

NOTE: Similar provisions may be found in the Convention concluded between Germany and Bulgaria, 4 June 1929 (League of Nations, *Treaty Series*, vol. CVI, p. 68). The annex concerning estate of deceased persons does not exist in this Convention.

## **16. Consular Convention<sup>1</sup> between Cuba and Panama, signed at La Habana, October 17, 1929**

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### *Article VI*

Consular officials shall not be subject to local jurisdiction in respect of acts of an official character performed by them in the exercise of their functions within the limits of their consular jurisdiction. If a private person considers that he has suffered an injury as a result of the action of such an official, he shall address his complaint to the Government to which the said official is accredited, and that Government, if it considers the claim to be in order shall put it forward through the diplomatic channel.

### *Article XII*

When there is no diplomatic representation of one of the contracting countries in the other country, the senior consular official residing in the capital of the latter may perform certain diplomatic acts such as preparing or requesting reports, acting as a medium of communication between the two Governments and other similar acts intended to facilitate the conduct of everyday affairs and the maintenance of good relations between the said Governments.

NOTE: The provisions of the other articles of this Convention are similar to the corresponding provisions of the Convention between Cuba and the United States of America (Convention N<sup>o</sup> 10 above).

## **17. Treaty<sup>2</sup> of Friendship, Commerce and Navigation between Denmark and Siam, signed at Copenhagen, November 5, 1937<sup>3</sup>**

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### *Article 17*

Any ship of war or merchant vessel of either of the High Contracting Parties which may be compelled by stress of weather, or by reason of any other distress, to take shelter in a port of the other, shall be at liberty to refit therein, to procure all necessary supplies and put to sea again, without paying any dues other than such as would be payable by national vessels. In case, however, the master of a merchant vessel should be under the necessity of disposing of a part of his cargo in order to defray the expenses,

<sup>1</sup> Text of Convention furnished by the Permanent Missions of Cuba and Panama to the United Nations.

<sup>2</sup> League of Nations, *Treaty Series*, vol. CLXXXVIII, p. 188.

<sup>3</sup> Came into force on 30 March 1938.

he shall be bound to conform to the regulations and tariffs of the place to which he may have come.

If any ship of war or merchant vessel of one of the High Contracting Parties should run aground or be wrecked upon the coast of the other, the local authorities shall give prompt notice of the occurrence to the Consular Officer residing in the district or to the nearest Consular Officer of the other Power.

Such stranded or wrecked ship or vessel and all parts thereof, and all furniture and appurtenances belonging thereto, and all goods and merchandise saved therefrom, including those which may have been cast into the sea, or the proceeds thereof, if sold, as well as all papers found on board such stranded or wrecked ship or vessel, shall be given up to the owners or their agents, when claimed by them, within the period fixed by the laws and regulations of the country in which the wreck or stranding occurred, and such owners or agents shall pay only the expenses incurred in the preservation of the property, together with the salvage or other expenses which would have been payable in the case of the wreck or stranding of a national vessel.

The goods and merchandise saved from the wreck or stranding shall be exempt from all duties of the Customs unless cleared for consumption, in which case they shall pay ordinary duties.

In the case of a ship or vessel belonging to the nationals of one of the High Contracting Parties being driven in by stress of weather, run aground or wrecked in the territory of the other, the proper Consular Officer of the High Contracting Party to which the vessel belongs shall, if the owners or their agents are not present, or are present but require it, be authorized to interpose in order to afford the necessary assistance to the nationals of his State.

. . .  
*Article 19*

The consular Officers of each of the High Contracting Parties residing in the territory of the other shall receive from the local authorities such assistance as can by law be given to them for the recovery of deserters from the vessels of the former Party, provided that this stipulation shall not apply to nationals of the High Contracting Party from whose local authorities assistance is requested.

*Article 20*

Each of the High Contracting Parties may appoint Consuls-General, Consuls, Vice-Consuls and other Consular Officers or Agents to reside in the towns and ports of the territory of the other where similar officers of other Powers are permitted to reside.

Such Consular Officers and Agents, however, shall not enter upon their functions until they shall have been approved and admitted by the Government to which they are sent.

They shall be entitled, on condition of reciprocity, to exercise all the powers and enjoy all the honours, privileges, exemptions and immunities of every kind which are or may be accorded to Consular Officers of the most-favoured nation.

*Article 21*

In case of the death of a national of one of the High Contracting Parties in the territory of the other without having in the country of his decease

any known heirs or testamentary executors by him appointed, the competent local authorities shall at once inform the nearest Consular Officer of the nation to which the deceased belonged, in order that necessary information may immediately be forwarded to parties interested.

In case of the death of a national of one of the High Contracting Parties in the territory of the other, without leaving at the place of his decease any person entitled by the laws of his country to take charge of and administer the estate, the competent Consular Officer of the State to which the deceased belonged shall be empowered to take custody of and administer the estate in the manner and under the limitations prescribed by the laws of the country in which the property of the deceased is situated.

The foregoing provisions shall also apply in case of a national of one of the High Contracting Parties dying outside the territory of the other, but possessing property therein, without leaving any person there entitled to take charge of and administer the estate.

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NOTE: Similar provisions may be found in the treaties concluded by Siam with Japan, 8 December 1937, articles 21, 24, 25 and 26 (League of Nations, *Treaty Series*, vol. CLXXXVIII, p. 376); Germany, 30 December 1937, articles 14, 16, 17 and 18 (*ibid.*, vol. CLXXXVIII, p. 402); and Great Britain and Northern Ireland, 23 November 1937, articles 17, 18 and 19 (*ibid.*, vol. CLXXXVIII, p. 334). All these treaties have been ratified.

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## 18. Consular Convention<sup>1</sup> between the United States of America and Liberia, signed at Monrovia, 7 October 1938<sup>2</sup>

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### *Article III*

Consular officers, including employees in a consulate, nationals of the State by which they are appointed, other than those engaged in private occupations for gain within the State where they exercise their functions, shall be exempt from all taxes, national, State, provincial and municipal, except taxes levied on account of the possession or ownership of immovable property situated in, or income derived from property of any kind situated or belonging within the territories of the State within which they exercise their functions. All consular officers and employees, nationals of the State appointing them, shall be exempt from the payment of taxes on the salary, fees, or wages received by them in compensation for their consular services.

The exemptions of the foregoing paragraph shall apply equally to officials who are duly appointed by one of the High Contracting Parties to exercise in its behalf essential governmental functions in the territory of the other High Contracting Party, provided that such officials shall be nationals of the State appointing them and shall not be engaged in private occupations for gain within the country to which they are accredited. The State appointing them shall communicate to the other State satisfactory evidence of the appointment and shall indicate the character of the ser-

<sup>1</sup> League of Nations, *Treaty Series*, vol. CCI, p. 184.

<sup>2</sup> Came into force on December 21, 1939.