



ΠΑΡΑΡΤΗΜΑ ΠΡΩΤΟΝ
ΤΗΣ ΕΠΙΣΗΜΟΥ ΕΦΗΜΕΡΙΔΟΣ ΤΗΣ ΔΗΜΟΚΡΑΤΙΑΣ
ύπ' Ἀρ. 1427 τῆς 24ης ΦΕΒΡΟΥΑΡΙΟΥ 1978

ΝΟΜΟΘΕΣΙΑ

Ό περι τῆς Συμβάσεως τῆς Βιέννης περὶ τῆς Ἀντιπροσωπεύσεως τῶν Κρατῶν εἰς τὰς Σχέσεις των μετὰ Διεθνῶν Ὀργανισμῶν Οίκουμενικοῦ Χαρακτῆρος Νόμος τοῦ 1978 ἐκδίδεται διὰ δημοσιεύσεως εἰς τὴν ἐπίσημον ἐφημερίδα τῆς Κυπριακῆς Δημοκρατίας συμφώνως τῷ "Ἀρθρῷ 52 τοῦ Συντάγματος.

Ἄριθμὸς 9 τοῦ 1978.

**ΝΟΜΟΣ ΚΥΡΩΝ ΤΗΝ ΣΥΜΒΑΣΙΝ ΤΗΣ ΒΙΕΝΝΗΣ ΠΕΡΙ ΤΗΣ
 ΑΝΤΙΠΡΟΣΩΠΕΥΣΕΩΣ ΤΩΝ ΚΡΑΤΩΝ ΕΙΣ ΤΑΣ
 ΣΧΕΣΕΙΣ ΤΩΝ ΜΕΤΑ ΔΙΕΘΝΩΝ ΟΡΓΑΝΙΣΜΩΝ
 ΟΙΚΟΥΜΕΝΙΚΟΥ ΧΑΡΑΚΤΗΡΟΣ**

Ἡ Βουλὴ τῶν Ἀντιπροσώπων ψηφίζει ὡς ἀκολούθως :

1. Ό παρὸν Νόμος θὰ ἀναφέρηται ὡς ὁ περὶ τῆς Συμβάσεως τῆς Βιέννης περὶ τῆς Ἀντιπροσωπεύσεως τῶν Κρατῶν εἰς τὰς Σχέσεις των μετὰ Διεθνῶν Ὀργανισμῶν Οίκουμενικοῦ Χαρακτῆρος Νόμος τοῦ 1978.

2. Ἐν τῷ παρόντι Νόμῳ, ἐκτὸς ἐάν ἐκ τοῦ κειμένου προκύπτῃ Ἐρμηνεία, διάφορος ἔννοια—

«Σύμβασις» σημαίνει τὴν περὶ τῆς ἀντιπροσωπεύσεως τῶν Κρατῶν εἰς τὰς σχέσεις των μετὰ διεθνῶν ὄργανοισμῶν οἰκουμενικοῦ χαρακτῆρος Σύμβασιν, τὴν γενομένην ἐν Βιέννῃ τὴν 14ην Μαρτίου, 1975, τῆς ὅποιας τὸ κείμενον ἐν τῷ Ἀγγλικῷ πρωτοτύπῳ ἐκτίθεται εἰς τὸ ΠΡΩΤΟΝ ΜΕΡΟΣ τοῦ Πίνακος καὶ ἐν μεταφράσει εἰς τὴν Ἑλληνικὴν εἰς τὸ ΔΕΥΤΕΡΟΝ ΜΕΡΟΣ τοῦ Πίνακος.

Πίνακ.
 Πρώτον Μέρος.
 Δεύτερον
 Μέρος.

Νοεῖται ὅτι ἐν περιπτώσει ἀντιθέσεως μεταξὺ τῶν δύο κειμένων ὑπερισχύει τὸ εἰς τὸ ΠΡΩΤΟΝ ΜΕΡΟΣ τοῦ Πίνακος ἐκτιθέμενον κείμενον.

3. Ἡ Σύμβασις, εἰς τὴν ὅποιαν ἥ προσχώρησις τῆς Κυπριακῆς Δημοκρατίας ἀπεφασίσθη διὰ τῆς ὑπ' ἀρ. 15.796 καὶ ἥμερ. 28ην Ἀπριλίου, 1977 Ἀποφάσεως τοῦ Ὑπουργικοῦ Συμβουλίου, διὰ τοῦ παρόντος Νόμου κυροῦται.

ΠΙΝΑΞ
("Αρθρον 2)
ΠΡΩΤΟΝ ΜΕΡΟΣ

**VIENNA CONVENTION ON THE REPRESENTATION OF STATES IN
THEIR RELATIONS WITH INTERNATIONAL ORGANIZATIONS
OF A UNIVERSAL CHARACTER**

The States Parties to the present Convention,

Recognizing the increasingly important role of multilateral diplomacy in relations between States and the responsibilities of the United Nations, its specialized agencies and other international organizations of a universal character within the international community,

Having in mind the purposes and principles of the Charter of the United Nations concerning the sovereign equality of States, the maintenance of international peace and security and the promotion of friendly relations and co-operation among States,

Recalling the work of codification and progressive development of international law applicable to bilateral relations between States which was achieved by the Vienna Convention on Diplomatic Relations of 1961, the Vienna Convention on Consular Relations of 1963, and the Convention on Special Missions of 1969,

Believing that an international convention on the representation of States in their relations with international organizations of a universal character would contribute to the promotion of friendly relations and co-operation among States, irrespective of their political, economic and social systems,

Recalling the provisions of Article 105 of the Charter of the United Nations,

Recognizing that the purpose of privileges and immunities contained in the present Convention is not to benefit individuals but to ensure the efficient performance of their functions in connexion with organizations and conferences.

Taking account of the Convention on the Privileges and Immunities of the United Nations of 1946, the Convention on the Privileges and Immunities of the Specialized Agencies of 1947 and other agreements in force between States and between States in international organizations.

Affirming that the rules of customary international law continue to govern questions not expressly regulated by the provisions of the present Convention;

Have agreed as follows :

PART I
INTRODUCTION

Article 1

Use of terms

1. For the purposes of the present Convention :

- (1) "international organization" means an intergovernmental organization;
- (2) "international organization of a universal character" means the United Nations, its specialized agencies, the International Atomic Energy Agency and any similar organization whose membership and responsibilities are on a world-wide scale;
- (3) "organization" means the international organization in question;

- (4) "organ" means :
 - (a) any principal or subsidiary organ of an international organization, or
 - (b) any commission, committee or sub-group of any such organ, in which States are members;
- (5) "conference" means a conference of States convened by or under the auspices of an international organization;
- (6) "mission" means, as the case may be, the permanent mission or the permanent observer mission;
- (7) "permanent mission" means a mission of permanent character, representing the State, sent by a State member of an international organization to the Organization;
- (8) "permanent observer mission" means a mission of permanent character, representing the State, sent to an international organization by a State not a member of the Organization;
- (9) "delegation" means, as the case may be, the delegation to an organ or the delegation to a conference;
- (10) "delegation to an organ" means the delegation sent by a State to participate on its behalf in the proceedings of the organ;
- (11) "delegation to a conference" means the delegation sent by a State to participate on its behalf in the conference;
- (12) "observer delegation" means, as the case may be, the observer delegation to an organ or the observer delegation to a conference;
- (13) "observer delegation to an organ" means the delegation sent by a State to participate on its behalf as an observer in the proceedings of the organ;
- (14) "observer delegation to a conference" means the delegation sent by a State to participate on its behalf as an observer in the proceedings of the conference;
- (15) "host State" means the State in whose territory :
 - (a) the Organization has its seat or an office, or
 - (b) a meeting of an organ or a conference is held;
- (16) "sending State" means the State which sends :
 - (a) a mission to the Organization at its seat or to an office of the Organization, or
 - (b) a delegation to an organ or a delegation to a conference, or
 - (c) an observer delegation to an organ or an observer delegation to a conference;
- (17) "head of mission" means, as the case may be, the permanent representative or the permanent observer;
- (18) "permanent representative" means the person charged by the sending State with the duty of acting as the head of the permanent mission;
- (19) "permanent observer" means the person charged by the Sending State with the duty of acting as the head of the permanent observer mission;
- (20) "members of the mission" means the head of mission and the members of the staff;
- (21) "head of delegation" means the delegate charged by the sending State with the duty of acting in that capacity;
- (22) "delegate" means any person designated by a State to participate as its representative in the proceedings of an organ or in a conference;

- (23) "members of the delegation" means the delegates and the members of the staff;
- (24) "head of the observer delegation" means the observer delegate charged by the sending State with the duty of acting in that capacity;
- (25) "observer delegate" means any person designated by a State to attend as an observer the proceedings of an organ or of a conference;
- (26) "members of the observer delegation" means the observer delegates and the members of the staff;
- (27) "members of the staff" means the members of the diplomatic staff, the administrative and technical staff and the service staff of the mission, the delegation or the observer delegation;
- (28) "members of the diplomatic staff" means the members of the staff of the mission, the delegation or the observer delegation who enjoy diplomatic status for the purpose of the mission, the delegation or the observer delegation;
- (29) "members of the administrative and technical staff" means the members of the staff employed in the administrative and technical service of the mission, the delegation or the observer delegation;
- (30) "members of the service staff" means the members of the staff employed by the mission, the delegation or the observer delegation as household workers or for similar tasks;
- (31) "private staff" means persons employed exclusively in the private service of the members of the mission or the delegation;
- (32) "premises of the mission" means the buildings or parts of buildings and the land ancillary thereto, irrespective of ownership, used for the purpose of the mission, including the residence of the head of mission;
- (33) "premises of the delegation" means the buildings or parts of buildings, irrespective of ownership, used solely as the offices of the delegation;
- (34) "rules of the Organization" means, in particular, the constituent instruments, relevant decisions and resolutions, and established practice of the Organization.

2. The provisions of paragraph 1 of this article regarding the use of terms in the present Convention are without prejudice to the use of those terms or to the meanings which may be given to them in other international instruments or the internal law of any State.

Article 2

Scope of the present Convention

1. The present Convention applies to the representation of States in their relations with any international organization of a universal character, and to their representation at conferences convened by or under the auspices of such an organization, when the Convention has been accepted by the host State and the Organization has completed the procedure envisaged by article 90.

2. The fact that the present Convention does not apply to other international organizations is without prejudice to the representation of States in their relations with such other organizations of any of the rules set forth in the Convention which would be applicable under international law independently of the Convention.

3. The fact that the present Convention does not apply to other conferences is without prejudice to the application to the representation of States at such other conferences of any of the rules set forth in the Convention which would be applicable under international law independently of the Convention.

4. Nothing in the present Convention shall preclude the conclusion of agreements between States or between States and international organizations making the Convention applicable in whole or in part to international organizations or conferences other than those referred to in paragraph 1 of this article.

Article 3

Relationship between the present Convention and the relevant rules of international organizations or conferences

The provisions of the present Convention are without prejudice to any relevant rules of the Organization or to any relevant rules of procedure of the conference.

Article 4

Relationship between the present Convention and other international agreements

The provisions of the present Convention—

- (a) are without prejudice to other international agreements in force between States or between States and international organizations of a universal character, and
- (b) shall not preclude the conclusion of other international agreements regarding the representation of States in their relations with international organizations of a universal character or their representation at conferences convened by or under the auspices of such organizations.

PART II

MISSIONS TO INTERNATIONAL ORGANIZATIONS

Article 5

Establishment of missions

1. Member States may, if the rules of the Organization so permit, establish permanent missions for the performance of the functions mentioned in article 6.

2. Non-member States may, if the rules of the Organization so permit, establish permanent observer missions for the performance of the functions mentioned in article 7.

3. The Organization shall notify the host State of the institution of a mission prior to its establishment.

Article 6

Functions of the permanent mission

The functions of the permanent mission consist *inter alia* in :

- (a) ensuring the representation of the sending State to the Organization;
- (b) maintaining liaison between the sending State and the Organization;
- (c) negotiating with and within the Organization;
- (d) ascertaining activities in the Organization and reporting thereon to the Government of the sending State;
- (e) ensuring the participation of the sending State in the activities of the Organization;
- (f) protecting the interests of the sending State in relation to the Organization;

- (g) promoting the realization of the purposes and principles of the Organization by co-operating with and within the Organization.

Article 7

Functions of the permanent observer mission

The functions of the permanent observer mission consist *inter alia* in:

- ensuring the representation of the sending State and safeguarding its interests in relation to the Organization and maintaining liaison with it;
- ascertaining activities in the Organization and reporting thereon to the Government of the sending State;
- promoting co-operation with the Organization and negotiating with it.

Article 8

Multiple accreditation or appointment

1. The sending State may accredit the same person as head of mission to two or more international organizations or appoint a head of mission as a member of the diplomatic staff of another of its missions.

2. The sending State may accredit a member of the diplomatic staff of the mission as head of mission to other international organizations or appoint a member of the staff of the mission as a member of the staff of another of its missions.

3. Two or more States may accredit the same person as head of mission to the same international organization.

Article 9

Appointment of the members of the mission

Subject to the provisions of articles 14 and 73, the sending State may freely appoint the members of the mission.

Article 10

Credentials of the head of mission

The credentials of the head of mission shall be issued by the Head of State, by the Head of Government, by the Minister for Foreign Affairs or, if the rules of the Organization so permit, by another competent authority of the sending State and shall be transmitted to the Organization.

Article 11

Accreditation to organs of the Organization

1. A member State may specify in the credentials issued to its permanent representative that he is authorized to act as a delegate to one or more organs of the Organization.

2. Unless a member State provides otherwise its permanent representative may act as a delegate to organs of the Organization for which there are no special requirements as regards representation.

3. A non-member State may specify in the credentials issued to its permanent observer that he is authorized to act as an observer delegate to one or more organs of the Organization when this is permitted by the rules of the Organization or the organ concerned.

Article 12

Full powers for the conclusion of a treaty with the Organization

1. The head of mission, by virtue of his functions and without having to produce full powers, is considered as representing his State for the purpose of adopting the text of a treaty between that State and the Organization.

2. The head of mission is not considered by virtue of his functions as representing his State for the purpose of signing a treaty, or signing a treaty *ad referendum*, between that State and the Organization unless it appears from the practice of the Organization, or from other circumstances, that the intention of the parties was to dispense with full powers.

Article 13

Composition of the mission

In addition to the head of mission, the mission may include diplomatic staff, administrative and technical staff and service staff.

Article 14

Size of the mission

The size of the mission shall not exceed what is reasonable and normal, having regard to the functions of the Organization, the needs of the particular mission and the circumstances and conditions in the host State.

Article 15

Notifications

1. The sending State shall notify the Organization of:

- (a) the appointment, position, title and order of precedence of the members of the mission, their arrival, their final departure or the termination of their functions with the mission, and any other changes affecting their status that may occur in the course of their service with the mission;
- (b) the arrival and final departure of any person belonging to the family of a member of the mission and forming part of his household and, where appropriate, the fact that a person becomes or ceases to be such a member of the family;
- (c) the arrival and final departure of persons employed on the private staff of members of the mission and the termination of their employment as such;
- (d) the beginning and the termination of the employment of persons resident in the host State as members of the staff of the mission or as persons employed on the private staff;
- (e) the location of the premises of the mission and of the private residences enjoying inviolability under articles 23 and 29, as well as any other information that may be necessary to identify such premises and residences.

2. Where possible, prior notification of arrival and final departure shall also be given.

3. The Organization shall transmit to the host State the notifications referred to in paragraphs 1 and 2 of this article.

4. The sending State may also transmit to the host State the notifications referred to in paragraphs 1 and 2 of this article.

Article 16

Acting head of mission

If the post of head of mission is vacant, or if the head of mission is unable to perform his functions, the sending State may appoint an acting head of mission whose name shall be notified to the Organization and by it to the host State.

Article 17

Precedence

1. Precedence among permanent representatives shall be determined by the alphabetical order of the names of the States used in the Organization.

2. Precedence among permanent observers shall be determined by the alphabetical order of the names of the States used in the Organization.

Article 18

Location of the mission

Missions should be established in the locality where the Organization has its seat. However, if the rules of the Organization so permit and with the prior consent of the host State, the sending State may establish a mission or an office of a mission in a locality other than that in which the Organization has its seat.

Article 19

Use of flag and emblem

1. The mission shall have the right to use the flag and emblem of the sending State on its premises. The head of mission shall have the right as regards his residence and means of transport.

2. In the exercise of the right accorded by this article regard shall be had to the laws, regulations and usages of the host State.

Article 20

General facilities

1. The host State shall accord to the mission all necessary facilities for the performance of its functions.

2. The Organization shall assist the mission in obtaining those facilities and shall accord to the mission such facilities as lie within its own competence.

Article 21

Premises and accommodation

1. The host State and the Organization shall assist the sending State in obtaining on reasonable terms premises necessary for the mission in the territory of the host State. Where necessary, the host State shall facilitate in accordance with its laws the acquisition of such premises.

2. Where necessary, the host State and the Organization shall also assist the mission in obtaining on reasonable terms suitable accommodation for its members.

Article 22

Assistance by the Organization in respect of privileges and immunities

1. The Organization shall, where necessary, assist the sending State, its mission and the members of its mission in securing the enjoyment of the privileges and immunities provided for under the present Convention.

2. The Organization shall, where necessary, assist the host State in securing the discharge of the obligations of the sending State, its mission and the members of its mission in respect of the privileges and immunities provided for under the present Convention.

Article 23

Inviolability of premises

1. The premises of the mission shall be inviolable. The agents of the host State may not enter them, except with the consent of the head of mission.

2. (a) The host State is under a special duty to take all appropriate steps to protect the premises of the mission against any intrusion or damage and to prevent any disturbance of the peace of the mission or impairment of its dignity.

(b) In case of an attack on the premises of the mission, the host State shall take all appropriate steps to prosecute and punish persons who have committed the attack.

3. The premises of the mission, their furnishings and other property thereon and the means of transport of the mission shall be immune from search, requisition, attachment or execution.

Article 24

Exemption of the premises from taxation

1. The premises of the mission of which the sending State or any person acting on its behalf is the owner or the lessee shall be exempt from all national, regional or municipal dues and taxes other than such as represent payment for specific services rendered.

2. The exemption from taxation referred to in this article shall not apply to such dues and taxes payable under the law of the host State by persons contracting with the sending State or with any person acting on its behalf.

Article 25

Inviolability of archives and documents

The archives and documents of the mission shall be inviolable at all times and wherever they may be.

Article 26

Freedom of movement

Subject to its laws and regulations concerning zones entry into which is prohibited or regulated for reasons of national security, the host State shall ensure freedom of movement and travel in its territory to all members of the mission and members of their families forming part of their households.

Article 27

Freedom of communication

1. The host State shall permit and protect free communication on the part of the mission for all official purposes. In communicating with the Government of the sending State, its permanent diplomatic missions, consular posts, permanent missions, permanent observer missions, special missions, delegations and observer delegations, wherever situated, the mission may employ all appropriate means, including couriers and messages in code or cipher. However, the mission may install and use a wireless transmitter only with the consent of the host 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 bag of the mission shall not be opened or detained.

4. The packages constituting the bag of the mission must bear visible external marks of their character and may contain only documents or articles intended for the official use of the mission.

5. The courier of the mission, who shall be provided with an official document indicating his status and the number of packages constituting the bag, shall be protected by the host State in the performance of his functions. He shall enjoy personal inviolability and shall not be liable to any form of arrest or detention.

6. The sending State or the mission may designate couriers *ad hoc* of the mission. In such cases the provisions of paragraph 5 of this article shall also apply, except that the immunities therein mentioned shall cease to apply when the courier *ad hoc* has delivered to the consignee the mission's bag in his charge.

7. The bag of the mission may be entrusted to the captain of a ship or of a commercial aircraft scheduled to land at an authorized port of entry. He shall be provided with an official document indicating the number of packages constituting the bag, but he shall not be considered to be a courier of the mission. By arrangement with the appropriate authorities of the host State, the mission may send one of its members to take possession of the bag directly and freely from the captain of the ship or of the aircraft.

Article 28

Personal inviolability

The persons of the head of mission and of the members of the diplomatic staff of the mission shall be inviolable. They shall not be liable to any form of arrest or detention. The host State shall treat them with due respect and shall take all appropriate steps to prevent any attack on their persons, freedom or dignity and to prosecute and punish persons who have committed such attacks.

Article 29

Inviolability of residence and property

1. The private residence of the head of mission and of the members of the diplomatic staff of the mission shall enjoy the same inviolability and protection as the premises of the mission.

2. The papers, correspondence and, except as provided in paragraph 2 of article 30, the property of the head of mission or of members of the diplomatic staff of the mission shall also enjoy inviolability.

Article 30

Immunity from jurisdiction

1. The head of mission and the members of the diplomatic staff of the mission shall enjoy immunity from the criminal jurisdiction of the host State. They shall also enjoy immunity from its civil and administrative jurisdiction, except in the case of :

- (a) a real action relating to private immovable property situated in the territory of the host State, unless the person in question holds it on behalf of the sending State for the purposes of the mission;
- (b) an action relating to succession in which the person in question is involved as executor, administrator, heir or legatee as a private person and not on behalf of the sending State;
- (c) an action relating to any professional or commercial activity exercised by the person in question in the host State outside his official functions.

2. No measures of execution may be taken in respect of the head of mission or a member of the diplomatic staff of the mission except in cases coming under subparagraphs (a), (b) and (c) of paragraph 1 of this article, and provided that the measures concerned can be taken without infringing the inviolability of his person or of his residence.

3. The head of mission and the members of the diplomatic staff of the mission are not obliged to give evidence as witnesses.

4. The immunity of the head of mission or of a member of the diplomatic staff of the mission from the jurisdiction of the host State does not exempt him from the jurisdiction of the sending State.

Article 31
Waiver of immunity

1. The immunity from jurisdiction of the head of mission and members of the diplomatic staff of the mission and of persons enjoying immunity under article 36 may be waived by the sending State.

2. Waiver must always be express.

3. The initiation of proceedings by any of the persons referred to in paragraph 1 of this article shall preclude him from invoking immunity from jurisdiction in respect of any counter-claim directly connected with the principal claim.

4. Waiver of immunity from jurisdiction in respect of civil or administrative proceedings shall not be held to imply waiver of immunity in respect of the execution of the judgement, for which a separate waiver shall be necessary.

5. If the sending State does not waive the immunity of any of the persons mentioned in paragraph 1 of this article in respect of a civil action, it shall use its best endeavours to bring about a just settlement of the case.

Article 32

Exemption from social security legislation

1. Subject to the provisions of paragraph 3 of this article, the head of mission and the members of the diplomatic staff of the mission shall with respect to services rendered for the sending State be exempt from social security provisions which may be in force in the host State.

2. The exemption provided for in paragraph 1 of this article shall also apply to persons who are in the sole private employ of the head of mission or of a member of the diplomatic staff of the mission, on condition :

- (a) that such employed persons are not nationals of or permanently resident in the host State; and
- (b) that they are covered by the social security provisions which may be in force in the sending State or a third State.

3. The head of mission and the members of the diplomatic staff of the mission who employ persons to whom the exemption provided for in paragraph 2 of this article does not apply shall observe the obligations which the social security provisions of the host State impose upon employers.

4. The exemption provided for in paragraphs 1 and 2 of this article shall not preclude voluntary participation in the social security system of the host State provided that such participation is permitted by that State.

5. The provisions of this article shall not affect bilateral or multilateral agreements concerning social security concluded previously and shall not prevent the conclusion of such agreements in the future.

Article 33

Exemption from dues and taxes

The head of mission and the members of the diplomatic staff of the mission shall be exempt from all dues and taxes, personal or real, national, regional or municipal, except :

- (a) indirect taxes of a kind which are normally incorporated in the price of goods or services;
- (b) dues and taxes on private immovable property situated in the territory of the host State, unless the person concerned holds it on behalf of the sending State for the purposes of the mission;

- (c) estate, succession or inheritance duties levied by the host State, subject to the provisions of paragraph 4 of article 38;
- (d) dues and taxes on private income having its source in the host State and capital taxes on investments made in commercial undertakings in the host State;
- (e) charges levied for specific services rendered;
- (f) registration, court or record fees, mortgage dues and stamp duty, with respect to immovable property, subject to the provisions of article 24.

Article 34

Exemption from personal services

The host State shall exempt the head of mission and the members of the diplomatic staff of the mission from all personal services, from all public service of any kind whatsoever, and from military obligations such as those connected with requisitioning, military contributions and billeting.

Article 35

Exemption from customs duties and inspection

1. The host State shall, in accordance with such laws and regulations as it may adopt, permit entry of and grant exemption from all customs duties, taxes and related charges other than charges for storage, cartage and similar services, on:

- (a) articles for the official use of the mission;
- (b) articles for the personal use of the head of mission or a member of the diplomatic staff of the mission, including articles intended for his establishment.

2. The personal baggage of the head of mission or a member of the diplomatic staff of the mission shall be exempt from inspection, unless there are serious grounds for presuming that it contains articles not covered by the exemptions mentioned in paragraph 1 of this article, or articles the import or export of which is prohibited by the law or controlled by the quarantine regulations of the host State. In such cases, inspection shall be conducted only in the presence of the person enjoying the exemption or of his authorized representative.

Article 36

Privileges and immunities of other persons

1. The members of the family of the head of mission forming part of his household and the members of the family of a member of the diplomatic staff of the mission forming part of his household shall, if they are not nationals of or permanently resident in the host State, enjoy the privileges and immunities specified in articles 28, 29, 30, 32, 33, 34, and in paragraphs 1 (b) and 2 of article 35.

2. Members of the administrative and technical staff of the mission, together with members of their families forming part of their respective households who are not nationals of or permanently resident in the host State, shall enjoy the privileges and immunities specified in articles 28, 29, 30, 32, 33 and 34, except that the immunity from civil and administrative jurisdiction of the host State specified in paragraph 1 of article 30 shall not extend to acts performed outside the course of their duties. They shall also enjoy the privileges specified in paragraph 1 (b) of article 35 in respect of articles imported at the time of first installation.

3. Members of the service staff of the mission who are not nationals of or permanently resident in the host State shall enjoy immunity in respect of acts performed in the course of their duties, exemption from dues and taxes on the emoluments they receive by reason of their employment and the exemption specified in article 32.

4. Private staff of members of the mission shall, if they are not nationals of or permanently resident in the host State, be exempt from dues and taxes on the emoluments they receive by reason of their employment. In other respects, they may enjoy privileges and immunities only to the extent admitted by the host State. However, the host State must exercise its jurisdiction over those persons in such a manner as not to interfere unduly with the performance of the functions of the mission.

Article 37

Nationals and permanent residents of the host State

1. Except in so far as additional privileges and immunities may be granted by the host State, the head of mission or any member of the diplomatic staff of the mission who is a national of or permanently resident in that State shall enjoy only immunity from jurisdiction and inviolability in respect of official acts performed in the exercise of his functions.

2. Other members of the staff of the mission who are nationals of or permanently resident in the host State shall enjoy only immunity from jurisdiction in respect of official acts performed in the exercise of their functions. In all other respects, those members, and persons on the private staff who are nationals of or permanently resident in the host State, shall enjoy privileges and immunities only to the extent admitted by the host State. However, the host State must exercise its jurisdiction over those members and persons in such a manner as not to interfere unduly with the performance of the functions of the mission.

Article 38

Duration of privileges and immunities

1. Every person entitled to privileges and immunities shall enjoy them from the moment he enters the territory of the host State on proceeding to take up his post or, if already in its territory, from the moment when his appointment is notified to the host State by the Organization or by the sending State.

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 moment when he leaves the territory, or on the expiry of a reasonable period in which to do so. However, with respect to acts performed by such a person in the exercise of his functions as a member of the mission, immunity shall continue to subsist.

3. In the event of the death of a member of the mission, the members of his family shall continue to enjoy the privileges and immunities to which they are entitled until the expiry of a reasonable period in which to leave the territory.

4. In the event of the death of a member of the mission not a national of or permanently resident in the host State or of a member of his family forming part of his household, the host State shall permit the withdrawal of the movable property of the deceased, with the exception of any property acquired in the territory the export of which was prohibited at the time of his death. Estate, succession and inheritance duties shall not be levied on movable property which is in the host State solely because of the presence there of the deceased as a member of the mission or of the family of a member of the mission.

Article 39

Professional or commercial activity

1. The head of mission and members of the diplomatic staff of the mission shall not practise for personal profit any professional or commercial activity in the host State.

2. Except in so far as such privileges and immunities may be granted by the host State, members of the administrative and technical staff and persons forming part of the household of a member of the mission shall not, when they practise a professional or commercial activity for personal profit, enjoy any privilege or immunity in respect of acts performed in the course of or in connection with the practice of such activity.

Article 40

End of functions

The functions of the head of mission or of a member of the diplomatic staff of the mission shall come to an end, *inter alia*:

- (a) on notification of their termination by the sending State to the Organization;
- (b) if the mission is finally or temporarily recalled.

Article 41

Protection of premises, property and archives

1. When the mission is temporarily or finally recalled, the host State must respect and protect the premises, property and archives of the mission. The sending State must take all appropriate measures to terminate this special duty of the host State as soon as possible. It may entrust custody of the premises, property and archives of the mission to the Organization if it so agrees, or to a third State acceptable to the host State.

2. The host State, if requested by the sending State, shall grant the latter facilities for removing the property and archives of the mission from the territory of the host State.

PART III

DELEGATIONS TO ORGANS AND TO CONFERENCES

Article 42

Sending of delegations

1. A State may send a delegation to an organ or to a conference in accordance with the rules of the Organization.

2. Two or more States may send the same delegation to an organ or to a conference in accordance with the rules of the Organization.

Article 43

Appointment of the members of the delegation

Subject to the provisions of articles 46 and 73, the sending State may freely appoint the members of the delegation.

Article 44

Credentials of delegates

The credentials of the head of delegation and of other delegates shall be issued by the Head of State, by the Head of Government, by the Minister for Foreign Affairs or, if the rules of the Organization or the rules of procedure of the conference so permit, by another competent authority of the sending State. They shall be transmitted, as the case may be, to the Organization or to the conference.

Article 45

Composition of the delegation

In addition to the head of delegation, the delegation may include other delegates, diplomatic staff, administrative and technical staff and service staff.

Article 46

Size of the delegation

The size of the delegation shall not exceed what is reasonable and normal, having regard, as the case may be, to the functions of the organ or the object of the conference, as well as the needs of the particular delegation and the circumstances and conditions in the host State.

Article 47

Notifications

1. The sending State shall notify the Organization or, as the case may be, the conference of:

- (a) the composition of the delegation, including the position, title and order of precedence of the members of the delegation and any subsequent changes therein;
- (b) the arrival and final departure of members of the delegation and the termination of their functions with the delegation;
- (c) the arrival and final departure of any person accompanying a member of the delegation;
- (d) the beginning and the termination of the employment of persons resident in the host State as members of the staff of the delegation or as persons employed on the private staff;
- (e) the location of the premises of the delegation and of the private accommodation enjoying inviolability under article 59, as well as any other information that may be necessary to identify such premises and accommodation.

2. Where possible, prior notification of arrival and final departure shall also be given.

3. The Organization or, as the case may be, the conference shall transmit to the host State the notifications referred to in paragraphs 1 and 2 of this article.

4. The sending State may also transmit to the host State the notifications referred to in paragraphs 1 and 2 of this article.

Article 48

1. If the head of delegation is absent or unable to perform his functions, an acting head of delegation shall be designated from among the other delegates by the head of delegation or, in case he is unable to do so, by a competent authority of the sending State. The name of the acting head of delegation shall be notified, as the case may be, to the Organization or to the conference.

2. If a delegation does not have another delegate available to serve as acting head of delegation, another person may be designated for that purpose. In such case credentials must be issued and transmitted in accordance with article 44.

Article 49

Precedence

Precedence among delegations shall be determined by the alphabetical order of the names of the States used in the Organization.

Article 50

Status of the Head of State and persons of high rank

1. The Head of State or any member of a collegial body performing the functions of Head of State under the constitution of the State concerned, when he leads the delegation, shall enjoy in the host State or

in a third State, in addition to what is granted by the present Convention, the facilities, privileges and immunities accorded by international law to Heads of State.

2. The Head of Government, the Minister for Foreign Affairs or other person of high rank, when he leads or is a member of the delegation, shall enjoy in the host State or in a third State, in addition to what is granted by the present Convention, the facilities, privileges and immunities accorded by international law to such persons.

Article 51

General facilities

1. The host State shall accord to the delegation all necessary facilities for the performance of its tasks.

2. The Organization or, as the case may be, the conference shall assist the delegation in obtaining those facilities and shall accord to the delegation such facilities as lie within its own competence.

Article 52

Premises and accommodation

If so requested, the host State and, where necessary, the Organization or the conference shall assist the sending State in obtaining on reasonable terms premises necessary for the delegation and suitable accommodation for its members.

Article 53

Assistance in respect of privileges and immunities

1. The Organization or, as the case may be, the Organization and the Conference shall, where necessary, assist the sending State, its delegation and the members of its delegation in securing the enjoyment of the privileges and immunities provided for under the present Convention.

2. The Organization or, as the case may be, the Organization and the conference shall, where necessary, assist the host State in securing the discharge of the obligations of the sending State, its delegation and the members of its delegation in respect of the privileges and immunities provided for under the present Convention.

Article 54

Exemption of the premises from taxation

1. The sending State or any member of the delegation acting on behalf of the delegation shall be exempt from all national, regional or municipal dues and taxes in respect of the premises of the delegation other than such as represent payment for specific services rendered.

2. The exemption from taxation referred to in this article shall not apply to such dues and taxes payable under the law of the host State by persons contracting with the sending State or with a member of the delegation.

Article 55

Inviolability of archives and documents

The archives and documents of the delegation shall be inviolable at all times and wherever they may be.

Article 56

Freedom of movement

Subject to its laws and regulations concerning zones entry into which is prohibited or regulated for reasons of national security, the host State shall ensure to all members of the delegation such freedom of movement and travel in its territory as is necessary for the performance of the tasks of the delegation.

Article 57

Freedom of communication

1. The host State shall permit and protect free communication on the part of the delegation for all official purposes. In communicating with the Government of the sending State, its permanent diplomatic missions, consular posts, permanent missions, permanent observer missions, special missions, other delegations, and observer delegations, wherever situated the delegation may employ all appropriate means, including couriers and messages in code or cipher. However, the delegation may install and use a wireless transmitter only with the consent of the host State.
2. The official correspondence of the delegation shall be inviolable. Official correspondence means all correspondence relating to the delegation and its tasks.
3. Where practicable, the delegation shall use the means of communication, including the bag and the courier, of the permanent diplomatic mission, of a consular post, of the permanent mission or of the permanent observer mission of the sending State.
4. The bag of the delegation shall not be opened or detained.
5. The packages constituting the bag of the delegation must bear visible external marks of their character and may contain only documents or articles intended for the official use of the delegation.
6. The courier of the delegation, who shall be provided with an official document indicating his status and the number of packages constituting the bag, shall be protected by the host State in the performance of his functions. He shall enjoy personal inviolability and shall not be liable to any form of arrest or detention.
7. The sending State or the delegation may designate couriers *ad hoc* of the delegation. In such cases the provisions of paragraph 6 of this article shall also apply, except that the immunities therein mentioned shall cease to apply when the courier *ad hoc* has delivered to the consignee the delegation's bag in his charge.
8. The bag of the delegation may be entrusted to the captain of a ship or of a commercial aircraft scheduled to land at an authorized port of entry. He shall be provided with an official document indicating the number of packages constituting the bag, but he shall not be considered to be a courier of the delegation. By arrangement with the appropriate authorities of the host State, the delegation may send one of its members to take possession of the bag directly and freely from the captain of the ship or of the aircraft.

Article 58

Personal inviolability

The persons of the head of delegation and of other delegates and members of the diplomatic staff of the delegation shall be inviolable. They shall not be liable *inter alia* to any form of arrest or detention. The host State shall treat them with due respect and shall take all appropriate steps to prevent any attack on their persons, freedom or dignity and to prosecute and punish persons who have committed such attacks.

Article 59

Inviolability of private accommodation and property

1. The private accommodation of the head of delegation and of other delegates and members of the diplomatic staff of the delegation shall enjoy inviolability and protection.

2. The papers, correspondence and, except as provided in paragraph 2 of article 60, the property of the head of delegation and of other delegates or members of the diplomatic staff of the delegation shall also enjoy inviolability.

Article 60

Immunity from jurisdiction

1. The head of delegation and other delegates and members of the diplomatic staff of the delegation shall enjoy immunity from the criminal jurisdiction of the host State, and immunity from its civil and administrative jurisdiction in respect of all acts performed in the exercise of their official functions.

2. No measures of execution may be taken in respect of such persons unless they can be taken without infringing their rights under articles 58 and 59.

3. Such persons are not obliged to give evidence as witnesses.

4. Nothing in this article shall exempt such persons from the civil and administrative jurisdiction of the host State in relation to an action for damages arising from an accident caused by a vehicle, vessel or aircraft, used or owned by the persons in question, where those damages are not recoverable from insurance.

5. Any immunity of such persons from the jurisdiction of the host State does not exempt them from the jurisdiction of the sending State.

Article 61

Waiver of immunity

1. The immunity from jurisdiction of the head of delegation and of other delegates and members of the diplomatic staff of the delegation and of persons enjoying immunity under article 66 may be waived by the sending State.

2. Waiver must always be express.

3. The initiation of proceedings by any of the persons referred to in paragraph 1 of this article shall preclude him from invoking immunity from jurisdiction in respect of any counter-claim directly connected with the principal claim.

4. Waiver of immunity from jurisdiction in respect of civil or administrative proceedings shall not be held to imply waiver of immunity in respect of the execution of the judgment, for which a separate waiver shall be necessary.

5. If the sending State does not waive the immunity of any of the persons mentioned in paragraph 1 of this article in respect of a civil action, it shall use its best endeavours to bring about a just settlement of the case.

Article 62

Exemption from social security legislation

1. Subject to the provisions of paragraph 3 of this article, the head of delegation and other delegates and members of the diplomatic staff of the delegation shall with respect to services rendered for the sending State be exempt from social security provisions which may be in force in the host State.

2. The exemption provided for in paragraph 1 of this article shall also apply to persons who are in the sole private employ of the head of delegation or of any other delegate or member of the diplomatic staff of the delegation, on condition :

(a) that such employed persons are not nationals of or permanently resident in the host State; and

(b) that they are covered by the social security provisions which may be in force in the sending State or a third State.

3. The head of delegation and other delegates and members of the diplomatic staff of the delegation who employ persons to whom the exemption provided for in paragraph 2 of this article does not apply shall observe the obligations which the social security provisions of the host State impose upon employers.

4. The exemption provided for in paragraphs 1 and 2 of this article shall not preclude voluntary participation in the social security system of the host State provided that such participation is permitted by that State.

5. The provisions of this article shall not affect bilateral or multilateral agreements concerning social security concluded previously and shall not prevent the conclusion of such agreements in the future.

Article 63

Exemption from dues and taxes

The head of delegation and other delegates and members of the diplomatic staff of the delegation shall be exempt, to the extent practicable, from all dues and taxes, personal or real, national, regional or municipal, except :

- (a) indirect taxes of a kind which are normally incorporated in the price of goods or services;
- (b) dues and taxes on private immovable property situated in the territory of the host State, unless the person concerned holds it on behalf of the sending State for the purposes of the delegation;
- (c) estate, succession or inheritance duties levied by the host State, subject to the provisions of paragraph 4 of article 68;
- (d) dues and taxes on private income having its source in the host State and capital taxes on investments made in commercial undertakings in the host State;
- (e) charges levied for specific services rendered;
- (f) registration, court or record fees, mortgage dues and stamp duty, with respect to immovable property, subject to the provisions of article 54.

Article 64

Exemption from personal services

The host State shall exempt the head of delegation and other delegates and members of the diplomatic staff of the delegation from all personal services, from all public service of any kind whatsoever, and from military obligations such as those connected with requisitioning, military contributions and billeting.

Article 65

Exemption from customs duties and inspection

1. The host State shall, in accordance with such laws and regulations as it may adopt, permit entry of and grant exemption from all customs duties, taxes and related charges other than charges for storage, cartage and similar services, on :

- (a) articles for the official use of the delegation;
- (b) articles for the personal use of the head of delegation or any other delegate or member of the diplomatic staff of the delegation, imported in his personal baggage at the time of his first entry into the territory of the host State to attend the meeting of the organ or conference.

2. The personal baggage of the head of delegation or any other delegate or member of the diplomatic staff of the delegation shall be exempt from inspection, unless there are serious grounds for presuming that it contains articles not covered by the exemptions mentioned in paragraph 1 of this article, or articles the import or export of which is prohibited by the law or controlled by the quarantine regulations of the host State. In such cases, inspection shall be conducted only in the presence of the person enjoying the exemption or of his authorized representative.

Article 66

Privileges and immunities of other persons

1. The members of the family of the head of delegation who accompany him and the members of the family of any other delegate or member of the diplomatic staff of the delegation who accompany him shall, if they are not nationals of or permanently resident in the host State, enjoy the privileges and immunities specified in articles 58, 60 and 64 and in paragraphs 1 (b) and 2 of article 65 and exemption from aliens' registration obligations.

2. Members of the administrative and technical staff of the delegation shall, if they are not nationals of or permanently resident in the host State, enjoy the privileges and immunities specified in articles 58, 59, 60, 62, 63 and 64. They shall also enjoy the privileges specified in paragraph 1(b) of article 65 in respect of articles imported in their personal baggage at the time of their first entry into the territory of the host State for the purpose of attending the meeting of the organ or conference. Members of the family of a member of the administrative and technical staff who accompany him shall, if they are not nationals of or permanently resident in the host State, enjoy the privileges and immunities specified in articles 58, 60 and 64 and in paragraph 1(b) of article 65 of the extent accorded to such a member of the staff.

3. Members of the service staff of the delegation who are not nationals of or permanently resident in the host State shall enjoy the same immunity in respect of acts performed in the course of their duties as is accorded to members of the administrative and technical staff of the delegation, exemption from dues and taxes on the emoluments they receive by reason of their employment and the exemption specified in article 62.

4. Private staff of members of the delegation shall, if they are not nationals of or permanently resident in the host State, be exempt from dues and taxes on the emoluments they receive by reason of their employment. In other respects, they may enjoy privileges and immunities only to the extent admitted by the host State. However, the host State must exercise its jurisdiction over those persons in such a manner as not to interfere unduly with the performance of the tasks of the delegation.

Article 67

Nationals and permanent residents of the host State

1. Except in so far as additional privileges and immunities may be granted by the host State the head of delegation or any other delegate or member of the diplomatic staff of the delegation who is a national of or permanently resident in that State shall enjoy only immunity from jurisdiction and inviolability in respect of official acts performed in the exercise of his functions.

2. Other members of the staff of the delegation and persons on the private staff who are nationals of or permanently resident in the host State shall enjoy privileges and immunities only to the extent admitted by the host State. However, the host State must exercise its jurisdiction over those members and persons in such a manner as not to interfere unduly with the performance of the tasks of the delegation.

Article 68

Duration of privileges and immunities

1. Every person entitled to privileges and immunities shall enjoy them from the moment he enters the territory of the host State for the purpose of attending the meeting of an organ or conference or, if already in its territory, from the moment when his appointment is notified to the host State by the Organization, by the conference or by the sending State.

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 moment when he leaves the territory, or on the expiry of a reasonable period in which to do so. However, with respect to acts performed by such a person in the exercise of his functions as a member of the delegation, immunity shall continue to subsist.

3. In the event of the death of a member of the delegation, the members of his family shall continue to enjoy the privileges and immunities to which they are entitled until the expiry of a reasonable period in which to leave the territory.

4. In the event of the death of a member of the delegation not a national of or permanently resident in the host State or of a member of his family accompanying him, the host State shall permit the withdrawal of the movable property of the deceased, with the exception of any property acquired in the territory the export of which was prohibited at the time of his death. Estate, succession and inheritance duties shall not be levied on movable property which is in the host State solely because of the presence there of the deceased as a member of the delegation or of the family of a member of the delegation.

Article 69

End of functions

The functions of the head of delegation or of any other delegate or member of the diplomatic staff of the delegation shall come to an end, *inter alia*:

- (a) on notification of their termination by the sending State to the Organization or the conference;
- (b) upon the conclusion of the meeting of the organ or the conference.

Article 70

Protection of premises, property and archives

1. When the meeting of an organ or a conference comes to an end, the host State must respect and protect the premises of the delegation so long as they are used by it, as well as the property and archives of the delegation. The sending State must take all appropriate measures to terminate this special duty of the host State as soon as possible.

2. The host State, if requested by the sending State, shall grant the latter facilities for removing the property and the archives of the delegation from the territory of the host State.

PART IV

OBSERVER DELEGATIONS TO ORGANS AND TO CONFERENCES

Article 71

Sending of observer delegations

A State may send an observer delegation to an organ or to a conference in accordance with the rules of the Organization.

Article 72

General provision concerning observer delegations

All the provisions of articles 43 to 70 of the present Convention shall apply to observer delegations.

PART V

GENERAL PROVISIONS

Article 73

Nationality of the members of the mission, the delegation or the observer delegation

1. The head of mission and members of the diplomatic staff of the mission, the head of delegation, other delegates and members of the diplomatic staff of the delegation, the head of the observer delegation, other observer delegates and members of the diplomatic staff of the observer delegation should in principle be of the nationality of the sending State.

2. The head of mission and members of the diplomatic staff of the mission may not be appointed from among persons having the nationality of the host State except with the consent of that State, which may be withdrawn at any time.

3. Where the head of delegation, any other delegate or any member of the diplomatic staff of the delegation or the head of the observer delegation, any other observer delegate or any member of the diplomatic staff of the observer delegation is appointed from among persons having the nationality of the host State, the consent of that State shall be assumed if it has been notified of such appointment of a national of the host State and has made no objection.

Article 74

Laws concerning acquisition of nationality

Members of the mission, the delegation or the observer delegation not being nationals of the host State, and members of their families forming part of their household or, as the case may be, accompanying them, shall not, solely by the operation of the law of the host State, acquire the nationality of that State.

Article 75

Privileges and immunities in case of multiple functions

When members of the permanent diplomatic mission or of a consular post in the host State are included in a mission, a delegation or an observer delegation, they shall retain their privileges and immunities as members of their permanent diplomatic mission or consular post in addition to the privileges and immunities accorded by the present Convention.

Article 76

Co-operation between sending States and host States

Whenever necessary and to the extent compatible with the independent exercise of the functions of the mission, the delegation of the sending State shall co-operate as fully as possible with the host State in the conduct of any investigation or prosecution carried out pursuant to the provisions of articles 23, 28, 29 and 58.

Article 77

Respect for the laws and regulations of the host State

1. Without prejudice to their privileges and immunities, it is the duty of all persons enjoying such privileges and immunities to respect the laws and regulations of the host State. They also have a duty not to interfere in the internal affairs of that State.

2. In case of grave and manifest violation of the criminal law of the host State by a person enjoying immunity from jurisdiction, the sending State shall, unless it waives the immunity of the person concerned, recall him, terminate his functions with the mission, the delegation or the observer delegation or secure his departure, as appropriate. The sending State shall take the same action in case of grave and manifest interference in the internal affairs of the host State. The provisions of this paragraph shall not apply in the case of any act that the person concerned performed in carrying out the functions of the mission or the tasks of the delegation or of the observer delegation.

3. The premises of the mission and the premises of the delegation shall not be used in any manner incompatible with the exercise of the functions of the mission or the performance of the tasks of the delegation.

4. Nothing in this article shall be construed as prohibiting the host State from taking such measures as are necessary for its own protection. In that event the host State shall, without prejudice to articles 84 and 85, consult the sending State in an appropriate manner in order to ensure that such measures do not interfere with the normal functioning of the mission, the delegation or the observer delegation.

5. The measures provided for in paragraph 4 of this article shall be taken with the approval of the Minister for Foreign Affairs or of any other competent minister in conformity with the constitutional rules of the host State.

Article 78

Insurance against third party risks

The members of the mission, of the delegation or of the observer delegation shall comply with all obligations under the laws and regulations of the host State relating to third-party liability insurance for any vehicle, vessel or aircraft used or owned by them.

Article 79

Entry into the territory of the host State

1. The host State shall permit entry into its territory of :
 - (a) members of the mission and members of their families forming part of their respective households, and
 - (b) members of the delegation and members of their families accompanying them, and
 - (c) members of the observer delegation and members of their families accompanying them.

2. Visas, when required, shall be granted as promptly as possible to any person referred to in paragraph 1 of this article.

Article 80**Facilities for departure**

The host State shall, if requested, grant facilities to enable persons enjoying privileges and immunities, other than nationals of the host State, and members of the families of such persons irrespective of their nationality, to leave its territory.

Article 81**Transit through the territory of a third State**

1. If a head of mission or a member of the diplomatic staff of the mission, a head of delegation, other delegate or member of the diplomatic staff of the delegation, a head of an observer delegation, other observer delegate or member of the diplomatic staff of the observer delegation passes through or is in the territory of a third State which has granted him a passport visa if such visa was necessary, while proceeding to take up or to resume his functions, or when returning to his own country, the third State shall accord him inviolability and such other immunities as may be required to ensure his transit.

2. The provisions of paragraph 1 of this article shall also apply in the case of :

- (a) members of the family of the head of mission or of a member of the diplomatic staff of the mission forming part of his household and enjoying privileges and immunities, whether travelling with him or travelling separately to join him or to return to their country;
- (b) members of the family of the head of delegation, of any other delegate or member of the diplomatic staff of the delegation who are accompanying him and enjoy privileges and immunities, whether travelling with him or travelling separately to join him or to return to their country;
- (c) members of the family of the head of the observer delegation, of any other observer delegate or member of the diplomatic staff of the observer delegation, who are accompanying him and enjoy privileges and immunities, whether travelling with him or travelling separately to join him or to return to their country.

3. In circumstances similar to those specified in paragraphs 1 and 2 of this article, third States shall not hinder the passage of members of the administrative and technical or service staff, and of members of their families, through their territories.

4. Third States shall accord to official correspondence and other official communications in transit, including messages in code or cipher, the same freedom and protection as the host State is bound to accord under the present Convention. They shall accord to the couriers of the mission, of the delegation or of the observer delegation, who have been granted a passport visa if such visa was necessary, and to the bags of the mission, of the delegation or of the observer delegation in transit the same inviolability and protection as the host State is bound to accord under the present Convention.

5. The obligations of third States under paragraphs 1, 2, 3 and 4 of this article shall also apply to the persons mentioned respectively in those paragraphs, and to the official communications and bags of the mission, of the delegation or of the observer delegation when they are present in the territory of the third State owing to *force majeure*.

Article 82

Non-recognition of States or governments or absence of diplomatic or consular relations

1. The rights and obligations of the host State and of the sending State under the present Convention shall be affected neither by the non-recognition by one of those States of the other State or of its government nor by the non-existence or the severance of diplomatic or consular relations between them.

2. The establishment or maintenance of a mission, the sending or attendance of a delegation or of an observer delegation or any act in application of the present Convention shall not by itself imply recognition by the sending State of the host State or its government or by the host State of the sending State or its government.

Article 83

Non-discrimination

In the application of the provisions of the present Convention no discrimination shall be made as between States.

Article 84

Consultations

If a dispute between two or more States Parties arises out of the application or interpretation of the present Convention, consultations between them shall be held upon the request of any of them. At the request of any of the parties to the dispute, the Organization or the conference shall be invited to join in the consultations.

Article 85

Conciliation

1. If the dispute is not disposed of as a result of the consultations referred to in article 84 within one month from the date of their inception, any State participating in the consultations may bring the dispute before a conciliation commission constituted in accordance with the provisions of this article by giving written notice to the Organization and to the other States participating in the consultations.

2. Each conciliation commission shall be composed of three members: two members who shall be appointed respectively by each of the parties to the dispute, and a Chairman appointed in accordance with paragraph 3 of this article. Each State Party to the present Convention shall designate in advance a person to serve as a member of such a commission. It shall notify the designation to the Organization, which shall maintain a register of persons so designated. If it does not make the designation in advance, it may do so during the conciliation procedure up to the moment at which the Commission begins to draft the report which it is to prepare in accordance with paragraph 7 of this article.

3. The Chairman of the Commission shall be chosen by the other two members. If the other two members are unable to agree with one month from the notice referred to in paragraph 1 of this article or if one of the parties to the dispute has not availed itself of its right to designate a member of the Commission, the Chairman shall be designated at the request of one of the parties to the dispute by the chief administrative officer of the Organization. The appointment shall be made within a period of one month from such request. The chief administrative officer of the Organization shall appoint as the Chairman a qualified jurist who is neither an official of the Organization nor a national of any State party to the dispute.

4. Any vacancy shall be filled in the manner prescribed for the initial appointment.

5. The Commission shall function as soon as the Chairman has been appointed even if its composition is incomplete.

6. The Commission shall establish its own rules of procedure and shall reach its decisions and recommendations by a majority vote. It may recommend to the Organization, if the Organization is so authorized in accordance with the Charter of the United Nations, to request an advisory opinion from the International Court of Justice regarding the application or interpretation of the present Convention.

7. If the Commission is unable to obtain an agreement among the parties to the dispute on a settlement of the dispute within two months from the appointment of its Chairman, it shall prepare as soon as possible a report of its proceedings and transmit it to the parties to the dispute. The report shall include the Commission's conclusions upon the facts and questions of law and the recommendations which it has submitted to the parties to the dispute in order to facilitate a settlement of the dispute. The two months time limit may be extended by decision of the Commission. The recommendations in the report of the Commission shall not be binding on the parties to the dispute unless all the parties to the dispute have accepted them. Nevertheless, any party to the dispute may declare unilaterally that it will abide by the recommendations in the report so far as it is concerned.

8. Nothing in the preceding paragraphs of this article shall preclude the establishment of any other appropriate procedure for the settlement of disputes arising out of the application or interpretation of the present Convention or the conclusion of any agreement between the parties to the dispute to submit the dispute to a procedure instituted in the Organization or to any other procedure.

9. This article is without prejudice to provisions concerning the settlement of disputes contained in international agreements in force between States or between States and international organizations.

PART VI FINAL CLAUSES

Article 86

Signature

The present Convention shall be open for signature by all States until 30 September 1975 at the Federal Ministry for Foreign Affairs of the Republic of Austria and subsequently, until 30 March 1976, at United Nations Headquarters in New York.

Article 87

Ratification

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

Article 88

Accession

The present Convention shall remain open for accession by any State. The instruments of accession shall be deposited with the Secretary-General of the United Nations.

Article 89

Entry into force

1. The present Convention shall enter into force on the thirtieth day following the date of deposit of the thirty-fifth instrument of ratification or accession.

2. For each State ratifying or acceding to the Convention after the deposit of the thirty-fifth instrument of ratification or accession, the Convention shall enter into force on the thirtieth day after the deposit by such State of its instrument of ratification or accession.

Article 90

Implementation by organizations

After the entry into force of the present Convention, the competent organ of an international organization of a universal character may adopt a decision to implement the relevant provisions of the Convention. The Organization shall communicate the decision to the host State and to the depositary of the Convention.

Article 91

Notifications by the depositary

1. As depositary of the present Convention, the Secretary-General of the United Nations shall inform all States:

- (a) of signature to the Convention and of the deposit of instruments of ratification or accession; in accordance with articles 86, 87 and 88;
- (b) of the date on which the Convention will enter into force, in accordance with article 89;
- (c) of any decision communicated in accordance with article 90.

2. The Secretary-General of the United Nations shall also inform all States, as necessary, of other acts, notifications or communications relating to the present Convention.

Article 92

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.

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

DONE AT VIENNA, this fourteenth day of March, one thousand nine hundred and seventy-five.

ΔΕΥΤΕΡΟΝ ΜΕΡΟΣ

ΣΥΜΒΑΣΙΣ ΤΗΣ ΒΙΕΝΝΗΣ ΠΕΡΙ ΤΗΣ ΑΝΤΙΠΡΟΣΩΠΕΥΣΕΩΣ ΤΩΝ ΚΡΑΤΩΝ ΕΙΣ ΤΑΣ ΣΧΕΣΕΙΣ ΤΩΝ ΜΕΤΑ ΔΙΕΘΝΩΝ ΟΡΓΑΝΙΣΜΩΝ ΟΙΚΟΥΜΕΝΙΚΟΥ ΧΑΡΑΚΤΗΡΟΣ

Τὰ Κράτη — Μέρη τῆς παρούσης Συμβάσεως,

‘Αναγνωρίζοντα τὴν αξιονόμενην σημασίαν τοῦ ρόλου τῆς πολυμεροῦς διπλωματίας εἰς τὰς σχέσεις μεταξύ Κράτων καὶ τῶν εὐθύνων τῶν Ἡνωμένων Ἐθνῶν, τῶν εἰδικευμένων δργανώσεων αὐτῶν καὶ ἐτέρων διεθνῶν δργανώσεων οἰκουμενικοῦ χαρακτήρος ἐντὸς τῆς Διεθνοῦς κοινωνίας,

"Εχοντα κατα νούν τους σκοπούς και τάς άρχας του χάρτου των Ήνωμένων Εθνών περί της κυριαρχικής ισότητος των Κρατών, της διατηρήσεως της διεθνούς ειρήνης και διφαλείας και της προαγωγής φιλικών σχέσεων και συνεργασίας μεταξύ Κρατών,

Άν α μι μνή σκοντα τού ἔργου της κωδικοποιήσεως και της προοδευτικής ἀναπτύξεως διεθνούς δικαίου ἐφαρμοζομένου εἰς τάς διμερεῖς σχέσεις μεταξύ Κρατών ὅπερ ἐπετεύχθη διὰ της Συμβάσεως της Βιέννης περὶ τῶν Διπλωμάτικῶν Σχέσεων τοῦ 1961, της Συμβάσεως της Βιέννης περὶ τῶν Πρεξενικῶν Σχέσεων τοῦ 1963 και της Συμβάσεως περὶ τῶν Εἰδικῶν Ἀποστολῶν τοῦ 1969,

Πιστεύοντα δτι μία διεθνής σύμβασις περὶ της ἀντιπροσωπεύσεως τῶν Κρατών εἰς τάς σχέσεις των μετά διεθνῶν δργανισμῶν οίκουμενικοῦ χαρακτήρος θά συνέβαλλε εἰς τὴν προαγωγήν φιλικῶν σχέσεων και συνεργασίας μεταξύ Κρατών, ἀνεξαρτήτως τῶν πολιτικῶν, οίκονομικῶν και κοινωνικῶν αὐτῶν συστημάτων,

Άν α μι μνή σκοντα τῶν διατάξεων τοῦ "Αρθρου 105 τοῦ Χάρτου τῶν Ήνωμένων Εθνών,

Άν α γνωρίζοντα δτι δ σκοπός τῶν ἐν τῇ παρούσῃ Συμβάσει περιεχομένων προνομίων και διστιών δὲν είναι ή παροχὴ ὀφελημάτων εἰς τὰ ἄτομα ἀλλ' ή διασφάλισις της ἀποτελεσματικῆς ὑπ' αὐτῶν ἀσκήσεως τῶν ὀρμοδιοτήτων τῶν ἐν σχέσει πρὸς δργανισμούς και διασκέψεις,

Λαμβάνοντα ύπ' ὅψιν τὴν Σύμβασιν περὶ τῶν Προνομίων και Ἀσυλιῶν τῶν Ήνωμένων Εθνών τοῦ 1946, τὴν Σύμβασιν περὶ τῶν Προνομίων και Ἀσυλιῶν τῶν Εἰδικευμένων Ὁργανώσεων τοῦ 1947 και ἐτέρας συμφωνίας Ισχυούσας μεταξύ Κρατών και μεταξύ Κρατών και διεθνῶν δργανισμῶν,

Ἐπιθεθαί ούντα δτι οἱ κανόνες τοῦ ἐθιμικοῦ διεθνούς δικαίου συνεχίζουν νὰ διέπουν ζητήματα μὴ ρητῶς ρυθμιζόμενα ὑπὸ τῶν διατάξεων της παρούσης Συμβάσεως,

Συνεφώνησαν ὡς ἀκολούθως:

ΜΕΡΟΣ Ι

ΕΙΣΑΓΩΓΗ

"Αρθρον 1

Χρήσις δρων

1. Διὰ τους σκοπούς της παρούσης Συμβάσεως:

- (1) «διεθνής δργανισμός» σημαίνει διακυβερνητικὸν δργανισμόν
- (2) «διεθνής δργανισμός οίκουμενικοῦ χαρακτήρος» σημαίνει τὰ Ήνωμένα Εθνη, τάς εἰδικευμένας δργανώσεις αὐτῶν, τὴν Διεθνή Ὁργάνωσιν Ἀτομικής Ἐνεργείας, ως και πᾶν παρόδιον δργανισμὸν ἐν τῷ διπολῷ ὀ. ἀριθμός μελῶν και αἱ εὐθύναι τούτου κέκτηνται παγκοσμίους διαστάσεις»
- (3) «Ὁργανισμός» σημαίνει τὸν ὑπὸ συζήτησιν διεθνῆ δργανισμόν
- (4) «ὅργανον» σημαίνει:
 - (α) οἰονδήποτε κύριον ή βοηθητικὸν δργανον διεθνοῦς τίνος δργανισμοῦ, ή
 - (β) οἰονδήποτε ἐπιτροπὴν ή ὑπεπιτροπὴν οἰονδήποτε τοιούτου δργανον ἐν τῇ διπολᾳ τὰ μέλη είναι Κράτη·
- (5) «διάσκεψις» σημαίνει διάσκεψιν Κρατών συγκαλόμενην ὑπὸ τίνος διεθνοῦς δργανισμοῦ ή ὑπὸ τὴν αἴγιδα αὐτοῦ·
- (6) «ἀποστολὴ» σημαίνει, ἀναλόγως της περιπτώσεως, τὴν μόνιμον ἀποστολὴν ή τὴν ἀποστολὴν παραπηρητῶν·

- (7) «μόνιμος ἀποστολὴ» σημαίνει ἀποστολὴν μονίμου χαρακτῆρος, ἐκπροσωπούσαν τὸ Κράτος καὶ ἀποστελλομένην ὑπὸ τίνος Κράτους μέλους διεθνοῦς δργανισμοῦ παρὰ τῷ Ὀργανισμῷ·
- (8) «μόνιμος ἀποστολὴ παραστηρητῶν» σημαίνει ἀποστολὴν μονίμου χαρακτῆρος, ἐκπροσωπούσαν τὸ Κράτος καὶ ἀποστελλομένην παρὰ τινι δργανισμῷ ὑπὸ τίνος Κράτους μέλους τοῦ Ὀργανισμοῦ·
- (9) «ἀντιπροσωπεία» σημαίνει, ἀναλόγως τῆς περιπτώσεως, τὴν ἀντιπροσωπείαν παρὰ τινι δργάνῳ ἢ τὴν ἀντιπροσωπείαν παρὰ τινι διασκέψει·
- (10) «ἀντιπροσωπεία παρὰ τινι δργάνῳ» σημαίνει τὴν ἀντιπροσωπείαν παρὰ τινι δργάνῳ ἢ τὴν ἀντιπροσωπείαν τὴν ἀποστελλομένην ὑπὸ τίνος Κράτους ἵνα συμμετάσχῃ ἐν δύματι του εἰς τὴν διαδικασίαν τοῦ δργάνου·
- (11) «ἀντιπροσωπεία παρὰ τινι διασκέψει» σημαίνει τὴν ἀντιπροσωπείαν παρὰ τινι διασκέψειν τὴν ἀποστελλομένην ὑπὸ τίνος Κράτους ἵνα συμμετάσχῃ ἐν δύματι του ἐν τῇ διασκέψει·
- (12) «ἀντιπροσωπεία παραστηρητῶν» σημαίνει, ἀναλόγως τῆς περιπτώσεως τὴν ἀντιπροσωπείαν παραστηρητῶν παρὰ τινι δργάνῳ ἢ τὴν ἀντιπροσωπείαν παραστηρητῶν παρὰ τινι διασκέψει·
- (13) «ἀντιπροσωπεία παραστηρητῶν παρὰ τινι δργάνῳ» σημαίνει τὴν ἀντιπροσωπείαν τὴν ἀποστελλομένην ὑπὸ τίνος Κράτους ἵνα συμμετάσχῃ ἐν δύματι του ὡς παραστηρητῆς εἰς τὴν διαδικασίαν τοῦ δργάνου·
- (14) «ἀντιπροσωπεία παραστηρητῶν παρὰ τινι διασκέψει» σημαίνει τὴν ἀντιπροσωπείαν τὴν ἀποστελλομένην ὑπὸ τίνος Κράτους ἵνα συμμετάσχῃ ἐν δύματι του ὡς παραστηρητῆς εἰς τὴν διαδικασίαν τῆς διασκέψεως·
- (15) «φιλοξενοῦν Κράτος» σημαίνει τὸ Κράτος ἐν τῇ ἔδαφικῇ ἐπικρατείᾳ οὐτίνος:
- (α) ὁ Ὀργανισμὸς διατηρεῖ τὴν ἔδραν αὐτοῦ ἢ γραφείον, ἢ
 - (β) πραγματοποιεῖται σύνοδος δργάνου τινὸς ἢ διάσκεψις·
- (16) «ἀποστέλλον Κράτος» σημαίνει τὸ Κράτος ὅπερ ἀποστέλλει:
- (α) ἀποστολὴν τινα παρὰ τῷ Ὀργανισμῷ εἰς τὴν ἔδραν αὐτοῦ ἢ εἰς τι γραφείον τοῦ Ὀργανισμοῦ, ἢ
 - (β) ἀντιπροσωπείαν παρὰ τινι δργάνῳ ἢ ἀντιπροσωπείαν παρὰ τινι διασκέψει, ἢ
 - (γ) ἀντιπροσωπείαν παραστηρητῶν παρὰ τινι δργάνῳ ἢ ἀντιπροσωπείαν παραστηρητῶν παρὰ τινι διασκέψει·
- (17) «ἀρχηγὸς ἀποστολῆς» σημαίνει, ἀναλόγως τῆς περιπτώσεως, τὸν μόνιμον ἀντιπρόσωπον ἢ τὸν μόνιμον παραστηρητήν·
- (18) «μόνιμος ἀντιπρόσωπος» σημαίνει τὸ πρόσωπον τὸ ἐπιφορτιζόμενον ὑπὸ τοῦ ἀποστέλλοντος Κράτους διὰ τοῦ καθήκοντος ὅπως ἐνεργῇ ὡς ἀρχηγὸς τῆς μονίμου ἀποστολῆς·
- (19) «μόνιμος παραστηρητῆς» σημαίνει τὸ πρόσωπον τὸ ἐπιφορτιζόμενον ὑπὸ τοῦ ἀποστέλλοντος Κράτους διὰ τοῦ καθήκοντος ὅπως ἐνεργῇ ὡς ἀρχηγὸς τῆς μονίμου ἀποστολῆς παραστηρητῶν·
- (20) «μέλη τῆς ἀποστολῆς» σημαίνει τὸν ἀρχηγὸν τῆς ἀποστολῆς καὶ τὰ μέλη τοῦ προσωπικοῦ·
- (21) «ἀρχηγὸς ἀντιπροσωπείας» σημαίνει τὸν ἀντιπρόσωπον τὸν ἐπιφορτιζόμενον ὑπὸ τοῦ ἀποστέλλοντος Κράτους διὰ τοῦ καθήκοντος ὅπως ἐνεργῇ ὑπὸ τὴν ἰδιότητα ταύτην·
- (22) «ἀντιπρόσωπος» σημαίνει πᾶν πρόσωπον δριζόμενον ὑπὸ τίνος Κράτους ἵνα συμμετάσχῃ ὡς ἀντιπρόσωπος αὐτοῦ εἰς τὴν διαδικασίαν δργάνου τινὸς ἢ εἰς τινα διάσκεψιν·
- (23) «μέλη τῆς ἀντιπροσωπείας» σημαίνει τοὺς ἀντιπροσώπους καὶ τὰ μέλη τοῦ προσωπικοῦ·

- (24) «άρχηγός τῆς ἀντιπροσωπείας παραπτηρητῶν» σημαίνει τὸν ἀντιπρόσωπον παραπτηρητὴν τὸν ἐπιφορτιζόμενον ὑπὸ τοῦ ἀποστέλλοντος Κράτους διὰ τοῦ καθήκοντος ὅπως ἐνεργῇ ὑπὸ τὴν ἰδιότητα ταύτην»
- (25) «ἀντιπρόσωπος παραπτηρῆς» σημαίνει πᾶν πρόσωπον ὁριζόμενον ὑπὸ τινος Κράτους ἵνα παρακολουθῇ ὡς παραπτηρῆς τὴν διαδικασίαν ὁργάνου ἢ διασκέψεώς τινος·
- (26) «μέλη τῆς ἀντιπροσωπείας παραπτηρητῶν» σημαίνει τοὺς ἀντιπροσώπους παραπτηρῆς καὶ τὰ μέλη τοῦ προσωπικοῦ·
- (27) «μέλη τοῦ προσωπικοῦ» σημαίνει τὰ μέλη τοῦ διπλωματικοῦ προσωπικοῦ, τὸ διοικητικὸν καὶ τεχνικὸν προσωπικὸν καὶ τὸ ὑπηρετικὸν προσωπικὸν τῆς ἀποστολῆς, τῆς ἀντιπροσωπείας ἢ τῆς ἀντιπροσωπείας παραπτηρητῶν·
- (28) «μέλη τοῦ διπλωματικοῦ προσωπικοῦ» σημαίνει τὰ μέλη τοῦ προσωπικοῦ τῆς ἀποστολῆς, τῆς ἀντιπροσωπείας ἢ τῆς ἀντιπροσωπείας παραπτηρητῶν οἵτινες ἀπολαύουν διπλωματικῆς ἰδιότητος διὰ τὸν σκοπὸν τῆς ἀποστολῆς, τῆς ἀντιπροσωπείας ἢ τῆς ἀντιπροσωπείας παραπτηρητῶν·
- (29) «μέλη τοῦ διοικητικοῦ καὶ τεχνικοῦ προσωπικοῦ» σημαίνει τὰ μέλη τοῦ προσωπικοῦ τοῦ ἀπασχολούμενου εἰς τὴν διοικητικὴν καὶ τεχνικὴν ὑπηρεσίαν τῆς ἀποστολῆς, τῆς ἀντιπροσωπείας ἢ τῆς ἀντιπροσωπείας παραπτηρητῶν·
- (30) «μέλη τοῦ ὑπηρετικοῦ προσωπικοῦ» σημαίνει τὰ μέλη τοῦ προσωπικοῦ τοῦ ἀπασχολούμενου ὑπὸ τῆς ἀποστολῆς, τῆς ἀντιπροσωπείας ἢ τῆς ἀντιπροσωπείας παραπτηρητῶν ὡς ὄικιακοι ὑπηρέται ἢ διὰ παρεμφερῆ καθήκοντα·
- (31) «ἴδιωτικὸν προσωπικὸν» σημαίνει πρόσωπα ἀπασχολούμενα ἀποκλειστικῶς εἰς τὴν ἴδιωτικὴν ὑπηρεσίαν τῶν μελῶν τῆς ἀποστολῆς ἢ τῆς ἀντιπροσωπείας·
- (32) «χῶροι τῆς ἀποστολῆς» σημαίνει τὰ κτίρια ἢ τιμήματα κτιρίων καὶ ἢ συνεχομένη μετ' αὐτῶν ἔκτασις γῆς, ἀσχέτως τοῦ ποίος εἶναι δὲ ἴδιοκτήτης, ἀτινα χρησιμοποιοῦνται διὰ τοὺς σκοπούς τῆς ἀποστολῆς, περιλαμβανομένης τῆς κατοικίας τοῦ ἀρχηγοῦ τῆς ἀποστολῆς·
- (33) «χῶροι τῆς ἀντιπροσωπείας» σημαίνει τὰ κτίρια ἢ τιμήματα κτιρίων, ἀσχέτως τοῦ ποίος εἶναι δὲ ἴδιοκτήτης, ἀτινα χρησιμοποιοῦνται ἀποκλειστικῶς ὡς γραφεῖα τῆς ἀντιπροσωπείας·
- (34) «κανόνες τοῦ Ὀργανισμοῦ» σημαίνει, Ἰδίως τὰς καταστατικὰς πράξεις, τὰς οἰκείας ἀποφάσεις καὶ ψηφίσματα καὶ τὴν καθιερωμένην πρακτικὴν τοῦ Ὀργανισμοῦ.

2. Αἱ διατάξεις τῆς παραγράφου 1 τοῦ παρόντος ὅρθρου ἀναφορικῶς πρὸς τὴν χρῆσιν τῶν ὅρων ἐν τῇ παρούσῃ συμβάσει τίθενται ὅνευ ἐπηρεασμοῦ τῆς χρήσεως τῶν ἐν λόγῳ ὅρων ἢ τῆς ἐννοίας ἥτις δυνατὸν νὰ ἀποδίεται εἰς τούτους εἰς ἔτερα διεθνῆ ἔγγραφα ἢ εἰς τὴν ἐσωτερικὴν νομοθεσίαν οἰουδήποτε Κράτους.

”Αρθρον. 2

Πεδίον ἐφαρμογῆς τῆς παρούσης Συμβάσεως

1. Ἡ παρούσα Σύμβασις ἔχει ἐφαρμογὴν ἐπὶ τῆς ἀντιπροσωπεύσεως Κρατῶν εἰς τὰς σχέσεις τῶν μεθ' οἰουδήποτε διεθνοῦς ὁργανισμοῦ οἰκουμενικοῦ χαρακτῆρος, ὡς καὶ ἐπὶ τῆς ἀντιπροσωπεύσεως των εἰς διασκέψεις συγκαλουμένας ὑπὸ τοιούτου ὁργανισμοῦ ἢ ὑπὸ τὴν αἰγίδα αὐτοῦ, δσάκις ἢ Σύμβασις ἐγένετο ἀποδεκτὴ ὑπὸ τοῦ φιλοξενοῦντος Κράτους καὶ δὲ Ὁργανισμὸς συνεπλήρωσε τὴν ἐν ὅρθρῳ 90 προβλεπομένην διαδικασίαν.

2. Τὸ γεγονός ὃτι ἡ παρούσα Σύμβασις δὲν ἔχει ἐφαρμογὴν ἐπὶ ἔτέρων διεθνῶν ὁργανισμῶν δὲν ἐπηρεάζει τὴν ἀντιπροσώπευσιν Κρατῶν εἰς τὰς σχέσεις των μετά τῶν τοιούτων ἔτέρων ὁργανισμῶν ἐπὶ τῇ θάσει οἰωνδήποτε ἐν τῇ Συμβάσει ἐκτιθεμένων κανόνων οἵτινες θὰ είχον ἐφαρμογὴν δυνάμει τοῦ διεθνοῦς δικαίου ὀνειδαρτήτως τῆς Συμβάσεως.

3. Τὸ γεγονός ὅτι ἡ παρούσα Σύμβασις δὲν ἔχει ἐφαρμογὴν ἐπὶ ἑτέρων διασκέψεων δὲν ἐπηρεάζει τὴν ἐπὶ τῆς ἀντιπροσωπεύσεως Κρατῶν εἰς τὰς τοιαύτας ἑτέρας διασκέψεις ἐφαρμογὴν φίουδήποτε τῶν ἐν τῇ Συμβάσει ἐκτιθεμένων κανόνων οἵτινες θὰ εἶχον ἐφαρμογὴν δυνάμει τοῦ διεθνοῦ δικαίου ἀνεξαρτήτως τῆς Συμβάσεως.

4. Οὐδὲν τῶν ἐν τῇ παρούσῃ Συμβάσει διαλαμβανομένων θέλει ἀποκλεῖει τὴν σύναψιν συμφωνῶν μεταξὺ Κρατῶν ἢ μεταξὺ Κρατῶν καὶ διεθνῶν δργανισμῶν καθιστῶν τὴν Σύμβασιν ἐφαρμοστέαν ἐν ὅλῳ ἢ ἐν μέρει ἐπὶ διεθνῶν δργανισμῶν ἢ διασκέψεων ἑτέρων ἢ τῶν ἐν παραγράφῳ 1 τοῦ παρόντος ἀρθρου ἀναφερομένων τοιούτων.

"Αρθρον 3

Σχέσις μεταξὺ τῆς παρούσης Συμβάσεως καὶ τῶν οἰκείων κανόνων τῶν διεθνῶν δργανισμῶν ἢ διασκέψεων.

Αἱ διατάξεις τῆς παρούσης Συμβάσεως τίθενται ὅνει ἐπηρεασμοῦ οἰωνοῦ δήποτε σχετικῶν κανόνων τοῦ Ὁργανισμοῦ ἢ οἰωνδήποτε σχετικῶν κανόνων διαδικασίας τῆς διασκέψεως.

"Αρθρον 4

Σχέσεις μεταξὺ τῆς παρούσης Συμβάσεως καὶ ἑτέρων διεθνῶν συμφωνιῶν

Αἱ διατάξεις τῆς παρούσης Συμβάσεως—

(α) τίθενται ὅνει ἐπηρεασμοῦ ἑτέρων διεθνῶν συμφωνιῶν Ισχυούσων μεταξὺ Κρατῶν ἢ μεταξὺ Κρατῶν καὶ διεθνῶν δργανισμῶν οἰκουμενικοῦ χαρακτῆρος, καὶ

(β) οὐδόλως ἀποκλείουν τὴν σύναψιν ἑτέρων διεθνῶν συμφωνιῶν ἀναφορικῶς πρὸς τὴν ἀντιπροσώπευσιν Κρατῶν εἰς τὰς σχέσεις τῶν μετὰ διεθνῶν δργανισμῶν οἰκουμενικοῦ χαρακτῆρος ἢ πρὸς τὴν ἀντιπροσώπευσιν τῶν εἰς διασκέψεις συγκαλουμένας ὑπὸ τοιούτων δργανισμῶν ἢ ὑπὸ τὴν αἰγίδα αὐτῶν.

ΜΕΡΟΣ II

ΑΠΟΣΤΟΛΑΙ ΕΙΣ ΔΙΕΘΝΕΙΣ ΟΡΓΑΝΙΣΜΟΥΣ

"Αρθρον 5

Ἐγκαθίδρυσις ἀποστολῶν

1. Κράτη-μέλη δύνανται, ἐφ' ὅσον ἐπιτρέπουν τοῦτο οἱ κανόνες τοῦ Ὁργανισμοῦ νὰ ἐγκαθιδρύουν μονίμους ἀποστολάς διὰ τὴν ἐκτέλεσιν τῶν ἐν ἀρθρῷ 6 μνημονευομένων ἀρμοδιοτήτων.

2. Τὰ Κράτη-μήλη δύνανται, ἐφ' ὅσον ἐπιτρέπουν τοῦτο οἱ κανόνες τοῦ Ὁργανισμοῦ, νὰ ἐγκαθιδρύουν μονίμους ἀποστολάς παραστηρητῶν διὰ τὴν ἐκτέλεσιν τῶν ἐν ἀρθρῷ 7 μνημονευομένων ἀρμοδιοτήτων.

3. Ὁ Ὁργανισμὸς θὰ εἰδοποιῇ τὸ φιλοξενοῦν Κράτος περὶ τῆς συγκροτήσεως τῆς ἀποστολῆς πρὸ τῆς ἐγκαθιδρύσεως αὐτῆς.

"Αρθρον 6

Ἀρμοδιότητες τῆς μονίμου ἀποστολῆς

Αἱ ἀρμοδιότητες τῆς μονίμου ἀποστολῆς περιλαμβάνουν μεταξὺ ἄλλων:

(α) τὴν ἔξασφάλισιν τῆς ἀντιπροσωπεύσεως τοῦ ἀποστέλλοντος Κράτους παρὰ τῷ Ὁργανισμῷ·

(β) τὴν διατήρησιν συνδέσμου μεταξὺ τοῦ ἀποστέλλοντος Κράτους καὶ Ὁργανισμοῦ·

(γ) τὴν διαπραγμάτευσιν μετὰ καὶ ἐντὸς τοῦ Ὁργανισμοῦ·

(δ) τὴν διαπίστωσιν δραστηριοτήτων ἐν τῷ Ὁργανισμῷ καὶ ἀναφορὰν τούτων πρὸς τὴν Κυβέρνησιν τοῦ ἀποστέλλοντος Κράτους·

- (ε) τὴν ἔξασφάλισιν τῆς συμμετοχῆς τοῦ ἀποστέλλοντος Κράτους εἰς τὰς δραστηριότητας τοῦ Ὀργανισμοῦ·
- (στ) τὴν προστασίαν τῶν συμφερόντων τοῦ ἀποστέλλοντος Κράτους ἐν σχέσει πρὸς τὸν Ὀργανισμόν·
- (ζ) τὴν προαγωγὴν τῆς ὑλοποίησεως τῶν σκοπῶν καὶ ἀρχῶν τοῦ Ὀργανισμοῦ διὰ συνεργασίας μετὰ ἢ ἐντὸς τοῦ Ὀργανισμοῦ.

"Αρθρον 7

Αρμοδιότητες τῆς μονίμου ἀποστολῆς παρατηρητῶν

Αἱ ἀρμοδιότητες τῆς μονίμου ἀποστολῆς παρατηρητῶν περιλαμβάνουν μεταξὺ ἄλλων:

- (α) τὴν ἔξασφάλισιν τῆς ἀντιπροσωπεύσεως τοῦ ἀποστέλλοντος Κράτους καὶ τὴν περιφρούρησιν τῶν συμφερόντων του ἐν σχέσει πρὸς τὸν Ὀργανισμὸν καὶ τὴν διατήρησιν συνδέσμου μετ' αὐτοῦ·
- (β) τὴν διαπίστωσιν δραστηριότητων ἐν τῷ Ὀργανισμῷ καὶ τὴν ἀναφορὰν τούτων πρὸς τὴν Κυβερνήσιν τοῦ ἀποστέλλοντος Κράτους·
- (γ) τὴν προαγωγὴν συνεργασίας μετὰ τοῦ Ὀργανισμοῦ καὶ τὴν ἐντὸς αὐτοῦ διαπραγμάτευσιν.

"Αρθρον 8

Πολλαπλῆ διαπίστευσις ἢ πολλαπλοῦς διορισμὸς

1. Τὸ ἀποστέλλον Κράτος δύναται νὰ διαπιστεύῃ τὸ αὐτὸ πρόσωπον ὡς ἀρχηγὸν τῆς ἀποστολῆς εἰς δύο ἢ πλείονας διεθνεῖς ὁργανισμούς ἢ νὰ διορίσῃ τὸν ἀρχηγὸν ἀποστολῆς ὡς μέλος τοῦ διπλωματικοῦ προσωπικοῦ ἐτέρας τινός τῶν ἀποστολῶν αὐτοῦ.

2. Τὸ ἀποστέλλον Κράτος δύναται νὰ διαπιστεύῃ ἐν μέλος τοῦ διπλωματικοῦ προσωπικοῦ τῆς ἀποστολῆς ὡς ἀρχηγὸν ἀποστολῆς εἰς ἐτέρους διεθνεῖς ὁργανισμούς ἢ νὰ διορίσῃ ἐν μέλος τοῦ προσωπικοῦ τῆς ἀποστολῆς ὡς μέλος τοῦ προσωπικοῦ ἐτέρας τινός τῶν ἀποστολῶν αὐτοῦ.

3. Δύο ἢ πλείονα Κράτη δύνανται νὰ διαπιστεύσουν τὸ αὐτὸ πρόσωπον ὡς ἀρχηγὸν ἀποστολῆς παρὰ τῷ αὐτῷ διεθνῇ ὁργανισμῷ.

"Αρθρον 9

Διορισμὸς τῶν μελῶν τῆς ἀποστολῆς

Τηρουμένων τῶν διατάξεων τῶν ἀρθρῶν 14 καὶ 73, τὸ ἀποστέλλον Κράτος δύναται ἐλευθέρως νὰ διορίζῃ τὰ μέλη τῆς ἀποστολῆς.

"Αρθρον 10

Διαπιστευτήρια τοῦ ἀρχηγοῦ τῆς ἀποστολῆς

Τὰ διαπιστευτήρια τοῦ ἀρχηγοῦ ἀποστολῆς θὰ ἐκδίδωνται ὑπὸ τοῦ Ἀρχηγοῦ τοῦ Κράτους, ὑπὸ τοῦ Ἀρχηγοῦ τῆς Κυβερνήσεως, ὑπὸ τοῦ Ὑπουργοῦ Ἐξωτερικῶν ἢ, ἐφ' ὅσον ἐπιτρέπουν τοῦτο οἱ κανόνες τοῦ Ὀργανισμοῦ, ὑπὸ ἐτέρας ἀρμοδιάς ἀρχῆς τοῦ ἀποστέλλοντος Κράτους καὶ θὰ διατίθεται πρὸς τὸν Ὀργανισμόν.

"Αρθρον 11

Διαπίστευσις πάρ' ὁργάνοις τοῦ Ὀργανισμοῦ

1. Τὸ Κράτος-μέλος δύναται νὰ καθορίσῃ εἰς τὰ διαπιστευτήρια τὰ ἐκδιδόμενα εἰς τὸν μόνιμον ἀντιπρόσωπον αὐτοῦ ὅτι οὗτος ἔξουσιοδοτεῖται νὰ ἐνεργῇ ὡς ἀντιπρόσωπος εἰς ἐντὸνα ὁργανισμοῦ.

2. Ἐκτὸς ἔαν τὸ Κράτος-μέλος προθλέπῃ ἄλλως, διὰ μόνιμος ἀντιπρόσωπος αὐτοῦ δύναται νὰ ἐνεργῇ ὡς ἀντιπρόσωπος εἰς ὁργανισμοῦ διὰ τὰ δοιαῖς δὲν ὑφίστανται εἰδικαὶ διαπιστευτήρια τοῦ Ὀργανισμοῦ διὰ τὰ δοιαῖς δὲν ὑφίστανται εἰδικαὶ διαπιστευτήρια τοῦ Ὀργανισμοῦ.

3. Τὸ Κράτος-μὴ μέλος δύναται νὰ καθορίσῃ εἰς τὰ διαπιστευτήρια τὰ ἐκδόδημενα εἰς τὸν μόνιμον αὐτοῦ παρατηρητὴν διτοι οὗτος ἔξουσιοδοτεῖται νὰ ἐνεργῇ ὡς ἀντιπρόσωπος παρατηρητῆς εἰς ἦν ἢ πλείονα ὅργανα τοῦ Ὀργανισμοῦ ὁσάκις τοῦτο ἐπιτρέπεται ύπο τῶν Κανόνων τοῦ Ὀργανισμοῦ ἢ τοῦ συγκεκριμένου δργάνου.

"Apθρον 12

Πληρεξούσιον διὰ τὴν σύναψιν συνθήκης μετὰ τοῦ Ὁργανισμοῦ

1. Ό αρχηγός ἀποστολῆς, ὃς ἐκ τῶν ἀρμοδιοτήτων του καὶ ἀνευ ἀνάγκης προσκομίσεως πληρεξουσίου, θεωρεῖται ὡς ἀντιπροσωπεύων τὸ Κράτος αὐτοῦ πρὸς τὸν σκοπὸν υἱοθετήσεως τοῦ κειμένου συνθήκης τινὸς μεταξὺ τοῦ Κράτους τούτου καὶ τοῦ Ὀργανισμοῦ.

2. Ὁ ἀρχηγὸς ἀπόστολῆς δὲν θεωρεῖται ως ἐκ τῶν ἀρμοδιοτήτων του ἀντιπροσωπεύων τὸ Κράτος του πρός τὸν σκοπὸν ὑπογραφῆς συνθήκης τινός, ἢ ὑπογραφῆς συνθήκης τινὸς ad referendum, μεταξὺ τοῦ ἐν λόγῳ Κράτους καὶ τοῦ Ὀργανισμοῦ ἐκτός ἔσαν ἐκ τῆς πρακτικῆς τοῦ Ὀργανισμοῦ ἢ ἐξ ἀλλων περιστατικῶν προκύπτῃ ὅτι δ σκοπὸς τῶν μερῶν ἦτο ἢ μὴ ἀπαίτησις πληρεξουσίου.

"Αρθρον 13

Σύνθεσις τῆς ἀποστολῆς

Πλήν τού ἀρχηγού τῆς ἀποστολῆς, ή ἀποστολὴ δύναται νὰ περιλαμβάνῃ διπλωματικὸν προσωπικόν, διοικητικόν, τεχνικόν καὶ ὑπηρετικόν προσωπικόν.

"Ap0pov 14

Μέγεθος τῆς ἀποστολῆς

Τὸ μέγεθος τῆς ἀποστολῆς δὲν θά ύπερθαίνῃ τὸ εὔλογον καὶ κανονικὸν μέγεθος, λαμβανομένων ὅπ' ὅψιν τῶν ἀρμόδιοτήτων τοῦ Ὁργανισμοῦ, τῶν ἀναγκῶν τῆς συγκεκριμένης ἀποστολῆς καὶ τῶν συνθηκῶν καὶ καταστάσεων ἐν τῷ φιλοξενοῦντι Κράτει.

"Apθροv 15

Γνωστοποιήσεις

1. Τὸ ἀποστέλλον Κράτος θὰ γνωστοποιῇ πρὸς τὸν Ὁργανισμόν:
 - (α) τὸν διορισμόν, θέσιν, τίτλον καὶ τάξιν προθεσμίατος τῶν μελῶν τῆς ἀποστολῆς, τὴν ἄφιξιν, δριστικὴν ἀναχώρησιν ἢ τὸν τερματισμὸν τῶν ἀρμόδιοτήτων τῶν παρὰ τῇ ἀποστολῇ, ὡς καὶ πᾶσαν ἔτεραν μεταβολὴν ἐπηρεάζουσαν τὴν ιδιότητά των ητίς δυνατὸν νὰ ἐπέλθῃ κατὰ τὴν διάρκειαν τῆς ὑπηρεσίας τῶν παρὰ τῇ ἀποστολῇ.
 - (β) τὴν ἄφιξιν καὶ δριστικὴν ἀναχώρησιν παντὸς προσώπου ἀνήκοντος εἰς τὴν οἰκογένειαν μέλους τινὸς τῆς ἀποστολῆς καὶ συγκροτούντος τὸν οἶκον αὐτοῦ καί, ἐνθα ἐνδείκνυται, τὸ γεγονὸς ὅτι πρόσωπόν τι καθίσταται ἢ παύει νὰ εἶναι μέλος τῆς οἰκογένειας.
 - (γ) τὴν ἄφιξιν καὶ δριστικὴν ἀναχώρησιν προσώπων ἀπασχολουμένων εἰς τὸ ιδιωτικὸν προσωπικὸν μελῶν τῆς ἀποστολῆς καὶ ὁ τερματισμὸς τῆς τοιαύτης ἀπασχολήσεώς των.
 - (δ) τὴν ἔναρξιν καὶ τὸν τερματισμὸν τῆς ἀπασχολήσεως προσώπων κατοικούντων ἐν τῷ φιλοξενούντι Κράτει ὡς μέλη τοῦ προσωπικοῦ τῆς ἀποστολῆς ἢ ὡς πρόσωπα ἀπασχολούμενα εἰς τὸ ιδιωτικὸν προσωπικόν.
 - (ε) τὴν τοποθεσίαν τῶν χώρων τῆς ἀποστολῆς καὶ τῶν ιδιωτικῶν χώρων ἐνδιαιτήσεως οἵτινες ἀπολαύουν τοῦ ὀπαραθιάστου δυνάμει τῶν ὀρθρῶν 23 καὶ 29, ὡς ἐπίσης πᾶσαν ἔτεραν ἀναγκαίαν πληροφορίαν πρὸς ἀναγνώρισιν τῶν ἐν λόγῳ χώρων.
 2. Περὶ τῆς ἀφίξεως καὶ δριστικῆς ἀναχωρήσεως δέον ὡσαύτως, εἰ δυνατὸν, νὰ προηγήται σχετικὴ γνωστοποίησις.
 3. Ὁ Ὁργανισμὸς θὰ διατείσῃ πρὸς τὸ φιλοξενοῦν Κράτος τὰς ἐν παραγράφοις 1 καὶ 2 τοῦ παρόντος ὀρθρου ἀναφερομένας γνωστοποιήσεις.

4. Τὸ ἀποστέλλον Κράτος δύναται ὡσαύτως νὰ διαθισάζῃ πρὸς τὸ φιλο-ενοῦν Κράτος τὰς ἐν παραγράφοις 1 καὶ 2 τοῦ παρόντος ἄρθρου ἀναφερο-μένας γνωστοποιήσεις.

"Ἄρθρον 16

Ἀναπτηρωτὴς ἀρχηγὸς ἀποστολῆς

Ἐὰν ἡ θέσις ἀρχηγοῦ τῆς ἀποστολῆς κενωθῇ, ἢ ἐὰν ὁ ἀρχηγὸς ἀποστολῆς ἀδυνατῇ νὰ ἔκτελῃ τὰς ἀρμοδιότητάς του, τὸ ἀποστέλλον Κράτος δύναται νὰ διορίσῃ ἀναπτηρωτὴν ἀρχηγὸν ἀποστολῆς οὐτινος τὸ δύνομα θὰ γνωστοποιήται πρὸς τὸν Ὀργανισμὸν καὶ ὑπὸ τούτου πρὸς τὸ φιλοξενοῦν Κράτος.

"Ἄρθρον 17

Προθάδισμα

1. Τὸ προθάδισμα μεταξὺ μονίμων ἀντιπροσώπων θὰ καθορίζηται ἐκ τῆς ἀλφαρχητικῆς σειρᾶς τῶν ἐν τῷ Ὀργανισμῷ χρησιμοποιουμένων δυνομάτων τῶν Κρατῶν.

2. Τὸ προθάδισμα μεταξὺ μονίμων παρατηρητῶν θὰ καθορίζηται ἐκ τῆς ἀλφαρχητικῆς σειρᾶς τῶν ἐν τῷ Ὀργανισμῷ χρησιμοποιουμένων δυνομάτων τῶν Κρατῶν.

"Ἄρθρον 18

Τοποθεσία τῆς ἀποστολῆς

Αἱ ἀποστολαὶ δέονται νὰ ἔγκαθιδρύωνται εἰς τὸν τόπον ἐνθα δύρισκεται ἡ ἔδρα τοῦ Ὀργανισμοῦ. Ἐν τούτοις, ἐὰν οἱ κανόνες τοῦ Ὀργανισμοῦ ἐπιτρέπουν τοῦτο καὶ τῇ προηγουμένῃ συγκαταθέσει τοῦ φιλοξενοῦντος Κράτους, τὸ ἀποστέλλον Κράτος δύναται νὰ ἔγκαθιδρύσῃ ἀποστολὴν ἡ γραφεῖον τῆς ἀποστολῆς εἰς τόπον ἔτερον ἡ ἐκεῖνον ἐνθα δύρισκεται ἡ ἔδρα τοῦ Ὀργανισμοῦ.

"Ἄρθρον 19

Χρῆσις σημαίας καὶ ἐμβλήματος

1. Ἡ ἀποστολὴ θὰ ἔχῃ τὸ δικαίωμα νὰ χρησιμοποιῇ τὴν σημαίαν καὶ τὸ ἐμβλῆμα τοῦ ἀποστέλλοντος Κράτους εἰς τοὺς χώρους αὐτῆς. Ὁ ἀρχηγὸς τῆς ἀποστολῆς θὰ ἔχῃ τὸ δικαίωμα τοῦτο ἀναφορικῶς πρὸς τὴν κατοικίαν καὶ τὰ μεταφορικὰ μέσα αὐτοῦ.

2. Ἐν τῇ ἐνασκήσει τοῦ ὑπὸ τοῦ παρόντος ἄρθρου παρεχομένου δικαιώματος δέοντος νὰ λαμβάνωνται ὑπ' ὅψιν οἱ νόμοι, κανονισμοὶ καὶ τὰ ἔθιμα τοῦ φιλοξενοῦντος Κράτους.

"Ἄρθρον 20

Γενικαὶ διευκολύνσεις

1. Τὸ φιλοξενοῦν Κράτος θὰ παρέχῃ πρὸς τὴν ἀποστολὴν πᾶσαν ἀναγκαίαν διευκόλυνσιν διὰ τὴν ἔκτελεσιν τῶν ἀρμοδιοτήτων τῆς.

2. Ὁ Ὀργανισμὸς θὰ βοηθῇ τὴν ἀποστολὴν εἰς τὴν ἀπόκτησιν τῶν ὡς ἀνωδιευκολύνσεων καὶ θὰ παρέχῃ πρὸς τὴν ἀποστολὴν τοιαύτας διευκολύνσεις οἷαι ἐμπίπτουν ἐντὸς τῆς οἰκείας αὐτοῦ ἀρμοδιότητος.

"Ἄρθρον 21

Χῶροι καὶ στέγασις

1. Τὸ φιλοξενοῦν Κράτος καὶ ὁ Ὀργανισμὸς θὰ βοηθοῦν τὸ ἀποστέλλον Κράτος εἰς τὴν ἔξεύρεσιν ὑπὸ εὐλόγους δρους τῶν ἀναγκαίων διὰ τὴν ἀποστολὴν χώρων ἐν τῇ ἐδαφικῇ ἐπικρατείᾳ τοῦ φιλοξενοῦντος Κράτους. Ἐν ἀνάγκῃ τὸ φιλοξενοῦν Κράτος θὰ διευκολύνῃ συμφώνως πρὸς τοὺς νόμους αὐτοῦ τὴν ἀπόκτησιν τοιούτων χώρων.

2. Ὡσαύτως, ἐν ἀνάγκῃ, τὸ φιλοξενοῦν Κράτος καὶ ὁ Ὀργανισμὸς διφείλουν νὰ βοηθοῦν τὴν ἀποστολὴν εἰς τὴν ἔξεύρεσιν ὑπὸ εὐλόγους δρους καταλλήλου στέγης διὰ τὰ μέλη αὐτῆς.

"Αρθρον 22

Βοήθεια τοῦ Ὀργανισμοῦ ἀναφορικῶς πρὸς προνόμια καὶ ἀσυλίας

1. Ὁ Ὀργανισμὸς δύναται, ἐν ἀνάγκῃ, νὰ διοηθῇ τὸ ἀποστέλλον Κράτος, τὴν ἀποστολὴν αὐτοῦ καὶ τὰ μέλη τῆς ἀποστολῆς αὐτοῦ ἐν τῇ διασφαλίσει τῆς ἀπολαύσεως τῶν προνομίων καὶ ἀσυλιῶν τῶν προθλεπομένων ὑπὸ τῆς παρούσης Συμβάσεως.

2. Ὁ Ὀργανισμὸς δύναται, ἐν ἀνάγκῃ, νὰ διοηθῇ τὸ φιλοξενοῦν Κράτος ἐν τῇ διασφαλίσει τῆς ἐκπληρώσεως τῶν ὑποχρεώσεων τοῦ ἀποστέλλοντος Κράτους, τῆς ἀποστολῆς αὐτοῦ καὶ τῶν μελῶν τῆς ἀποστολῆς αὐτοῦ ἀναφορικῶς πρὸς τὰ προνόμια καὶ τὰς ἀσυλίας τὰς προθλεπομένας ὑπὸ τῆς παρούσης Συμβάσεως.

"Αρθρον 23

Τὸ ἀπαραβίαστον τῶν χώρων

1. Οἱ χῶροι τῆς ἀποστολῆς εἶναι ἀπαραβίαστοι. Τὰ δργανα τοῦ φιλοξενοῦντος Κράτους δὲν δύνανται νὰ εἰσέρχωνται ἐντὸς αὐτῶν, εἰμὴ κατόπιν τῆς συγκαταθέσεως τοῦ ἀρχηγοῦ τῆς ἀποστολῆς.

2. (α) Τὸ φιλοξενοῦν Κράτος ὑπέχει τὸ εἰδικὸν καθῆκον ὅπως λαμβάνῃ ἄπαντα τὰ κατάλληλα μέτρα διὰ τὴν προστασίαν τῶν χώρων τῆς ἀποστολῆς ἔναντι τυχὸν αὐθαιρέτου εἰσελύσεως ἢ ζημίας καὶ διὰ τὴν παρεμπόδισιν οἰασδήποτε διαταράξεως τῆς γαλήνης τῆς ἀποστολῆς ἢ μειώσεως τῆς ἀξιοπρεπείας αὐτῆς.

(β) Ἐν περιπτώσει ἐπιθέσεως κατὰ τῶν χώρων τῆς ἀποστολῆς, τὸ φιλοξενοῦν Κράτος δύναται νὰ λαμβάνῃ πάντα τὰ ἔνδεικνυόμενα μέτρα διὰ τὴν ποινικὴν δίωξιν καὶ τιμωρίαν τῶν προσώπων τῶν πραγματοποιησάντων τὴν ἐπίθεσιν.

3. Οἱ χῶροι τῆς ἀποστολῆς, ἢ ἐπίπλωσις καὶ λοιπὴ περιουσία αὐτῶν ὡς καὶ τὰ κυκλοφοριακά μέσα τῆς ἀποστολῆς ἔξαιρονται οἰασδήποτε ἐρεύνης, ἐπιτάξεως, κατασχέσεως ἢ ἀναγκαστικῆς ἐκτελέσεως.

"Αρθρον 24

Φορολογικὴ ἀπαλλαγὴ τῶν χώρων

1. Οἱ χῶροι τῆς ἀποστολῆς, τῶν διοίων ἴδιοκτήτης ἢ μισθωτής, εἶναι τὸ ἀποστέλλον Κράτος ἢ οἰονδήποτε πρόσωπον ἐνεργοῦν διὰ λογαριασμὸν τούτου, ἀπαλλάσσονται πάντων τῶν κρατικῶν, περιφερειακῶν ἢ δημοτικῶν τελῶν καὶ φόρων πλὴν τῶν εἰσπραττομένων τοιούτων εἰς ἀντάλλαγμα παρεχομένων εἰδίκῶν ὑπηρεσιῶν.

2. Ή ἐν τῷ παρόντι δρθρῷ ἀναφερομένη φορολογικὴ ἀπαλλαγὴ δὲν ἔχει ἐφαρμογὴν ὡς πρὸς τοιαῦτα τέλη καὶ φόρους πληρωτέους βάσει τῆς νομοθεσίας τοῦ φιλοξενοῦντος Κράτους ὑπὸ προσώπων ἀτινα συνεβλήθησαν μετὰ τοῦ ἀποστέλλοντος Κράτους ἢ μεθ' οἰονδήποτε πρόσωπου ἐνεργοῦντος διὰ λογαριασμὸν τούτου.

"Αρθρον 25

Τὸ ἀπαραβίαστον τῶν ἀρχείων καὶ ἐγγράφων

Τὰ ἀρχεῖα καὶ ἐγγραφα τῆς ἀποστολῆς εἶναι ἀπαραβίαστα κατὰ πάντα χρόνον καὶ εἰς οἰονδήποτε τόπον καὶ ἔάν εὑρίσκωνται.

"Αρθρον 26

Ἐλευθερία κινήσεως

Τηρουμένων τῶν οἰκείων αὐτοῦ νόμων καὶ κανονισμῶν τῶν ἀφορῶντων εἰς τὰς ζώνας ἐντὸς τῶν διοίων ἢ εἰσόδος ἀπαγορεύεται διὰ λόγους ἀσφαλείας, τὸ φιλοξενοῦν Κράτος δέον διώκει διασφαλίζῃ τὴν ἐλευθερίαν κινήσεως καὶ κυκλοφορίας ἐντὸς τῆς ἐδαφικῆς αὐτοῦ ἐπικρατείας εἰς ἀπαντα τὰ μέλη τῆς ἀποστολῆς καὶ τὰ μέλη τῶν οἰκογενειῶν των ἀτινα συγκροτοῦν τοὺς οἴκους αὐτῶν.

"Αρθρον 27

Ελευθερία ἐπικοινωνίας

1. Τὸ φιλοξενοῦν Κράτος δοφείλει νὰ ἐπιτρέπῃ καὶ προστατεύῃ τὴν ἐλευθέρων ἐπικοινωνίαν τῆς ἀπόστολῆς δι’ ἄπαντας τοὺς ὑπηρεσιακούς σκοπούς. Ἐν τῇ ἐπικοινωνίᾳ μετὰ τῆς Κυθερήσεως τοῦ ἀποστέλλοντος Κράτους, τῶν μονίμων διπλωματικῶν ἀποστολῶν αὐτοῦ, τῶν προδενικῶν ἀρχῶν, τῶν μονίμων ἀποστολῶν, τῶν μονίμων ἀποστολῶν παρατηρητῶν, τῶν εἰδικῶν ἀποστολῶν, τῶν ἀντιπροσωπειῶν καὶ τῶν ἀγτιπροσωπειῶν παρατηρητῶν, διουδήποτε καὶ ἔάν εὑρίσκωνται, ἡ ἀπόστολὴ δύναται νὰ χρησιμοποιῇ ἄπαντα τὰ κατάλληλα μέσα, περιλαμβανόμενων τῶν ταχυδρόμων καὶ τῶν μηνυμάτων διὰ ἥρησεως κώδικος ἢ κρυπτογραφήσεως. Οὐχ ἦττον, ἡ ἀπόστολὴ δὲν δύναται νὰ ἐγκαθιστᾶ καὶ χρησιμοποιῇ ἀσύρματον πομπὸν εἰμὴ μόνον κατόπιν συγκαταθέσεως τοῦ φιλοξενοῦντος Κράτους.

2. Ἡ ὑπηρεσιακὴ ἀλληλογραφία τῆς ἀντιπροσωπείας εἶναι ἀπαραθίαστος. Ὑπηρεσιακὴ ἀλληλογραφία σημαίνει πᾶσαν ἀληλογραφίαν σχετιζόμενην πρὸς τὴν ἀπόστολὴν καὶ τὰς ἀρμοδιότητάς της.

3. Ὁ σάκκος τῆς ἀπόστολῆς δὲν δύναται νὰ ἀνοίγηται ἡ κατακρατῆται.

4. Τὰ δέματα τὰ ἀπαρτίζοντα τὸν σάκκον τῆς ἀπόστολῆς δέον νὰ φέρουν εὐδιακρίτους ἔξωτερικάς ἐνδείξεις περὶ τοῦ χαρακτήρος των καὶ δὲν δύνανται νὰ περιέχουν εἰμὴ μόνον ἔγγραφα ἢ ἀντικείμενα προοριζόμενα δι’ ὑπηρεσιακὴν χρῆσιν τῆς ἀπόστολῆς.

5. Ὁ ταχυδρόμος τῆς ἀπόστολῆς, δοτὶς θὰ ἐφοδιάζηται διὰ τινος ἐπισήμου ἔγγραφου ἐμφαίνοντος τὴν ἰδιότητά του καὶ τὸν ἀριθμὸν τῶν δεμάτων τῶν ἀπαρτιζόντων τὸν σάκκον, δέον νὰ προστατεύηται ὑπὸ τοῦ φιλοξενοῦντος Κράτους ἐν τῇ ἐκτελέσει τῶν ἀρμοδιοτήτων του. Οὗτος θὰ ἀπολαύῃ τοῦ προσωπικοῦ ἀπαραθίαστου καὶ δὲν θὰ ὑποθάλληται εἰς οἰασδήποτε μορφῆς σύλληψιν ἢ κράτησιν.

6. Τὸ ἀποστέλλον Κράτος ἡ ἡ ἀπόστολὴ δύνανται νὰ διορίζουν εἰδικούς ταχυδρόμους τῆς ἀπόστολῆς. Εἰς τοιάτας περιπτώσεις οἱ διατάξεις τῆς παραγράφου 5 τοῦ παρόντος ἀρθρου θὰ ἔχουν ὠσαύτως ἐφαρμογὴν ὑπὸ τὴν ἐπιφύλαξιν ὅτι αἱ ἐν αὐτῇ μνημονεύμεναι ἀσυλίαι θὰ παύουν νὰ ἔχουν ἐφαρμογὴν εὐθὺς ὡς ὁ εἰδικὸς ταχυδρόμος παραδώσῃ εἰς τὸν παραλήπτην τὸν ὑπὸ τὴν εὐθύνην αὐτοῦ τελοῦντα σάκκον τῆς ἀπόστολῆς.

7. Ὁ σάκκος τῆς ἀπόστολῆς δύναται νὰ παραδοθῇ εἰς τὸν κυθερήτην πλοίου ἢ ἐμπορικοῦ ἀεροσκάφους προοριζόμενου νὰ ἀφιχθῇ εἰς ἐγκεκριμένον λιμένα ἢ ἀερολιμένα εἰσόδου. Ὁ κυθερήτης οὗτος δέον νὰ ἐφοδιάζηται δι’ ἐνὸς ἐπισήμου ἔγγραφου ἐμφαίνοντος τὸν ἀριθμὸν τῶν δεμάτων τῶν ἀπαρτιζόντων τὸν σάκκον, οὐχ ἦττον οὗτος δὲν θὰ θεωρήται ὅτι εἶναι ταχυδρόμος τῆς ἀπόστολῆς. Κατόπιν διευθετήσεως μετὰ τῶν ἀρμοδίων ἀρχῶν τοῦ φιλοξενοῦντος Κράτους, ἡ ἀπόστολὴ δύναται ν' ἀποστέλλῃ ἐν τῶν μελῶν τῆς ἵνα λαμβάνῃ ἀπὲν εὐθείας καὶ ἐλευθέρως τὴν κατοχὴν τοῦ σάκκου ἀπὸ τὸν κυθερήτην τοῦ πλοίου ἢ τοῦ ἀεροσκάφους.

"Αρθρον 28

Προσωπικὸν ἀπαραθίαστον

Τὰ πρόσωπα τοῦ ἀρχηγοῦ τῆς ἀπόστολῆς καὶ τῶν μελῶν τοῦ διπλωματικοῦ προσωπικοῦ τῆς ἀπόστολῆς εἶναι ἀπαραθίαστα. Οὗτοι δὲν ὑπόκεινται εἰς σύλληψιν ἢ κράτησιν οἰασδήποτε μορφῆς. Τὸ φιλοξενοῦν Κράτος δοφείλει νὰ μεταχειρίζηται αὐτοὺς μετὰ τοῦ προσήκοντος σεβασμοῦ καὶ νὰ λαμβάνῃ ἄπαντα τὰ ἐνδεικνύόμενα μέτρα πρὸς ἀποτροπὴν οἰασδήποτε ἐπιθέσεως κατά τοῦ προσώπου των, τῆς ἐλευθερίας ἢ ἀξιοπρεπείας των καὶ νὰ διώκῃ ποινικῶς καὶ τιμωρῇ τὰ διαπράττοντα τοιάτας ἐπιθέσεις πρόσωπα.

"Αρθρον 29

Τὸ ἀπαραθίαστον τῆς κατοικίας καὶ περιουσίας

1. Ἡ ἴδιωτικὴ κατοικία τοῦ ἀρχηγοῦ τῆς ἀπόστολῆς καὶ τῶν μελῶν τοῦ διπλωματικοῦ προσωπικοῦ τῆς ἀπόστολῆς ἀπολαύει τοῦ αὐτοῦ ἀπαραθίαστου καὶ τῆς αὐτῆς προστασίας ὡς καὶ οἱ χώροι τῆς ἀπόστολῆς.

2. Τὰ ἔγγραφα, ἡ ἀλληλογραφία καὶ, πλὴν ὡς ἐν παραγράφῳ 2 τοῦ ἄρθρου 30 προσθέτεται, ἡ περιουσία τοῦ ἀρχηγοῦ τῆς ἀποστολῆς ἢ τῶν μελῶν τοῦ διπλωματικοῦ προσωπικοῦ τῆς ἀποστολῆς ἀπολαύουν ἐπίσης τοῦ ἀπαραβιάστου.

"Ἄρθρον 30

Δικαιοδοτικὴ ἀσυλία

1. Οἱ ἀρχηγὸς τῆς ἀποστολῆς καὶ τὰ μέλη τοῦ διπλωματικοῦ προσωπικοῦ τῆς ἀποστολῆς ἀπολαύουν ἀσυλίας ἔναντι τῆς ποινικῆς δικαιοδοσίας τοῦ φιλοξενοῦντος Κράτους. Ωσαύτως οὐτοὶ ἀπολαύουν ἀσυλίας ἔναντι τῆς ἀστικῆς καὶ διοικητικῆς δικαιοδοσίας, πλὴν ἔτιν πρόκειται περί:—

- (α) ἐμπραγμάτου ἀγωγῆς ἀφορώσης εἰς ἴδιωτικήν ἀκίνητον περιουσίαν κειμένην ἐν τῇ ἑδαφικῇ ἐπικρατείᾳ τοῦ φιλοξενοῦντος Κράτους, ἐκτὸς ἔτιν τὸ ἐνδιαφερόμενον πρόσωπον κατέχῃ ταύτην διὰ λογαριασμὸν τοῦ ἀποστέλλοντος Κράτους διὰ τοὺς σκοπούς τῆς ἀποστολῆς·
- (β) ἀγωγῆς ἀφορώσης εἰς κληρονομικήν διαδοχήν εἰς τὴν δοπίσαν τὸ ἐνδιαφερόμενον πρόσωπον ἐμφανίζεται ὡς ἐκτελεστής, δισχειριστής, κληρονόμος ἢ κληροδόχος ἰδίω τίτλῳ καὶ οὐχὶ διὰ λογαριασμὸν τοῦ ἀποστέλλοντος Κράτους·
- (γ) ἀγωγῆς ἀφορώσης εἰς οἰσαδήποτε ἐπαγγελματικὴν ἢ ἐμπορικὴν δραστηριότητα ἀσκούμενην ὑπὸ τοῦ ἐνδιαφερομένου προσώπου εἰς τὸ φιλοξενοῦν Κράτος πέραν τῶν ὑπηρεσιακῶν αὐτοῦ ἀρμοδιοτήτων.

2. Οὐδὲν ἐκτελεστικὸν μέτρον δύναται νὰ ληφθῇ κατὰ τοῦ ἀρχηγοῦ τῆς ἀποστολῆς ἢ μέλους τινὸς τοῦ διπλωματικοῦ προσωπικοῦ τῆς ἀποστολῆς πλὴν εἰς τὰς περιπτώσεις αἵτινες ἐμπίπτουν εἰς τὰς ὑπόπαραγράφους (α), (β) καὶ (γ) τῆς παραγράφου 1 τοῦ παρόντος ἄρθρου καὶ ὑπὸ τὸν ὅρον ὅτι τὰ συγκεκριμένα μέτρα δύνανται νὰ ληφθοῦν ἀνευ προσθολῆς τοῦ ἀπαραβιάστου τοῦ προσώπου ἢ τῆς κατοικίας αὐτοῦ.

3. Οἱ ἀρχηγὸς τῆς ἀποστολῆς καὶ τὰ μέλη τοῦ διπλωματικοῦ προσωπικοῦ τῆς ἀποστολῆς δὲν ὑποχρεοῦνται νὰ καταθέσουν ὡς μάρτυρες.

4. Ἡ ἀσυλία τοῦ ἀρχηγοῦ τῆς ἀποστολῆς ἢ τῶν μελῶν τοῦ διπλωματικοῦ προσωπικοῦ τῆς ἀποστολῆς ἔναντι τῆς δικαιοδοσίας τοῦ φιλοξενοῦντος Κράτους δὲν ἔξαιρεῖ τούτους τῆς δικαιοδοσίας τοῦ ἀποστέλλοντος Κράτους.

"Ἄρθρον 31

Παραίτησις ἐκ τῆς ἀσυλίας

1. Τὸ ἀποστέλλον Κράτος δύναται νὰ παραίτησῃ τῆς δικαιοδοτικῆς ἀσυλίας τοῦ ἀρχηγοῦ τῆς ἀποστολῆς καὶ τῶν μελῶν τοῦ διπλωματικοῦ προσωπικοῦ τῆς ἀποστολῆς ὡς καὶ τῶν προσώπων ἀπολαύοντων ἀσυλίας δυνάμει τοῦ ἄρθρου 36.

2. Ἡ παραίτησις πάντοτε δέοντα νὰ εἶναι ρητή.

3. Ἡ ὑφ' οἰουδήποτε τῶν ἐν παραγράφῳ 1 τοῦ παρόντος ἄρθρου ἀναφερομένων προσώπων ἔναρξις διαδικασίας ἀποκλείει εἰς τούτο τὴν δυνατότητα ἐπικλήσεως δικαιοδοτικῆς ἀσυλίας καθ' οἰσαδήποτε ἀνταπαίτησεως δημέσως συνδεομένης πρὸς τὴν κυρίαν ἀπαίτησιν.

4. Ἡ παραίτησις ἀπὸ τῆς ἀσυλίας ἔναντι ἀστικῆς ἢ διοικητικῆς διαδικασίας δὲν θεωρεῖται ὡς συνεπαγομένη καὶ παραίτησιν ἀπὸ τῆς ἀσυλίας ἔναντι τῆς ἀναγκαστικῆς ἐκτελέσεως τῆς ἀποφάσεως, διὰ τὴν δοπίσαν ἀπαιτεῖται ξεχωριστὴ παραίτησις.

5. Εὰν τὸ ἀποστέλλον Κράτος δὲν παραιτήται τῆς ἀσυλίας οἰουδήποτε τῶν ἐν παραγράφῳ 1 τοῦ παρόντος ἄρθρου ἀναφερομένων προσώπων ἀναφορικῶν πρὸς ἀστικὴν ἀγωγὴν, τούτῳ δοφείλει νὰ καταστάλῃ πᾶσαν προσπάθειαν ἵνα ἐπιτύχῃ δικαίαν διευθέτησιν τῆς ὑποθέσεως.

"Αρθρον 32

Εξαιρούνται τῆς νομοθεσίας περὶ κοινωνικῆς ἀσφαλίσεως

1. Τηρουμένων τῶν διατάξεων τῆς παραγράφου 3 τοῦ παρόντος ἄρθρου, ὁ ἀρχηγὸς τῆς ἀποστολῆς καὶ τὰ μέλη τοῦ διπλωματικοῦ προσωπικοῦ τῆς ἀποστολῆς ὃσον ἀφορᾷ εἰς τὰς παρεχομένας ὑπὲρ αὐτῶν ὑπηρεσίας πρὸς τὸ ἀποστέλλον Κράτος έξαιρούνται τῶν περὶ κοινωνικῆς ἀσφαλίσεως διατάξεων αἵτινες δυνατὸν νὰ ἴσχυουν ἐν τῷ φιλοξενοῦντι Κράτει.

2. Ἡ προθλεπομένη ἐν παραγράφῳ 1 τοῦ παρόντος ἄρθρου ἔξαίρεσις ἔχει ωσαύτως ἐφαρμογὴν εἰς πρόσωπα τελοῦντα εἰς τὴν ἀποκλειστικὴν ὑπηρεσίαν τοῦ ἀρχηγοῦ τῆς ἀποστολῆς ἢ μέλους τινὸς τοῦ διπλωματικοῦ προσωπικοῦ τῆς ἀποστολῆς ὑπὸ τὸν δρόν:

- (α) ὅτι τὰ ἐν λόγῳ ἀπασχολούμενα πρόσωπα δὲν εἶναι ὑπήκοοι ἢ μόνιμοι κάτοικοι τοῦ φιλοξενοῦντος Κράτους· καὶ
- (β) ὅτι ταῦτα καλύπτονται ὑπὸ τῶν περὶ κοινωνικῆς ἀσφαλίσεως διατάξεων αἵτινες δυνατὸν νὰ ἴσχυουν ἐν τῷ ἀποστέλλοντι Κράτει ἢ ἐν τρίτῳ τινὶ. Κράτει.

3. Ὁ ἀρχηγὸς τῆς ἀποστολῆς καὶ τὰ μέλη τοῦ διπλωματικοῦ προσωπικοῦ τῆς ἀποστολῆς ἀτινα ἀπασχολούν πρόσωπα εἰς τὰ ὅποια ἢ ἐν παραγράφῳ 2 τοῦ παρόντος ἄρθρου προθλεπομένη ἔξαίρεσις δὲν τυγχάνει ἐφαρμογῆς δέον νὰ τηροῦν τὰς ὑποχρεώσεις ἀτινας ἐπιθάλλουν εἰς τοὺς ἐργοδότας αἱ περὶ κοινωνικῆς ἀσφαλίσεως διατάξεις τοῦ φιλοξενοῦντος Κράτους.

4. Ἡ ἐν παραγράφοις 1 καὶ 2 τοῦ παρόντος ἄρθρου προθλεπομένη ἔξαίρεσις δὲν ἀποκλείει τὴν ἐκουσίαν συμμετοχὴν εἰς τὸ σύστημα κοινωνικῆς ἀσφαλίσεως τοῦ φιλοξενοῦντος Κράτους, νοούμενου ὅτι ἡ τοιαύτη συμμετοχὴ ἐπιτρέπεται ὑπὸ τοῦ Κράτους τούτου.

5. Αἱ διατάξεις τοῦ παρόντος ἄρθρου οὐδόλως ἐπηρεάζουν προηγουμένως συναφθείσας διμερεῖς ἢ πολυμερεῖς συμφωνίας περὶ κοινωνικῆς ἀσφαλίσεως καὶ οὐδόλως καλύουν τὴν ἐν τῷ μέλλοντι σύναψιν τοιούτων συμφωνιῶν.

"Αρθρον 33

Φορολογικὴ ἀπαλλαγὴ

Ο ἀρχηγὸς τῆς ἀποστολῆς καὶ τὰ μέλη τοῦ διπλωματικοῦ προσωπικοῦ τῆς ἀποστολῆς ἀπαλλάσσονται πάντων τῶν τελῶν καὶ φόρων, προσώπικῶν ἢ ἐπὶ πραγμάτων, κρατικῶν, περιφερειακῶν ἢ δημοτικῶν, πλήν:

- (α) τῶν ἐμμέσων ἐκείνων φόρων οἵτινες κανονικῶς ἐνσωματοῦνται εἰς τὴν τιμὴν τῶν ἐμπορευμάτων ἢ τῶν ὑπηρεσιῶν
- (β) τῶν τελῶν καὶ φόρων ἐπὶ τῆς ἰδιωτικῆς ἀκινήτου πέριουσίας κειμένης ἐν τῇ ἐδαφικῇ ἐπικρατείᾳ τοῦ φιλοξενοῦντος Κράτους, ἐκτὸς ἐὰν τὸ ἐνδιαφερόμενον πρόσωπον κατέχῃ ταύτην διὰ λογαριασμὸν τοῦ ἀποστέλλοντος Κράτους διὰ τοὺς σκοποὺς τῆς ἀποστολῆς·
- (γ) τῶν φόρων κληρονομιῶν καὶ διαδοχῆς τῶν ἐπιθαλλομένων ὑπὸ τοῦ φιλοξενοῦντος Κράτους, ἐπιφυλασσομένων τῶν διατάξεων τῆς παραγράφου 4 τοῦ ἄρθρου 38·
- (δ) τῶν τελῶν καὶ φόρων ἐπὶ τοῦ ἰδιωτικοῦ εἰσοδήματος ἔχοντος τὴν πήγην του, ἐν τῷ φιλοξενοῦντι Κράτει καὶ τῶν κεφαλαιουχικῶν φόρων ἐπὶ τῶν πραγματοποιουμένων ἐπενδύσεων εἰς ἐμπορικάς ἐπιχειρήσεις ἐν τῷ φιλοξενοῦντι Κράτει·
- (ε) τῶν τελῶν τῶν ἐπιθαλλομένων εἰς ἀντάλλαγμα παρεχομένων εἰδικῶν ὑπηρεσιῶν·
- (στ) τῶν τελῶν ἐγγραφῆς, τῶν δικαστικῶν τελῶν ἢ τῶν τελῶν καταχωρίσεως, τῶν τελῶν ὑποθηκεύσεως καὶ τῶν τελῶν χαρτοσήμου, ἀναφορικῶς πρὸς ἀκίνητον περιουσίαν, ἐπιφυλασσομένων τῶν διατάξεων τοῦ ἄρθρου 24.

"Αρθρον 34

Απαλλαγή από προσωπικάς ύπηρεσίας

Τὸ φιλοξενοῦν Κράτος θὰ ἀπαλλάσσῃ τὸν ἀρχηγὸν τῆς ἀποστολῆς καὶ τὰ μέλη τοῦ διπλωματικοῦ προσωπικοῦ τῆς ἀποστολῆς ἀπὸ πᾶσαν ὑποχρέωσιν παροχῆς προσωπικῶν ὑπηρεσιῶν ἢ ὑπηρεσίας πρὸς τὸ δημόσιον οἰουδήποτε εἴδους, ὡς καὶ ἀπὸ τὰς στρατιωτικὰς ὑποχρεώσεις ὡς εἶναι αἱ σχετιζόμεναι πρὸς ἐπιτάξεις, στρατιωτικάς συνεισφοράς καὶ ἐπιτάξεις στεγάσεως.

"Αρθρον 35

Απαλλαγαὶ ἀπὸ τελωνειακούς δασμούς καὶ ἔλεγχον

1. Τὸ φιλοξενοῦν Κράτος, συμφώνως πρὸς τοὺς νόμους καὶ κανονισμούς οἵους ἥθελε θεσπίσει, δόφείλει νὰ ἐπιτρέπῃ τὴν εἰσαγωγὴν καὶ νὰ χορηγῇ ἀπαλλαγὴν ἀπὸ πάντας τοὺς τελωνειακοὺς δασμούς, φόρους καὶ συναφῆ τέλη, πλὴν τῶν τελῶν ἀποθηκεύσεως, μεταφορᾶς καὶ παρομοίων ὑπηρεσιῶν ἐν σχέσει πρὸς:—

- (α) ἀντικείμενα προοριζόμενα δι’ ὑπηρεσιακὴν χρῆσιν τῆς ἀποστολῆς·
- (β) ἀντικείμενα προοριζόμενα διὰ τὴν προσωπικὴν χρῆσιν τοῦ ἀρχηγοῦ τῆς ἀποστολῆς ἢ μέλους τινὸς τοῦ διπλωματικοῦ προσωπικοῦ τῆς ἀποστολῆς, περιλαμβανομένων ἀντικειμένων προοριζομένων τὴν ἔγκατάστασιν αὐτοῦ.

2. Αἱ προσωπικαὶ ἀποσκευαὶ τοῦ ἀρχηγοῦ τῆς ἀποστολῆς ἢ μέλους τινὸς τοῦ διπλωματικοῦ προσωπικοῦ τῆς ἀποστολῆς θὰ ἀπαλλάσσονται τοῦ τελωνειακοῦ ἔλέγχου, πλὴν ἐὰν ὑφίστανται σοθαροὶ λόγοι ὑποψίας ὅτι αὐταὶ περιέχουν ἀντικείμενα μὴ καλυπτόμενα ὑπὸ τῶν ἐν παραγράφῳ 1 τοῦ παρόντος ἄρθρου μηνημονευομένων ἀπαλλαγῶν, ἢ ἀντικείμενα ἢ εἰσαγωγὴ ἢ ἔξαγωγὴ τῶν διποίων ἀπαγορεύεται ὑπὸ τῆς νομοθεσίας ἢ ἔλεγχηται ὑπὸ τῶν περὶ λοιμοκαθάρσεως κανονισμῶν τοῦ φιλοξενοῦντος Κράτους. Εἰς τοιαύτας περιπτώσεις, δὲ ἔλεγχος δέονται νὰ διενεργήται μόνον ἐν τῇ παρουσίᾳ τοῦ προσώπου τοῦ ἀπολαύοντος τῆς ἀπαλλαγῆς ἢ τοῦ ἔξουσιοδοτημένου ἀντιπροσώπου του.

"Αρθρον 36

Προνόμια καὶ ἀσυλίαι ἑτέρων προσώπων

1. Τὰ μέλη τῆς οἰκογένειας τοῦ ἀρχηγοῦ τῆς ἀποστολῆς τὰ συγκροτοῦντα τὸν οἶκον αὐτοῦ καὶ τὰ μέλη τῆς οἰκογένειας μέλους τινὸς τοῦ διπλωματικοῦ προσωπικοῦ τῆς ἀποστολῆς τὰ συγκροτοῦντα τὸν οἶκον αὐτοῦ, ὑπὸ τὸν ὅρον ὅτι δὲν εἶναι ὑπήκοοι ἢ μόνιμοι κάτοικοι τοῦ φιλοξενοῦντος Κράτους, θὰ ἀπολαύουν τῶν ἐν τοῖς ἄρθροις 28, 29, 30, 32, 33, 34 καὶ τῶν ἐν ταῖς παραγράφοις 1(β) καὶ 2 τοῦ ἄρθρου 35 καθοριζομένων προνομίων καὶ ἀσυλιῶν.

2. Τὰ μέλη τοῦ διοικητικοῦ καὶ τεχνικοῦ προσωπικοῦ τῆς ἀποστολῆς, δόμοι μετὰ τῶν συγκροτούντων τοὺς ἀντιστοίχους αὐτῶν οἴκους μελῶν τῆς οἰκογένειας τῶν ἀτινα δὲν εἶναι ὑπήκοοι ἢ μόνιμοι κάτοικοι τοῦ φιλοξενοῦντος Κράτους, θὰ ἀπολαύουν τῶν ἐν τοῖς ἄρθροις 28, 29, 30, 32, 33 καὶ 34 καθοριζομένων προνομίων καὶ ἀσυλιῶν, πλὴν τοῦ ὅτι ἢ ἐν παραγράφῳ 1 τοῦ ἄρθρου 30 προβλεπομένη ἀσυλία ἔναντι τῆς ἀστικῆς καὶ διοικητικῆς δικαιοδοσίας τοῦ φιλοξενοῦντος Κράτους δὲν θὰ καλύπτῃ πράξεις τελουμένας ἐκτὸς τῆς πορείας τῶν καθηκόντων των. Οὗτοι θὰ ἀπολαύουν ὀσαύτως τῶν ἐν παραγράφῳ 1(β) τοῦ ἄρθρου 35 προβλεπομένων προνομίων ὡς πρὸς τὰ εἰσαγόμενα κατὰ τὸν χρόνον τῆς πρώτης αὐτῶν ἔγκαταστάσεως ἀντικείμενα.

3. Τὰ μέλη τοῦ ὑπηρετικοῦ προσωπικοῦ τῆς ἀποστολῆς ἀτινα δὲν εἶναι ὑπήκοοι ἢ μόνιμοι κάτοικοι τοῦ φιλοξενοῦντος Κράτους θὰ ἀπολαύουν ἀσυλίας διὰ πράξεις τελουμένας ἐν τῇ πορείᾳ τῶν καθηκόντων των, ἀπαλλαγῆς ἀπὸ τέλη καὶ φόρους ἐπὶ τῶν ἀπολαβῶν ἀτινας λαμβάνουν λόγω τῆς ἀπασχολήσεως των, καθὼς καὶ τῆς ἐν ἄρθρῳ 32 προβλεπομένης ἀπαλλαγῆς.

4. Τὸ ἴδιωτικὸν προσωπικὸν τῶν μελῶν τῆς ἀποστολῆς, ἐφ' ὅσον δὲν εἶναι ὑπῆκοοι ἢ μόνιμοι κάτοικοι τοῦ φιλοξενοῦντος Κράτους, θὰ ἀπαλλάσσονται ἀπὸ τὰ τέλη καὶ τοὺς φόρους ἐπὶ τῶν ἀπολαθῶν ἄτινας λαμβάνουν λόγῳ τῆς ἀπασχολήσεώς των. Κατὰ τὰ λοιπὰ οὗτοι δύνανται νὰ ἀπολαύουν προνομίων καὶ ἀσυλιῶν μόνον εἰς ἣν ἔκτασιν ἐπιτρέπεται ὑπὸ τοῦ φιλοξενοῦντος Κράτους. Ἐν τούτοις, τὸ φιλοξενοῦν Κράτος δέον νὰ ἀσκῇ τὴν ἐπὶ τῶν προσώπων τούτων δικαιοδοσίαν του κατὰ τρόπον ὥστε νὰ μὴ παρακωλύῃ ἀδικαιολογήτως τὴν ἐκπλήρωσιν τῶν ἀρμοδιοτήτων τῆς ἀποστολῆς.

"Ἀρθρον 37.

"Υπῆκοοι καὶ μόνιμοι κάτοικοι τοῦ φιλοξενοῦντος Κράτους

1. Πλὴν καθ' ἣν ἔκτασιν δυνατὸν νὰ παραχωρηθοῦν ὑπὸ τοῦ φιλοξενοῦντος Κράτους πρόσθετα προνόμια καὶ ἀσυλίαι, δὲ ἀρχηγὸς τῆς ἀποστολῆς ἢ οἰονδήποτε μέλος τοῦ διπλωματικοῦ προσωπικοῦ τῆς ἀποστολῆς, ὅστις εἶναι ὑπῆκοος ἢ μόνιμος κάτοικος τοῦ Κράτους τούτου, ἀπολαύει τῆς δικαιοδοτικῆς ἀσυλίας καὶ τοῦ ἀπαραβίάστου μόνον ἀναφορικῶς πρὸς ὑπηρεσιακάς πράξεις ἐκτελουμένας ἐν τῇ ἀσκήσει τῶν ἀρμοδιοτήτων του.

2. "Ἐτερα μέλη τοῦ προσωπικοῦ τῆς ἀποστολῆς ἄτινα δὲν εἶναι ὑπῆκοοι ἢ μόνιμοι κάτοικοι τοῦ φιλοξενοῦντος Κράτους ἀπολαύουν δικαιοδοτικῆς ἀσυλίας μόνον ἀναφορικῶς πρὸς ὑπηρεσιακάς ἐνεργείας ἐκτελουμένας ἐν τῇ ἀσκήσει τῶν ἀρμοδιοτήτων των. Κατὰ τὰ λοιπά, τὰ μέλη ταῦτα καὶ τὰ πρόσωπα τοῦ ἴδιωτικοῦ προσωπικοῦ ἄτινα εἶναι ὑπῆκοοι ἢ μόνιμοι κάτοικοι τοῦ φιλοξενοῦντος Κράτους ἀπολαύουν προνομίων καὶ ἀσυλιῶν μόνον κατὰ τὴν ἀναγνωριζομένην ὑπὸ τοῦ φιλοξενοῦντος Κράτους ἔκτασιν. Οὐχ' ἡτον, τὸ φιλοξενοῦν Κράτος δέον νὰ ἀσκῇ τὴν ἐπὶ τῶν μελῶν καὶ προσώπων τούτων δικαιοδοσίαν του κατὰ τρόπον ὥστε νὰ μὴ παρακωλύῃ ἀδικαιολογήτως τὴν ἐκτέλεσιν τῶν ἀρμοδιοτήτων τῆς ἀποστολῆς.

"Ἀρθρον 38

Διάρκεια προνομίων καὶ ἀσυλιῶν

1. Πᾶν πρόσωπον δικαιούμενον προνομίων καὶ ἀσυλιῶν ἀπολαύει αὐτῶν ἀπὸ τῆς στιγμῆς τῆς εἰσόδου του ἐν τῇ ἐδαφικῇ ἐπικρατείᾳ τοῦ φιλοξενοῦντος Κράτους καθ' ὅδὸν πρὸς ἀνάληψιν τῆς ὑπηρεσίας του ἢ, ἐὰν εὐρίσκεται ἡδη ἐν τῇ ἐπικρατείᾳ ταύτη, ἀπὸ τῆς στιγμῆς τῆς γνωστοποίησεως τοῦ διορισμοῦ του πρὸς τὸ φιλοξενοῦν Κράτος ὑπὸ τοῦ Ὀργανισμοῦ ἢ ὑπὸ τοῦ ἀποστέλλοντος Κράτους.

2. "Οσάκις αἱ ἀρμοδιότητες προσώπου τινὸς ἀπολαύοντος προνομίων καὶ ἀσυλιῶν τερματισθοῦν, τὰ ἐν λόγῳ προνόμια καὶ αἱ ἀσυλίαι πάνουν κανονικῶς κατὰ τὴν στιγμὴν καθ' ἣν τοῦτο ἐγκαταλείπει τὴν ἐδαφικὴν ἐπικράτειαν ἢ κατὰ τὴν ἐκπνοὴν εὐλόγου πρὸς τοῦτο προθεσμίας. Οὐχ' ἡτον, ἀναφορικῶς πρὸς πράξεις ἐκτελουμένας ὑπὲρ αὐτοῦ ἐν τῇ ἀσκήσει τῶν ἀρμοδιοτήτων του ὡς μέλους τῆς ἀποστολῆς, ἢ ἀσυλίᾳ συνεχίζει νὰ ἰσχύῃ.

3. "Ἐν περιπτώσει θανάτου μέλους τῆς ἀποστολῆς, τὰ μέλη τῆς οἰκογενείας αὐτοῦ ἐξακολουθοῦν νὰ ἀπολαύουν τῶν παρεχομένων εἰς αὐτὰ προνομίων καὶ ἀσυλιῶν μέχρι τῆς ἐκπνοῆς εὐλόγου προθεσμίας κατὰ τὴν δποίαν νὰ ἐγκαταλείψουν τὴν ἐδαφικὴν ἐπικράτειαν.

4. "Ἐν περιπτώσει θανάτου μέλους τῆς ἀποστολῆς, μὴ ὑπηκόου ἢ μονίμου κατοίκου τοῦ φιλοξενοῦντος Κράτους, ἢ μέλους τῆς οἰκογενείας συγκροτούντος τὸν οἰκον αὐτοῦ, τὸ φιλοξενοῦν Κράτος δέον νὰ ἐπιτρέπῃ τὴν μεταφορὰν τῆς κινητῆς περιουσίας τοῦ ἀποθανόντος, ἐξαιρέσει οἰασθήποτε περιουσίας κτηθείσης ἐν τῇ ἐδαφικῇ ἐπικρατείᾳ ἢ ἐξαγωγὴ τῆς δποίας ἀπαγορεύεται κατὰ τὸν χρόνον τοῦ θανάτου αὐτοῦ. Φόροι κληρονομιῶν καὶ διαδοχῆς δέον νὰ μὴ ἐπιβάλλωνται ἐπὶ κινητῆς περιουσίας εὐρισκομένης ἐν τῷ φιλοξενοῦντι Κράτει ἀπλῶς καὶ μόνον λόγῳ τῆς ἐκεὶ παρουσίας τοῦ ἀποθανόντος ὡς μέλους τῆς ἀποστολῆς ἢ τῆς οἰκογενείας μέλους τῆς ἀποστολῆς.

"Αρθρον 39

Έπαγγελματική καὶ ἐμπορικὴ δραστηριότης

1. Οἱ ἀρχηγὸς τῆς ἀποστολῆς καὶ τὰ μέλη τοῦ διπλωματικοῦ προσωπικοῦ τῆς ἀποστολῆς δὲν δύνανται νὰ μετέρχωνται οἰονδήποτε ἐπὶ προσωπικῷ κέρδει ἐπάγγελμα ἢ ἐμπορικὴν δραστηριότητα ἐν τῷ φιλοξενοῦντι Κράτει.

2. Πλὴν καθ' ἥν ἔκτασιν δύνανται νὰ παραχωρηθοῦν τοιαύτα προνόμια καὶ ἀσυλίαι ὑπὸ τοῦ φιλοξενοῦντος Κράτους, τὰ μέλη τοῦ διοικητικοῦ καὶ τεχνικοῦ προσωπικοῦ καὶ τὰ συγκροτοῦντα τὸν οἰκὸν μέλους τινὸς τῆς ἀποστολῆς πρόσωπα δὲν δύνανται, διάκις μετέρχονται ἐπαγγελματικὴν ἢ ἐμπορικὴν δραστηριότητα ἐπὶ προσωπικῷ κέρδει, νὰ ἀπολαύουν οἰονδήποτε προνομίου ἢ ἀσυλίας ἀναφορικῶς πρὸς πράξεις ἔκτελουμένας ἐν τῇ πορείᾳ ἢ ἐν σχέσει πρὸς τὴν ἀσκησιν τοιαύτης δραστηριότητος.

"Αρθρον 40

Λῆξις ἀρμοδιοτήτων

Αἱ ἀρμοδιότητες τοῦ ἀρχηγοῦ τῆς ἀποστολῆς ἢ μέλους τινὸς τοῦ διπλωματικοῦ προσωπικοῦ τῆς ἀποστολῆς τερματίζονται μεταξὺ ἄλλων:

(α) ἂμα τῇ ὑπὸ τοῦ ἀποστέλλοντος Κράτους γνωστοποιήσει τοῦ τερματισμοῦ τῶν πρὸς τὸν Ὁργανισμόν

(β) ἐάν ἢ ἀποστολὴ ἀνακληθῇ δριστικῶς ἢ προσωρινῶς.

"Αρθρον 41

Προστασία χώρων, περιουσίας καὶ ἀρχείων

1. Εν περιπτώσει προσωρινῆς ἢ δριστικῆς ἀνακλησεως τῆς ἀποστολῆς, τὸ φιλοξενοῦν Κράτος διφεύλει νὰ σεθασθῇ καὶ προστατεύσῃ τούς χώρους, τὴν περιουσίαν καὶ τὰ ἀρχεῖα τῆς ἀποστολῆς. Τὸ ἀποστέλλον Κράτος διφεύλει νὰ λάθῃ ἀπαντά τὰ κατάλληλα μέτρα ὡστε νὰ τερματισθῇ τὸ εἰδικὸν τοῦτο καθῆκον τοῦ φιλοξενοῦντος Κράτους τὸ ταχύτερον δυνατόν. Τοῦτο δύναται νὰ ἐμπιστευθῇ τὴν φύλαξιν τῶν χώρων, τῆς περιουσίας καὶ τῶν ἀρχείων τῆς ἀποστολῆς εἰς τὸν Ὁργανισμὸν ἐφ' ὅσον οὐτος συμφωνεῖ, ἢ εἰς τρίτον τι Κράτος ἀποδεκτὸν εἰς τὸ φιλοξενοῦν Κράτος.

2. Τὸ φιλοξενοῦν Κράτος, ἐφ' ὅσον παρακληθῇ ὑπὸ τοῦ ἀποστέλλοντος Κράτους, δέον νὰ παράσχῃ εἰς τὸ τελευταῖον διευκολύνσεις διὰ τὴν ἀπομάκρυνσιν τῆς περιουσίας καὶ τῶν ἀρχείων τῆς ἀποστολῆς ἐκ τῆς ἐδαφικῆς ἐπικρατείας τοῦ φιλοξενοῦντος Κράτους.

ΜΕΡΟΣ III

ΑΝΤΙΠΡΟΣΩΠΕΙΑΙ ΠΑΡ' ΟΡΓΑΝΟΙΣ ΚΑΙ ΔΙΑΣΚΕΨΕΙ

"Αρθρον 42

Ἀποστολὴ ἀντιπροσωπειῶν

1. Τὸ Κράτος δύναται ν' ἀποστείλῃ ἀντιπροσωπείαν παρὰ τινὶ δργάνῳ ἢ διασκέψει συμφώνως πρὸς τοὺς κανόνας τοῦ Ὁργανισμοῦ.

2. Δύο ἢ πλείονα Κράτη δύνανται ν' ἀποστείλουν τὴν αὐτὴν ἀντιπροσωπείαν παρὰ τινὶ δργάνῳ ἢ διασκέψει συμφώνως πρὸς τοὺς Κανόνας τοῦ Ὁργανισμοῦ.

"Αρθρον 43

Διορισμὸς τῶν μελῶν τῆς ἀντιπροσωπείας

Τηρουμένων τῶν διατάξεων τῶν ἀρθρῶν 46 καὶ 73, τὸ ἀποστέλλον Κράτος δύναται ἐλευθέρως νὰ διορίζῃ τὰ μέλη τῆς ἀντιπροσωπείας.

"Αρθρον 44

Διαπιστευτήρια ἀντιπροσώπων

Τὰ διαπιστευτήρια τοῦ ἀρχηγοῦ τῆς ἀντιπροσωπείας καὶ τῶν λοιπῶν ἀντιπροσώπων θὰ ἐκδίδωνται ὑπὸ τοῦ Ἀρχηγοῦ τοῦ Κράτους, ὑπὸ τοῦ Ἀρχηγοῦ τῆς Κυβερνήσεως, ὑπὸ τοῦ Υπουργοῦ Ἐξωτερικῶν ἢ, ἐφ' ὅσον ἐπιτρέπουν τοῦτο

οι κανόνες του Όργανισμου ή οι κανόνες διαδικασίας τής διασκέψεως, ύπό έτερας δρμοδίας αρχῆς του ἀποστέλλοντος Κράτους. Ταῦτα θὰ διαβιθάζωνται, ἀναλόγως τής περιπτώσεως, πρὸς τὸν Όργανισμὸν ἢ τὴν διάσκεψιν.

"Αρθρον 45

Σύνθεσις τῆς ἀντιπροσωπείας

Πλὴν τοῦ ἀρχηγοῦ τῆς ἀντιπροσωπείας, αὕτη δύναται νὰ περιλαμβάνῃ καὶ ἄλλους ἀντιπροσώπους, διπλωματικὸν προσωπικόν, διοικητικὸν, τεχνικὸν καὶ ὑπηρετικὸν προσωπικόν.

"Αρθρον 46

Μέγεθος τῆς ἀντιπροσωπείας

Τὸ μέγεθος τῆς ἀντιπροσωπείας δὲν θὰ ὑπερβαίνῃ τὸ εὔλογον καὶ κανονικὸν μέγεθος, λαμβανομένων ὅπ' ὅψιν, ἀναλόγως τῆς περιπτώσεως, τῶν ἀρμοδιοτήτων τοῦ ὀργάνου ἢ τοῦ θέματος τῆς διασκέψεως, ὡς ἐπίσης τῶν ἀναγκῶν τῆς συγκεκριμένης ἀντιπροσωπείας καὶ τῶν συνθηκῶν καὶ καταστάσεων ἐν τῷ φιλοξενοῦντι Κράτει.

"Αρθρον 47

Γνωστοποιήσεις

1. Τὸ ἀποστέλλον Κράτος θὰ γνωστοποιῇ πρὸς τὸν Όργανισμὸν ἢ ἀναλόγως τῆς περιπτώσεως, πρὸς τὴν διάσκεψιν:

- (α) τὴν σύνθεσιν τῆς ἀντιπροσωπείας, περιλαμβανομένης τῆς θέσεως, τίτλου καὶ τάξεως προθαδίσματος τῶν μελῶν τῆς ἀντιπροσωπείας, ὡς καὶ πᾶσαν μεταγενεστέραν μεταβολὴν αὐτῶν
- (β) τὴν ἀφίξιν καὶ δριστικὴν ἀναχώρησιν τῶν μελῶν τῆς ἀντιπροσωπείας καὶ τὸν τερματισμὸν τῶν ἀρμοδιοτήτων τῶν παρὰ τῇ ἀντιπροσωπείᾳ
- (γ) τὴν ἀφίξιν καὶ δριστικὴν ἀναχώρησιν παντὸς προσώπου συνοδεύοντος μέλος τῆς ἀντιπροσωπείας
- (δ) τὴν ἔναρξιν καὶ τὸν τερματισμὸν τῆς ἀπασχολήσεως προσώπων κατοικούντων ἐν τῷ φιλοξενοῦντι Κράτει ὡς μέλη τοῦ προσωπικοῦ τῆς ἀντιπροσωπείας ἢ ὡς πρόσωπα ἀπασχολούμενα εἰς τὸ ἴδιωτικὸν προσωπικόν
- (ε) τὴν τοποθεσίαν τῶν χώρων τῆς ἀντιπροσωπείας καὶ τῶν ἴδιωτικῶν χώρων ἐνδιαιτήσεως οἵτινες ἀπολαύσουν τοῦ ἀπαραθίστου δυνάμει τοῦ ἀρθρου 59, ὡς ἐπίσης καὶ πᾶσαν ἐτέραν ἀναγκαίαν πληροφορίαν πρὸς ἀναγνώρισιν τῶν ἐν λόγῳ χώρων.

2. Περὶ τῆς ἀφίξεως καὶ δριστικῆς ἀναχωρήσεως δέον ὡσαύτως, εἰ δυνατὸν, νὰ προηγήται σχετικὴ γνωστοποίησις.

3. Ο Όργανισμὸς ἢ, ἀναλόγως τῆς περιπτώσεως, ἢ διάσκεψις θὰ διαβιθάζῃ πρὸς τὸ φιλοξενοῦν Κράτος τὰς ἐν παραγράφοις 1 καὶ 2 τοῦ παρόντος ἀρθρου ἀναφερομένας γνωστοποιήσεις.

4. Τὸ ἀποστέλλον Κράτος δύναται ὡσαύτως νὰ διαβιθάζῃ πρὸς τὸ φιλοξενοῦν Κράτος τὰς ἐν παραγράφοις 1 καὶ 2 τοῦ παρόντος ἀρθρου ἀναφερομένας γνωστοποιήσεις.

"Αρθρον 48

Ἀναπληρωτής ἀρχηγὸς τῆς ἀντιπροσωπείας

1. Ἐάν δ ἀρχηγὸς τῆς ἀντιπροσωπείας ἀπουσιάζῃ ἢ ἀδυνατῇ νὰ ἐκτελῇ τὰς ἀρμοδιότητάς του, εἰς ἀναπληρωτής ἀρχηγὸς τῆς ἀντιπροσωπείας θὰ ὑποδεικνύηται ἐκ τῶν λοιπῶν ἀντιπροσώπων ὅπο τοῦ ἀρχηγοῦ τῆς ἀντιπροσωπείας ἢ ἐάν οὗτος ἀδυνατῇ νὰ πράξῃ τοῦτο, ὑπὸ τίνος ἀρμοδίας ἀρχῆς τοῦ ἀποστέλλοντος Κράτους. Τὸ ὄνομα τοῦ ἀναπληρωτοῦ ἀρχηγοῦ τῆς ἀντιπροσωπείας θὰ γνωστοποιήται, ἀναλόγως τῆς περιπτώσεως, πρὸς τὸν Όργανισμὸν ἢ τὴν διάσκεψιν.

2. Ἐάν ἡ ἀντιπροσωπεία δέν, ἔχῃ διαθέσιμον ἔτερον ἀντιπρόσωπον ἵνα ὑπηρετῇ ὡς ἀναπληρωτής ἀρχηγὸς τῆς ἀντιπροσωπείας, δύναται νὰ ὑποδειχθῇ ἔτερον πρόσωπον διὰ τὸν σκοπὸν τοῦτον. Ἐν τοιαύτῃ περιπτώσει τὰ διαπιστευτήρια δέον νὰ ἐκδίδωνται καὶ διαβιθάζωνται συμφώνως πρὸς τὸ ἀρθρον 44.

"Αρθρον 49

Προθάδισμα

Τὸ προθάδισμα μεταξὺ ἀντιπροσώπων θὰ καθορίζηται ἐκ τῆς ἀλφαριθητικῆς σειρᾶς τῶν ἐν τῷ Ὀργανισμῷ χρησιμοποιουμένων δυνομάτων Κρατῶν.

"Αρθρον 50

Νομικὴ θέσις τοῦ Ἀρχηγοῦ Κράτους καὶ τῶν προσώπων ἀνωτέρου Θαθμοῦ

1. Ὁ Ἀρχηγὸς Κράτους ἡ οἰονδήποτε μέλος συλλογικοῦ σώματος ἀσκῶν τὰ καθήκοντα Ἀρχηγοῦ Κράτους δυνάμει τοῦ συντάγματος τοῦ ἐνδιαφερομένου Κράτους, δσάκις ἥγεῖται τῆς ἀντιπροσωπείας, ἀπολαύει ἐν τῷ φιλοξενοῦντι Κράτει ἢ ἐν τρίτῳ τινι Κράτει, ἐπιπροσθέτως τῶν δσων χορηγοῦνται ὑπὸ τῆς παρούσης Συμβάσεως, τῶν διευκολύνσεων, προνομίων καὶ ἀσυλιῶν τῶν παραχωρουμένων ὑπὸ τοῦ διεθνοῦς δικαίου πρὸς Ἀρχηγούς Κρατῶν.

2. Ὁ Ἀρχηγὸς Κυθερήσεως, ὁ Υπουργὸς Ἐξωτερικῶν ἡ ἔτερον πρόσωπον ἀνωτέρου Θαθμοῦ, δσάκις ἥγεῖται ἢ εἶναι μέλος τῆς ἀντιπροσωπείας, ἀπολαύει ἐν τῷ φιλοξενοῦντι Κράτει ἢ ἐν τρίτῳ τινι Κράτει, ἐπιπροσθέτως τῶν δσων χορηγοῦνται ὑπὸ τῆς παρούσης Συμβάσεως, τῶν διευκολύνσεων, προνομίων καὶ ἀσυλιῶν τῶν παραχωρουμένων ὑπὸ τοῦ διεθνοῦς δικαίου πρὸς τὰ τοιαῦτα πρόσωπα.

"Αρθρον 51

Γενικαὶ διευκολύνσεις

1. Τὸ φιλοξενοῦν Κράτος θὰ παρέχῃ πρὸς τὴν ἀντιπροσωπείαν πᾶσαν ἀνάγκαίν διευκόλυνσιν διὰ τὴν ἐκτέλεσιν τῶν ἐργασιῶν τῆς.

2. Ὁ Ὀργανισμὸς ἡ, ἀναλόγως τῆς περιπτώσεως, ἡ διάσκεψις θὰ unction στὴν ἀντιπροσωπείαν εἰς τὴν ἀπόκτησιν τῶν ὡς ἄνω διευκολύνσεων καὶ θὰ παρέχῃ πρὸς τὴν ἀντιπροσωπείαν τοιαύτας διευκολύνσεις οἵαι ἐμπίπτουν ἐντὸς τῆς οἰκείας αὐτῆς ἀρμοδιότητος.

"Αρθρον 52

Χῶροι καὶ στέγασις

Τὸ φιλοξενοῦν Κράτος ἔὰν παρακληθῇ πρὸς τοῦτο καὶ, ἐν ἀνάγκῃ δ Ὀργανισμὸς ἡ ἡ διάσκεψις θὰ unction στὸ ἀποστέλλον Κράτος εἰς τὴν ἔξερεσιν ὑπὸ εὐλόγους δρους τῶν ἀναγκαίων χώρων διὰ τὴν ἀντιπροσωπείαν καὶ καταλήγου στέγης διὰ τὰ μέλη αὐτῆς.

"Αρθρον 53

Βοήθεια ἀναφορικῶς πρὸς προνόμια καὶ ἀσυλίας

1. Ὁ Ὀργανισμὸς ἡ, ἀναλόγως τῆς περιπτώσεως, δ Ὀργανισμὸς καὶ ἡ διάσκεψις ὀφείλουν, ἐν ἀνάγκῃ, νὰ unction στὸ ἀποστέλλον Κράτος, τὴν ἀντιπροσωπείαν καὶ τὰ μέλη τῆς ἀντιπροσωπείας αὐτοῦ ἐν τῇ διασφαλίσει τῆς ἀπολαύσεως τῶν προνομίων καὶ ἀσυλιῶν τῶν προθετομένων ὑπὸ τῆς παρούσης Συμβάσεως.

2. Ὁ Ὀργανισμὸς ἡ, ἀναλόγως τῆς περιπτώσεως, δ Ὀργανισμὸς καὶ ἡ διάσκεψις ὀφείλουν, ἐν ἀνάγκῃ, νὰ unction στὸ ἀποστέλλον Κράτος ἐν τῇ διασφαλίσει τῆς ἐκπληρώσεως τῶν ὑποχρεώσεων τοῦ ἀποστέλλοντος Κράτους, τῆς ἀντιπροσωπείας καὶ τῶν μελῶν τῆς ἀντιπροσωπείας αὐτοῦ ἀναφορικῶς πρὸς τὰ προνόμια καὶ τὰς ἀσυλίας τὰς προθετομένας ὑπὸ τῆς παρούσης Συμβάσεως.

"Αρθρον 54

Φορολογικὴ ἀπαλλαγὴ τῶν χώρων

1. Τὸ ἀποστέλλον Κράτος ἡ οἰονδήποτε μέλος τῆς ἀντιπροσωπείας ἐνεργοῦν διὰ λογαριασμὸν αὐτῆς ἀπαλλάσσεται πάντων τῶν κρατικῶν, περιφερειακῶν ἡ δημοτικῶν τελῶν καὶ φόρων ἀναφορικῶς πρὸς τοὺς χώρους τῆς ἀντιπροσωπείας, πλὴν τῶν εἰσπραττομένων τοιούτων εἰς ἀντάλλαγμα παρεχομένων εἰδικῶν ὑπηρεσιῶν.

2. Ή ἐν τῷ παρόντι ἄρθρῳ ἀναφερομένῃ φορολογικῇ ἀπαλλαγῇ δὲν ἔχει ἐφαρμογὴν ως πρὸς τοιαύτα τέλη καὶ φόρους πληρωτέους θάσει τῆς νομοθεσίας τοῦ φιλοξενοῦντος Κράτους ὑπὸ προσώπων ἀτινα συνεβλήθησαν μετὰ τοῦ ἀποστέλλοντος Κράτους ἢ μετά τινος μέλους τῆς ἀντιπροσωπείας.

"Ἄρθρον 55

Τὸ ἀπαραθίαστον τῶν ἀρχείων καὶ ἔγγραφων

Τὰ ἀρχεῖα καὶ ἔγγραφα τῆς ἀντιπροσωπείας εἰναι ἀπαραθίαστα κατὰ πάντα χρόνον καὶ εἰς οἰονδήποτε τόπον καὶ ἐὰν εὑρίσκωνται.

"Ἄρθρον 56

Ἐλευθερία κινήσεως

Τηρουμένων τῶν οἰκείων αὐτοῦ νόμων καὶ κανονισμῶν τῶν ἀφορώντων εἰς τὰς ζώνας ἐντὸς τῶν ὅποιων ἡ εἰσόδος ἀπαγορεύεται. ἢ ρυθμίζεται διὰ λόγους ἔθνικῆς ἀσφαλείας, τὸ φιλοξενοῦν Κράτος δέον διασφαλίζῃ τοιαύτην ἐλευθερίαν κινήσεως καὶ κυκλοφορίας ἐντὸς τῆς ἐδαφικῆς αὐτοῦ ἐπικρατείας εἰς ἀπαντα τὰ μέλη τῆς ἀντιπροσωπείας οἵσι εἰναι ἀναγκαία διὰ τὴν ἐκτέλεσιν τῶν ἔργασιῶν τῆς ἀντιπροσωπείας.

"Ἄρθρον 57

Ἐλευθερία ἐπικοινωνίας

Τὸ φιλοξενοῦν Κράτος ὀφελεῖ νὰ ἐπιτρέπῃ καὶ προστατεύῃ τὴν ἐλευθέραν ἐπικοινωνίαν τῆς ἀποστολῆς δι' ἀπαντα τοὺς ὑπηρεσιακούς σκοπούς. Ἐν τῇ ἐπικοινωνίᾳ μετὰ τῆς Κυθερήσεως τοῦ ἀποστέλλοντος Κράτους, τῶν μονίμων διπλωματικῶν ἀποστολῶν αὐτοῦ, τῶν προξενικῶν ὀρχῶν, τῶν μονίμων ἀποστολῶν, τῶν μονίμων ἀποστολῶν παραστηρητῶν, τῶν ειδικῶν ἀποστολῶν, ἐτέρων ἀντιπροσωπειῶν καὶ τῶν ἀντιπροσωπειῶν παραστηρητῶν, διουδήποτε καὶ ἐὰν εὑρίσκωνται, ἡ ἀντιπροσωπεία δύναται νὰ χρησιμοποιῇ ἀπαντα τὰ κατάλληλα μέσα, περιλαμβανομένων τῶν ταχυδρόμων καὶ τῶν μηνυμάτων διὰ χρήσεως κώδικος ἢ κρυπτογραφήσεως. Οὐχ' ἦττον, ἡ ἀντιπροσωπεία δὲν δύναται νὰ ἔγκαθιστᾷ καὶ χρησιμοποιῇ ἀσύρματον πομπὸν εἰμὶ μόνον κατόπιν συγκαταθέσεως τοῦ φιλοξενοῦντος Κράτους.

2. Η ὑπηρεσιακὴ ἀλληλογραφία τῆς ἀποστολῆς εἰναι ἀπαραθίαστος. Υπηρεσιακὴ ἀλληλογραφία σημαίνει πᾶσαν ἀλληλογραφίαν σχετιζομένην πρὸς τὴν ἀντιπροσωπείαν καὶ τὰς ἐργασίας τῆς.

3. Όσάκις εἰναι πρακτικόν, ἡ ἀντιπροσωπεία θὰ χρησιμοποιῇ τὰ ἐπικοινωνιακὰ μέσα, περιλαμβανομένου τοῦ σάκκου καὶ τοῦ ταχυδρόμου, τῆς μονίμου διπλωματικῆς ἀποστολῆς, τῆς προξενικῆς ὀρχῆς, τῆς μονίμου ἀποστολῆς ἢ τῆς μονίμου ἀποστολῆς παραστηρητῶν τοῦ ἀποστέλλοντος Κράτους.

4. Ο σάκκος τῆς ἀντιπροσωπείας δὲν δύναται ν' ἀνοίγηται ἢ νὰ κατακρατήται.

5. Τὰ δέματα τὰ ἀπαρτίζοντα τὸν σάκκον τῆς ἀντιπροσωπείας δέον νὰ φέρουν εὐδιακρίτους ἔξωτερικάς ἐνδείξεις περὶ τοῦ χαρακτῆρος των καὶ δὲν δύνανται νὰ περιέχουν εἰμὴ μόνον ἔγγραφα ἢ ἀντικείμενα προοριζόμενα δι' ὑπηρεσιακὴν χρῆσιν τῆς ἀντιπροσωπείας.

6. Ο ταχυδρόμος τῆς ἀντιπροσωπείας, δοτις θὰ ἐφοδιάζηται διὰ τινος ἐπισήμου ἔγγραφου ἐμφαίνοντος τὴν ἰδιότητά του καὶ τὸν ἀριθμὸν τῶν δεμάτων τῶν ἀπαρτίζοντων τὸν σάκκον, δέον νὰ προστατεύηται ὑπὸ τοῦ φιλοξενοῦντος Κράτους ἐν τῇ ἐκτελέσει τῶν ἀρμοδιοτήτων του. Οὗτος θὰ ἀπολαύῃ τοῦ προσωπικοῦ ἀπαραθίαστου καὶ δὲν θὰ ὑποθάλληται εἰς οἰασδήποτε μορφῆς σύλληψιν ἢ κράτησιν.

7. Τὸ ἀποστέλλον Κράτος ἢ ἡ ἀντιπροσωπεία δύνανται νὰ διορίζουν ταχυδρόμους τῆς ἀντιπροσωπείας. Εἰς τοιαύτας περιπτώσεις αἱ διατάξεις τῆς παραγράφου 6 τοῦ παρόντος ἄρθρου θὰ ἔχουν ώσαύτως ἐφαρμογὴν ὑπὸ τὴν ἐπιφύλαξιν ὅτι αἱ ἐν αὐτῇ μηνυμονεύδεμαι ἀσυλίαι θὰ παύουν νὰ ἔχουν ἐφαρμογὴν εὐθὺς ὡς ὁ εἰδικὸς ταχυδρόμος παραδώσῃ εἰς τὸν παραλήπτην τὸν ὑπὸ τὴν εὐθύνην αὐτοῦ τελοῦντα σάκκον τῆς ἀντιπροσωπείας.

8. Όσάκκος τής ἀντιπροσωπείας δύναται νὰ παραδοθῇ εἰς τὸν κυβερνήτην πλοίου ἢ ἐμπορικοῦ ἀεροσκάφους προοριζόμενου ν' ἀφιχθῇ εἰς ἔγκεκριμένον λιμένα ἢ ἀερολιμένα εἰσόδου. Ό κυβερνήτης οὗτος δέον νὰ ἐφοδιάζῃ ταὶ διάνοιαν τὸν σάκκον, οὐχ' ἡττον οὗτος δὲν θὰ θεωρεῖται διτεῖναι ταχυδρόμος τῆς ἀντιπροσωπείας. Κατόπιν διευθετήσεως μετὰ τῶν ἀρμοδίων ἀρχῶν τοῦ φιλοξενοῦντος Κράτους, ἢ ἀντιπροσωπεία δύναται ν' ἀποστέλλῃ ἐν τῶν μελῶν τῆς ἵνα λαμβάνῃ ἀπὸ εὔθειας καὶ ἐλευθέρως τὴν κατοχὴν τοῦ σάκκου ἀπὸ τὸν κυβερνήτην τοῦ πλοίου ἢ τοῦ ἀεροσκάφους.

"Αρθρον 58

Προσωπικὸν ἀπαραθίαστον

Τὰ πρόσωπα τοῦ ἀρχηγοῦ τῆς ἀντιπροσωπείας καὶ τῶν λοιπῶν ἀντιπροσώπων καὶ μελῶν τοῦ διπλωματικοῦ προσωπικοῦ τῆς ἀντιπροσωπείας εἶναι ἀπαραθίαστα. Οὖτοι δὲν ὑπόκεινται, μεταξὺ ἄλλων, εἰς οἰασδήποτε μορφῆς σύλληψιν ἢ κράτησιν. Τὸ φιλοξενοῦν Κράτος διφέλει νὰ μεταχειρίζηται αὐτοὺς μετὰ τοῦ προσήκοντος σεβασμοῦ καὶ νὰ λαμβάνῃ ἅπαντα τὰ ἐνδεικνυόμενα μέτρα πρὸς ἀποτροπὴν οἰασδήποτε ἐπιθέσεως κατὰ τοῦ προσώπου τῶν, τῆς ἐλευθερίας ἢ ἀξιοπρεπείας τῶν καὶ νὰ διώκῃ ποινικῶς καὶ τιμωρῇ τὰ διαπράττοντα τοιαύτας ἐπιθέσεις πρόσωπα.

"Αρθρον 59

Τὸ ἀπαραθίαστον τοῦ ἴδιωτικοῦ χώρου ἐνδιαιτήσεως καὶ τῆς περιουσίας

1. Ό ἴδιωτικὸς χῶρος ἐνδιαιτήσεως τοῦ ἀρχηγοῦ τῆς ἀντιπροσωπείας καὶ τῶν λοιπῶν ἀντιπροσώπων καὶ μελῶν τοῦ διπλωματικοῦ προσωπικοῦ τῆς ἀντιπροσωπείας ἀπολαύει τοῦ ἀπαραθίαστου καὶ προστασίας.

2. Τὰ ἔγγραφα, ἢ ἀλληλογραφία, καὶ, πλὴν ὧν ἐν παραγράφῳ 2 τοῦ ἀρθρου 60 προσθέπεται, ἢ περιουσία τοῦ ἀρχηγοῦ τῆς ἀντιπροσωπείας καὶ τῶν λοιπῶν ἀντιπροσώπων ἢ μελῶν τοῦ διπλωματικοῦ προσωπικοῦ τῆς ἀντιπροσωπείας ἀπολαύουν ὁσαύτως τοῦ ἀπαραθίαστου.

"Αρθρον 60

Δικαιοδοτικὴ ἀσυλία

1. Ό ἀρχηγὸς τῆς ἀντιπροσωπείας καὶ οἱ λοιποὶ ἀντιπρόσωποι καὶ μέλη τοῦ διπλωματικοῦ προσωπικοῦ τῆς ἀντιπροσωπείας ἀπολαύουν ἀσυλίας ἔναντι τῆς ποινικῆς δικαιοδοσίας τοῦ φιλοξενοῦντος Κράτους, καθὼς καὶ ἀσυλίας ἔναντι τῆς ἀστικῆς καὶ διοικητικῆς δικαιοδοσίας ἀναφορικῶν πρὸς πάσας τὰς πράξεις τὰς ἐκτελουμένας ἐν τῇ ἀσκήσει τῶν ὑπηρεσιακῶν των ἀρμοδιοτήτων.

2. Οὖδεν ἐκτελεστικὸν μέτρον δύναται νὰ ληφθῇ ἔναντίον τῶν ἐν λόγῳ προσώπων, πλὴν ἐάν τούτο δύναται νὰ ληφθῇ ἀνευ προσθολῆς τῶν δικαιαιωμάτων τῶν δυνάμει τῶν ἀρθρων 58 καὶ 59.

3. Τὰ ἐν λόγῳ πρόσωπα δὲν ὑποχρεούνται νὰ καταθέσουν ὧς μάρτυρες.

4. Οὖδεν τῶν ἐν τῷ παρόντι ἀρθρῷ διαλαμβανομένων θέλει ἔξαιρεῖ τὰ ἐν λόγῳ πρόσωπα τῆς ἀστικῆς καὶ διοικητικῆς δικαιοδοσίας τοῦ φιλοξενοῦντος Κράτους ἐν σχέσει πρὸς ἀγωγὴν ἀποζημιώσεως πηγάδουσαν ἐξ ἀτυχῆματος προκληθέντος ὑπὸ δχήματος, πλοίου ἢ ἀεροσκάφους, χρησιμοποιούμενου ὑπὸ τῶν περὶ διανομῆς προσώπων ἢ ἀνήκοντος εἰς αὐτά, δοσάκις αἱ ἀποζημιώσεις αῦται δὲν δύνανται ν' ἀνακτηθοῦν παρὰ τίνος ἀσφαλιστικῆς ἐταιρείας.

5. Ό οἰασδήποτε ἀσυλία τῶν ἐν λόγῳ προσώπων ἔναντι τῆς δικαιοδοσίας τοῦ φιλοξενοῦντος Κράτους δὲν ἔξαιρεῖ τούτους τῆς δικαιοδοσίας τοῦ ἀποστέλλοντος Κράτους.

"Αρθρον 61

Παρατήσις ἐκ τῆς ἀσυλίας

1. Τὸ ἀποστέλλον Κράτος δύναται νὰ παρατηθῇ τῆς δικαιοδοτικῆς ἀσυλίας τοῦ ἀρχηγοῦ τῆς ἀντιπροσωπείας καὶ τῶν λοιπῶν ἀντιπροσώπων καὶ μελῶν τοῦ διπλωματικοῦ προσωπικοῦ τῆς ἀντιπροσωπείας, καθὼς καὶ τῶν ἀπολαύόντων ἀσυλίας δυνάμει τοῦ ἀρθρου 66.

2. 'Η παραίτησις πάντοτε δέον νὰ εἶναι ρητή.

3. 'Η ύψη' οἰουδήποτε τῶν ἐν παραγράφῳ 1 τοῦ παρόντος ἄρθρου ἀναφερομένων προσώπων ἔναρξις διαδικασίας τινὸς ἀποκλείει εἰς τοῦτο τὴν δυνατότητα ἐπικλήσεως δικαιοδοτικῆς ἀσυλίας καθ' οἰασδήποτε ὀνταπατήσεως ἀμέσως συνδεομένης πρὸς τὴν κυρίαν ὀπαίτησιν.

4. 'Η παραίτησις ἀπὸ τῆς ἀσυλίας ἔναντι τῆς ἀστικῆς ἢ διοικητικῆς διαδικασίας δὲν θεωρεῖται ὡς συνεπαγομένη καὶ παραίτησιν ἀπὸ τῆς ἀσυλίας ἔναντι τῆς ἀναγκαστικῆς ἐκτελέσεως τῆς ἀποφάσεως, διὰ τὴν δποίαν ἀπαιτεῖται ξεχωριστὴ παραίτησις.

5. 'Εὰν τὸ ἀποστέλλον Κράτος δὲν παρατίται τῆς ἀσυλίας οἰουδήποτε τῶν ἐν παραγράφῳ 1 τοῦ παρόντος ἄρθρου ἀναφερομένων προσώπων ἀναφορικῶς πρὸς ἀστικὴν ἀγωγήν, τοῦτο δφείλει νὰ καταβάλῃ πᾶσαν προσπάθειαν ἵνα ἐπιτύχῃ δικαίαν διευθέτησιν τῆς ὑποθέσεως.

"Ἄρθρον 62

'Εξαιροῦνται τῆς νομοθεσίας περὶ κοινωνικῆς ἀσφαλίσεως

1. Τηρούμενων τῶν διατάξεων τῆς παραγράφου 3 τοῦ παρόντος ἄρθρου, ὁ ἀρχηγὸς τῆς ἀντιπροσωπείας καὶ οἱ λοιποὶ ἀντιπρόσωποι καὶ μέλη τοῦ διπλωματικοῦ προσωπικοῦ τῆς ἀντιπροσωπείας ὅσον ἀφορᾷ εἰς τὰς παρεχομένας ὑπὸ αὐτῶν ὑπηρεσίας πρὸς τὸ ἀποστέλλον Κράτος ἔξαιροῦνται τῶν περὶ κοινωνικῆς ἀσφαλίσεως διατάξεων αἵτινες δυνατὸν νὰ ἴσχύουν ἐν τῷ φιλοξενοῦντι Κράτει.

2. 'Η ἐν παραγράφῳ 1 τοῦ παρόντος ἄρθρου προθλεπομένη ἔξαίρεσις ἔχει ὠσαύτως ἐφαρμογὴν εἰς πρόσωπα τελοῦντα εἰς τὴν ἀποκλειστικὴν ἰδιωτικὴν ὑπηρεσίαν τοῦ ἀρχηγοῦ τῆς ἀντιπροσωπείας ἢ οἰουδήποτε ἐτέρου ἀντιπροσώπου ἢ μέλους τοῦ διπλωματικοῦ σώματος τῆς ἀντιπροσωπείας ὑπὸ τὸν ὄρον:

(α) τὰ ἐν λόγῳ ἀπασχολούμενα πρόσωπα δὲν εἶναι ὑπῆκοοι ἢ μόνιμοι κάτοικοι τοῦ φιλοξενοῦντος Κράτους· καὶ

(β) δτι ταῦτα καλύπτονται ὑπὸ τῶν περὶ κοινωνικῆς ἀσφαλίσεως διατάξεων αἵτινες δυνατὸν νὰ ἴσχύουν ἐν τῷ ἀποστέλλοντι Κράτει ἢ ἐν τρίτῳ τινὶ Κράτει.

3. 'Ο ἀρχηγὸς τῆς ἀντιπροσωπείας καὶ οἱ λοιποὶ ἀντιπρόσωποι καὶ μέλη τοῦ διπλωματικοῦ προσωπικοῦ τῆς ἀντιπροσωπείας ἀτινα ἀπασχολοῦν πρόσωπα ἐφ' ὃν ἡ ἐν παραγράφῳ 2 τοῦ παρόντος ἄρθρου προθλεπομένη ἔξαίρεσις δὲν τυγχάνει ἐφαρμογῆς δέον νὰ τηροῦν τὰς ὑποχρεώσεις ἀτινας ἐπιθάλλουν εἰς τοὺς ἐργοδότας αἱ περὶ κοινωνικῆς ἀσφαλίσεως διατάξεις τοῦ φιλοξενοῦντος Κράτους.

4. 'Η ἐν παραγράφοις 1 καὶ 2 τοῦ παρόντος ἄρθρου προθλεπομένη ἔξαίρεσις δὲν ἀποκλείει τὴν ἔκουσίαν συμμετοχὴν εἰς τὸ σύστημα κοινωνικῆς ἀσφαλίσεως τοῦ φιλοξενοῦντος Κράτους, νοούμενου δτι ἡ τοιαύτη συμμετοχὴ ἐπιτρέπεται ὑπὸ τοῦ Κράτους τούτου.

5. Αἱ διατάξεις τοῦ παρόντος ἄρθρου οὐδόλως ἐπηρεάζουν προηγούμενως συναφθείσας διμερεῖς ἢ πολυμερεῖς συμφωνίας περὶ κοινωνικῆς ἀσφαλίσεως καὶ οὐδόλως κωλύουν τὴν ἐν τῷ μέλλοντι σύναψιν τοιούτων συμφωνιῶν.

"Ἄρθρον 63

Φορολογικὴ ἀπαλλαγὴ

'Ο ἀρχηγὸς τῆς ἀποστολῆς καὶ οἱ λοιποὶ ἀντιπρόσωποι καὶ μέλη τοῦ διπλωματικοῦ προσωπικοῦ τῆς ἀντιπροσωπείας ἀπαλλάσσονται, κατὰ τὸν δυνατὸν βαθμόν, πάντων τῶν τελῶν καὶ φόρων, προσωπικῶν ἢ ἐπὶ πραγμάτων, κρατικῶν, περιφερειακῶν ἢ δημοτικῶν, πλὴν—

(α) τῶν ἐμμέσων ἐκείνων φόρων οἵτινες κανονικῶς ἐνσωματοῦνται εἰς τὴν τιμὴν τῶν ἐμπορευμάτων ἢ τῶν ὑπηρεσιῶν·

- (β) τῶν τελῶν καὶ φόρων ἐπὶ τῆς Ἰδιωτικῆς ἀκινήτου περιουσίας κειμένης ἐν τῇ ἐδαφικῇ ἐπικρατείᾳ τοῦ φιλοξενοῦντος Κράτους, ἐκτὸς ἐὰν τὸ ἔνδιαιφερόμενον πρόσωπον κατέχῃ ταύτην διὰ λογαριασμὸν τοῦ ἀποστέλλοντος Κράτους διὰ τοὺς ὄποιας τῆς ἀντιπροσωπείας·
- (γ) τῶν φόρων κληρονομιῶν καὶ διαδοχῆς τῶν ἐπιθαλλομένων ὑπὸ τοῦ φιλοξενοῦντος Κράτους, ἐπιφυλασσομένων τῶν διατάξεων τῆς παραγράφου 4 τοῦ ἀρθρου 68·
- (δ) τῶν τελῶν καὶ φόρων ἐπὶ τοῦ Ἰδιωτικοῦ εἰσοδήματος ἔχοντος τὴν πηγὴν του ἐν τῷ φιλοξενοῦντι Κράτει καὶ τῶν κεφαλαιουχικῶν φόρων ἐπὶ τῶν πραγματοποιουμένων ἐπενδύσεων εἰς ἐμπορικάς ἐπιχειρήσεις ἐν τῷ φιλοξενοῦντι Κράτει·
- (ε) τῶν τελῶν τῶν ἐπιθαλλομένων εἰς ἀντάλλαγμα παρεχομένων εἰδικῶν ὑπηρεσιῶν·
- (στ) τῶν τελῶν ἔγγραφῆς, τῶν δικαστικῶν τελῶν ἢ τῶν τελῶν καταχωρίσεως, τῶν τελῶν ὑποθηκεύσεως καὶ τῶν τελῶν χαρτοσήμου, ἀναφορικῶς πρὸς ἀκίνητον περιουσίαν, ἐπιφυλασσομένων τῶν διατάξεων τοῦ ἀρθρου 54.

"Ἀρθρον 64

Ἀπαλλαγὴ ἀπὸ προσωπικάς ὑπηρεσίας

Τὸ φιλοξενοῦν Κράτος θὰ ἀπαλλάσσῃ τὸν ἀρχηγὸν τῆς ἀποστολῆς καὶ τοὺς λοιποὺς ἀντιπροσώπους καὶ μέλη τοῦ διπλωματικοῦ προσωπικοῦ τῆς ἀντιπροσωπείας ἀπὸ πᾶσαν ὑποχρέωσιν παροχῆς προσωπικῶν ὑπηρεσιῶν ἢ ὑπηρεσίας πρὸς τὸ δημόσιον οἰουδήποτε εἶδους, ὡς καὶ ἀπὸ τὰς στρατιωτικὰς ὑποχρεώσεις ὡς εἶναι σχετιζόμεναι πρὸς ἐπιτάξεις, στρατιωτικὰς συνεισφορὰς καὶ ἐπιτάξεις στεγάσεως.

"Ἀρθρον 65

Ἀπαλλαγὴ ἀπὸ τελωνειακούς δασμούς καὶ ἔλεγχον

1. Τὸ φιλοξενοῦν Κράτος, συμφώνως πρὸς τοὺς νόμους καὶ κανονισμούς οἵους ἥθελε θεσπίσει, δοφείλει νὰ ἐπιτρέπῃ τὴν εἰσαγωγὴν καὶ νὰ χορηγῇ ἀπαλλαγὴν ἀπὸ πάντας τοὺς τελωνειακούς δασμούς, φόρους καὶ συναφῆ τέλη, πλὴν τῶν τελῶν ἀποθηκεύσεως, μεταφορᾶς καὶ παρομοίων ὑπηρεσιῶν ἐν σχέσει πρὸς—

- (α) ἀντικείμενα προοριζόμενα δι᾽ ὑπηρεσιακὴν χρῆσιν τῆς ἀντιπροσωπείας·
- (β) ἀντικείμενα προοριζόμενα διὰ τὴν προσωπικὴν χρῆσιν τοῦ ἀρχηγοῦ τῆς ἀντιπροσωπείας ἢ οἰουδήποτε ἐτέρου ἀντιπροσώπου ἢ μέλους τοῦ διπλωματικοῦ προσωπικοῦ τῆς ἀντιπροσωπείας, εἰσαγόμενα ἐντὸς τῶν προσωπικῶν αὐτοῦ ἀποσκευῶν κατὰ τὸν χρόνον τῆς πρώτης εἰσόδου του ἐν τῇ ἐδαφικῇ ἐπικρατείᾳ τοῦ φιλοξενοῦντος Κράτους ἵνα παραστῇ εἰς τὴν σύνοδον τοῦ δργάνου ἢ τῆς διασκέψεως.
2. Αἱ προσωπικαὶ ἀποσκευαὶ τοῦ ἀρχηγοῦ τῆς ἀντιπροσωπείας ἢ οἰουδήποτε ἐτέρου ἀντιπροσώπου ἢ μέλους τοῦ διπλωματικοῦ προσωπικοῦ τῆς ἀντιπροσωπείας θὰ ἀπαλλάσσονται τοῦ τελωνειακοῦ ἔλεγχου, πλὴν ἐὰν ὅφει στανται σοθαροὶ λόγοι. Ὕποψίας δτὶ αὗται περιέχουν ἀντικείμενα μὴ καλυπτόμενα ὑπὸ τῶν ἐν παραγράφῳ 1 τοῦ παρόντος ἀρθρου μνημονευομένων ἀπαλλαγῶν, ἢ ἀντικείμενα ἢ εἰσαγωγὴ ἢ ἔξαγωγὴ τῶν δοπίων ἀπαγορεύεται ὑπὸ τῆς νομοθεσίας ἢ ἐλέγχεται ὑπὸ τῶν περὶ λοιμοκαθάρσεως κανονισμῶν τοῦ φιλοξενοῦντος Κράτους. Εἰς τοιαύτας περιπτώσεις, δ ἔλεγχος δέον νὰ διενεργήται μόνον ἐν τῇ παρουσίᾳ τοῦ προσώπου ὅπερ ἀπολαύει τῆς ἀπαλλαγῆς ἢ τοῦ ἔξουσιοδημένου ἀντιπροσώπου του.

"Ἀρθρον 66

Προνόμια καὶ ἀσυλίαι ἐτέρων προσώπων

1. Τὰ μέλη τῆς οἰκογενείας τοῦ ἀρχηγοῦ τῆς ἀντιπροσωπείας ἀτινα συνοδεύουν αὐτὸν καὶ τὰ μέλη τῆς οἰκογενείας οἰουδήποτε ἐτέρου ἀντιπροσώπου ἢ μέλους τοῦ διπλωματικοῦ προσωπικοῦ τῆς ἀντιπροσωπείας ἀτινα συνο-

δεύουν αὐτούς θά ἀπολαύουν, ὑπὸ τὸν δρὸν ὅτι δὲν εἶναι ὑπῆκοοι ἢ μόνιμοι κάτοικοι τοῦ φιλοξενοῦντος Κράτους, τῶν ἐν τοῖς ἄρθροις 58, 60, 64 καὶ τῶν ἐν ταῖς παραγράφοις 1(β) καὶ 2 τοῦ ἄρθρου 65, καθοριζομένων προνομίων καὶ ἀσυλιῶν, καθὼς καὶ τῆς ἔξαιρέσεως ἀπὸ τῆς ὑποχρεώσεως ἐγγραφῆς ἀλλοδαπῶν.

2. Τὰ μέλη τοῦ διοικητικοῦ καὶ τεχνικοῦ προσωπικοῦ τῆς ἀντιπροσωπείας θὰ ἀπολαύουν, ὑπὸ τὸν δρὸν ὅτι δὲν εἶναι ὑπῆκοοι ἢ μόνιμοι κάτοικοι τοῦ φιλοξενοῦντος Κράτους, τῶν ἐν τοῖς ἄρθροις 58, 59, 60, 62, 63 καὶ 64 καθοριζομένων προνομίων ἀναφορικῶς πρὸς ἀντικείμενα εἰσαγόμενα ἐντὸς τῶν προσωπικῶν των ἀποσκευῶν κατὰ τὸν χρόνον τῆς πρώτης εἰσόδου των ἐν τῇ ἔδαφικῇ ἐπικρατείᾳ τοῦ φιλοξενοῦντος Κράτους ἵνα παραστοῦν εἰς τὴν σύνοδον τοῦ ὁργάνου ἢ τῆς διασκέψεως. Τὰ μέλη τῆς οἰκογενείας μέλους τινὸς τοῦ διοικητικοῦ καὶ τεχνικοῦ προσωπικοῦ ἀτινα σύνοδεύουν αὐτὸς θὰ ἀπολαύουν, ὑπὸ τὸν δρὸν ὅτι δὲν εἶναι ὑπῆκοοι ἢ μόνιμοι κάτοικοι τοῦ φιλοξενοῦντος Κράτους, τῶν ἐν τοῖς ἄρθροις 58, 60, 64 καὶ τῶν ἐν τῇ παραγράφῳ 1(β) τοῦ ἄρθρου 65 καθοριζομένων προνομίων καὶ ἀσυλιῶν εἰς ἣν ἔκτασιν παρέχονται εἰς τὸ τοιοῦτο μέλος τοῦ προσωπικοῦ.

3. Τὰ μέλη τοῦ ὑπηρετικοῦ προσωπικοῦ τῆς ἀντιπροσωπείας ἀτινα δὲν εἶναι ὑπῆκοοι ἢ μόνιμοι κάτοικοι τοῦ φιλοξενοῦντος Κράτους θὰ ἀπολαύουν τῆς αὐτῆς ἀσυλίας ἐν σχέσει πρὸς πράξεις τελουμένας ἐν τῇ πορείᾳ τῶν καθηκόντων των οίσα παρέχεται εἰς τὰ μέλη τοῦ διοικητικοῦ καὶ τεχνικοῦ προσωπικοῦ, τῆς ἀντιπροσωπείας, ἀπαλλαγῆς ἀπὸ τέλη καὶ φόρους ἐπὶ τῶν ἀπολαθῶν ἀτινας λαμβάνουν λόγω τῆς ἀπασχολήσεώς των καθὼς καὶ τῆς ἐν ἄρθρῳ 62 προθλεπομένης ἀπαλλαγῆς.

4. Τὸ ἰδιωτικὸν προσωπικὸν τῶν μελῶν τῆς ἀντιπροσωπείας, ἐφ' ὅσον δὲν εἶναι ὑπῆκοοι ἢ μόνιμοι κάτοικοι τοῦ φιλοξενοῦντος Κράτους, θὰ ἀπαλλάσσωνται ἀπὸ τὰ τέλη καὶ τοὺς φόρους ἐπὶ τῶν ἀπολαθῶν ἀτινας λαμβάνουν λόγω τῆς ἀπασχολήσεώς των. Κατὰ τὰ λοιπὰ οὕτοι δύνανται ν' ἀπολαύουν προνομίων καὶ ἀσυλιῶν μόνον εἰς ἣν ἔκτασιν ἐπιτρέπεται ὑπὸ τοῦ φιλοξενοῦντος Κράτους. Οὐχ' ἡττον, τὸ φιλοξενοῦν Κράτος δέον νὰ ἀσκῇ τὴν ἐπὶ τῶν προσώπων τούτων δικαιοδοσίαν του κατὰ τρόπον ὥστε νὰ μὴ παρακαλύῃ ἀδικαιολογήτως τὴν ἔκτέλεσιν τῶν ἔργασιῶν τῆς ἀντιπροσωπείας.

"Ἀρθρον 67

Ὑπῆκοοι καὶ μόνιμοι κάτοικοι τοῦ φιλοξενοῦντος Κράτους

1. Πλὴν καθ' ἣν ἔκτασιν δυνατὸν νὰ παρασχωρηθοῦν ὑπὸ τοῦ φιλοξενοῦντος Κράτους πρόσθετα προνόμια καὶ ἀσυλίαι, δ ἀρχηγὸς τῆς ἀντιπροσωπείας ἢ οἰσδήποτε ἔτερος ἀντιπρόσωπος ἢ μέλος τοῦ διπλωματικοῦ προσωπικοῦ τῆς ἀντιπροσωπείας, δστις εἶναι ὑπῆκοος ἢ μόνιμος κάτοικος τοῦ Κράτους τούτου, ἀπολαύει τῆς δικαιοδοτικῆς ἀσυλίας καὶ τοῦ ἀπαραθάστου μόνον ἀναφορικῶς πρὸς ὑπηρεσιακὰς πράξεις ἐκτελουμένας ἐν τῇ ἀσκήσει τῶν ἀρμοδιοτήτων του.

2. Ἔτερα μέλη τοῦ προσωπικοῦ τῆς ἀντιπροσωπείας καὶ πρόσωπα τοῦ ἰδιωτικοῦ προσωπικοῦ ἀτινα εἶναι ὑπῆκοοι ἢ μόνιμοι κάτοικοι τοῦ φιλοξενοῦντος Κράτους ἀπολαύουν προνομίων καὶ ἀσυλιῶν μόνον κατὰ τὴν ἀναγνωριζομένην ὑπὸ τοῦ φιλοξενοῦντος Κράτους ἔκτασιν. Οὐχ' ἡττον, τὸ φιλοξενοῦν Κράτος δέον ν' ἀσκῇ τὴν ἐπὶ τῶν ἐν λόγω μελῶν καὶ προσώπων δικαιοδοσίαν του κατὰ τρόπον ὥστε νὰ μὴ παρακαλύῃ ἀδικαιολογήτως τὴν ἔκτέλεσιν τῶν ἔργασιῶν τῆς ἀντιπροσωπείας.

"Ἀρθρον 68

Διάρκεια προνομίων καὶ ἀσυλιῶν

1. Πᾶν πρόσωπον δικαιούμενον προνομίων καὶ ἀσυλιῶν ἀπολαύει αὐτῶν ἀπὸ τῆς στιγμῆς τῆς εἰσόδου του ἐν τῇ ἐδαφικῇ ἐπικρατείᾳ τοῦ φιλοξενοῦντος Κράτους ἵνα παραστῇ εἰς τὴν σύνοδον τοῦ ὁργάνου ἢ τῆς διασκέψεως ἢ, ἐδν εὑρίσκεται ἡδη ἐν τῇ ἐπικρατείᾳ ταύτη, ἀπὸ τῆς στιγμῆς τῆς γνωστοποιήσεως τοῦ διορισμοῦ του πρὸς τὸ φιλοξενοῦν Κράτος ὑπὸ τοῦ Ὀργανισμοῦ, ὑπὸ τῆς διασκέψεως ἢ ὑπὸ τοῦ ἀποστέλλοντος Κράτους.

2. Όσάκις αἱ ἀρμοδιότητες προσώπου τινός ἀπολαύοντος προνομίων καὶ ἀσυλίων τερματισθούν, τὰ ἐν λόγῳ προνόμια καὶ αἱ ἀσυλίαι παύουν κανονικῶς κατὰ τὴν στιγμὴν καθ' ἣν τοῦτο ἔγκαταλείπει τὴν ἐδαφικὴν ἐπικράτειαν, ἢ κατὰ τὴν ἐκπνοήν εὐλόγου πρὸς τοῦτο προθεσμίας. Οὐχ' ἡττον, ἀναφορικῶς πρὸς πράξεις ἐκτελουμένας ὑπὸ αὐτοῦ ἐν τῇ ἀσκήσει τῶν ἀρμοδιοτήτων του ὡς μέλους τῆς ἀντιπροσωπείας, ἢ ἀσυλία συνεχίζει νὰ ἴσχῃ.

Ἐν περιπτώσει θανάτου μέλους τινὸς τῆς ἀντιπροσωπείας, τὰ μέλη τῆς οἰκογενείας αὐτοῦ ἔξακολουθοῦν νὰ ἀπολαύουν τῶν παρεχομένων εἰς αὐτὰ προνομίων καὶ ἀσυλίων μέχρι τῆς ἐκπνοῆς εὐλόγου τινός προθεσμίας κατὰ τὴν ὅποιαν νὰ ἔγκαταλείψουν τὴν ἐδαφικὴν ἐπικράτειαν.

4. Ἐν περιπτώσει θανάτου μέλους τινὸς τῆς ἀντιπροσωπείας, μὴ ὑπηκόου ἢ μονίμου κατοίκου τοῦ φιλοξενοῦντος Κράτους, ἢ μέλους τινὸς τῆς ἀντιπροσωπείας αὐτοῦ συνοδεύοντος αὐτόν, τὸ φιλοξενοῦν Κράτος δέον νὰ ἐπιτρέπῃ τὴν μεταφορὰν τῆς κινητῆς περιουσίας τοῦ ἀποθανόντος, ἐξαιρέσει οἰασδῆποτε περιουσίας κτηθείσης ἐν τῇ ἐδαφικῇ ἐπικρατείᾳ ἢ ἔξαγωγὴ τῆς ὅποιας ἀπαγορεύεται κατὰ τὸν χρόνον τοῦ θανάτου αὐτοῦ. Φόροι κληρονομιῶν καὶ διαδοχῆς δέον νὰ μὴ ἐπιβάλλωνται ἐπὶ κινητῆς περιουσίας εὑρισκομένης ἐν τῷ φιλοξενοῦντι Κράτει ἀπλῶς καὶ μόνον λόγῳ τῆς ἐκεὶ παρουσίας τοῦ ἀποθανόντος ὡς μέλους τῆς ἀντιπροσωπείας ἢ τῆς οἰκογενείας μέλους τινὸς τῆς ἀντιπροσωπείας.

"Αρθρον 69

Ληξις ἀρμοδιοτήτων

Αἱ ἀρμοδιότητες τοῦ ἀρχηγοῦ τῆς ἀντιπροσωπείας ἢ οἴουδήποτε ἔτέρου ἀντιπροσώπου ἢ μέλους τοῦ διπλωματικοῦ προσωπικοῦ τῆς ἀντιπροσωπείας τερματίζονται μεταξὺ δλλων :

(α) ἂμα τῇ ὑπὸ τοῦ ἀποστέλλοντος Κράτους γνωστοποιήσει τοῦ τερματισμοῦ τῶν πρὸς τὸν Ὀργανισμὸν ἢ τὴν διάσκεψιν

(β) ἂμα τῇ λήξει τῆς συνόδου τοῦ ὁργάνου ἢ τῆς διασκέψεως

"Αρθρον 70

Προστασία χώρων, περιουσίας καὶ ἀρχείων

1. "Αμα τῇ λήξει τῆς συνόδου τοῦ ὁργάνου ἢ τῆς διασκέψεως, τὸ φιλοξενοῦν Κράτος ὄφελει νὰ σεβασθῇ καὶ προστατεύῃ τοὺς χώρους τῆς ἀντιπροσωπείας ἐφ' ὅσον χρόνον χρησιμοποιοῦνται ὑπὸ αὐτῆς, ὡς ἐπίσης καὶ τὴν περιουσίαν καὶ τὰ ἀρχεῖα τῆς ἀντιπροσωπείας. Τὸ ἀποστέλλον Κράτος ὄφελει νὰ λάθῃ ἀπαντα τὰ κατάλληλα μέτρα ὥστε νὰ τερματισθῇ τὸ εἰδικὸν τοῦτο καθῆκον τοῦ φιλοξενοῦντος Κράτους, τὸ ταχύτερον δυνατόν.

2. Τὸ φιλοξενοῦν Κράτος, ἐφ' ὅσον παρακληθῇ ὑπὸ τοῦ ἀποστέλλοντος Κράτους, δέον νὰ παράσχῃ εἰς τὸ τελευταῖον διευκολύνσεις διὰ τὴν ἀπομάκρυνσιν τῆς περιουσίας καὶ τῶν ἀρχείων τῆς ἀντιπροσωπείας ἐκ τῆς ἐδαφικῆς ἐπικρατείας τοῦ φιλοξενοῦντος Κράτους

ΜΕΡΟΣ IV

ΑΝΤΙΠΡΟΣΩΠΕΙΑΙ ΠΑΡΑΤΗΡΗΤΩΝ ΠΑΡ' ΟΡΓΑΝΟΙΣ ΚΑΙ ΔΙΑΣΚΕΨΕΙΣ!

"Αρθρον 71

'Αποστολὴ ἀντιπροσωπειῶν παρατηρητῶν

1. Τὸ Κράτος δύναται ν' ἀποστέλλῃ ἀντιπροσωπείαν παρατηρητῶν παρὰ τινὶ ὁργάνῳ ἢ διασκέψει συμφώνως πρὸς τοὺς κανόνας τοῦ Ὀργανισμοῦ.

"Αρθρον 72

Γενικαὶ διατάξεις περὶ τῶν ἀντιπροσωπειῶν παρατηρητῶν

"Απασαὶ αἱ διατάξεις τῶν ἀρθρῶν 43 ἔως 70 τῆς παρούσης Συμβάσεως τυγχάνουν ἐφαρμογῆς καὶ εἰς τὰς ἀντιπροσωπείας παρατηρητῶν.

ΜΕΡΟΣ Ε
ΓΕΝΙΚΑΙ ΔΙΑΤΑΞΕΙΣ

"Αρθρον 73

Υπηκοότης τῶν μελών τῆς ἀποστολῆς, τῆς ἀντιπροσωπείας
ἢ τῆς ἀντιπροσωπείας παρατηρητῶν

1. Ο ἀρχηγὸς τῆς ἀποστολῆς καὶ τὰ μέλη τοῦ διπλωματικοῦ προσωπικοῦ τῆς ἀποστολῆς, ὁ ἀρχηγὸς τῆς ἀντιπροσωπείας, ἔτεροι ἀντιπρόσωποι καὶ μέλη τοῦ διπλωματικοῦ προσωπικοῦ τῆς ἀντιπροσωπείας, ὁ ἀρχηγὸς τῆς ἀντιπροσωπείας παρατηρητῶν, ἔτεροι ἀντιπρόσωποι παρατηρηταὶ καὶ μέλη τοῦ διπλωματικοῦ προσωπικοῦ τῆς ἀντιπροσωπείας παρατηρητῶν κατὰ κανόνα δέον νὰ εἰναι ὑπήκοοι τοῦ ἀποστέλλοντος Κράτους.

2. Ο ἀρχηγὸς τῆς ἀποστολῆς καὶ τὰ μέλη τοῦ διπλωματικοῦ προσωπικοῦ τῆς ἀποστολῆς δὲν δύνανται νὰ διορίζωνται μεταξὺ προσώπων ἔχοντων τὴν ὑπηκοότητα τοῦ φιλοξενούντος Κράτους εἰμὴ τῇ συγκαταθέσει τοῦ ἐν λόγῳ Κράτους, ἥτις δύναται ν' ἀνακαλῆται ὁποτεδήποτε.

3. Οσάκις ὁ ἀρχηγὸς τῆς ἀντιπροσωπείας, οἰօδήποτε ἔτερος ἀντιπρόσωπος ἢ οἰօνδήποτε μέλος τοῦ διπλωματικοῦ προσωπικοῦ τῆς ἀντιπροσωπείας ἢ ὁ ἀρχηγὸς τῆς ἀντιπροσωπείας παρατηρητῶν, οἰօδήποτε ἔτερος ἀντιπρόσωπος παρατηρητῆς ἢ οἰօνδήποτε μέλος τοῦ διπλωματικοῦ προσωπικοῦ τῆς ἀντιπροσωπείας παρατηρητῶν διορίζεται μεταξὺ προσώπων ἔχοντων τὴν ὑπηκοότητα τοῦ φιλοξενούντος Κράτους, ἥ συγκαταθέσις τοῦ ἐν λόγῳ Κράτους τεκμαίρεται ὑπάρχουσα ἐάν ἐγνωστοποιήθη εἰς αὐτὸ δ τοιούτος διορισμὸς ὑπήκουου του καὶ δὲν προέβαλε οἰօνδήποτε ἔνστασιν.

"Αρθρον 74

Νόμοι ἀφορῶντες εἰς τὴν ἀπόκτησιν ὑπηκοότητος

Τὰ μέλη τῆς ἀποστολῆς, τῆς ἀντιπροσωπείας ἢ τῆς ἀντιπροσωπείας παρατηρητῶν, μὴ ὅντες ὑπήκοοι τοῦ φιλοξενούντος Κράτους, ὡς καὶ τὰ μέλη τῶν οἰκογενειῶν των τὰ συγκροτοῦντα τούς οἴκους αὐτῶν ἢ, ἀναλόγως τῆς περιπτώσεως, τὰ συνοδεύοντα αὐτούς, δὲν ἀποκτοῦν, ἀπλῶς καὶ μόνον ἐκ τοῦ νόμου τοῦ φιλοξενούντος Κράτους, τὴν ὑπηκοότητα τοῦ Κράτους τούτου.

"Αρθρον 75

Προνόμια καὶ ἀσυλίαι ἐν περιπτώσει πολλαπλῶν ἀρμοδιοτήτων

Οσάκις μέλη τῆς μονίμου διπλωματικῆς ἀποστολῆς ἢ τῆς προξενικῆς ἀρχῆς ἐν τῷ φιλοξενούντι Κράτει συμπεριλαμβάνονται ἐν τινὶ ἀποστολῇ, ἀντιπροσωπείᾳ ἢ ἀντιπροσωπείᾳ παρατηρητῶν, οὗτοι θὰ διατηροῦν τὰ προνόμια καὶ τὰς ἀσυλίας των ὡς μέλη τῆς μονίμου διπλωματικῆς ἀποστολῆς ἢ τῆς προξενικῆς ἀρχῆς ἐπιπροσθέτως τῶν ὑπὸ τῆς παρούσης Συμβάσεως παρέχομένων προνομίων καὶ ἀσυλιῶν.

"Αρθρον 76

Συνεργασία μεταξὺ ἀποστελλόντων καὶ φιλοξενούντων Κρατῶν

Οποτεδήποτε παρίσταται ἀνάγκη καὶ εἰς ἣν ἔκτασιν συμβιθάζεται πρὸς τὴν ἀνεξαρτησίαν ἀσκήσεως τῶν ἀρμοδιοτήτων τῆς ἀποστολῆς, τῆς ἀντιπροσωπείας ἢ τῆς ἀντιπροσωπείας παρατηρητῶν, τὸ ἀποστέλλον Κράτος θὰ συνεργάζηται ὅσον τὸ δυνατόν πληρέστερον μετά τοῦ φιλοξενούντος Κράτους ἐν τῇ διεξαγωγῇ οἰασδήποτε ἀνακρίσεως ἢ ποινικῆς διώξεως κατ' ἔφαρμογήν τῶν διατάξεων τῶν ἀρθρῶν 23, 28, 29 καὶ 58.

"Αρθρον 77

Τήρησις τῶν νόμων καὶ κανονισμῶν τοῦ φιλοξενούντος Κράτους

1. "Ανέυ ἐπηρεασμοῦ τῶν προνομίων καὶ ἀσυλιῶν αὐτῶν, καθῆκον πάντων τῶν προσώπων τῶν ἀπολαύσοντων τοιούτων προνομίων καὶ ἀσυλιῶν εἰναι νὰ τηροῦν τοὺς νόμους καὶ κανονισμοὺς τοῦ φιλοξενούντος Κράτους. Οδῖοι ὑπέχουν ὀσαύτως τὸ καθῆκον μὴ ἐπεμβάσεως εἰς τὰς ἐσωτερικὰς ὑποθέσεις τοῦ Κράτους τούτου.

2. Έν περιπτώσει Θαρείας καὶ προδήλου παραβιάσεως τοῦ ποινικοῦ νόμου τοῦ φιλοξενούντος Κράτους ὑπὸ προσώπου ἀπολαύοντος δικαιοδοτικῆς ἀσυλίας, τὸ ἀποστέλλον Κράτος ὁφείλει, ἐκτὸς ἐάν παραιτηθῇ τῆς ἀσυλίας τοῦ ἐνδιαφερομένου προσώπου, νὰ ἀνακαλέσῃ τοῦτο, νὰ τερματίσῃ τὰς ἀρμοδιότητάς του παρὰ τῇ ἀποστολῇ, τῇ ἀντιπροσωπείᾳ ἢ τῇ ἀντιπροσωπείᾳ παραστηρητῶν ἢ νὰ ἔξασφαλίσῃ τὴν ἀναχώρησιν τούτου, ὃς ἥθελεν εἶναι κατάλληλον. Τὸ ἀποστέλλον Κράτος ὁφείλει νὰ προθῇ εἰς τὴν αὐτὴν ἐνέργειαν ἐν περιπτώσει Θαρείας καὶ προδήλου ἐπεμβάσεως εἰς τὰς ἐσωτερικὰς ὑποθέσεις τοῦ φιλοξενούντος Κράτους. Αἱ διατάξεις τῆς παρούσης παραγράφου δὲν ἔχουν ἐφαρμογὴν ἐν περιπτώσει οἰασδήποτε πράξεως τελουμένης ὑπὸ τοῦ ἐνδιαφερομένου προσώπου ἐν τῇ διεκπεραιώσει τῶν ἀρμοδιοτήτων τῆς ἀποστολῆς ἢ τῶν ἐργασιῶν τῆς ἀντιπροσωπείας ἢ τῆς ἀντιπροσωπείας παραστηρητῶν.

3. Οἱ χῶροι τῆς ἀποστολῆς καὶ οἱ χῶροι τῆς ἀντιπροσωπείας δέονταν νὰ μὴ χρησιμοποιῶνται κατά τρόπον ἀσυμβίσαστον πρὸς τὴν ἀσκησιν τῶν ἀρμοδιοτήτων τῆς ἀποστολῆς ἢ τὴν ἐκτέλεσιν τῶν ἐργασιῶν τῆς ἀντιπροσωπείας.

4. Οὐδὲν τῶν ἐν τῷ παρόντι ἄρθρῳ διαλαμβανομένων δύναται νὰ ἔρμηνεύηται ὡς ἀπαγορεύοντος εἰς τὸ φιλοξενοῦν Κράτος νὰ λαμβάνῃ τὰ ἀναγκαῖα μέτρα διὰ τὴν ἴδιαν τούτου προστασίαν. Ἐν τοιαύῃ περιπτώσει τὸ φιλοξενοῦν Κράτος ὁφείλει, ἀνευ ἐπηρεασμοῦ τῶν ἄρθρων 84 καὶ 85, νὰ διαθουλεύηται κατὰ τὸν προσήκοντα τρόπον μετὰ τοῦ ἀποστέλλοντος Κράτους ἵνα ἔξασφαλίζουν ὅτι τὰ τοιαῦτα μέτρα οὐδόλως θὰ παρακαλύουν τὴν κανονικὴν λειτουργίαν τῆς ἀποστολῆς, τῆς ἀντιπροσωπείας ἢ τῆς ἀντιπροσωπείας παρατηρητῶν.

5. Τὰ ἐν παραγράφῳ 4 τοῦ παρόντος ἄρθρου προσθετόμενα μέτρα θὰ λαμβάνωνται τῇ ἔγκρισει τοῦ Ὑπουργοῦ Ἐξωτερικῶν ἢ οἰουδήποτε ἐτέρου ἀρμοδίου Ὑπουργοῦ συμφώνως πρὸς τοὺς συνταγματικούς κανόνας τοῦ φιλοξενούντος Κράτους.

"Ἄρθρον 78

Ασφάλισις ἔναντι κινδύνων προκλήσεως ζημίας εἰς τρίτους

Τὰ μέλη τῆς ἀποστολῆς, τῆς ἀντιπροσωπείας ἢ τῆς ἀντιπροσωπείας παρατηρητῶν δέονταν νὰ συμμορφῶνται πρὸς ἀπάσας τὰς ὑποχρεώσεις τὰς ἐπιβαλλομένας ὑπὸ τῶν νόμων καὶ κανονισμῶν τοῦ φιλοξενούντος Κράτους ἀναφορικῶς πρὸς τὴν ἀσφάλισιν ἔναντι κινδύνων προκλήσεως ζημίας εἰς τρίτους ὑπὸ οἰουδήποτε δχήματος, πλοίου ἢ ἀεροσκάφους χρησιμοποιουμένου ὑπὸ αὐτῶν ἢ ἀνήκοντος εἰς αὐτά.

"Άρθρον 79

Εἴσοδος ἐν τῇ ἔδαφικῇ ἐπικρατείᾳ τοῦ φιλοξενούντος Κράτους

1. Τὸ φιλοξενοῦν Κράτος δέονταν νὰ ἐπιτρέπῃ τὴν ἐντὸς τῆς ἔδαφικῆς αὐτοῦ ἐπικρατείας εἴσοδον :

- (α) τῶν μελῶν τῆς ἀποστολῆς καὶ τῶν μελῶν τῶν οἰκογενειῶν τῶν ἀτινα συγκροτοῦν τοὺς οἴκους των,
- (β) τῶν μελῶν τῆς ἀντιπροσωπείας καὶ τῶν μελῶν τῶν οἰκογενειῶν τῶν ἀτινα συνοδεύουν αὐτούς, καὶ
- (γ) τῶν μελῶν τῆς ἀντιπροσωπείας παραστηρητῶν καὶ τῶν μελῶν τῶν οἰκογενειῶν τῶν ἀτινα συνοδεύουν αὐτούς.

2. Θεωρήσεις διαβατηρίων, ὁσάκις ἀπαιτούνται, θὰ χορηγῶνται τὸ ταχύτερον δυνατὸν εἰς τὰ ἐν παραγράφῳ 1 τοῦ παρόντος ἄρθρου ἀναφερόμενα πρόσωπα.

"Άρθρον 80

Διευκολύνσεις ἀναχωρήσεως

Τὸ φιλοξενοῦν Κράτος, ἐφ' ὅσον παρακληθῇ, ὁφείλει νὰ παρέχῃ διευκολύνσεις ὅστε τὰ πρόσωπα ἀτινα ἀπολαύουν προνομίων καὶ ἀσυλιῶν, πλὴν τῶν ὑπηκόων τοῦ φιλοξενούντος Κράτους, καθὼς καὶ τὰ μέλη τῶν οἰκογενειῶν τῶν τοιούτων προσώπων ἀνεξαρτήτως τῆς ὑπηκοότητός των νὰ δυνηθοῦν νὰ ἔγκαταλείψουν τὴν ἔδαφικήν τούτου ἐπικράτειαν.

"Αρθρον. 81

Διέλευσις μέσω τής έδαφικής έπικρατείας τρίτου Κράτους

1. Έάν ό αρχηγός τής άποστολής ή μέλος τού διπλωματικού προσωπικού τής άποστολής, ο αρχηγός τής άντιπροσωπείας, έτερος άντιπρόσωπος ή μέλος τού διπλωματικού προσωπικού τής άντιπροσωπείας παρατηρητῶν, έτερος άντιπρόσωπος παρατηρητής ή μέλος τού διπλωματικού προσωπικού τής άντιπροσωπείας παρατηρητῶν διέρχηται μέσω ή εύρισκηται ἐν τῇ έδαφικῇ έπικρατείᾳ τρίτου τινὸς Κράτους, ὅπερ τῷ ἔχοργησε θεώρησιν διαβατηρίου ὁσάκις αὕτη εἶναι ἀπαρατήρητος, καθ' ὅδον πρὸς ἀνάληψιν ή ἐπάνοδον εἰς τὰς ἀρμοδιότητάς του ή ὁσάκις οὗτος ἐπιστρέψῃ εἰς τὴν ἴδιαν αὐτοῦ χώραν, τὸ τρίτον Κράτος δῆλον νὰ περιθάλλῃ αὐτὸν διὰ τοῦ ἀπαραθίστου ὡς καὶ διὰ τοιούτων ἑτέρων ἀσυλιῶν οἷαι ηθελον εἶναι ἀπαραίτητοι πρὸς ἔξασφάλισιν τῆς διελεύσεώς του.

2. Αἱ διατάξεις τῆς παραγράφου 1 τοῦ παρόντος ἀρθρου ἔχουν ώσαύτως ἐφαρμογὴν ἐν τῇ περιπτώσει :

(α) μελῶν τῆς οἰκογενείας τοῦ ἀρχηγοῦ τῆς άποστολῆς ή μέλους τοῦ διπλωματικοῦ προσωπικοῦ τῆς άποστολῆς ἀτινα συγκροτοῦν τὸν οἶκον αὐτοῦ καὶ ἀπολαύουν προνομίων καὶ ἀσυλίων, ἀνεξαρτήτως ἐάν ταξιδεύουν μετ' αὐτοῦ ή κεχωρισμένως πρὸς συνάντησιν αὐτοῦ ή πρὸς ἐπιστροφὴν εἰς τὴν ἴδιαν αὐτῶν χώραν'

(β) μελῶν τῆς οἰκογενείας τοῦ ἀρχηγοῦ τῆς άντιπροσωπείας, οἰουδήποτε ἐτέρου ἀντιπροσώπου ή μέλους τοῦ διπλωματικοῦ προσωπικοῦ τῆς άντιπροσωπείας ἀτινα συνοδεύουν αὐτὸν καὶ ἀπολαύουν προνομίων καὶ ἀσυλίων, ἀνεξαρτήτως ἐάν ταξιδεύουν μετ' αὐτοῦ ή κεχωρισμένως πρὸς συνάντησιν αὐτοῦ ή πρὸς ἐπιστροφὴν εἰς τὴν ἴδιαν αὐτῶν χώραν'

(γ) μελῶν τῆς οἰκογενείας τοῦ ἀρχηγοῦ τῆς άντιπροσωπείας παρατηρητῶν, οἰουδήποτε ἐτέρου ἀντιπροσώπου παρατηρητοῦ ή μέλους τοῦ διπλωματικοῦ προσωπικοῦ τῆς άντιπροσωπείας παρατηρητῶν, ἀτινα συνοδεύουν αὐτὸν καὶ ἀπολαύουν προνομίων καὶ ἀσυλίων, ἀνεξαρτήτως ἐάν ταξιδεύουν μετ' αὐτοῦ ή κεχωρισμένως πρὸς συνάντησιν αὐτοῦ ή πρὸς ἐπιστροφὴν εἰς τὴν ἴδιαν αὐτῶν χώραν.

3. "Υπὸ περιστάσεις παρομοίας πρὸς τὰς καθοριζομένας ἐν ταῖς παραγράφοις 1 καὶ 2 τοῦ παρόντος ἀρθρου, τὰ τρίτα Κράτη δῆλον νὰ μὴ παρακαλούν τὴν μέσω τῶν ἔδαφικῶν έπικρατειῶν των διέλευσιν μελῶν τοῦ διοικητικοῦ, τεχνικοῦ καὶ ὑπηρετικοῦ προσωπικοῦ, ὡς καὶ μελῶν τῶν οἰκογενειῶν των.

4. Τὰ τρίτα Κράτη δῆλον νὰ παρέχουν πρὸς τὴν εύρισκομένην ἐν διελεύσει ὑπηρεσιακὴν ἀλληλογραφίαν καὶ λοιπάς ὑπηρεσιακὰς έπικοινωνίας, περιλαμβανομένων τῶν μηνυμάτων διὰ κώδικος ή κρυπτογραφήσεως, τὴν αὐτὴν ἔλευθερίαν καὶ προστασίαν οἷαν τὸ φιλοξενοῦν Κράτος ὑποχρεοῦται νὰ παρέχῃ δυνάμει τῆς παρούσης Συμβάσεως. Ταῦτα δῆλον νὰ παρέχουν πρὸς τοὺς ταχυδρόμους τῆς ἀποστολῆς, τῆς άντιπροσωπείας ή τῆς άντιπροσωπείας παρατηρητῶν, εἰς τοὺς δόποις ἔχοργηθή θεώρησις διαβατηρίου ὁσάκις αὕτη εἶναι ἀπαραίτητος, ὡς καὶ εἰς τοὺς ἐν διελεύσει εύρισκομένους σάκκους τῆς ἀποστολῆς, τῆς άντιπροσωπείας ή τῆς άντιπροσωπείας παρατηρητῶν, τὸ αὐτὸν ἀπαραθίστον καὶ τὴν αὐτὴν προστασίαν οἷαν τὸ φιλοξενοῦν Κράτος ὑποχρεοῦται νὰ παρέχῃ δυνάμει τῆς παρούσης Συμβάσεως.

5. Αἱ κατὰ τὰς παραγράφους 1, 2, 3 καὶ 4 τοῦ παρόντος ἀρθρου ὑποχρεώσεις τῶν τρίτων Κρατῶν ἔχουν ώσαύτως ἐφαρμογὴν καὶ εἰς τὰ πρόσωπα τὰ μηνημονεύμενα ἀντιστοίχως εἰς τὰς ἐν λόγῳ παραγράφους, ὡς καὶ εἰς τὰς ὑπηρεσιακὰς έπικοινωνίας καὶ σάκκους τῆς ἀποστολῆς, τῆς άντιπροσωπείας ή τῆς άντιπροσωπείας παρατηρητῶν, τῶν δόποιων ή παρουσία ἐν τῇ ἔδαφικῇ έπικρατείᾳ τοῦ τρίτου Κράτους δῆλεται εἰς ἀνωτέρων 6ίαν.

"Αρθρον 82

Μή άναγνωρισις Κρατών ή Κυθερνήσεων ή άνυπαρξία διπλωματικών ή προξενικών σχέσεων

1. Τὰ δυνάμει τῆς παρούσης Συμβάσεως δικαιώματα καὶ ὑποχρεώσεις τοῦ φιλοξενοῦντος καὶ τοῦ ἀποστέλλοντος Κράτους οὐδόλως ἐπηρεάζονται λόγῳ εἴτε τῆς μὴ άναγνωρίσεως τοῦ ἐνὸς Κράτους ὑπὸ τοῦ ἐτέρου Κράτους ή τῆς κυθερνήσεως του, εἴτε τῆς μὴ ὑπάρξεως ή τῆς διακοπῆς τῶν διπλωματικῶν ή προξενικῶν σχέσεων μεταξὺ αὐτῶν.

2. Ή ἔγκαθιδρυσις ή ή διατήρησις μιᾶς ἀποστολῆς, ή ἀποστολὴ ή ή συμμετοχὴ μιᾶς ἀντιπροσωπείας ή μιᾶς ἀντιπροσωπείας παρατηρητῶν ή οἰαδή-ποτε πρᾶξις κατ' ἔφαρμογήν τῆς παρούσης Συμβάσεως οὐδόλως ἐξυπακούει ἀφ' ἔσωτῆς τὴν ἐκ μέρους τοῦ ἀποστέλλοντος Κράτους ἀναγνώρισιν τοῦ φιλοξενοῦντος Κράτους ή τῆς κυθερνήσεως του ή καὶ ἀντιθέτως.

"Αρθρον 83

Μή δάκρυσις

Κατὰ τὴν ἔφαρμογήν τῶν διατάξεων τῆς παρούσης Συμβάσεως οὐδεμίᾳ διάκρισις δύναται νὰ λαμβάνῃ χώραν μεταξὺ τῶν Κρατῶν.

"Αρθρον 84

Διαθουλεύσεις

Ἐάν μεταξὺ δύο ή πλειόνων Συμβαλομένων Κρατῶν ἥθελεν ἀναφύη διαφορά τις ἔνεκα τῆς ἔφαρμογῆς ή ἔρμηνέας τῆς παρούσης Συμβάσεως, τῇ αἵτησει ἐνὸς ἐξ αὐτῶν θά διεξάγωνται διαθουλεύσεις μεταξύ των. Τῇ αἵτησει ἐνὸς οίουδήποτε τῶν ἐν τῇ διαφορᾷ μερῶν, δ 'Οργανισμὸς ή ή διάσκεψις θά καλῆται νὰ συμμετάσχῃ εἰς τὰς διαθουλεύσεις.

"Αρθρον 85

Συμβιθασμὸς

1. Έάν ή διαφορὰ δὲν διευθετῇθῇ ὡς ἀποτέλεσμα τῶν ἐν ἄρθρῳ 84 ἀναφερομένων διαθουλεύσεων ἐντὸς ἐνὸς μηνὸς ἀπὸ τῆς ἡμερομηνίας ἐνάρξεώς των, πᾶν Κράτος συμμετέχον εἰς τὰς διαθουλεύσεις δύναται νὰ φέρῃ τὴν διαφορὰν ἐνώπιον ἐπιτροπῆς συμβιθασμοῦ συνιστωμένης συμφώνως πρὸς τὰς διατάξεις τοῦ παρόντος ἄρθρου κατόπιν ἐπιδόσεως ἐγγράφου εἰδοποιήσεως πρὸς τὸν 'Οργανισμὸν καὶ τὰ λοιπὰ συμμετέχοντα εἰς τὰς διαθουλεύσεις Κράτη.

2. Ἐκάστη ἐπιτροπὴ συμβιθασμοῦ θὰ συντίθεται ἐκ τριῶν μελῶν : 'Εκ δύο μελῶν διορίζομένων ἀντιστοίχως ὑφ' ἔκαστου τῶν ἐν τῇ διαφορᾷ μερῶν καὶ ἐνὸς Πρόεδρου διορίζομένου συμφώνως πρὸς τὴν παράγραφον 3 τοῦ παρόντος ἄρθρου. "Εκαστον Συμβαλόμενον Κράτος τῆς παρούσης Συμβάσεως θὰ ὑποδεικνύῃ ἐκ τῶν προτέρων ἐν πρόσωπον ἵνα ὑπηρετήσῃ ὡς μέλος μιᾶς τοισάντης ἐπιτροπῆς. Τούτῳ θὰ γνωστοποιῆται τὴν γενομένην ὑπόδειξιν του πρὸς τὸν 'Οργανισμόν, δοτίς θὰ τηρῇ μητρῶν τῶν οὕτω ὑποδεικνυομένων προσώπων. 'Εάν τούτο δὲν προθῇ εἰς τὴν ὑπόδειξιν του ἐκ τῶν προτέρων, δύναται νὰ πρόσῃ τούτο διαρκούσης τῆς συμβιθαστικῆς διαδικασίας μέχρι τῆς στιγμῆς καθ' ήν ή 'Επιτροπὴ ἀρχίζει τὴν σύνταξιν τῆς ἐκθέσεως ἥτις δέον νὰ ἔτοιμάζηται συμφώνως πρὸς τὴν παράγραφον 7 τοῦ παρόντος ἄρθρου.

3. Ο Πρόεδρος τῆς 'Επιτροπῆς θὰ ἐπιλέγηται ὑπὸ τῶν ἐτέρων δύο μελῶν. 'Εάν τὰ ἔτερα δύο μέλη ἀδυνατοῦν νὰ συμφωνήσουν ἐντὸς ἐνὸς μηνὸς ἀπὸ τῆς ἐν παραγράφῳ 1 τοῦ παρόντος ἄρθρου ἀναφερομένης εἰδοποιήσεως ή ἔάν τὸ ἐν τῶν ἐν τῇ διαφορᾷ μερῶν δὲν ἔχῃ ἀσκήσει τὸ δικαίωμά του πρὸς ὑπόδειξιν μέλους τῆς 'Επιτροπῆς, δ Πρόεδρος θὰ ὑποδεικνύται κατόπιν αἵτησεως ἐνὸς τῶν ἐν τῇ διαφορᾷ μερῶν ὑπὸ τοῦ ἀνωτέρου διοικητικοῦ λειτουργοῦ τοῦ 'Οργανισμοῦ. 'Ο διορισμὸς θὰ πραγματοποιήται ἐντὸς προθεσμίας ἐνὸς μηνὸς

ἀπό της τοιαύτης αἰτήσεως. Ό δινώτερος διοικητικός λειτουργός τοῦ Ὀργανισμοῦ θά διορίζῃ ως πρόεδρον ἔνα προσδοτούχον νομικόν διστις δὲν εἶναι οὕτε ὑπάλληλος τοῦ Ὀργανισμοῦ οὔτε ὑπήκοος οἰουδήποτε Κράτους μέρους ἐν τῇ διαφορᾷ.

4. Πᾶσα κενουμένη θέσις θὰ πληρούται κατά τὸν διὰ τὸν ἀρχικὸν διορισμὸν ἐκτεθέντα τρόπον.

5. Ἡ ἐπιτροπὴ θὰ λειτουργῇ εὐθὺς ως διορισθῆ διάδοχος καὶ ἔτι σύνθεσίς της δὲν συνεπληρώθη.

6. Ἡ ἐπιτροπὴ θὰ καθορίζῃ τοὺς οἰκείους αὐτῆς κανόνας διαδικασίας καὶ θὰ λαμβάνῃ τὰς ἀποφάσεις καὶ προσαίνῃ εἰς τὰς εἰσηγήσεις αὐτῆς κατά πλειοψηφίαν. Αὕτη δύναται νὰ εἰσηγηθῇ εἰς τὸν Ὀργανισμόν, ἔταν διάδοχος εἶναι ἔξουσιοδοτημένος πρὸς τὸν συμφώνων πρὸς τὸν Χάρτην τῶν Ἕνωμένων Ἐθνῶν, ὅπως οὗτος ζητήσῃ συμβουλευτικὴν γνώμην παρὰ τοῦ Διεθνοῦς Δικαστηρίου τῆς Δικαιοσύνης ἀναφορικῶς πρὸς τὴν ἐφαρμογὴν ἢ τὴν ἐρμηνείαν τῆς παρούσης Συμβάσεως.

7. Ἐάν ἡ ἐπιτροπὴ ἀδυνατῇ νὰ ἐπιτύχῃ συμφωνίαν τινὰ μεταξὺ τῶν ἐν τῇ διαφορᾷ μερῶν ἐπὶ τίνος διευθετήσεως τῆς διαφορᾶς ἐντὸς δύο μηνῶν ἀπὸ τοῦ διορισμοῦ τοῦ Προέδρου αὐτῆς, αὕτη θὰ ἐτοιμάζῃ τὸ ταχύτερον δυνατὸν ἔκθεσιν ἐπὶ τῶν ἔργασιῶν τῆς καὶ θὰ διαθείσῃ ταύτην πρὸς τὰ ἐν τῇ διαφορᾷ τελούντα μέρη. Ἡ ἔκθεσίς θὰ περιέχῃ τὰ συμπεράσματα τῆς ἐπιτροπῆς ἐπὶ τῶν γεγονότων καὶ τῶν νομικῶν ζητημάτων καὶ τὰς εἰσηγήσεις ἀτινας ἔχει ὑποθάλει πρὸς τὰ ἐν τῇ διαφορᾷ τελούντα μέρη ἐπὶ σκοπῷ διευκολύνσεως τῆς διευθετήσεως τῆς διαφορᾶς. Ἡ προθεσμία τῶν δύο μηνῶν δύναται νὰ παραταθῇ διὰ ἀποφάσεως τῆς ἐπιτροπῆς. Αἱ εἰσηγήσεις ἐν τῇ ἔκθεσει τῆς ἐπιτροπῆς δὲν εἶναι δεσμευτικαὶ ἐπὶ τῶν ἐν τῇ διαφορᾷ τελούντων μερῶν ἐκτὸς ἐὰν ἀπαντα τὰ τελευταῖα ἔχουν ἀποδεχθῆ ταύτας. Ἐν τούτοις, πᾶν ἐν τῇ διαφορᾷ μέρος δύναται νὰ δηλώσῃ μονομερῶς διάδοχον συμμορφωθῆ πρὸς τὰς εἰσηγήσεις τῆς ἔκθεσεως διόν ἀφορᾶ εἰς ἐαυτό.

8. Οὐδὲν τῶν ἐν ταῖς προηγουμέναις παραγράφοις τοῦ παρόντος ἄρθρου διαλαμβανομένων θέλει ἀποκλείει τὸν καθορισμὸν οἰασδήποτε ἐτέρως καταλλήλου διαδικασίας διὰ τὴν διευθέτησιν διαφορῶν προκυπτουσῶν ἐκ τῆς ἐφαρμογῆς ἢ ἐρμηνείας τῆς παρούσης Συμβάσεως ἢ τὴν σύναψιν οἰασδήποτε συμφωνίας μεταξὺ τῶν ἐν τῇ διαφορᾷ μερῶν πρὸς ὑποθόλην τῆς διαφορᾶς εἰς τινὰ δικαιοδοσίαν καθιερωθεῖσαν ἐν τῷ Ὀργανισμῷ ἢ εἰς οἰασδήποτε ἐτέρων διαδικασίαν.

9. Τὸ παρὸν ἄρθρον τίθεται ἀνευ ἐπηρεασμοῦ τῶν περὶ διευθετήσεως διαφορῶν διατάξεων αἵτινες περιέχονται εἰς διεθνεῖς συμφωνίας Ισχυρούσας μεταξὺ Κρατῶν ἢ μεταξὺ Κρατῶν καὶ διεθνῶν δρυγανισμῶν.

ΜΕΡΟΣ VI ΤΕΛΙΚΑΙ ΡΗΤΡΑΙ

”Αρθρον 86

”Υπογραφή

”Η παροῦσα Σύμβασις θὰ εἶναι ἀνοικτὴ πρὸς ύπογραφὴν ὑφ' ὅλων τῶν Κρατῶν μέχρι τῆς 30ῆς Σεπτεμβρίου, 1975 εἰς τὸ Ὀμοσπονδιακὸν Υπουργεῖον Ἐξωτερικῶν τῆς Δημοκρατίας τῆς Αὐστρίας καὶ ἐν συνεχείᾳ, μέχρι τῆς 30ῆς Μαρτίου, 1976 εἰς τὰ ἐν Νέα Υόρκη Κεντρικὰ Γραφεῖα τῶν Ἕνωμένων Ἐθνῶν.

”Αρθρον 87

”Επικύρωσις

”Η παροῦσα Σύμβασις ὑπόκειται εἰς ἐπικύρωσιν. Τὰ ἔγγραφα ἐπικυρώσεως κατατίθενται παρὰ τῷ Γενικῷ Γραμματεῖ τῶν Ἕνωμένων Ἐθνῶν.

"Αρθρον 88

Προσχώρησις

Η παρούσα Σύμβασις θά παραμείνῃ ἀνοικτή διὰ προσχώρησιν ὑφ' οἰουδή-ποτε Κράτους. Τὰ ἔγγραφα προσχωρήσεως κατατίθενται παρὰ τῷ Γενικῷ Γραμματεῖ τῶν Ἡνωμένων Ἐθνῶν.

"Αρθρον 89

"Εναρξις Ισχύος

1. Η παρούσα Σύμβασις ἄρχεται ίσχυόυσα τὴν τριακοστὴν ἡμέραν μετὰ τὴν ἡμερομηνίαν τῆς καταθέσεως τοῦ τριακοστοῦ πέμπτου ἔγγραφου ἐπικυρώσεως ἢ προσχωρήσεως.

2. Δι' ἕκαστον Κράτους ἐπικυροῦν ἢ προσχωροῦν εἰς τὴν Σύμβασιν μετὰ τὴν κατάθεσιν τοῦ τριακοστοῦ πέμπτου ἔγγραφου ἐπικυρώσεως ἢ προσχωρήσεως, ή Σύμβασις ἄρχεται ίσχυόυσα τὴν τριακοστὴν ἡμέραν μετὰ τὴν ὑπὸ τοῦ Κράτους τούτου κατάθεσιν τοῦ οἰκείου αὐτοῦ ἔγγραφου ἐπικυρώσεως ἢ προσχωρήσεως.

"Αρθρον 90

"Υλοποίησις ἐκ μέρους ὁργανισμῶν

Μετὰ τὴν ἔναρξιν ισχύος τῆς παρούσης Συμβάσεως, τὸ ἀρμόδιον ὁργανον διεθνοῦς τινος δργανισμοῦ οἰκουμενικοῦ χαρακτῆρος δύναται νὰ υἱοθετήσῃ ἀπόφασιν περὶ ὑλοποίησεως τῶν σχετικῶν διατάξεων τῆς Συμβάσεως. Ὁ ὁργανισμὸς θὰ κοινοποιῇ τὴν ἀπόφασιν πρὸς τὸ φιλοξενοῦν Κράτος καὶ πρὸς τὸν θεματοφύλακα τῆς Συμβάσεως.

"Αρθρον 91

Γνωστοποιήσεις ὑπὸ τοῦ θεματοφύλακος

1. Υπὸ τὴν ἰδιότητα τοῦ θεματοφύλακος τῆς παρούσης Συμβάσεως, ὁ Γενικὸς Γραμματεὺς τῶν Ἡνωμένων Ἐθνῶν θὰ πληροφορῇ ἀπαντα τὰ Κράτη περὶ :

- (α) τῶν ὑπογραφῶν τῆς Συμβάσεως καὶ τῆς καταθέσεως τῶν ἔγγραφων ἐπικυρώσεως ἢ προσχωρήσεως, συμφώνως πρὸς τὰ ἄρθρα 86, 87 καὶ 88·
- (β) τῆς ἡμερομηνίας καθ' ἥν ἡ Σύμβασις ἄρχεται ίσχυόυσα, συμφώνως πρὸς τὸ ἄρθρον 89·
- (γ) πάσης ἀποφάσεως κοινοποιουμένης συμφώνως πρὸς τὸ ἄρθρον 90.

2. Ὁ Γενικὸς Γραμματεὺς τῶν Ἡνωμένων Ἐθνῶν θὰ πληροφορῇ ὕσσαύτως ἀπαντα τὰ Κράτη, ὡς ἀπαιτεῖται, περὶ ἑτέρων πράξεων, γνωστοποιήσεων ἢ κοινοποίησεων σχετικῶν πρὸς τὴν παρούσαν Σύμβασιν.

"Αρθρον 92

Αὐθεντικὰ κείμενα

Τὸ πρωτότυπον τῆς παρούσης Συμβάσεως, τῆς ὁποίας τὰ εἰς τὴν Ἀγγλικήν, Γαλλικήν, Ἰσπανικήν, Κινεζικήν καὶ Ρωσικήν κείμενα εἰναι ἐξ ἵσου αὐθεντικά, θὰ κατατεθοῦν παρὰ τῷ Γενικῷ Γραμματεῖ τῶν Ἡνωμένων Ἐθνῶν, δστις θὰ ἀποστέλλῃ κεκυρωμένα ἀντίγραφα αὐτῶν εἰς ἀπαντα τὰ Κράτη.

ΕΙΣ ΜΑΡΤΥΡΙΑΝ ΤΩΝ ΑΝΩΤΕΡΩ οἱ ὑπογεγραμμένοι πληρεξούσιοι, δεόντως πρὸς τοῦτο ἔξουσιοδοτημένοι ὑπὸ τῶν ἀντιστοίχων αὐτῶν Κυβερνήσεων, ὑπέγραψαν τὴν παρούσαν Σύμβασιν.

ΕΓΕΝΕΤΟ EN BIENNH, τὴν δεκάτην τετάρτην ἡμέραν τοῦ μηνὸς Μαρτίου τοῦ ἔτους χίλια ἑννεακόσια ἑβδομήκοντα πέντε.