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Diplomatic agents in international law pdf

From the traditional point of view, it can be said that the functions of an envoy or diplomatic agent consist in representing his home state, acting as a spokesman for his government and as an official channel of communication between the governments of the states that send and receive. His duties would also include reporting on the conditions and developments in the state where he is appointed to reside, as well as protecting the interests of his home state and his nationals in the receiving state. The Vienna Convention on Diplomatic Relations 1 in defining the functions of a diplomatic mission followed these broad heads, while instating certain other functions, such as the promotion of amiable relations between the Sending State and the receiving State, and the development of its economic, cultural and scientific relations, which as a result of the establishment of the United Nations and current developments have gained constant importance. Reporting on the conditions and developments of the receiving State, although originally intended to refer only to political issues, seems to include in the modern context cultural, social and economic activities of the country, and generally all aspects of life that may be of interest to the Commandment State. Internal Affairs of the National Foreign State Indigenous Origin Political Party These keywords were added by machine and not by the authors. This process is experimental and keywords can be updated as the learning algorithm improves. This is a preview of the subscription content, log in to verify access. You cannot view the view. Download the preview PDF. © Martinus Nijhoff, The Hague, Netherlands 1965 There are no affiliations available VIENNA CONVENTION ON DIPLOMATIC RELATIONS AND OPTIONAL PROTOCOLS MADE IN VIENNA, ON APRIL 18, 1961 The States Parties to this Convention, remembering that peoples of all nations of ancient times recognized the status of diplomatic agents, bearing in mind the purposes and principles of the United Nations Charter on sovereign equality of states, the maintenance of international peace and security, and the promotion of friendly relations between nations, believing that an international convention on diplomatic relations, privileges and immunities would contribute to the development of friendly relations between nations, regardless of their different 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 representatives of the States, Stating that the rules of customary international law should continue to govern matters not expressly regulated by the provisions of this Convention, having agreed as follows: Article I For the purpose of this Convention, the following expressions shall have the meanings attributed herein to them: (a) the head of the mission the person charged by the state with a duty to act in this capacity; (b) the mission members are the head of the mission and the members of the mission team; (c) the members of the mission staff shall be members of the diplomatic staff, administrative and technical staff and the mission service team; (d) the members of the diplomatic staff are the members of the mission staff with a diplomatic post; (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 Service team members are mission team members in the mission's domestic service; (h) a private server is a person who is in the domestic service of a mission member and who is not an official of the sending State; (i) the premises of the mission are the buildings or parts of the buildings and the auxiliary land, regardless of the property, used for mission purposes, including the residence of the head of the mission. Article 2 The establishment of diplomatic relations between states and permanent diplomatic missions takes place by mutual consent. Article 31. The functions of a diplomatic mission consist, but are: (a) representing the Sending State in the receiving State; (b) protect in the receiving State the interests of the sending State and its nationals, within the limits permitted by international law; (c) negotiation with the government of the receiving State; (d) to investigate all the conditions and developments of the receiving State and to report to the Government of the sending State; e Promote amiable relations between the client state and the receiving State, and develop its economic, cultural and scientific relations. 2. Nothing in this Convention shall be construed as hindering the performance of consular functions by a diplomatic mission. Article 41. The commanding state must be sure that the agreement of the receiving state has been given to the person it proposes to accredit as head of mission to that State. 2. The receiving State shall not be obliged to give reasons to the sending State for refusal of agreement. Article 51. The sending State may, after having given due notification to the receiving States concerned, accredit a head of mission or appoint any member of diplomatic staff, as the case may be, for 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 States, it may establish a diplomatic mission headed by a sub-Indian indictment in each State where the head of mission does not have his permanent seat. 3. A head of mission or any member of the diplomatic staff of the mission may act as sending the State to any international organization. Article 6 Two or more States may accredit the same person as head of mission to another State, unless the objection is offered by the receiving State. Article 7 Subject to articles 5, 8, 9 and 11, the Sending State may freely appoint the members of the mission staff. In the case of military, marine or air attachés, the receiving State may require their names to be submitted in advance for their approval. Article 81. The members of the diplomatic staff of the mission must, in principle, be of the nationality of the sending State. 2. Members of the diplomatic staff of the mission may not be appointed among persons who have 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 as nationals of a third State who are not also nationals of the sending State. Article 91. 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 mission's diplomatic staff is persona non grata or that any other member of the mission team is not acceptable. In any event, the sending State shall, as appropriate, recall the person concerned or terminate his duties with the mission. A person may be declared non grata or not acceptable before reaching the territory of the receiving State. 2. If the sending State refuses or fails within a reasonable period of time to fulfil its obligations under paragraph 1 of this article, the receiving State may refuse to recognise the person concerned as a member of the mission. Article 10. The Ministry of Foreign Affairs of the receiving State, or such ministry as may be agreed, shall be notified of: (a) the appointment of the members of the mission, their arrival and their final departure or the termination of their duties with the mission; (b) the arrival and final departure of a person belonging to the family of a mission member and, where appropriate, the fact that a person becomes or ceases to be a member of the family of a mission member; (c) the arrival and final departure of private servants in the employment of persons referred to in subdi paragraph (a) of this paragraph and, where appropriate, the fact that they are leaving the employment of such persons; (d) the engagement and discharge of persons residing in the receiving State as members of the mission or private servants entitled to privileges and immunities. 2. Whenever possible, prior notification of arrival and final departure shall also be given. Article 111. 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 the limits considered by it to be reasonable and normal, taking into account the circumstances and conditions in the receiving State and the needs of the Mission. 2. The receiving State may also, within similar limits 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 that are part of the mission in locations other than those in which the mission itself is established. Article 13. The head of the mission is considered to have assumed his duties in the receiving State, either when he presented his credentials or when he notified his arrival and a true copy of his credentials was presented to the Ministry of Foreign Affairs of the receiving State, or such other ministry as can be agreed, in accordance with the practice in force in the receiving State that must be applied uniformly. 2. The order to submit credentials or a true copy shall be determined by the date and time of arrival of the head of mission. Article 14. Heads of mission are divided into three classes: (a) ambassadors or nuncios accredited to Heads of State, and other heads of mission of equivalent rank; (b) envoys, ministers and trainees accredited to heads of state; (c) the complaints of matters accredited to the Ministers of Foreign Affairs. 2. Except as precedence and etiquette, there will be no differentiation between mission heads on the grounds of their class. Article 15 The class to which the heads of their missions shall be appointed shall be agreed between states. Article 16. Heads of mission shall take priority in their respective classes in the order of the date and time to assume their duties in accordance with Article 13. 2. Changes to the credentials of a mission chief that does not involve any class change will not affect their precedence. 3. This article shall be without prejudice to any practice accepted by the receiving State as to 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 of Foreign Affairs or to any 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 relation to each class. Article 19. If the position of head of mission is vacant, or if the head of the mission is unable to perform his duties, an interim prosecution of ad affaires must act provisionally as head of the mission. The name of the charge of provisional agreements will be notified, either by the head of the mission or, if it cannot do so, by the Ministry of Foreign Affairs of the State which sends it to the Ministry of Foreign Affairs of the receiving State or by another ministry, as can be agreed. 2. 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 consent of the receiving State, be designated by the sending State to be responsible for the current administrative affairs of the mission. Article 20 The missionary and his chief shall have the right to wear the flag and emblem of the sending State on the mission premises, including the residence of the head of the mission, and in his means of transport. Article 211. The receiving State will facilitate the acquisition in its territory, in accordance with its laws, by sending state of facilities necessary for its mission or assist the latter in obtaining accommodation in some other way. 2. It will also assist, if necessary, missions in obtaining suitable accommodations for its members. Article 221. The mission facilities will be tamper-proof. Agents of the receiving State may not insert them except with the consent of the head of the mission. 2. The receiving State has a special duty to take all appropriate measures to protect mission facilities from any intrusion or damage and to avoid any disturbance of mission peace or damage to its dignity. 3. The premises of the mission, its furniture and other goods and the means of transport of the mission will be immune to the search, requisition, attachment or execution. Article 231. The sending of the State and the head of the mission will be exempt from all national, regional or municipal debts and taxes in relation to the premises of the mission, whether owned or leased, in addition to representing payment for specific services provided. 2. The exemption from taxation referred to in this article shall not apply to such debts 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 archive and mission documents shall be inviolable at any time and wherever they may be. Article 25 The receiving State shall grant complete facilities for the performance of the tasks of the mission. Article 26 Subject to its laws and regulations relating to the entry of areas in which it 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. The receiving State will allow and protect the free communication by the mission for all official purposes. By communicating with the Government and the other missions and consulates of the sending State, wherever they are located, the mission may employ all appropriate means, including diplomatic messengers and messages in code or cipher. However, the mission can 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. Packages constituting the diplomatic bag shall be external marks visible in character and may contain only diplomatic documents or articles intended for official use. 5. The diplomatic messenger, who shall receive an official document indicating his status and the number of packages that constitute the diplomatic scholarship, shall be protected by the receiving State in the performance of his duties. He must enjoy personal inviolability and will not be responsible for any form of arrest or detention. 6. The sending State or mission may designate ad hoc diplomatic messengers. In such cases, the provisions of paragraph 5 of this article shall also apply, except that the immunities mentioned therein shall cease to apply when such courier delivers the diplomatic bag to the recipient at his command. 7. A diplomatic bag may be entrusted to the captain of a commercial aircraft scheduled to land at an authorized port of entry. It will be provided with an official document indicating the number of packages that make up the scholarship, but it should not be considered a diplomatic messenger. The mission can send one of its members to take possession of the diplomatic bag directly and freely from the captain of the aircraft. Article 28 The right to collect the fees and charges charged by the mission in the course of your official duties shall be exempt from all debts and taxes. Article 29 The man of a diplomatic agent shall be inviolable. He will not be liable for any form of arrest or detention. The receiving State shall treat you with due respect and shall take all appropriate measures to prevent any attack on its person, liberty or dignity. Article 301. The private residence of a diplomatic agent must enjoy the same inviolability and protection as the premises of the mission. 2. Your documents, correspondence and, except as provided for in Article 31(3), your property shall also enjoy inviolability of Article 311. A diplomatic agent shall enjoy immunity

from the criminal jurisdiction of the receiving State. He shall also enjoy immunity from his civil and administrative jurisdiction, except in the case of: (a) a real action relating to immovable private property situated in the territory of the receiving State, unless it holds it on behalf of the Sending State for mission purposes; (b) action relating to the succession in which the diplomatic agent is involved as executor, administrator, heir or legacy as a private person and not on behalf of the sending State; (c) action relating to any professional or commercial activity carried out by the diplomatic agent in the receiving State outside of his official duties.

2. A diplomatic agent is not obliged to testify as a witness. 3. No enforcement action may be taken in relation to a diplomatic agent, except in cases in sub-paragraphs (a), (b) and (c) of paragraph 1 of this article, and provided that the measures in question may be taken without infringing the inviolability of his or her person or residence. 4. The immunity of a diplomat jurisdiction of the receiving State does not exempt it from the jurisdiction of the sending State. Article 321. Immunity from the jurisdiction of diplomatic agents and persons enjoying immunity under Article 37 may be waived by the Sending State. 2. The waiver shall always be expressed. 3. The initiation of proceedings by a diplomatic agent or a person enjoying immunity from jurisdiction under Article 37 shall prevent him from invoking immunity from jurisdiction in relation to any counterclaim directly linked to the main claim. 4. The exemption from immunity from jurisdiction in respect of civil or administrative proceedings shall not be carried out to imply waiver of immunity in relation to the execution of the judgment, for which a separate waiver shall be required. Article 331. In accordance with paragraph 3 of this article, a diplomatic agent shall, with regard to the services provided to the sending State, exempt from social security provisions that 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 under a single diplomatic agent's work regime, subject to the following condition: (a) that they are not nationals or permanently resident in the receiving State; and (b) that are covered by the social security provisions that may be in force in the Sending State or in a third State. 3. A diplomatic agent employing persons to whom the exemption provided for in paragraph 2 of this Article shall not comply with the obligations imposed by the social security provisions of the receiving State on employers. 4. The exemption provided for in paragraphs 1 and 2 of this article shall not prevent 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 social security agreements concluded previously and shall not prevent the conclusion of such agreements in the future. Article 34 A diplomatic agent shall be exempt from all debts and taxes, personal or actual, national, regional or municipal, except: (a) indirect taxes of a type that are normally incorporated into the price of goods or services; (b) debts and taxes on private immovable property situated in the territory of the receiving State, unless it holds it on behalf of the sending State for mission purposes; (c) property, succession or inheritance rights levied by the receiving State, subject to Article 39(4); (d) debts and taxes on private income have their source in the receiving State and capital taxes on investments made in commercial enterprises in the receiving State; (e) charges charged for specific services provided; (f) registration, judicial or registration fees, mortgage debts and stamp duty, with respect to immovable property, subject to the provisions of Article 23. Article 35 The receiving State diplomatic agents exempt from all personal services, any public service of any kind, and military obligations such as those linked to requisition, military contributions and billing. Article 361. The receiving State shall, in accordance with such laws and regulations that it may adopt, permit entry and grant exemption from all customs duties, taxes and related charges other than storage, cartage and similar services, on: (a) articles for the official use of the mission; b Articles for personal use of a diplomatic agent or members of his family who are part of his home, including items intended for his establishment. 2. The personal baggage of a diplomatic agent shall be exempt from inspection, unless there are serious grounds to presume that it contains articles not covered by the exemptions referred to in paragraph 1 of this Article, or import or export articles which are prohibited by law or controlled by the quarantine rules of the receiving State. Such inspection shall only be carried out in the presence of the diplomatic agent or his authorized representative. Article 371. Family members of a diplomatic agent who is part of their home 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 who are part of their respective families, shall, if they are not nationals or permanent residents of the receiving State, enjoy the privileges and immunities specified in Articles 29 to 35, except that the immunity of the 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(1) in relation to articles imported at the time of first installation. 3. Members of the mission service team who are not nationals or permanently resident in the receiving State shall enjoy immunity from acts performed in the course of their duties, exemption from debts and taxes on the fees they receive on account of their employment and the exemption contained in Article 33. 4. The private servants of the members of the mission shall, if they are not nationals or permanently resident in the receiving State, free of debts and taxes on the fees they receive as a reason for their employment. In other respects, they may enjoy privileges and immunities only to the extent that they are admitted by the receiving State. However, the receiving State shall exercise its jurisdiction over such persons in such a way as not to unduly interfere with the performance of the tasks of the mission. Article 381. Except to the extent that additional privileges and immunities may be granted by the receiving State, a diplomatic agent is a national or permanently resident in that State shall enjoy only immunity from jurisdiction, and inviolability, in relation to official acts performed in the performance of their duties. 2. Other members of the mission staff and private servants permanently resident in the receiving State shall enjoy privileges and immunities only to the extent that they are admitted by the receiving State. However, the receiving State shall exercise its jurisdiction over such persons in such a way as not to unduly interfere with the performance of the tasks of the mission. Article 391. Every person entitled to privileges and immunities shall enjoy them from the moment he enters the territory of the receiving State in the process of assuming his post or, if he is already in his territory, from the moment his appointment is notified to the Ministry of Foreign Affairs or to such other ministry as can 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 time he leaves the country, or at the end of a reasonable period to do so, but shall endure until then, even in the event of armed conflict. However, in relation to the acts performed by such a person in the exercise of his duties as a member of the mission, immunity will continue to survive. 3. In the event of the death of a mission member, members of your family shall continue to enjoy the privileges and immunities to which they are entitled until the end of a reasonable period to leave the country. 4. In the event of the death of a mission member not a national or permanently resident in the receiving State or a member of his family who is part of his home, the receiving State shall allow the removal of the deceased's movable property, except for any property acquired in the country from which the export was prohibited at the time of his death. Property, inheritance and inheritance rights should not be charged on movable property, and the presence in the receiving State was due solely to the presence of the deceased as a member of the mission or as a member of the family of a mission member. Article 40. If a diplomatic agent passes or is in the territory of a third State, who has granted him a passport visa if such a visa is necessary, while proceeding to take or return to his post, or upon returning to his own country, the third State will grant him inviolability and other immunities, as may be necessary to ensure his transit or return. The same applies in the case of any member of your family enjoying privileges or immunities that are accompanying the diplomatic agent, or traveling separately to join him or to return to his country. 2. In circumstances similar to those specified in paragraph 1 of this Article, third States shall not hinder the approval of the members of the and technical or service staff of a mission, and members of their families, through their territories. 3. Third States shall agree to official correspondence and other official communications in transit, including messages in code or cipher, the same freedom and protection as is granted by the receiving State. They must agree with the diplomatic messengers, who have received a passport visa if such a visa is necessary, and diplomatic bags in transit the same inviolability and protection that the receiving state is bound by agreement. 4. The obligations of third States pursuant to 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 exchanges, whose presence in the territory of the third State is due to force-majority. Article 411. Without prejudice to their privileges and immunities, it is the duty of all persons to enjoy 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 this state. 2. All official business with the receiving State in charge of the mission by the sending State shall be conducted with or through the Ministry of Foreign Affairs of the receiving State or any other ministry as may be agreed. 3. The premises of the mission shall not be used in any way incompatible with the tasks of the mission provided for in this Convention or by other rules of general international law or by any special agreements in force between the dispatch and the receiving State. Article 42 A diplomatic agent shall not carry out any professional or commercial activity in the receiving State. Article 43 The function of diplomatic agent comes to an end, among others: (a) in the notification of the sending State to the receiving State that the function of the diplomatic agent has come to an end; (b) in the notification of the receiving State to the sending State which, in accordance with Article 9(2), refuses to recognise the diplomatic agent as a member of the mission. Article 44 The receiving State shall, even in the event of armed conflict, grant facilities to allow persons enjoying privileges and immunities, in addition to nationals of the receiving State, and members of the families of those persons, regardless of their nationality, to leave as soon as possible. In particular, in case of need, you must make available to you the necessary means of transport for you and your property. Article 45 If diplomatic relations are broken between two States, or if a mission is permanently or temporarily collected: (a) the receiving State shall, even in the event of armed conflict, respect and protect the premises of the mission, together with its property and archives; (b) the sending State may entrust custody of the mission facilities, together with its ownership and archives, to a third State acceptable to state receipt; (c) the sending State may entrust the protection of its interests and 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, carry out temporary protection of the interests of the third State and its nationals. Article 471. In the application of the provisions of this Convention, the receiving State shall not discriminate as between States. 2. However, discrimination shall not be regarded as occurring: (a) where the receiving State applies any of the provisions of this Convention restrictively due to 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 required by the provisions of this Convention. Article 48 This Article 48 shall be open for signature by all Member States of the United Nations or any of the agencies or parties specialised in the Statute of the International Court of Justice, and by any other State invited by the United Nations General Assembly to become a party to the Convention, as follows: by 31 October 1961 at the Federal Ministry of Foreign Affairs of Austria and thereafter , until March 31, 1962, at united nations headquarters in New York. Article 49 This Convention is subject to ratification. The instruments of ratification shall be deposited with the Secretary-General of the United Nations. Article 50 This Convention shall remain open for adby any State belonging to any of the four categories referred to in Article 48. The instruments of adome shall be deposited with the Secretary-General of the United Nations. Article 511. This Convention shall enter into force on the thirtieth day following the date of deposit of the 22second instrument of ratification or acceptance with the Secretary-General of the United Nations. 2. For each State to ratify or accede to the Convention after the deposit of the twenty-second instrument of ratification or acceding, the Convention shall enter into force on the thirtieth day after the deposit by such State of its instrument of ratification or acceptance. Article 52 The Secretary-General of the United Nations shall inform all States belonging to any of the four categories referred to in Article 48: (a) signatures to this Convention and the deposit of instruments of ratification or acceptance in accordance with Articles 48, 49 and 50; (b) the date on which this Convention shall enter into force in accordance with Article 51. Article 53 The original of this 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 of his states belonging to any of the four categories referred to in Article 48. IN WITNESS WHERE the undersigned plenipotentiaries, duly authorized by their respective Governments, have signed this Convention. Made in Vienna on this eighteenth day of April one thousand nine hundred and sixty-one. OPTIONAL PROTOCOL FOR THE VIENNA CONVENTION ON DIPLOMATIC RELATIONS, WITH REGARD TO THE ACQUISITION OF NATIONALITY. MADE IN VIENNA ON 18 APRIL 1961 The Parties of the States to this Protocol and the Vienna Convention on Diplomatic Relations, hereinafter referred to as The Convention, adopted by the United Nations Conference held in Vienna from 2 March to 14 April 1961, expressing their desire to establish rules between them concerning the acquisition of nationality by members of their diplomatic missions and the families who are part of the family of these members , I agree as follows: Article I For the purposes of this Protocol, the expression members of the mission shall have the meaning attributed to it in Article 1, sub-paragraph (b) of the Convention, i.e. the head of the mission and the members of the mission team. Article II Members of the mission shall not be nationals of the receiving State, and members of their families who are part of their families, shall not, solely by the functioning of the law of the receiving State, acquire the nationality of that State. Article III This Protocol shall be open for signature by all States which may become parties to the Convention as follows: by 31 October 1961 at the Federal Ministry of Foreign Affairs of Austria and then until 31 March 1962 at the United Nations headquarters in New York. Article IV This Protocol is subject to ratification. The instruments of ratification shall be deposited with the Secretary-General of the United Nations. Article V This Protocol shall remain open for ad-out by all States which may become parties to the Convention. The instruments of adome shall be deposited with the Secretary-General of the United Nations. Article VI 1. This Protocol shall enter into force on the same day as the Convention or on the thirtieth day following the date of deposit of the second instrument of ratification or acceptance of the Protocol with the Secretary-General of the United Nations, at any later date. 2. For each State to ratify or accede to this Protocol after its entry into force in accordance with paragraph 1 of this Article, the Protocol shall enter into force on the thirtieth day after the deposit by such State of its instrument of ratification or acceptance. Article VII The Secretary-General of the United Nations shall inform all States that become Parties to the Convention: (a) signatures to this Protocol and the deposit of instruments of ratification or acceptance in accordance with Articles III, IV and V; (b) the date on which this Protocol will enter into force, in accordance with Article VI. Article VIII The original of this Protocol, 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 of their States referred to in Article III. Made in Vienna on this eighteenth day of April one thousand nine hundred and sixty-one. OPTIONAL PROTOCOL FOR THE VIENNA CONVENTION ON DIPLOMATIC RELATIONS, WITH REGARD TO THE MANDATORY SETTLEMENT OF DISPUTES. MADE IN VIENNA ON 18 APRIL 1961 The Parties of the States to this Protocol and the Vienna Convention on Diplomatic Relations, hereinafter referred to as the Convention, adopted by the United Nations Conference held in Vienna from 2 March to 14 April 1961, expressing their wish to appeal in all matters relating to them in relation to any dispute arising from the interpretation or application of the Convention to the mandatory jurisdiction of the International Court of Justice, unless any other form of agreement has been agreed by the parties within a reasonable period of time, has agreed as follows: Disputes in Article I arising from the interpretation or application of the Convention shall be within the compulsory jurisdiction of the International Court of Justice and may therefore be submitted to the Court by a request made by any party for the dispute to be party to this Protocol. Article II The parties may agree, within a period of two months after one of the parties has notified its opinion to the other that there is a dispute, to appeal not to the International Court of Justice, but to an arbitral tribunal. After the end of that period, either party may submit the dispute to the Court by an application. Article III 1. Within the same two-month period, the parties may agree to adopt a conciliation procedure before going to the International Court of Justice. 2. The conciliation committee shall make its recommendations within five months of its appointment. If their recommendations are not accepted by the parties to the dispute within two months of delivery, both parties may submit the dispute to the Court by an application. Article IV of the States Parties to the Convention, the Optional Protocol on the Acquisition of Nationality, I and this Protocol may, at any time, declare that they shall extend the provisions of this Protocol to disputes arising from the interpretation or application of the Optional Protocol on the Acquisition of Nationality. These statements shall be notified to the Secretary-General of the United Nations. Article V This Protocol shall be open for signature by all States that may become parties to the Convention, as follows: by October 31, 1961 at the Federal Ministry of Foreign Affairs of Austria and then until March 31, 1962, at the Headquarters of the United Nations in New York. Article VI This Protocol is subject to ratification. The instruments of ratification shall be deposited with the Secretary-General of the United Nations. Article VII This Protocol shall remain open for ad-out by all States that may become parties to the Convention. The instruments of adome shall be deposited with the Secretary-General of the United Nations. Article VIII 1. This Protocol shall enter into force on the same day as the Convention or on the thirtieth day following the date of deposit of the second instrument of ratification or acceptance of the Protocol with the Secretary-General of the United Nations, whatever the following day. 2. For each State to ratify or accede to this Protocol after its entry into force in accordance with paragraph 1 of this Article, the Protocol shall enter into force on the thirtieth day after the deposit by such State of its instrument of ratification or acceptance. Article IX The Secretary-General of the United Nations shall inform all States becoming Parties to the Convention: (a) signatures to this Protocol and the deposit of instruments of ratification or acceptance in accordance with Articles V, VI and VII; (b) statements made in accordance with Article IV of this Protocol; (c) from the date on which this Protocol shall enter into force pursuant to Article VIII. Article X The original of this Protocol, 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 of his States referred to in Article V. IN WITNESS Whereof the undersigned Plenipotentiaries , being duly authorized by their respective Governments, have signed this Protocol. Made in Vienna on this eighteenth day of April one thousand nine hundred and sixty-one. sixty-one.

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