

Article 6

Only a citizen of the sending State not resident in the receiving State shall 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 recognise 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 a 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.