

United Nations Conference on Consular Relations

Vienna, Austria
4 March – 22 April 1963

Document:-
A/CONF.25/13

Final Act of the United Nations Conference on Consular Relations

Extract from Volume II of the *Official Records of the United Nations Conference on Consular Relations*
(Annexes, Vienna Convention on Consular Relations, Final Act, Optional Protocols, Resolutions)

*Article 73**Relationship between the present Convention and other international agreements*

1. The provisions of the present Convention shall not affect other international agreements in force as between States parties to them.

2. Nothing in the present Convention shall preclude States from concluding international agreements confirming or supplementing or extending or amplifying the provisions thereof.

CHAPTER V. — FINAL PROVISIONS

*Article 74**Signature*

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 1963 at the Federal Ministry for Foreign Affairs of the Republic of Austria and subsequently, until 31 March 1964, at the United Nations Headquarters in New York.

*Article 75**Ratification*

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

*Article 76**Accession*

The present Convention shall remain open for accession by any State belonging to any of the four categories mentioned in article 74. The instruments of accession

shall be deposited with the Secretary-General of the United Nations.

*Article 77**Entry into force*

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 78**Notifications by the Secretary-General*

The Secretary-General of the United Nations shall inform all States belonging to any of the four categories mentioned in article 74 :

(a) Of signatures to the present Convention and of the deposit of instruments of ratification or accession, in accordance with articles 74, 75 and 76 ;

(b) Of the date on which the present Convention will enter into force, in accordance with article 77.

*Article 79**Authentic texts*

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 74.

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

Done at Vienna, this twenty-fourth day of April, one thousand nine hundred and sixty-three.

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Final Act of the United Nations Conference on Consular Relations

1. The General Assembly of the United Nations, by resolution 1685 (XVI) of 18 December 1961, decided to convene an international conference of plenipotentiaries to consider the question of consular relations and to embody the results of its work in an international convention and such other instruments as it might deem appropriate. The General Assembly, accepting an invitation extended by the Federal Government of the Republic of Austria, also asked the

Secretary-General to convoke the conference at Vienna at the beginning of March 1963.

2. The United Nations Conference on Consular Relations met at the Neue Hofburg in Vienna, Austria, from 4 March to 22 April 1963.

3. The Governments of the following ninety-two States were represented at the Conference : Albania, Algeria, Argentina, Australia, Austria, Belgium, Brazil,

Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Cambodia, Canada, Ceylon, Chad, Chile, China, Colombia, Congo (Brazzaville), Congo (Leopoldville), Costa Rica, Cuba, Czechoslovakia, Denmark, Dominican Republic, Ecuador, El Salvador, Ethiopia, Federal Republic of Germany, Federation of Malaya, Finland, France, Ghana, Greece, Guinea, Holy See, Honduras, Hungary, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Japan, Jordan, Kuwait, Laos, Lebanon, Liberia, Libya, Liechtenstein, Luxembourg, Madagascar, Mali, Mexico, Mongolia, Morocco, Netherlands, New Zealand, Nigeria, Norway, Pakistan, Panama, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Vietnam, Romania, Rwanda, San Marino, Saudi Arabia, Sierra Leone, South Africa, Spain, Sweden, Switzerland, Syria, Thailand, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, United Kingdom of Great Britain and Northern Ireland, United States of America, Upper Volta, Uruguay, Venezuela, Yugoslavia.

4. The Governments of Bolivia, Guatemala and Paraguay were represented at the Conference by observers.

5. The General Assembly invited the specialized agencies and interested intergovernmental organizations to send observers to the Conference. The following specialized agencies and interested intergovernmental organizations accepted this invitation :

International Labour Organisation,
Food and Agriculture Organization of the United Nations,
International Atomic Energy Agency,
Council of Europe.

6. The Conference elected Mr. Stephan Verosta (Austria) as President.

7. The Conference elected as Vice-Presidents the representatives of the following States : Algeria, Argentina, Canada, Ceylon, China, Colombia, Czechoslovakia, France, Indonesia, Italy, Mexico, Romania, Thailand, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, the United States of America, Upper Volta, Yugoslavia.

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

General Committee

Chairman : The President of the Conference

Members : The President of the Conference, the Vice-Presidents, and the Chairmen of the First and Second Committees.

First Committee

Chairman : Mr. Nathan Barnes (Liberia)

First Vice-Chairman : Mr. Pedro Silveira-Barrios (Venezuela)

Second Vice-Chairman : Mr. Jerzy Osiecki (Poland)

Rapporteur : Mr. Zenon P. Westrup (Sweden).

Second Committee

Chairman : Mr. Mario Gibson Alves Barboza (Brazil)

First Vice-Chairman : Mr. Hassan Kamel (United Arab Republic)

Second Vice-Chairman : Mr. A. J. Vranken (Belgium)

Rapporteur : Mr. Borislav Konstantinov (Bulgaria)

Drafting Committee

Chairman : Mr. K. Krishna Rao (India)

Members : Mr. José Maria Ruda (Argentina), Mr. Geraldo Eulalio do Nascimento e Silva (Brazil), Mr. Nan-ju Wu (China), Mr. Bernard de Menthon (France), Mr. Emmanuel Kodjo Dadzie (Ghana), Mr. Endre Ustor (Hungary), Mr. José S. de Erice (Spain), Mr. Rudolf L. Bindschedler (Switzerland), Mr. Olog Khlestov (Union of Soviet Socialist Republics), Mr. W. V. J. Evans (United Kingdom of Great Britain and Northern Ireland), Mr. Warde M. Cameron (United States of America).

Credentials Committee

Chairman : Mr. Gilles Sicotte (Canada)

Members : Canada, El Salvador, Greece, Guinea, Indonesia, Mexico, Nigeria, Union of Soviet Socialist Republics, United States of America.

9. 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, acted as Executive Secretary. Mr. J. Zourek, Special Rapporteur of the International Law Commission on the subject of consular relations, acted as expert.

10. The General Assembly, by its resolution 1685 (XVI) convening the Conference, referred to the Conference, as the basis for its consideration of the question of consular relations, chapter II of the "Report of the International Law Commission covering the Work of its Thirteenth Session",¹ containing the text of draft articles on consular relations and commentaries adopted by the Commission at that session.

11. The Conference also had before it the following documentation :

(a) Observations submitted by governments during successive stages of the work of the International Law Commission on consular relations ;²

(b) The records of the relevant debates in the General Assembly ;

(c) Amendments submitted by governments in advance of the convening of the Conference, pursuant to General Assembly resolution 1813 (XVII) of 21 December 1962, to the draft articles on consular relations ;³

(d) The text of the Convention regarding Consular Agents adopted by the Sixth International American Conference and signed at Havana on 20 February 1928 ;⁴

¹ *Official Records of the General Assembly, Sixteenth Session, Supplement No. 9 (A/4843)*. Reprinted in *Yearbook of the International Law Commission, 1961*, vol. II (United Nations publication, Sales No. : 61.V.1, vol. II), p. 89.

² A/5171 and Add.1 and 2.

³ Reproduced in document A/CONF.25/L.4 and Add.1.

⁴ Reproduced in document A/CONF.25/L.2.

(e) A collection of bilateral consular treaties, a collection of laws and regulations regarding diplomatic and consular privileges and immunities, a bibliography on consular relations, a guide to the draft articles on consular relations, and other pertinent documentation prepared by the Secretariat of the United Nations.

12. The Conference initially allocated the consideration of the draft articles on consular relations adopted by the International Law Commission and the preparation of the preamble, final provisions, final act and any protocols it might consider necessary in the course of its work, to the First and Second Committees as follows :

First Committee : draft articles 2 to 27, 68, 70 and 71 ; preamble ; final provisions ; final act of the Conference ; and any protocols which the Conference might consider necessary.

Second Committee : draft articles 28 to 67 and 69.

Subsequently, the Conference re-allocated draft articles 52 to 55 from the second to the First Committee. The Conference also initially allocated draft article 1 to the Drafting Committee, for report direct to the Conference but, subsequently, the Conference decided that the Drafting Committee should report on that draft article to the Conference through the First Committee.

13. On the basis of the deliberations, as recorded in the records of the plenary meetings and in the records and reports of the First and Second Committees, the Conference prepared the following Convention and Protocols :

- Vienna Convention on Consular Relations ;
- Optional Protocol concerning Acquisition of Nationality ;
- Optional Protocol concerning the Compulsory Settlement of Disputes.

14. The foregoing Convention and Protocols, which are subject to ratification, were adopted by the Conference on 22 April 1963, and opened for signature on 24 April 1963, in accordance with their provisions, until 31 October 1963 at the Federal Ministry for Foreign Affairs of the Republic of Austria and, subsequently, until 31 March 1964, at the United Nations Headquarters in New York. The same instruments were also opened for accession, in accordance with their provisions.

15. After the closing date for signature at the Federal Ministry for Foreign Affairs of the Republic of Austria on 31 October 1963, the Convention and Protocols will be deposited with the Secretary-General of the United Nations.

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

Resolution on Refugees ;

Resolution expressing a tribute to the International Law Commission ;

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

IN WITNESS WHEREOF the representatives have signed this Final Act.

Done at Vienna this twenty-fourth day of April, one thousand nine hundred and sixty-three, 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 the Republic of Austria.

DOCUMENT A/CONF.25/14

Vienna Convention on Consular Relations Optional protocol concerning acquisition of nationality

The States Parties to the present Protocol and to the Vienna Convention on Consular Relations, hereinafter referred to as "the Convention", adopted by the United Nations Conference held at Vienna from 4 March to 22 April 1963,

Expressing their wish to establish rules between them concerning acquisition of nationality by members of the consular post and by members of their families forming part of their households,

Have agreed as follows.

Article I

For the purposes of the present Protocol, the expression "members of the consular post" shall have the meaning assigned to it in sub-paragraph (g) of paragraph 1 of article 1 of the Convention, namely, "con-

sular officers, consular employees and members of the service staff".

Article II

Members of the consular post not being nationals of the receiving State, and members of their families forming part of their households, shall not, solely by the operation of the law of the receiving State, acquire the nationality of that State.

Article III

The present Protocol shall be open for signature by all States which may become Parties to the Convention, as follows : until 31 October 1963 at the Federal Ministry for Foreign Affairs of the Republic of Austria and, subsequently, until 31 March 1964, at the United Nations Headquarters in New York.