

Vienna Convention on Consular Relations

Summary: The Vienna Convention consists of 79 articles, most of which provide for the operation of consulates; outline the **functions of consular agents**; and address the **privileges and immunities** granted to consular officials when posted to a foreign country. A few other articles specify consular officials' **duties when citizens of their country face difficulties in a foreign nation.**

Article 3 The functions of a diplomatic mission consist, inter alia, in:

- Representing the sending State in the receiving State;
- Protecting in the receiving State the interests of the sending State and of its nationals, within the limits permitted by international law;
- Negotiating with the Government of the receiving State;
- Ascertaining by all lawful means conditions and developments in the receiving State, and reporting thereon to the Government of the sending State;
- Promoting friendly relations between the sending State and the receiving State, and developing their economic, cultural and scientific relations.

Adoption: 24 April 1961

Entry into force: 19 March 1967

Access status [here](#).

Access full text [here](#).

Article 5 provides the Consular functions, including the function of **assisting its nationals and providing travel and immigration documentation.**

Article 5

Consular functions

Consular functions consist in:

- protecting in the receiving State the interests of the sending State and of its nationals, both individuals and bodies corporate, within the limits permitted by international law;
- furthering the development of commercial, economic, cultural and scientific relations between the sending State and the receiving State and otherwise promoting friendly relations between them in accordance with the provisions of the present Convention;
- ascertaining by all lawful means conditions and developments in the commercial, economic, cultural and scientific life of the receiving State, reporting thereon to the Government of the sending State and giving information to persons interested;
- issuing passports and travel documents to nationals of the sending State, and visas or appropriate documents to persons wishing to travel to the sending State;
- helping and assisting nationals, both individuals and bodies corporate, of the sending State;
- acting as notary and civil registrar and in capacities of a similar kind, and performing certain functions of an administrative nature, provided that there is nothing contrary thereto in the laws and regulations of the receiving State;
- safeguarding the interests of nationals, both individuals and bodies corporate, of the sending States in cases of succession *mortis causa* in the territory of the receiving State, in accordance with the laws and regulations of the receiving State;

- safeguarding, within the limits imposed by the laws and regulations of the receiving State, the interests of minors and other persons lacking full capacity who are nationals of the sending State, particularly where any guardianship or trusteeship is required with respect to such persons;
- subject to the practices and procedures obtaining in the receiving State, representing or arranging appropriate representation for nationals of the sending State before the tribunals and other authorities of the receiving State, for the purpose of obtaining, in accordance with the laws and regulations of the receiving State, provisional measures for the preservation of the rights and interests of these nationals, where, because of absence or any other reason, such nationals are unable at the proper time to assume the defence of their rights and interests;
- transmitting judicial and extrajudicial documents or executing letters rogatory or commissions to take evidence for the courts of the sending State in accordance with international agreements in force or, in the absence of such international agreements, in any other manner compatible with the laws and regulations of the receiving State;
- exercising rights of supervision and inspection provided for in the laws and regulations of the sending State in respect of vessels having the nationality of the sending State, and of aircraft registered in that State, and in respect of their crews;
- extending assistance to vessels and aircraft mentioned and their crews, taking statements regarding the voyage of a vessel, examining and stamping the ship's papers, and, without prejudice to the powers of the authorities of the receiving State, conducting investigations into any incidents which occurred during the voyage, and settling disputes of any kind between the master, the officers and the seamen insofar as this may be authorized by the laws and regulations of the sending State;
- performing any other functions entrusted to a consular post by the sending State which are not prohibited by the laws and regulations of the receiving State or to which no objection is taken by the receiving State or which are referred to in the international agreements in force between the sending State and the receiving State.

Article 36 Communication and contact with nationals of the sending state

Article 37 Information in case of deaths, guardianship or trusteeship, wrecks and air accidents

Article 38 Communication with the authorities of the receiving state

Article 45 If diplomatic relations are broken off between two States, or if a mission is permanently or temporarily recalled:

- The receiving State must, even in case of armed conflict, respect and protect the premises of the mission, together with its property and archives;
- The sending State may entrust the custody of the premises of the mission, together with its property and archives, to a third State acceptable to the receiving State;
- The sending State may entrust the protection of its interests and those of its 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, undertake the temporary protection of the interests of the third State and of its nationals.