to the Vienna Convention on Diplomatic Relations :

(1) Venezuela, under article 2 of the Legislative Decree of 23 May 1876, does not permit the performing of both diplomatic and consular functions by the same person. It cannot, therefore, accept article 3, paragraph 2, of the above-mentioned Convention.

[Traduction]

¹ Au nom du gouvernement que je représente, je formule les réserves suivantes à la Convention de Vienne sur les relations diplomatiques :

1) Conformément à l'article 2 du décret-loi du 23 mai 1876, le Venezuela n'admet pas qu'une même personne exerce à la fois des fonctions diplomatiques et consulaires; par conséquent, il ne peut accepter le paragraphe 2 de l'article 3 de la Convention précitée.

2º) La legislación venezolana vigente no admite la extensión de privilegios e inmunidades al personal técnico y administrativo, así como a las personas de servicio, por lo cual no acepta las Disposiciones de los párrafos 2, 3 y 4 del artículo 37 de la misma Convención.

3º) Conforme a la Constitución de Venezuela, todos los nacionales son iguales ante la ley y ninguno puede gozar de privilegios especiales, por lo cual hago formal reserva del artículo 38 de la Convención.

Viena, 18. abril de 1961

Ramón CARMONA
Representante de la República de Venezuela

FOR YEMEN:

POUR LE YÉMEN:

也門:

За ЙЕМЕН:

POR EL YEMEN:

FOR YUGOSLAVIA:

POUR LA YUGOSLAVIE:

南斯拉夫:

За ЮГОСЛАВИЈУ:

POR YUGOESLAVIA:

Sous la réserve de ratification¹

Milan BARTOŠ

Lazar LILIĆ

(2) Under present Venezuelan law, privileges and immunities cannot be extended to administrative and technical staff or to service staff; for that reason Venezuela does not accept the provisions of article 37, paragraphs 2, 3, and 4, of the same Convention.

(3) Under the Constitution of Venezuela, all Venezuelan nationals are equal before the law and none may enjoy special privileges; for that reason I make a formal reservation to article 38 of the Convention.

Vienna, 18 April 1961

Ramón CARMONA
Representative of the Republic of Venezuela

2) La législation vénézuélienne en vigueur n'admet pas l'octroi de privilèges et immunités au personnel technique et administratif ni au personnel de service; par conséquent, le Venezuela ne peut accepter les dispositions des paragraphes 2, 3 et 4 de l'article 37 de ladite Convention.

3) D'après la Constitution du Venezuela, tous les nationaux sont égaux devant la loi et aucun d'eux ne peut jouir de privilèges spéciaux; par conséquent, le Venezuela fait une réserve formelle au sujet de l'article 38 de la Convention.

Vienne, le 18 avril 1961

Ramón CARMONA
Représentant de la République de Venezuela

¹ [Translation—Traduction] Subject to ratification.

LIST OF STATES ON BEHALF OF WHICH THE INSTRUMENTS OF RATIFICATION OR ACCESSION (a) TO THE VIENNA CONVENTION ON DIPLOMATIC RELATIONS WERE DEPOSITED WITH THE SECRETARY-GENERAL OF THE UNITED NATIONS, INDICATING THE RESPECTIVE DATES OF DEPOSIT

ALGERIA	14 April	1964 (a)
ARGENTINA	10 October	1963
BYELORUSSIAN SOVIET SOCIALIST REPUBLIC ¹	14 May	1964
CONGO (BRAZZAVILLE)	11 March	1963 (a)
CUBA ¹	26 September	1963
CZECHOSLOVAKIA	24 May	1963
DOMINICAN REPUBLIC	14 January	1964
GABON	2 April	1964 (a)
GHANA	28 June	1963
GUATEMALA	1 October	1963
HOLY SEE	17 April	1964
IRAQ ²	15 October	1963
IVORY COAST	1 October	1962 (a)
JAMAICA	5 June	1963 (a)
JAPAN	8 June	1964
LAOS	3 December	1962 (a)
LIBERIA	15 May	1962
LIECHTENSTEIN	8 May	1964
MADAGASCAR	31 July	1963 (a)
MAURITANIA	16 July	1962 (a)
NIGER.	5 December	1962 (a)
PAKISTAN	29 March	1962
PANAMA	4 December	1963
RWANDA	15 April	1964 (a)
SIERRA LEONE	13 August	1962 (a)
SWITZERLAND	30 October	1963
TANGANYIKA	5 November	1962
UKRAINIAN SOVIET SOCIALIST REPUBLIC ¹	12 June	1964
UNION OF SOVIET SOCIALIST REPUBLICS ¹	25 March	1964
UNITED ARAB REPUBLIC ¹	9 June	1964 (a)
YUGOSLAVIA	1 April	1963

¹ With declarations and/or reservations, for the text of which see p. 206 of this volume.

² Confirming the reservation made by the Representative of Iraq upon signature of the Convention on 20 February 1962. For the text of this reservation, see p. 189 of this volume.

DECLARATIONS AND RESERVA-
TIONS MADE UPON RATIFI-
CATION OR ACCESSIONDÉCLARATIONS ET RÉSERVES
FAITES AU MOMENT DE
LA RATIFICATION OU DE
L'ADHÉSION*BYELORUSSIAN SOVIET
SOCIALIST REPUBLIC**RÉPUBLIQUE SOCIALISTE
SOVIÉTIQUE DE BIÉLORUSSIE*

[RUSSIAN TEXT — TEXTE RUSSE]

Со следующей оговоркой по пункту 1 статьи 11:

« Исходя из принципа равноправия государств, Белорусская Советская Социалистическая Республика считает, что в случае возникновения разногласий по вопросу о численности персонала дипломатического представительства этот вопрос должен решаться по договоренности между аккредитуемым государством и государством пребывания ».

и со следующим заявлением по статьям 48 и 50 Конвенции:

« Белорусская Советская Социалистическая Республика считает необходимым указать на дискриминационный характер статей 48 и 50 Конвенции, согласно которым ряд государств лишен возможности стать участниками этой Конвенции. Конвенция регламентирует вопросы, затрагивающие интересы всех государств, и поэтому она должна быть открыта для участия всех государств. В соответствии с принципом суверенного равенства никакие государства не имеют права отстранять другие государства от участия в подобного рода Конвенции ».

[TRANSLATION]

[TRADUCTION]

Reservation concerning article 11,
paragraph 1 :

In accordance with the principle of the equality of rights of States, the Byelorussian Soviet Socialist Republic considers that any difference of opinion regarding the size of a diplomatic mission should be settled by agreement between the sending State and the receiving State.

Réserve en ce qui concerne le para-
graphe 1 de l'article 11 :

Partant du principe de l'égalité de droits des États, la République socialiste soviétique de Biélorussie considère qu'en cas de divergences de vues sur la question de l'effectif d'une mission diplomatique, cette question doit être réglée d'un commun accord par l'État accréditant et l'État accréditaire.

Declaration concerning articles 48 and 50 :

The Byelorussian Soviet Socialist Republic considers it necessary to draw attention to the discriminatory nature of articles 48 and 50 of the Convention, under the terms of which a number of States are precluded from acceding to the Convention. The Convention deals with matters which affect the interests of all States and should therefore be open for accession by all States. In accordance with the principle of sovereign equality, no State has the right to bar other States from accession to a Convention of this nature.

Déclaration en ce qui concerne les articles 48 et 50 :

La République socialiste soviétique de Biélorussie juge nécessaire de souligner le caractère discriminatoire des articles 48 et 50, en vertu desquels un certain nombre d'États sont privés de la possibilité d'adhérer à la Convention. Celle-ci réglemente des questions qui touchent aux intérêts de tous les États; c'est pourquoi elle doit être ouverte à l'adhésion de tous les États. Conformément au principe de l'égalité souveraine, aucun État n'a le droit d'empêcher d'autres États de devenir parties à une Convention de ce genre.

CUBA

[SPANISH TEXT — TEXTE ESPAGNOL]

« El Gobierno Revolucionario de Cuba hace expresa reserva de las disposiciones de los artículos 48 y 50 de la Convención, porque estima que, dada la índole de su contenido y regulación, tienen derecho a participar en ella todos los estados libres y soberanos y por lo tanto, es partidario de facilitar el ingreso de todos los países de la Comunidad Internacional, sin distinción de cuál sea el tamaño territorial de los Estados, el número de sus habitantes, o sus sistemas sociales, económicos y políticos. »

[TRANSLATION]

The Revolutionary Government of Cuba makes an explicit reservation in respect of the provisions of articles 48 and 50 of the Convention, because it considers that, in view of the nature of the contents of the Convention and the subject it governs, all free and sovereign States have the right to participate in it; for that reason, the Revolutionary Government of Cuba favours facilitating the admission of all coun-

[TRANSDUCTION]

Le Gouvernement révolutionnaire cubain fait une réserve expresse au sujet des dispositions des articles 48 et 50 de la Convention; il estime en effet qu'étant donné le caractère de son sujet et des règles qu'elle énonce, tous les États libres et souverains ont le droit d'y participer et qu'il faut donc faciliter l'adhésion de tous les pays de la communauté internationale, quels que soient leur superficie, le nombre de

tries of the International Community, without any distinction based on the extent of a State's territory, the number of its inhabitants or its social, economic or political system.¹

leurs habitants, ou leurs régimes sociaux, économiques ou politiques¹.

*UKRAINIAN SOVIET SOCIALIST
REPUBLIC*

*RÉPUBLIQUE SOCIALISTE
SOVIÉTIQUE D'UKRAINE*

[UKRAINIAN TEXT — TEXTE UKRAINIEN]

з таким застереженням по пункту I статті 11:

« Виходячи з принципу рівноправності держав, Українська Радянська Соціалістична Республіка вважає, що в разі виникнення розбіжностей у питанні про чисельність персоналу дипломатичного представництва це питання повинно вирішуватись за домовленістю між державою, яка акредитує, і державою перебування »,

та з такою заявою по статтях 48 і 50 Конвенції:

« Українська Радянська Соціалістична Республіка вважає за необхідне вказати на дискримінаційний характер статей 48 і 50 Конвенції, згідно з якими ряд держав позбавлений можливості стати учасниками цієї Конвенції. Конвенція регламентує питання, що торкаються інтересів усіх держав, і тому вона повинна бути відкрита для участі всіх держав. Відповідно до принципу суверенної рівності ніякі держави не мають права відстороняти інші держави від участі в подібній Конвенції ».

[TRANSLATION]

[TRADUCTION]

Reservation concerning article 11, paragraph 1 :

In accordance with the principle of the equality of rights of States, the Ukrainian Soviet Socialist Republic considers that any difference of opinion

Réserve en ce qui concerne le paragraphe 1 de l'article 11 :

Partant du principe de l'égalité de droits des États, la République socialiste soviétique d'Ukraine considère qu'en cas de divergences de vues sur

¹ By a communication received on 23 December 1963, the Permanent Representative of Guatemala to the United Nations informed the Secretary-General that the Government of Guatemala rejects formally these reservations.

¹ Par une communication reçue le 23 décembre 1963, le Représentant permanent du Guatemala auprès des Nations Unies a informé le Secrétaire général que le Gouvernement guatémalien rejette formellement ces réserves.

regarding the size of a diplomatic mission should be settled by agreement between the sending State and the receiving State.

Declaration concerning articles 48 and 50 :

The Ukrainian Soviet Socialist Republic considers it necessary to draw attention to the discriminatory nature of articles 48 and 50 of the Convention, under the terms of which a number of States are precluded from acceding to the Convention. The Convention deals with matters which affect the interests of all States and should therefore be open for accession by all States. In accordance with the principle of sovereign equality, no State has the right to bar other States from accession to a Convention of this nature.

la question de l'effectif d'une mission diplomatique, cette question doit être réglée d'un commun accord par l'État accréditant et l'État accréditaire.

Déclaration en ce qui concerne les articles 48 et 50 :

La République socialiste soviétique d'Ukraine juge nécessaire de souligner le caractère discriminatoire des articles 48 et 50, en vertu desquels un certain nombre d'États sont privés de la possibilité d'adhérer à la Convention. Celle-ci réglemeute des questions qui touchent aux intérêts de tous les États; c'est pourquoi elle doit être ouverte à l'adhésion de tous les États. Conformément au principe de l'égalité souveraine, aucun État n'a le droit d'empêcher d'autres États de devenir partie à une Convention de ce genre.

*UNION OF SOVIET SOCIALIST
REPUBLICS*

*UNION DES RÉPUBLIQUES
SOCIALISTES SOVIÉTIQUES*

[RUSSIAN TEXT — TEXTE RUSSE]

Со следующей оговоркой по пункту I статьи 11:

Исходя из принципа равноправия государств, Союз Советских Социалистических Республик считает, что в случае возникновения разногласий по вопросу о численности персонала дипломатического представительства этот вопрос должен решаться по договоренности между аккредитуемым государством и государством пребывания,

и со следующим заявлением по статьям 48 и 50 Конвенции:

Союз Советских Социалистических Республик считает необходимым указать на дискриминационный характер статей 48 и 50 Конвенции, согласно которым ряд государств лишен возможности стать участниками этой Конвенции. Конвенция регламентирует вопросы, затрагивающие интересы всех государств, и поэтому она должна быть открыта для участия всех государств. В соответствии с принципом суверенного равенства никакие государства не имеют права отстранять другие государства от участия в подобного рода Конвенции.

[TRANSLATION]

Reservation concerning article 11, paragraph 1 :

In accordance with the principle of the equality of rights of States, the Union of Soviet Socialist Republics considers that any difference of opinion regarding the size of a diplomatic mission should be settled by agreement between the sending State and the receiving State.¹

Declaration concerning articles 48 and 50 :

The Union of Soviet Socialist Republics considers it necessary to draw attention to the discriminatory nature of articles 48 and 50 of the Convention, under the terms of which a number of States are precluded from acceding to the Convention. The Convention deals with matters which affect the interests of all States and should therefore be open for accession by all States. In accordance with the principle of sovereign equality, no State has the right to bar other States from accession to a Convention of this nature.

[TRADUCTION]

Réserve en ce qui concerne le paragraphe 1 de l'article 11 :

Partant du principe de l'égalité de droits des États, l'Union des Républiques socialistes soviétiques considère qu'en cas de divergences de vues sur la question de l'effectif d'une mission diplomatique, cette question doit être réglée d'un commun accord par l'État accréditant et l'État accréditaire¹.

Déclaration en ce qui concerne les articles 48 et 50 :

L'Union des Républiques socialistes soviétiques juge nécessaire de souligner le caractère discriminatoire des articles 48 et 50, en vertu desquels un certain nombre d'États sont privés de la possibilité d'adhérer à la Convention. Celle-ci régleme des questions qui touchent aux intérêts de tous les États; c'est pourquoi elle doit être ouverte à l'adhésion de tous les États. Conformément au principe de l'égalité souveraine, aucun État n'a le droit d'empêcher d'autres États de devenir partie à une Convention de ce genre.

¹ By a communication received on 22 June 1964, the Permanent Secretary of the Ministry of External Affairs of the United Republic of Tanganyika and Zanzibar informed the Secretary-General that the Government of the United Republic of Tanganyika and Zanzibar rejects formally the reservation to article 11, paragraph 1, of the Convention made by the Government of the Union of Soviet Socialist Republics in its instrument of ratification.

¹ Par une communication reçue le 22 juin 1964, le Secrétaire permanent du Ministère des affaires étrangères de la République-Unie du Tanganyika et de Zanzibar a informé le Secrétaire général que le Gouvernement de la République-Unie du Tanganyika et de Zanzibar a rejeté formellement la réserve au paragraphe 1 de l'article 11 de la Convention faite par le Gouvernement de l'Union des Républiques socialistes soviétiques.

UNITED ARAB REPUBLIC

“ 1. Paragraph 2 of article 37 shall not apply.

“ 2. It is understood that the accession to this Convention does not mean in any way a recognition of Israel by the Government of the United Arab Republic. Furthermore, no treaty relations will arise between the United Arab Republic and Israel.”

RÉPUBLIQUE ARABE UNIE

[TRADUCTION — TRANSLATION]

1. Le paragraphe 2 de l'article 37 n'est pas applicable.

2. Il est entendu que l'adhésion de la République arabe unie à la présente Convention ne signifie en aucune façon qu'elle reconnaisse Israël. En outre, aucune relation conventionnelle ne sera établie entre la République arabe unie et Israël.

TEXT OF THE FINAL ACT OF THE UNITED NATIONS CONFERENCE ON DIPLOMATIC INTERCOURSE AND IMMUNITIES, SIGNED AT VIENNA ON 18 APRIL 1961

1. The General Assembly of the United Nations, by resolution 1450 (XIV) of 7 December 1959, decided to convene an international conference of plenipotentiaries to consider the question of diplomatic intercourse and immunities and to embody the results of its work in an international convention, together with such ancillary instruments as might be necessary. The General Assembly, accepting an invitation extended by the Federal Government of Austria, also asked the Secretary-General to convoke the conference at Vienna not later than the spring of 1961.

2. The United Nations Conference on Diplomatic Intercourse and Immunities met at the Neue Hofburg in Vienna, Austria, from 2 March to 14 April 1961.

3. The governments of the following eighty-one States were represented at the Conference: Albania, Argentina, Australia, Austria, Belgium, Brazil, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Cambodia, Canada, Central African Republic, Ceylon, Chad, Chile, China, Colombia, Congo (Leopoldville), Cuba, Czechoslovakia, Denmark, Dominican Republic, Ecuador, El Salvador, Ethiopia, Federal Republic of Germany, Federation of Malaya, Finland, France, Ghana, Greece, Guatemala, Haiti, Holy See, Honduras, Hungary, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Japan, Lebanon, Liberia, Libya, Liechtenstein, Luxembourg, Mali, Mexico, Morocco, Netherlands, Nigeria, Norway, Pakistan, Panama, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Viet Nam, Romania, Saudi Arabia, Senegal, Spain, Sweden, Switzerland, Thailand, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of South Africa, Union of Soviet Socialist Republics, United Arab Republic, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Yugoslavia.

4. At the invitation of the General Assembly, the following specialized agencies were represented by observers at the Conference:

- International Labour Organisation;
- Food and Agriculture Organization of the United Nations;
- United Nations Educational, Scientific and Cultural Organization.

5. At the invitation of the General Assembly, the International Atomic Energy Agency and the following intergovernmental organizations were also represented by observers at the Conference:

- League of Arab States;
- Asian-African Legal Consultative Committee.

6. The Conference elected Mr. Alfred Verdross (Austria) as President.

7. The Conference elected as Vice-Presidents the representatives of the following participating States : Argentina, Canada, Chile, China, Colombia, Czechoslovakia, France, Iran, Iraq, Italy, Liberia, Mexico, Nigeria, Philippines, Romania, Spain, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Yugoslavia.

8. The following committees were set up by the Conference :

General Committee

Members : The President of the Conference, the Vice-Presidents, and the Chairman of the Committee of the Whole;

Chairman : The President of the Conference.

Committee of the Whole

Chairman : Mr. A. S. Lall (India);

Vice-Chairmen : Mr. H. Birecki (Poland), Mr. N. Iriniz Casas (Uruguay);

Rapporteur : Mr. W. Riphagen (Netherlands).

Drafting Committee

Members : Mr. Geraldo Eulalio do Nascimento e Silva (Brazil), Mr. Hu Ching-Yu (China), Mr. Jacques Patey (France), Mr. E. K. Dadzie (Ghana), Mr. Endre Ustor (Hungary), Mr. Alfonso de Rosenzweig Diaz (Mexico), Mr. Rudolf L. Bindschedler (Switzerland), Mr. G. I. Tunkin (Union of Soviet Socialist Republics), Mr. Abdullah El-Erian (United Arab Republic), Mr. F. A. Vallat (United Kingdom of Great Britain and Northern Ireland), Mr. Warde M. Cameron (United States of America);

Chairman : Mr. R. S. S. Gunewardene (Ceylon).

Credentials Committee

Members : Australia, El Salvador, Haiti, Mali, Philippines, Spain, Union of Soviet Socialist Republics, United Arab Republic, United States of America;

Chairman : Mr. J. C. G. Kevin (Australia).

9. The Committee of the Whole set up the following sub-committee :

Sub-Committee on Special Missions

Members : Ecuador, Iraq, Italy, Japan, Senegal, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Yugoslavia;

Chairman : Mr. N. Ponce Miranda (Ecuador).

10. The Secretary-General of the United Nations was represented by Mr. C. A. Stavropoulos, the Legal Counsel. Mr. Yuen-li Liang, Director of the Codification Division of the Office of Legal Affairs of the United Nations, was appointed Executive Secretary.

11. The General Assembly, by its resolution 1450 (XIV) convening the Conference, referred to the Conference chapter III of the "Report of the International Law Commission covering the Work of its Tenth Session"¹ as the basis for its consideration of the question of diplomatic intercourse and immunities. The General Assembly, by its resolution 1504 (XV) of 12 December 1960, also referred to the Conference the draft articles on special missions contained in chapter III of the "Report of the International Law Commission covering the Work of its Twelfth Session,"² so that they might be considered together with the draft articles on diplomatic intercourse and immunities included in the Commission's report on its tenth session.

12. The Conference also had before it observations submitted by governments³ on the drafts prepared by the International Law Commission during successive stages of its work, preparatory documentation prepared by the Secretariat of the United Nations, the text of the final report of the Asian-African Legal Consultative Committee on functions, privileges and immunities of diplomatic envoys or agents, adopted at the Committee's third session,⁴ and the text of the Convention regarding diplomatic officers adopted by the Sixth International American Conference and signed at Havana, 20 February 1928.⁵

13. On the basis of the deliberations, as recorded in the records and report of the Committee of the Whole and in the records of the plenary meetings, the Conference prepared the following Convention and Protocols :

Vienna Convention on Diplomatic Relations;

Optional Protocol concerning Acquisition of Nationality;

Optional Protocol concerning the Compulsory Settlement of Disputes.

The foregoing convention and protocols, which are subject to ratification, were adopted by the Conference on 14 April 1961, and opened for signature on 18 April 1961, in accordance with their provisions, until 31 October 1961 at the Federal Ministry for Foreign Affairs of Austria and subsequently, until 31 March 1962, at the United Nations Headquarters in New York. The same instruments were also opened for accession, in accordance with their provisions, and will be deposited with the Secretary-General of the United Nations.

¹ *Official Records of the General Assembly, Thirteenth Session, Supplement No. 9 (A/3859).*

² *Ibid., Fifteenth Session, Supplement No. 9 (A/4425).*

³ A/3859, annex, and A/4164 and Add.1 to 7.

⁴ Reproduced in document A/CONF.20/6.

⁵ Reproduced in document A/CONF.20/7.

14. In addition, the Conference adopted the following resolutions, which are annexed to this Final Act :

Resolution on Special Missions;

Resolution on Consideration of Civil Claims;

Resolution expressing a tribute to the International Law Commission;

Resolution expressing a tribute to the Government and people of the Republic of Austria.

IN WITNESS WHEREOF the representatives have signed this Final Act.

DONE at Vienna this eighteenth day of April, one thousand nine hundred and sixty-one, in a single copy in the Chinese, English, French, Russian and Spanish languages, each text being equally authentic. By unanimous decision of the Conference, the original of this Final Act shall be deposited in the archives of the Federal Ministry for Foreign Affairs of Austria.

RESOLUTIONS ADOPTED BY THE CONFERENCE

I. — SPECIAL MISSIONS

The United Nations Conference on Diplomatic Intercourse and Immunities,

Recalling that the General Assembly of the United Nations, by its resolution 1504 (XV) of 12 December 1960, referred to the Conference the draft articles on special missions contained in chapter III of the " Report of the International Law Commission covering the Work of its Twelfth Session ",

Recognizing the importance of the subject of special missions,

Taking note of the comments of the International Law Commission that the draft articles on special missions constituted only a preliminary survey and that the time at its disposal had not permitted the Commission to undertake a thorough study of the matter,

Considering the limited time available to the Conference to study the subject in full,

Recommends to the General Assembly of the United Nations that it refer to the International Law Commission further study of the subject of special missions in the light of the Vienna Convention on Diplomatic Relations adopted at the present conference.

4th plenary meeting
10 April 1961

II. — CONSIDERATION OF CIVIL CLAIMS

The United Nations Conference on Diplomatic Intercourse and Immunities,

Taking note that the Vienna Convention on Diplomatic Relations adopted by the Conference provides for immunity from the jurisdiction of the receiving State of members of the diplomatic mission of the sending State,

Recalling that such immunity may be waived by the sending State,

Recalling further the statement made in the preamble to the convention that the purpose of such immunities is not to benefit individuals but to ensure the efficient performance of the functions of diplomatic missions,

Mindful of the deep concern expressed during the deliberations of the Conference that claims of diplomatic immunity might, in certain cases, deprive persons in the receiving State of remedies to which they are entitled by law,

Recommends that the sending State should waive the immunity of members of its diplomatic mission in respect of civil claims of persons in the receiving State when this can be done without impeding the performance of the functions of the mission, and that, when immunity is not waived, the sending State should use its best endeavours to bring about a just settlement of the claims.

12th plenary meeting

14 April 1961

III. — TRIBUTE TO THE INTERNATIONAL LAW COMMISSION

The United Nations Conference on Diplomatic Intercourse and Immunities,

Having adopted the Vienna Convention on Diplomatic Relations on the basis of draft articles prepared by the International Law Commission,

Resolves to express its deep gratitude to the International Law Commission for its outstanding contribution to the codification and development of the rules of international law on diplomatic intercourse and immunities.

12th plenary meeting

14 April 1961

IV. — TRIBUTE TO THE GOVERNMENT AND PEOPLE OF THE REPUBLIC OF AUSTRIA

The United Nations Conference on Diplomatic Intercourse and Immunities,

Having adopted the Vienna Convention on Diplomatic Relations,

Expresses its deep appreciation to the Government and people of the Republic of Austria for making possible the holding of the Conference in Vienna and for their generous hospitality and great contribution to the successful completion of the work of the Conference.

12th plenary meeting

14 April 1961