

ing 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 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 that 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 a vessel of the sending State, her captain, crew members, passengers and cargo.