

As soon as the head of a consular post is admitted even provisionally to the exercise of his functions, the receiving State must immediately notify the competent authorities of the consular district. It must also ensure that the necessary measures are taken to enable the head of a consular post to carry out the duties of his office and to have the benefit of his privileges and immunities.

3 Consular representatives

The Convention makes provision for the performance of diplomatic acts by a consular representative in a State in which his government is not represented. He is not thereby entitled, however, to diplomatic immunities. He may also act as representative of his government to an inter-governmental organization. When so acting, he is entitled to enjoy the privileges and immunities accorded such a representative by customary international law or by international agreements.

The sending State may, if its laws and regulations so require, request the receiving State to issue an *exequatur* to a consular representative other than the head of the consular post. The functions of a member of a consular post come to an end *inter alia*:

- (a) on notification by the sending State to the receiving State of the termination of his functions and his final departure from the receiving country;
- (b) on withdrawal of his *exequatur*;
- (c) on notification by the receiving State to the sending State that the receiving State has ceased to consider him a member of the consular staff.

All members of the consular post are ensured freedom of movement and travel within their territory subject to the laws and regulations of the receiving State with respect to zones into which access is prohibited or regulated for reasons of national security. Their freedom to communicate with and have access to their nationals is also guaranteed. Nationals, in turn, must be entirely free to communicate with their consulate and to have access to it. If a national of a foreign country is detained in the territory of the receiving State, the authorities of that State must, if he so requests, inform the competent consular post without delay. Any communications he addresses to his consular post must be delivered without delay. It is the duty of the authorities to inform detained persons of their rights in this regard. The Convention also recognizes the right of consular representatives to visit their nationals who are in detention, to converse and to correspond with them and to arrange for their legal representation. Consular representatives may also visit their nationals who are in prison.