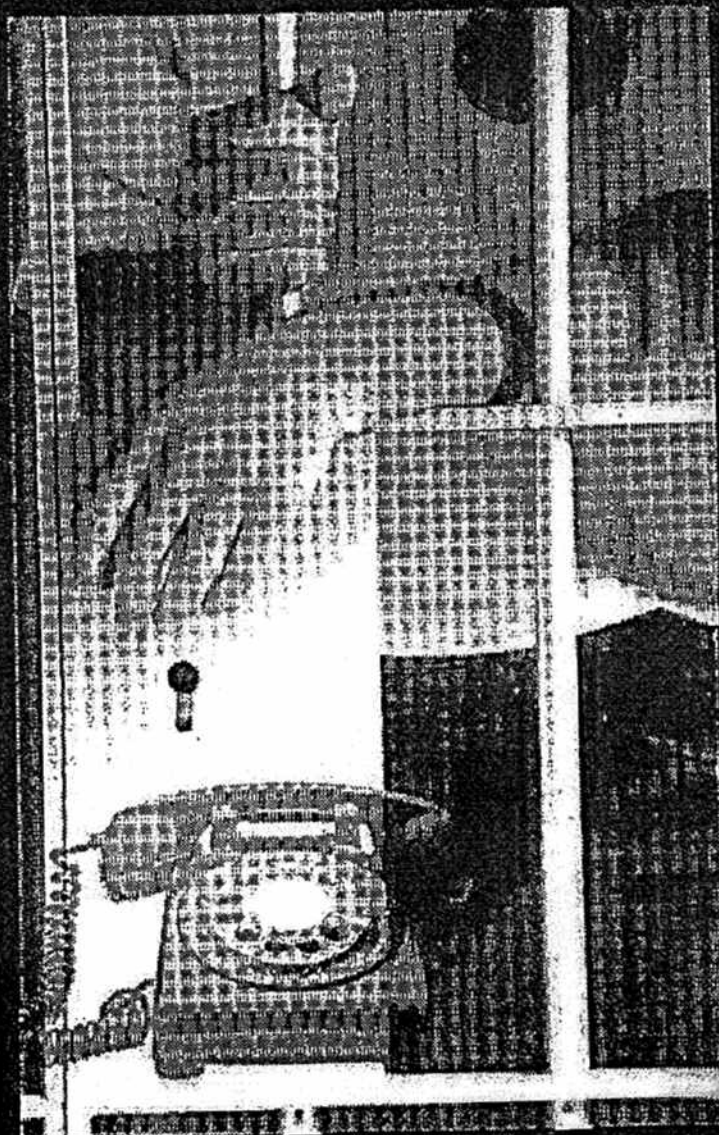


United States Department of State



# Consular Notification and Access

Instructions for Federal, State, and  
Local Law Enforcement and Other  
Officials Regarding Foreign Nationals  
in the United States and the Rights of  
Consular Officials To Assist Them



## About This Booklet

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This booklet contains instructions and guidance relating to the arrest and detention of foreign nationals, deaths of foreign nationals, the appointment of guardians for minors or incompetent adults who are foreign nationals, and related issues pertaining to the provision of consular services to foreign nationals in the United States. This booklet is designed to help ensure that foreign governments can extend appropriate consular services to their nationals in the United States and that the United States complies with its legal obligations to such governments. The instructions and guidance herein should be followed by all federal, state, and local government officials, whether law enforcement, judicial, or other, insofar as they pertain to foreign nationals subject to such officials' authority or to matters within such officials' competence.

The continued cooperation of federal, state, and local law enforcement agencies in ensuring that foreign nationals in the United States are treated in accordance with these instructions will permit the United States to comply with its consular legal obligations domestically. It will also help ensure that the United States can insist upon rigorous compliance by foreign governments with respect to United States citizens abroad. The Department of State appreciates the assistance of all law enforcement officials in helping to achieve these objectives.

*If you have any questions  
not addressed in this booklet,  
write or call:*

Office of Public Affairs and  
Policy Coordination  
CA/P, Room 4800  
Bureau of Consular Affairs  
U.S. Department of State  
Washington, DC 20520

Telephone: (202) 647-4415  
Fax: (202) 736-7559

*For urgent telephone inquiries outside  
normal business hours, you may  
call the State Department Operations  
Center at (202) 647-1512.*

The full text of this publication is available at [http://travel.state.gov/consul\\_notify.html](http://travel.state.gov/consul_notify.html). The Department of State expects to update it every 2-5 years. Note that the instructions in this booklet are in addition to those pertaining to the treatment of foreign diplomatic and consular officers. For information on the treatment of such officers, see the Department of State publication titled "*Diplomatic and Consular Immunity: Guidance for Law Enforcement and Judicial Authorities.*"

# Table of Contents

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	Page
<b>Part One: Basic Instructions</b>	
Summary of Requirements .....	3
Steps To Follow When a Foreign National Is Arrested or Detained .....	4
Mandatory Notification Countries and Jurisdictions .....	5
Suggested Statements .....	7
Suggested Fax Sheet .....	9
Consular Officer Identification Cards .....	11
<b>Part Two: Detailed Instructions</b>	
Arrests and Detentions of Foreign Nationals .....	13
Notification to Consular Officials at the Foreign National's Option .....	14
Mandatory Notification to Consular Officials .....	14
Recordkeeping .....	14
Consular Access to Detained Foreign Nationals .....	14
Deaths of Foreign Nationals .....	15
Appointments of Guardians or Trustees for Foreign Nationals .....	15
Accidents Involving Foreign Ships or Aircraft .....	15
<b>Part Three: Frequently Asked Questions</b>	
About Consular Officers .....	17
About Foreign Nationals .....	18
About Who Is Responsible for Consular Notification .....	18
About When Consular Notification Should Be Given .....	19
About How Consular Notification Should Be Given .....	20
About Failure To Notify .....	21
About Consular Access and Assistance .....	22
About Contacting the Department of State .....	23

**Part Four: Translations of Suggested Statements**

How To Use the Translations .....	25
Arabic .....	27
Chinese .....	28
Farsi .....	29
French .....	30
German .....	31
Italian .....	32
Japanese .....	33
Korean .....	34
Polish .....	35
Portuguese .....	36
Russian .....	37
Spanish .....	38
Vietnamese .....	39

**Part Five: Legal Material**

Legal Overview .....	42
Historical Background .....	42
The Vienna Convention on Consular Relations (“VCCR”).....	42
Bilateral Agreements .....	43
Customary International Law .....	44
Basis for Implementation .....	44
Vienna Convention on Consular Relations.....	45
Article 5 .....	45
Article 36 .....	46
Article 37 .....	46
Bilateral Mandatory Notification Provisions .....	47
Agreements Pertaining to Consular Functions (Country List).....	50

**Part Six: Embassies and Consulates**

Phone and Fax numbers for Foreign Embassies and Consulates in the United States .....	59
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# **Part One**

## **Basic Instructions**

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The following pages summarize the basic requirements of consular notification and access in a format designed to be distributed or posted as readily accessible instructions or notices to all federal, state, or local officials who may, in the performance of their official functions, have contact with a foreign national in a situation triggering a requirement to notify the foreign national's consular officials. Also included are suggested notification statements to be given to a detained foreign national, a suggested fax notification to be transmitted to a detained foreign national's consular officials, and samples of identification cards that a consular official may present when seeking access to a detained foreign national.

These basic instructions and implementation tools, which may be freely photocopied and posted as notices, include:

- **Summary of Requirements Pertaining to Foreign Nationals**
- **Steps To Follow When a Foreign National Is Arrested or Detained**
- **Mandatory Notification Countries and Jurisdictions**
- **Suggested Statements to Arrested or Detained Foreign Nationals**
  1. **When Consular Notification is at the Foreign National's Option**
  2. **When Consular Notification is Mandatory**
- **Suggested Fax Sheet for Notifying Consular Officers of Arrests or Detentions**
- **Consular Identification Cards**

## Summary of Requirements Pertaining to Foreign Nationals

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1. When foreign nationals are arrested or detained, they must be advised of the right to have their consular officials notified.
2. In some cases, the nearest consular officials *must* be notified of the arrest or detention of a foreign national, **regardless of the national's wishes.**
3. Consular officials are entitled to access to their nationals in detention, and are entitled to provide consular assistance.
4. When a government official becomes aware of the death of a foreign national, consular officials must be notified.
5. When a guardianship or trusteeship is being considered with respect to a foreign national who is a minor or incompetent, consular officials must be notified.
6. When a foreign ship or aircraft wrecks or crashes, consular officials must be notified.

*These are mutual obligations that also pertain to American citizens abroad. In general, you should treat a foreign national as you would want an American citizen to be treated in a similar situation in a foreign country. This means prompt, courteous notification to the foreign national of the possibility of consular assistance, and prompt, courteous notification to the foreign national's nearest consular officials so that they can provide whatever consular services they deem appropriate.*

## **Steps To Follow When a Foreign National Is Arrested or Detained**

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1. Determine the foreign national's country. In the absence of other information, assume this is the country on whose passport or other travel document the foreign national travels.
2. If the foreign national's country is **not** on the mandatory notification list on the next page:
  - Offer, without delay, to notify the foreign national's consular officials of the arrest/detention. For a suggested statement to the foreign national, see page 7 (Statement 1). Translations of the statement into selected foreign languages are in Part Four of this booklet.
  - If the foreign national asks that consular notification be given, notify the nearest consular officials of the foreign national's country without delay. For phone and fax numbers for foreign embassies and consulates in the United States, see Part Six of this booklet. A suggested fax sheet for making the notification is on page 9.
3. If the foreign national's country is on the list of mandatory notification countries on the next page:
  - Notify that country's nearest consular officials, without delay, of the arrest/detention. Phone and fax numbers are in Part Six, and you may use the suggested fax sheet on page 9 for making the notification.
  - Tell the foreign national that you are making this notification. A suggested statement to the foreign national is found on page 7 (Statement 2), and translations into selected languages are in Part Four.
4. Keep a written record of the provision of notification and actions taken.

## Mandatory Notification Countries and Jurisdictions

---

Algeria	Mauritius
Antigua and Barbuda	Moldova
Armenia	Mongolia
Azerbaijan	Nigeria
Bahamas, The	Philippines
Barbados	Poland (non-permanent residents only)
Belarus	Romania
Belize	Russia
Brunei	Saint Kitts and Nevis
Bulgaria	Saint Lucia
China <sup>1</sup>	Saint Vincent and the Grenadines
Costa Rica	Seychelles
Cyprus	Sierra Leone
Czech Republic	Singapore
Dominica	Slovakia
Fiji	Tajikistan
Gambia, The	Tanzania
Georgia	Tonga
Ghana	Trinidad and Tobago
Grenada	Tunisia
Guyana	Turkmenistan
Hong Kong <sup>2</sup>	Tuvalu
Hungary	Ukraine
Jamaica	United Kingdom <sup>3</sup>
Kazakhstan	U.S.S.R. <sup>4</sup>
Kiribati	Uzbekistan
Kuwait	Zambia
Kyrgyzstan	Zimbabwe
Malaysia	
Malta	

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<sup>1</sup>Notification is not mandatory in the case of persons who carry "Republic of China" passports issued by Taiwan. Such persons should be informed without delay that the nearest office of the Taipei Economic and Cultural Representative Office ("TECRO"), the unofficial entity representing Taiwan's interests in the United States, can be notified at their request.

<sup>2</sup> Hong Kong reverted to Chinese sovereignty on July 1, 1997, and is now officially referred to as the Hong Kong Special Administrative Region, or "SAR." Under paragraph 3(f)(2) of the March 25, 1997, U.S.-China Agreement on the Maintenance of the U.S. Consulate General in the Hong Kong Special Administrative Region, U.S. officials are required to notify Chinese officials of the arrest or detention of the bearers of Hong Kong pass-

ports in the same manner as is required for bearers of Chinese passports — *i.e.*, immediately, and in any event within four days of the arrest or detention.

<sup>3</sup> British dependencies also covered by this agreement are Anguilla, British Virgin Islands, Bermuda, Montserrat, and the Turks and Caicos Islands. Their residents carry British passports.

<sup>4</sup> Although the U.S.S.R. no longer exists, some nationals of its successor states may still be traveling on its passports. Mandatory notification should be given to consular officers for all nationals of such states, including those traveling on old U.S.S.R. passports. The successor states are listed separately above.



**Suggested Statements to  
Arrested or Detained Foreign Nationals**

***Statement 1:***

**When Consular Notification is at the Foreign National's Option  
(For Translations, See Part Two)**

As a non-U.S. citizen who is being arrested or detained, you are entitled to have us notify your country's consular representatives here in the United States. A consular official from your country may be able to help you obtain legal counsel, and may contact your family and visit you in detention, among other things. If you want us to notify your country's consular officials, you can request this notification now, or at any time in the future. After your consular officials are notified, they may call or visit you. Do you want us to notify your country's consular officials?

Yes

No

---

***Statement 2:***

**When Consular Notification is Mandatory  
(For Translations, See Part Two)**

Because of your nationality, we are required to notify your country's consular representatives here in the United States that you have been arrested or detained. After your consular officials are notified, they may call or visit you. You are not required to accept their assistance, but they may be able to help you obtain legal counsel and may contact your family and visit you in detention, among other things. We will be notifying your country's consular officials as soon as possible.

## Suggested Fax Sheet for Notifying Consular Officers of Arrests or Detentions

---

Date: \_\_\_\_\_  
Time: \_\_\_\_\_

To: Embassy/Consulate of \_\_\_\_\_ in \_\_\_\_\_, \_\_\_\_\_  
(Country) (City) (State)

**Subject:** NOTIFICATION OF ARREST/DETENTION OF A NATIONAL OF YOUR COUNTRY

**From:**

Name: \_\_\_\_\_  
Office: \_\_\_\_\_  
Street Address: \_\_\_\_\_  
City: \_\_\_\_\_  
State: \_\_\_\_\_  
ZIP Code: \_\_\_\_\_  
Telephone: (\_\_\_\_) \_\_\_\_\_  
Fax: (\_\_\_\_) \_\_\_\_\_

*We arrested/detained the following foreign national, whom we understand to be a national of your country,*  
on \_\_\_\_\_, \_\_\_\_\_.

Mr./Mrs./Ms: \_\_\_\_\_  
Date of Birth: \_\_\_\_\_  
Place of Birth: \_\_\_\_\_  
Passport Number: \_\_\_\_\_  
Date of Passport Issuance: \_\_\_\_\_  
Place of Passport Issuance: \_\_\_\_\_

To arrange for consular access, please call \_\_\_\_\_ between the hours of  
\_\_\_\_\_ and \_\_\_\_\_. Please refer to case number \_\_\_\_\_ when you call.

**Comments:**

# IDENTIFICATION CARDS



The United States Department of State, Office of Protocol, issues identification documents to foreign government personnel who are entitled to immunity. Samples of the ID's are provided here. Because there are different degrees of immunity, law enforcement officers should read carefully identification cards presented to them. Questions regarding an individual's status or immunity should be referred during working hours to the Office of Protocol, 202/647-1985; after hours to the Bureau of Diplomatic Security, 202/647-7277.

**DIPLOMATIC IDENTIFICATION CARD**  
UNITED STATES DEPARTMENT OF STATE

NUMBER RU-85-4571-51  
EXPIRES 06/30/92  
DATE OF BIRTH 03/09/42  
NAME JEAN D. HARRIS - SAMPLE -  
TITLE COUNSELOR  
MISSION RURITABLA  
LOCATION WASHINGTON, DC  
SEE REVERSE SIDE FOR STATEMENT OF IMMUNITY.

PHOTO

This person has been duly notified to the Department of State and under international law enjoys immunity from criminal jurisdiction. The bearer shall not be liable to any form of arrest or detention, but may be given a notice of violation.

The bearer shall be treated with due respect and all appropriate steps shall be taken to prevent any attack on the bearer's person, freedom or dignity.

Chief of Protocol

LAW ENFORCEMENT INQUIRIES SHOULD BE DIRECTED TO (202) 647-1985 FROM 8AM TO 6PM EASTERN TIME AND (202) 647-2412 AT ALL OTHER TIMES.

IF FOUND, RETURN TO: Office of Protocol, Department of State, Washington, DC 20520

Return postage guaranteed

SIGNATURE (NOT VALID UNLESS SIGNED)

Blue bordered cards are issued to diplomatic officers and their families. They are entitled to full criminal immunity and may not be arrested or detained.

**UNITED STATES DEPARTMENT OF STATE Diplomatic Identification Card UNITED NATIONS**

NUMBER RU-88-2457-51  
EXPIRES 06/30/92  
DATE OF BIRTH 07/27/42  
NAME JOHN S. SMITH - SAMPLE -  
TITLE LEGATION SECRETARY  
MISSION RURITABLA  
LOCATION NEW YORK, NY  
SEE REVERSE SIDE FOR STATEMENT OF IMMUNITY.

PHOTO

This person has been duly notified to the Department of State and under international law enjoys immunity from criminal jurisdiction. The bearer shall not be liable to any form of arrest or detention, but may be given a notice of violation.

The bearer shall be treated with due respect and all appropriate steps shall be taken to prevent any attack on the bearer's person, freedom or dignity.

Chief of Protocol

LAW ENFORCEMENT INQUIRIES SHOULD BE DIRECTED TO (212) 416-4131 FROM 9AM TO 5PM EASTERN TIME AND (212) 416-4444 AT ALL OTHER TIMES.

IF FOUND, RETURN TO: Host Country Affairs, U.S. Mission to U.N., 708 United Nations Plaza, New York, New York 10017

Return postage guaranteed

22602

SIGNATURE (NOT VALID UNLESS SIGNED)

Blue bordered cards are issued to UN diplomatic officers and their families. They are entitled to full criminal immunity and may not be arrested or detained.

**OFFICIAL IDENTIFICATION CARD**  
UNITED STATES DEPARTMENT OF STATE

NUMBER RU-82-9361-51  
EXPIRES 03/31/92  
DATE OF BIRTH 08/25/32  
NAME SALLIE D. GREENE - SAMPLE -  
TITLE ADMINISTRATIVE ASSISTANT  
MISSION RURITABLA  
LOCATION WASHINGTON, DC  
SEE REVERSE SIDE FOR STATEMENT OF IMMUNITY.

PHOTO

This person has been duly notified to the Department of State and under international law enjoys immunity from criminal jurisdiction. The bearer shall not be liable to any form of arrest or detention, but may be given a notice of violation.

The bearer shall be treated with due respect and all appropriate steps shall be taken to prevent any attack on the bearer's person, freedom or dignity.

Chief of Protocol

LAW ENFORCEMENT INQUIRIES SHOULD BE DIRECTED TO (202) 647-1985 FROM 8AM TO 6PM EASTERN TIME AND (202) 647-2412 AT ALL OTHER TIMES.

IF FOUND, RETURN TO: Office of Protocol, Department of State, Washington, DC 20520

Return postage guaranteed

SIGNATURE (NOT VALID UNLESS SIGNED)

Green bordered cards are issued to embassy administrative and technical staff employees and their families. This card signifies that the bearer is entitled to full criminal immunity and may not be arrested or detained.

**OFFICIAL IDENTIFICATION CARD**  
UNITED STATES DEPARTMENT OF STATE

NUMBER RU-78-5733-51  
EXPIRES 08/30/91  
DATE OF BIRTH 05/20/38  
NAME JOHN E. JONES - SAMPLE -  
TITLE DRIVER  
MISSION RURITABLA  
LOCATION WASHINGTON, DC  
SEE REVERSE SIDE FOR STATEMENT OF IMMUNITY.

PHOTO

This person has been duly notified to the Department of State and under international law enjoys immunity from jurisdiction with respect to acts performed in the course of official duties. This form of immunity must be asserted before, and proven to, the appropriate judicial authorities. The bearer is not immune from arrest or the issuance of a citation.

Chief of Protocol

LAW ENFORCEMENT INQUIRIES SHOULD BE DIRECTED TO (202) 647-1985 FROM 8AM TO 6PM EASTERN TIME AND (202) 647-2412 AT ALL OTHER TIMES.

IF FOUND, RETURN TO: Office of Protocol, Department of State, Washington, DC 20520

Return postage guaranteed

SIGNATURE (NOT VALID UNLESS SIGNED)

Green bordered cards are issued to embassy service staff employees. This card signifies that the bearer is entitled to immunity for official acts only.

**CONSULAR IDENTIFICATION CARD**  
UNITED STATES DEPARTMENT OF STATE

Photo

NUMBER RU-68-4761-51  
EXPIRES 06/30/92  
DATE OF BIRTH 03/19/48  
NAME JOHN P. SMITH - SAMPLE -  
TITLE CONSUL GENERAL  
MISSION RURITANIA  
LOCATION NEW YORK, NY  
SEE REVERSE SIDE FOR STATEMENT OF IMMUNITY.

Red bordered cards are issued to career consular officers. This card signifies that the bearer is entitled to immunity for official acts only.

This person has been duly recognized by the Department of State and under international law shall not be amenable to jurisdiction with respect to acts performed in the exercise of consular functions. This form of immunity must be asserted before, and proven to, the appropriate judicial authorities. The bearer shall not be liable to arrest or detention pending trial except on a warrant for a felony offense.

The bearer shall be treated with due respect and a notice of violation may be issued.

Chief of Protocol

LAW ENFORCEMENT INQUIRIES SHOULD BE DIRECTED TO (202) 647-1985 FROM 8AM TO 5PM EASTERN TIME AND (202) 647-2412 AT ALL OTHER TIMES.

IF FOUND, RETURN TO Office of Protocol Department of State Washington, DC 20520

Return postage guaranteed

SIGNATURE (NOT VALID UNLESS SIGNED)

**CONSULAR IDENTIFICATION CARD**  
UNITED STATES DEPARTMENT OF STATE

Photo

NUMBER RU-85-4567-51  
EXPIRES 06/30/91  
DATE OF BIRTH 03/19/50  
NAME JEAN L. GREENE - SAMPLE -  
TITLE ADMINISTRATIVE OFFICER  
MISSION RURITANIA  
LOCATION NEW YORK, NY  
SEE REVERSE SIDE FOR STATEMENT OF IMMUNITY.

Red bordered cards are issued to career consular employees. This card signifies that the bearer is entitled to immunity for official acts only.

This person is registered with the Department of State and under international law shall not be amenable to jurisdiction with respect to acts performed in the exercise of consular functions. This form of immunity must be asserted before, and proven to, the appropriate judicial authorities. The bearer is not immune from arrest or the issuance of a citation.

Chief of Protocol

LAW ENFORCEMENT INQUIRIES SHOULD BE DIRECTED TO (202) 647-1985 FROM 8AM TO 5PM EASTERN TIME AND (202) 647-2412 AT ALL OTHER TIMES.

IF FOUND, RETURN TO: Office of Protocol Department of State Washington, DC 20520

Return postage guaranteed

SIGNATURE (NOT VALID UNLESS SIGNED)

**CONSULAR IDENTIFICATION CARD**  
UNITED STATES DEPARTMENT OF STATE

Photo

NUMBER RU-75-1238-51  
EXPIRES 06/30/92  
DATE OF BIRTH 04/26/40  
NAME JOHN L. SMITH - SAMPLE -  
TITLE VICE CONSUL  
MISSION RURITANIA  
LOCATION NEW YORK, NY  
SEE REVERSE SIDE FOR STATEMENT OF IMMUNITY.

Red bordered cards are issued to career consular employees. This card signifies that the bearer is entitled to immunity for official acts only.

In accordance with a special agreement, this person enjoys immunity from criminal jurisdiction. The bearer shall not be liable in any form of arrest or detention, but may be given a notice of violation.

The bearer shall be treated with due respect and all appropriate steps shall be taken to prevent any attack on the bearer's person, freedom, or dignity.

Chief of Protocol

LAW ENFORCEMENT INQUIRIES SHOULD BE DIRECTED TO (202) 647-1985 FROM 8AM TO 5PM EASTERN TIME AND (202) 647-2412 AT ALL OTHER TIMES.

IF FOUND, RETURN TO: Office of Protocol Department of State Washington, DC 20520

Return postage guaranteed

SIGNATURE (NOT VALID UNLESS SIGNED)

**CONSULAR IDENTIFICATION CARD**  
UNITED STATES DEPARTMENT OF STATE

Photo

NUMBER RU-69-4769-51  
EXPIRES 06/30/94  
DATE OF BIRTH 01/26/40  
NAME JOHN P. JONES - SAMPLE -  
TITLE HONORARY CONSUL  
MISSION RURITANIA  
LOCATION NEW YORK, NY  
SEE REVERSE SIDE FOR STATEMENT OF IMMUNITY.

Red bordered cards are issued to honorary consular officers. This card signifies that the bearer is entitled to limited immunity for official acts only.

This person has been duly recognized by the Department of State and under international law shall not be amenable to jurisdiction with respect to official acts performed in the exercise of consular functions. This form of immunity must be asserted before, and proven to, the appropriate judicial authorities. The bearer is not immune from arrest or the issuance of a citation. The bearer shall be treated with due respect.

Chief of Protocol

LAW ENFORCEMENT INQUIRIES SHOULD BE DIRECTED TO (202) 647-1985 FROM 8AM TO 5PM EASTERN TIME AND (202) 647-2412 AT ALL OTHER TIMES.

IF FOUND, RETURN TO: Office of Protocol Department of State Washington, DC 20520

Return postage guaranteed

SIGNATURE (NOT VALID UNLESS SIGNED)

## Part Two

# Detailed Instructions on the Treatment of Foreign Nationals

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The instructions in this booklet should be followed by all federal, state, and local government officials, whether law enforcement, judicial, or other, insofar as they pertain to foreign nationals subject to such officials' authority or to matters within their competence. These instructions relate to the arrest and detention of foreign nationals, deaths of foreign nationals, the appointment of guardians for minors or incompetent adults who are foreign nationals, and related issues pertaining to the provision of consular services to foreign nationals in the United States. They are intended to ensure that foreign governments can extend appropriate consular services to their nationals in the United States and that the United States complies with its legal obligations to such governments.

The instructions in this booklet are based on international legal obligations designed to ensure that governments can assist their nationals who travel abroad. While these obligations are in part matters of "customary international law," most of them are set forth in the Vienna Convention on Consular Relations ("VCCR"), and some are contained in bilateral agreements, conventions, or treaties (*i.e.*, agreements between the United States and just one other country). The agreements discussed herein have the status of treaties for purposes of international law and Article VI, clause 2 of the Constitution of the United States ("all treaties made . . . shall be the supreme law of the land"). They are binding on federal, state, and local government officials to the extent that they pertain to matters within such officials' competence.

These instructions focus primarily on providing consular notification and access with respect to foreign nationals arrested or detained in the United States, so that their governments can assist them. The obligations of consular notification and access apply to United States citizens in foreign countries just as they apply to foreign nationals in the United States. When U.S. citizens are arrested or detained abroad, the United States Department of State seeks to ensure that they are treated in a manner consis-

tent with these instructions, and that U.S. consular officers can similarly assist them. It is therefore particularly important that federal, state, and local government officials in the United States comply with these obligations with respect to foreign nationals here.

These instructions also discuss obligations relating to deaths of foreign nationals, to the appointment of guardians for foreign nationals who may be minors or incompetent adults, and to foreign aircraft or ship wrecks. Like the obligations of consular notification and access, these are mutual obligations that also apply abroad.

The Department of State appreciates the continued cooperation of federal, state, and local law enforcement agencies in helping to ensure that foreign nationals in the United States are treated in accordance with these instructions. Such treatment will permit the United States to comply with its consular legal obligations domestically and to continue to expect rigorous compliance by foreign governments with respect to United States citizens abroad.

### Arrests and Detentions of Foreign Nationals

Whenever a foreign national is arrested or detained in the United States, there are legal requirements to ensure that the foreign national's government can offer him/her appropriate consular assistance. *In all cases, the foreign national must be told of the right of consular notification and access. In most cases, the foreign national then has the option to decide whether to have consular representatives notified of the arrest or detention. In other cases, however, the foreign national's consular officials must be notified of an arrest and/or detention regardless of the foreign national's wishes. Whenever a foreign national is taken into custody, the detaining official should determine whether consular notification is at the option of the foreign national or whether it is mandatory.* A list of all embassies and consulates in the United States, with

their telephone and facsimile numbers, is included in this booklet to facilitate the provision of notification by detaining officials to consular officials when required.

### **Notification at the Foreign National's Option**

*In all cases, the foreign national must be told of the right of consular notification and access.* The foreign national then has the option to decide whether he/she wants consular representatives notified of the arrest or detention, *unless* the foreign national is from a "mandatory notification" country. The mandatory notification countries are listed on page 5 and in Part Five of this booklet.

If the detained foreign national is a national of a country not on the mandatory notification list, the requirement is that the foreign national be informed without delay of the option to have his/her government's consular representatives notified of the detention. *If the detainee requests notification, a responsible detaining official must ensure that notification is given to the nearest consulate or embassy of the detainee's country without delay.*

### **Mandatory Notification**

In some cases, "mandatory notification" must be made to the nearest consulate or embassy "without delay," "immediately," or within the time specified in a bilateral agreement between the United States and a foreign national's country, *regardless of whether the foreign national requests such notification.* Mandatory notification requirements arise from different bilateral agreements whose terms are not identical. The exact text of the relevant provisions on mandatory notification in our bilateral agreements is reproduced in Part Five of this booklet.

Foreign nationals subject to mandatory notification requirements should otherwise be treated like foreign nationals not subject to the mandatory notification requirement. Thus, for example, the foreign national should be informed that notification has been made and advised that he/she may also specifically request consular assistance from his or her consular officials.

Privacy concerns or the possibility that a foreign national may have a legitimate fear of persecution or other mistreatment by his/her government may exist in some mandatory notification cases. The notification requirement should still be honored, but it is possible to take precautions regarding the disclosure of information. For example, it may not be necessary to provide information about why a foreign national is in detention. *Moreover, under no circumstances should any information indicating that a foreign national may have applied for asylum in the United States or elsewhere be disclosed to that person's government.* The Department of State can provide more specific guidance in particular cases.

### **Recordkeeping**

Law enforcement agencies should keep written records sufficient to show compliance with the above notification requirements. These records should show all notifications to foreign consular representatives. In addition, in cases in which notification is at the discretion of the detained foreign national, these records should show that the foreign national was informed of the option of consular notification, the date when the foreign national was so informed, and whether or not the foreign national requested that consular officials be notified. If a confirmation of receipt of notification is available, it should be saved if possible.

The Department of State from time to time receives inquiries and complaints from foreign governments concerning foreign nationals in detention. The Department in such cases may request information from the relevant law enforcement officials on whether consular notification was in fact given. Concerns about consular notification may also be raised by foreign consular officials directly with the responsible federal, state, and local officials. Good recordkeeping will facilitate responding to these inquiries and to any consular notification issues that may be raised in litigation.

### **Consular Access to Detained Foreign Nationals**

Detained foreign nationals are entitled to communicate with their consular officers. Any communication by a foreign national to his/her consular rep-

representative must be forwarded by the appropriate local officials to the consular post without delay.

Foreign consular officers must be given access to their nationals and permitted to communicate with them. Such officers have the right to visit their nationals, to converse and correspond with them, and to arrange for their legal representation. They must refrain from acting on behalf of a foreign national, however, if the national opposes their involvement. In addition, consular officers may not act as attorneys for their nationals.

The rights of consular access and communication generally must be exercised subject to local laws and regulations. For example, consular officers may be required to visit during established visiting hours. Federal, state, and local rules of this nature may not, however, be so restrictive as to defeat the purpose of consular access and communication. Such rules "must enable full effect to be given to the purposes" for which the right of consular assistance has been established.

The above requirements are set out in Article 36 of the VCCR. Additional requirements may apply to particular countries because of bilateral agreements.

### **Deaths of Foreign Nationals**

If federal, state, or local government officials become aware of the death of a foreign national in the United States, they must ensure that the nearest consulate of that national's country is notified of the death. This will permit the foreign government to make an official record of the death for its own legal purposes. For example, such notice will help ensure that passports and other legal documentation issued by that country are canceled and not reissued to fraudulent claimants. In addition, it may help ensure that the foreign national's family and legal heirs,

if any, in the foreign country are aware of the death and that the death is known for estate purposes in the foreign national's country.

The above requirements are set out in Article 37 of the VCCR. Additional requirements may apply to particular countries because of bilateral agreements.

### **Appointments of Guardians or Trustees for Foreign Nationals**

Whenever a probate court or other legally competent authority considers appointing a guardian or trustee with respect to a foreign national who is a minor or an adult lacking full capacity, the nearest consular authorities for that national's country must be informed without delay. The legal procedures for appointment of a guardian or trustee can proceed, but — if possible without prejudice to the appointment process — the consular authorities should be permitted to express any interest their government might have in the issue.

The above requirements are set out in Article 37 of the VCCR. Additional requirements may apply to particular countries because of bilateral agreements.

### **Accidents Involving Foreign Ships or Aircraft**

If a ship or airplane registered in a foreign country wrecks or crashes in the United States, the nearest consular officials of that country must be notified without delay. This requirement is set out in Article 37 of the VCCR. Additional requirements may apply to particular countries because of bilateral agreements. Once notified, consular officials may undertake to coordinate contacts with the victims' families or other emergency actions required by the foreign government concerned.

## Part Three

### Frequently Asked Questions

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#### Questions About Consular Officers

**Q. What is a “consular officer”?**

*A. A consular officer is a citizen of a foreign country employed by a foreign government and authorized to provide assistance on behalf of that government to that government’s citizens in a foreign country. Consular officers are generally assigned to the consular section of a foreign government’s embassy in Washington, D.C., or to consular offices maintained by the foreign government in locations in the United States outside of Washington, D.C.*

**Q. What is a “consul”?**

*A. The terms “consular officer” and “consul” mean the same thing, for purposes of the issues discussed in this booklet.*

**Q. How is a consular officer different from legal “counsel”?**

*A. The term “consul” should not be confused with “counsel,” which means an attorney-at-law authorized to provide legal counsel and advice.*

**Q. What is an “honorary consul”?**

*A. An honorary consul is a citizen or lawful permanent resident of the United States who has been authorized by a foreign government to perform official functions on its behalf in the United States.*

**Q. Is an honorary consul to be treated in the same way as a consular officer?**

*A. Yes, when an honorary consul is performing the kinds of functions addressed in this booklet. A foreign government can authorize its honorary consuls to perform prison visits or even to accept consular notification on the government’s behalf. As a practical matter, however, since honorary consuls and their addresses and phone*

*numbers may change more frequently than the phone numbers of embassies and consulates, the Department of State assumes that consular notification will generally be given to consular officers who serve at an embassy or consulate. Such officers may then ask an honorary consul closer to the actual place of detention to visit the detained alien.*

**Q. How are diplomatic officers different from consular officers?**

*A. A diplomat is an officer of a foreign government assigned to an embassy in Washington, D.C. Many diplomatic officers are authorized by their governments to perform consular functions, and thus to act as consular officers.*

**Q. Should I treat a diplomatic officer the same as a consular officer?**

*A. Yes, for purposes of the matters discussed in this booklet. Consular notification can be given to a diplomatic officer if no consular officer is closer or available. A diplomatic officer should be permitted to conduct prison visits and to perform the other kinds of consular functions discussed herein.*

**Q. How can I be sure that someone who claims to be a consular officer, a consul, an honorary consul, or a diplomatic officer is in fact one?**

*A. Diplomatic and consular officers (including consuls and honorary consuls) have identification cards issued by the Department of State. The cards look like the cards shown in Part One (pages 11 and 12). If you have any doubt about the authenticity of a State Department identification card, you can call the State Department’s Office of Protocol at 202-647-1985 to have the identity and status of the official verified during business hours (8:15 a.m. - 5:00 p.m., EST). Outside of those hours, you may call 202-647-7277.*



## Questions About Foreign Nationals

**Q: Who is a “foreign national”?**

*A. For the purposes of consular notification, a “foreign national” is any person who is not a U.S. citizen.*

**Q. Is a foreign national the same as an “alien”?**

*A. Yes. The terms “foreign national” and “alien” are used interchangeably.*

**Q. Is a person with a U.S. “green card” considered a foreign national?**

*A. Yes. Lawful permanent resident aliens, who have a resident alien registration card (INS Form I-551), commonly known as a “green card,” retain their foreign nationality and must be considered “foreign nationals” for the purposes of consular notification.*

**Q. Do I have to ask everyone I arrest or detain whether he or she is a foreign national?**

*A. No, although some law enforcement entities do routinely ask persons taken into detention whether they are U.S. Citizens. If a detainee claims to be a U.S. citizen in response to such a question, you generally can rely on that assertion and assume that consular notification requirements are not relevant. If you have reason to question whether the person you are arresting or detaining is a U.S. citizen, however, you should inquire further about nationality so as to determine whether any consular notification obligations apply.*

**Q. Short of asking all detainees about their nationality, how might I know that someone is a foreign national?**

*A. A foreign national may present a foreign passport or an alien registration document as identification. If they present a document that indicates birth outside the United States, or claim to have been born outside the United States, they may be a foreign national. (Most, but not all, persons born in the United States are U.S. citizens; most, but not all, persons born outside the United States are not.) Unfamiliarity with English may also indicate foreign nationality. Such indicators could be a basis for asking the person whether he/she is a foreign national.*

**Q. What about undocumented and “illegal” aliens?**

*A. All foreign nationals are entitled to consular notification and access, regardless of their visa or immigration status in the United States. Thus “illegal” aliens have the same rights to consular assistance as do “legal”*

*aliens. There is no reason, for purposes of consular notification, to inquire into a person’s legal status in the United States.*

**Q. What about dual nationals?**

*A. A person who is a national/citizen of two or more countries other than the United States should be treated in accordance with the rules applicable to each of those countries.*

*A person who is a citizen of the United States and another country may be treated exclusively as a U.S. citizen when in the United States. In other words, consular notification is not required if the detainee is a U.S. citizen. This is true even if the detainee’s other country of citizenship is a mandatory notification country.*

## Questions About Who Is Responsible for Consular Notification

**Q. Who is actually responsible for notification?**

*A. The responsibility for consular notification, whether in the case of an arrest and detention, a death, or the appointment of a guardian for a foreign national, lies with what are generally called “competent authorities.” This term is understood to mean those officials, whether federal, state, or local, who are responsible for legal action affecting the foreign national and who are competent, within their legal authorities, to give the notification required. This interpretation makes sense as a practical matter: compliance with the notification requirements works best when it is assumed by those government officials closest to the foreign national’s situation and with direct responsibility for it.*

**Q. Who is responsible for notification of arrests and detentions?**

*A. The law enforcement officers who actually make the arrest or who assume responsibility for the alien’s detention ordinarily should make the notification.*

**Q. What is the responsibility of judicial officials and prosecutors for notification of arrests and detentions?**

*A. Because they do not hold foreign nationals in custody, judicial officials and prosecutors are not responsible for notification. The Department of State nevertheless encourages judicial officials who preside over arraignments or other initial appearances of aliens in court to inquire at that time whether the alien has been provided with consular notification as required by the VCCR and/or any bi-*

lateral agreement providing for mandatory notification. The Department also encourages prosecutors to make similar inquiries. Inquiries such as these will help promote compliance with the consular notification procedures and facilitate the provision of consular assistance by foreign governments to their nationals.

**Q. Who is responsible for notification of deaths and of sea and air wrecks?**

A. Notification should be made by the appropriate state or local authority, be it a coroner or a probate court official. In cases of serious injury, wrecks, accidents, or major disasters (such as an airline crash), the competent authority may vary, but government officials responsible for such situations should ensure that notification is given when required.

**Q. Who is responsible for notification of appointments of guardians?**

A. Notification should be made by probate court officials or by representatives of the state or local equivalent of an attorney general, or by any other appropriate official involved in the guardianship process.

**Q. Why are state and local government officials expected to provide such notification?**

A. State and local governments must comply with the consular notification and access obligations because these obligations are embodied in treaties that are the law of the land under the Supremacy Clause of the United States Constitution. The federal government, however, would be responsible for a dispute with a foreign government concerning obligations under the relevant treaties.

## **Questions About When Consular Notification Should Be Given**

**Q. What kinds of detentions are covered by this obligation?**

A. The VCCR provides for informing the foreign national of the right to consular notification and access if the national is "arrested or committed to prison or to custody pending trial or is detained in any other manner." While there is no explicit exception for short detentions, the Department of State does not consider it necessary to follow consular notification procedures when an alien is detained only momentarily, e.g., during a traffic stop. On the other hand, requiring a foreign national to accompany a law enforcement officer to a place of detention may trigger the consular notification requirements, particularly if the detention lasts for a number of hours or overnight.

The longer a detention continues, the more likely it is that a reasonable person would conclude that the Article 36 obligation is triggered.

**Q. Do we have to inform and notify even when the detention is only while a traffic citation is written, or for a similar brief time?**

A. No. The VCCR on its face requires informing a foreign national that a consular official may be notified whenever a foreign national is arrested or detained in any manner, without distinguishing arrests that do not result in a significant detention. The purpose of this requirement, however, is to ensure that a government does not place an alien in a situation in which the alien cannot receive assistance from his/her own government. When an alien is cited and immediately released, this consideration is not relevant because the alien is free to contact consular officials independently. The Department of State therefore does not consider brief routine detentions, such as for traffic violations or accident investigations, to be the type of situation contemplated by the VCCR.

**Q. If we have a foreign national detained in a hospital, do we have to provide consular notification?**

A. Yes, if the foreign national is detained pursuant to governmental authority (law enforcement, judicial, or administrative) and is not free to leave. He/she must be treated like a foreign national in detention, and appropriate notification must be provided.

**Q. Are aliens in immigration detention covered by the consular notification requirement?**

A. Yes, as a general matter. Consular notification is provided for in the Immigration and Naturalization Service's regulations (8 C.F.R. 236.1(e)). The Department of State does not, however, ordinarily consider aliens who are found inadmissible at a port of entry and required to remain there until they can depart to be detained within the meaning of the VCCR. Immigration officials may permit such aliens access to consular officials as a matter of discretion, however—e.g., in situations where the detention becomes prolonged because onward transportation is significantly delayed.

**Q. Do I have to give a foreign national consular notification even if I give the Miranda warning?**

A. Yes. Consular notification should not be confused with the Miranda warning, which is given regardless of nationality to protect the individual's constitutional rights against self-incrimination and to the assistance of legal

# Mandatory Notification Provisions

## (Excerpts From Bilateral Agreements)

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The following are the provisions in bilateral agreements between the United States and other countries that require mandatory consular notification. Under international law principles relating to successor states, a treaty that applied to a country when it was part of another country may in some circumstances continue to apply to that country when it becomes independent. Thus, three of the bilateral consular agreements now apply to two or more foreign countries. As a result, while over 50 countries are covered by bilateral consular agreements providing for mandatory consular notification, these obligations arise from a much smaller number of agreements. The relevant treaty text is shown under the governing agreement.

Citations to "Bevans" are to *Treaties and Other International Agreements of the United States of America, 1776-1949*, compiled under the direction of Charles I. Bevans. Citations to "UST" are to *United States Treaties and Other International Obligations* (calendar-year volumes published since 1950). Citations to "TIAS" are to *Treaties and Other International Acts Series*, issued singly in pamphlets by the Department of State (use of this citation generally means that the agreement has not yet been published in UST).

**Antigua and Barbuda.** *See the text for the United Kingdom.*

**Armenia.** *See the text for the U.S.S.R.*

**Azerbaijan.** *See the text for the U.S.S.R.*

**Bahamas, the.** *See the text for the United Kingdom.*

**Barbados.** *See the text for the United Kingdom.*

**Belarus.** *See the text for the U.S.S.R.*

**Belize.** *See the text for the United Kingdom.*

**Brunei.** *See the text for the United Kingdom.*

**Bulgaria.** *In any case in which a national of the sending State is subjected to any form of deprivation or limitation of his personal freedom, the competent authorities of the receiving State shall inform the consulate of the sending State immediately*

*and, in any event, not later than after three calendar days from the date on which the national was placed under any form of deprivation or limitation of personal freedom. Upon his request, a consular officer shall be informed of the reasons for which the national has been arrested or deprived of personal freedom.*

Consular Convention, 26 UST 687, Article 38, paragraph 2 (signed 1974; entered into force 1975)

**China.** *If a national of the sending State is arrested or placed under any form of detention within the consular district, the competent authorities of the receiving State shall immediately, but no later than within four days from the date of arrest or detention, notify the consulate of the sending State. If it is not possible to notify the consulate of the sending State within four days because of communications difficulties, they should try to provide notification as soon as possible. Upon the request of a consular officer, he shall be informed of the reasons for which said national has been arrested or detained in any manner.*

Consular Convention, 33 UST 2973, Article 35 paragraph 2 (signed 1980; entered into force 1982) (not applicable to people who carry "Republic of China" passports issued by Taiwan)

**Costa Rica.** *A consular officer shall be informed immediately by the appropriate authorities of the receiving State when any national of the sending State is confined in prison awaiting trial or otherwise detained in custody within his consular district by such authorities.*

Consular Convention, 1 UST 247, Article VII (signed 1948; entered into force 1950)

**Cyprus.** *See the text for the United Kingdom.*

**Czech Republic.**

*In all instances when a national of the sending State is placed under any form of deprivation or limitation of personal freedom, the competent authorities of the receiving State shall inform the consulate of the sending State without delay,*

*and, in any event, not later than after three calendar days.*

**Consular Convention (with Czechoslovakia), TIAS 11083, Article 36, paragraph 1 (signed 1973; entered into force 1987)**

**Dominica.** *See the text for the United Kingdom.*

**Fiji.** *See the text for the United Kingdom.*

**Gambia, The.** *See the text for the United Kingdom.*

**Georgia.** *See the text for the U.S.S.R.*

**Ghana.** *See the text for the United Kingdom.*

**Grenada.** *See the text for the United Kingdom.*

**Guyana.** *See the text for the United Kingdom.*

**Hong Kong.** *If a national of the sending State is arrested or placed under any form of detention within the consular district, the competent authorities of the receiving State shall immediately, but no later than within four days from the date of arrest or detention, notify the consulate of the sending State. If it is not possible to notify the consulate of the sending State within four days because of communications difficulties, they should try to provide notification as soon as possible.*

**Agreement on the Maintenance of the United States Consulate General in the Hong Kong Special Administrative Region of March 15, 1997, paragraph 3(f)(2), and related agreed minute (identical language in agreement with China)**

**Hungary.** *In any case where a national of the sending State has been placed under detention pending trial or subjected to any other deprivation of personal liberty, the competent authorities of the receiving State shall notify the appropriate consulate of the sending State accordingly. Notification shall be made without delay and in any event within three days.*

**Consular Convention, 24 UST 1141, Article 41, paragraph (1) (signed 1972; entered into force 1973)**

**Jamaica.** *See the text for the United Kingdom.*

**Kazakhstan.** *See the text for the U.S.S.R.*

**Kiribati.** *See the text for the United Kingdom.*

**Kuwait.** *See the text for the United Kingdom.*

**Kyrgyzstan.** *See the text for the U.S.S.R.*

**Malaysia.** *See the text for the United Kingdom.*

**Malta.** *See the text for the United Kingdom.*

**Mauritius.** *See the text for the United Kingdom.*

**Moldova.** *See the text for the U.S.S.R.*

**Mongolia.** *If a citizen of the sending country is arrested or detained in any manner, the authorities of the receiving state shall, within 72 hours, notify the consular post or embassy of the arrest or detention of the person and permit within 24 hours of such notification access by a consular officer of the sending state to the citizen who is under arrest or detained in custody.*

**Memorandum of Understanding, TIAS 11457, paragraph 3 (signed 1987; entered into force 1987)**

**Nigeria.** *See the text for the United Kingdom.*

**Philippines.** *Consular Officers of either High Contracting Party shall be informed immediately whenever nationals of their country are under detention or arrest or in prison or are awaiting trial in their consular districts and they shall, upon notification to the appropriate authorities, be permitted without delay to visit and communicate with any such national.*

**Consular Convention, 11 Bevans 74, Article VII, paragraph 2 (signed 1947; entered into force 1948)**

**Poland.** *The appropriate authorities of the receiving State shall immediately inform a consular officer of the sending State of the detention or arrest of any national of the sending State who has not been admitted to a permanent residence in the receiving State. In the case of the detention or arrest of a national of the sending State who has been admitted to permanent residence in the receiving State, the appropriate authorities of the receiving State on the request of such national, shall immediately inform a consular officer of the sending State of such detention or arrest.*

**Consular Convention, 24 UST 1231, Article 29, paragraph 2 (signed 1972; entered into force 1973)**

**Romania.** *In all instances when a national of the sending state is placed under any form of deprivation or limitation of personal freedom, the competent authorities of the receiving state shall inform the consular establishment of the sending state with-*

*out delay and, in any event, not later than after two days.*

**Consular Convention, 24 UST 1317, Article 22, paragraph 1 (signed 1972; entered into force 1973)**

**Russia.** *See the text for the U.S.S.R.*

**Saint Kitts and Nevis.** *See the text for the United Kingdom.*

**Saint Lucia.** *See the text for the United Kingdom.*

**Saint Vincent and the Grenadines.** *See the text for the United Kingdom.*

**Seychelles.** *See the text for the United Kingdom.*

**Sierra Leone.** *See the text for the United Kingdom.*

**Singapore.** *See the text for the United Kingdom.*

**Slovakia.** *In all instances when a national of the sending State is placed under any form of deprivation or limitation of personal freedom, the competent authorities of the receiving State shall inform the consulate of the sending State without delay, and, in any event, not later than after three calendar days. Upon request, the consular officer shall be immediately informed of the reason for the national being placed under deprivation or limitation of personal freedom.*

**Consular Convention (with Czechoslovakia), TIAS 11083, Article 36, paragraph 1 (signed 1973; entered into force 1987)**

**Tajikistan.** *See the text for the U.S.S.R.*

**Tanzania.** *See the text for the United Kingdom.*

**Tonga.** *See the text for the United Kingdom.*

**Trinidad and Tobago.** *See the text for the United Kingdom.*

**Turkmenistan.** *See the text for the U.S.S.R.*

**Tuvalu.** *See the text for the United Kingdom.*

**Ukraine.** *See the text for the U.S.S.R.*

**United Kingdom.** *A consular officer shall be informed immediately by the appropriate authorities of the territory when any national of the sending state is confined in prison awaiting trial or is otherwise detained in custody within his district.*

**Consular Convention, 3 UST 3426, Article 16, paragraph 2 (signed 1951; entered into force 1952)**

**U.S.S.R.** *The appropriate authorities of the receiving state shall immediately inform a consular officer of the sending state about the arrest or detention in other form of a national of the sending state.*

**Consular Convention, 19 UST 5018, Article 12, paragraph 2 (signed 1964; entered into force 1968)**

**Uzbekistan.** *See the text for the U.S.S.R.*

**Zambia.** *See the text for the United Kingdom.*

**Zimbabwe.** *See the text for the United Kingdom.*

## **Agreements Pertaining to Consular Functions**

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The following table lists most of the agreements in force between the United States and other countries or jurisdictions (listed by short-form names) that relate to the performance of consular functions, including provisions relating to the treatment of foreign nationals and to the rights of consular officers to assist them. It is generally current through November 1, 1997. It is not a definitive record, however, and does not list all relevant agreements. (For example, it does not include agreements that relate principally to visa matters.)

The first column indicates whether the country or jurisdiction is a party to or is governed by the multilateral Vienna Convention on Consular Relations ("VCCR").<sup>6</sup>

The second column ("Bilateral Consular Conventions") lists bilateral consular conventions, agreements dealing in significant part with consular matters, and agreements amending such conventions or agreements. The third column ("Other Relevant Agreements") lists other more general agreements that include consular provisions of current relevance. These are generally treaties of Friendship, Commerce, and Navigation ("FCN"). Where a year is entered in one of the columns, it indicates that there is a relevant agreement signed that year.

The fourth column ("Prisoner Transfer Agreements") indicates the existence of a multilateral and/or a bilateral prisoner transfer agreement. An "S" indicates that the country is a party to the multilateral 1983 Council of Europe (Strasbourg) Convention on the Transfer of Sentenced Prisoners. A "B" followed by a date indicates that there is in force between the United States and that country a bilateral agreement which was signed in the year indicated.

The fifth column indicates whether the 1980 Hague Convention on the Civil Aspects of International Child Abduction, which has been in force for the United States since July 1, 1988, is in force between the United States and the listed country or jurisdiction.

Agreements relevant to specialized areas of consular work but not reflected in the following table include, in addition to visa agreements, social security totalization agreements and the Hague conventions relating to international legal assistance.

When the chart indicates the year in which a relevant treaty was signed, information about the precise date when the agreement entered into force (which may be some years after the date of signing) can be found in *Treaties in Force* (a State Department publication) or may be obtained by calling the Office of the Assistant Legal Adviser for Treaty Affairs at the U.S. Department of State, 202-647-2044.

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<sup>6</sup> Another multilateral consular convention is the 1928 Havana Convention on Consular Agents. Unlike the VCCR, it deals only with the privileges and immunities of consular officers.

Country/ Jurisdiction	VCCR	Bilateral Consular Conventions	Other Relevant Agreements	Prisoner Transfer Agreements	Child Abduction
Afghanistan	—	—	—	—	—
Albania	Yes	—	1922	—	—
Algeria	Yes	1989 <sup>1</sup>	—	—	—
Andorra	Yes	—	—	—	—
Angola	Yes	—	—	—	—
Antigua and Barbuda	Yes	1951 <sup>2</sup>	—	—	—
Argentina	Yes	—	1853	—	Yes
Armenia <sup>3</sup>	Yes	1964	1989 <sup>4</sup> 1933	—	—
Australia	Yes	—	—	—	Yes
Austria	Yes	—	1928	Yes (S)	Yes
Azerbaijan <sup>3</sup>	Yes	1964	1989 <sup>4</sup> 1933	—	—
Bahamas, the	Yes	1951 <sup>2</sup>	—	Yes (S)	Yes
Bahrain	Yes	—	—	—	—
Bangladesh	Yes	—	—	—	—
Barbados	Yes	1951 <sup>2</sup>	—	—	—
Belarus <sup>3</sup>	Yes	1964	1989 <sup>4</sup> 1933	—	—
Belgium	Yes	1969	1963	Yes (S)	—
Belize	—	1951 <sup>2</sup>	—	—	Yes
Benin	Yes	—	—	—	—
Bhutan	Yes	—	—	—	—
Bolivia	Yes	—	1858	Yes (B1978)	—
Bosnia and Herzegovina <sup>5</sup>	Yes	—	1881	—	Yes
Botswana	—	—	—	—	—
Brazil	Yes	—	1828	—	—
Brunei	No <sup>6</sup>	1951 <sup>2</sup>	—	—	—
Bulgaria	Yes	1974	—	Yes (S)	—
Burkina Faso	Yes	—	—	—	Yes
Burma (also known as Myanmar)	Yes	—	—	—	—
Burundi	—	—	—	—	—
Cambodia	—	—	—	—	—

Country/ Jurisdiction	VCCR	Bilateral Consular Conventions	Other Relevant Agreements	Prisoner Transfer Agreements	Child Abduction
Cameroon	Yes	—	—	—	—
Canada	Yes	1935	—	Yes (S; B 1977)	Yes
Cape Verde	Yes	—	—	—	—
Central African Republic	—	—	—	—	—
Chad	—	—	—	—	—
Chile	Yes	—	1833	—	Yes
China	Yes	1979 1980 1981	—	—	—
Colombia	Yes	1850	1846	—	Yes
Comoros	—	—	—	—	—
Congo (Brazzaville)	—	—	—	—	—
Congo (Kinshasa) (formerly Zaire)	Yes	—	—	—	—
Costa Rica	Yes	1948	1851	—	—
Cote d'Ivoire (Ivory Coast)	—	—	—	—	—
Croatia <sup>5</sup>	Yes	—	1881	Yes (S)	Yes
Cuba	Yes	1926	—	—	—
Cyprus	Yes	1951 <sup>2</sup>	—	Yes (S)	Yes
Czech Republic <sup>7</sup>	Yes	1973	—	Yes (S)	—
Denmark	Yes	—	1951 <sup>8</sup>	Yes (S)	Yes
Djibouti	Yes	—	—	—	—
Dominica	Yes	1951 <sup>2</sup>	—	—	—
Dominican Republic	Yes	—	—	—	—
Ecuador	Yes	—	1839	—	Yes
Egypt	Yes	—	—	—	—
El Salvador	Yes	—	—	—	—
Equatorial Guinea	Yes	—	—	—	—
Eritrea	Yes	—	—	—	—
Estonia	Yes	—	1925	Yes (S)	—
Ethiopia	—	—	1951	—	—
Fiji	Yes	1951 <sup>2</sup> 1972	—	—	—
Finland	Yes	—	1934 1953	Yes (S)	Yes



Country/ Jurisdiction	VCCR	Bilateral Consular Conventions	Other Relevant Agreements	Prisoner Transfer Agreements	Child Abduction
France	Yes	1968	—	Yes (S; B 1983)	Yes
Gabon	Yes	—	—	—	—
Gambia, The	—	1951 <sup>2</sup>	—	—	—
Georgia <sup>3</sup>	Yes	1964	1989 <sup>4</sup> 1933	Pending (S)	—
Germany	Yes	—	1923 1953	Yes (S)	Yes
Ghana	Yes	1951 <sup>2</sup>	—	—	—
Greece	Yes	1902	—	Yes (S)	Yes
Grenada	Yes	1951 <sup>2</sup>	—	—	—
Guatemala	Yes	—	1849	—	—
Guinea	Yes	—	—	—	—
Guinea-Bissau	—	—	—	—	—
Guyana	Yes	1951 <sup>2</sup>	—	—	—
Haiti	Yes	—	—	—	—
Holy See	Yes	—	—	—	—
Honduras	Yes	—	1927	—	Yes
Hong Kong	Yes	—	1997	Pending (B)	Yes
Hungary	Yes	1972	—	Yes (S)	Yes
Iceland	Yes	—	—	Yes (S)	Yes
India	Yes	—	—	—	—
Indonesia	Yes	—	—	—	—
Iran	Yes	—	1955	—	—
Iraq	Yes	—	—	—	—
Ireland	Yes	1950 1952	—	Yes (S)	Yes
Israel	—	—	1951	Pending (S)	Yes
Italy	Yes	1878	—	Yes (S)	Yes
Jamaica	Yes	1951 <sup>2</sup>	—	—	—
Japan	Yes	1963	1953	—	—
Jordan	Yes	—	—	—	—
Kazakhstan <sup>3</sup>	Yes	1964	1989 <sup>4</sup> 1933	—	—
Kenya	Yes	—	—	—	—
Kiribati	Yes	1951 <sup>2</sup>	—	—	—
Korea, North	Yes	—	—	—	—

Country/ Jurisdiction	VCCR	Bilateral Consular Conventions	Other Relevant Agreements	Prisoner Transfer Agreements	Child Abduction
Korea, South	Yes	1963	—	—	—
Kuwait	Yes	1951 <sup>2</sup>	—	—	—
Kyrgyzstan <sup>3</sup>	Yes	1964	1989 <sup>4</sup> 1933	—	—
Laos	Yes	—	—	—	—
Latvia	Yes	—	1928	Yes (S)	—
Lebanon	Yes	—	1924 <sup>9</sup> 1944	—	—
Lesotho	Yes	—	—	—	—
Liberia	Yes	1938	—	—	—
Libya	—	—	—	—	—
Liechtenstein	Yes	—	—	—	—
Lithuania	Yes	—	—	Yes (S)	—
Luxembourg	Yes	—	1962	Yes (S)	Yes
Macedonia, former Yugoslav Republic of <sup>5</sup>	Yes	—	1881	—	Yes
Madagascar	Yes	—	1896 <sup>10</sup>	—	—
Malawi	Yes	—	—	—	—
Malaysia	Yes	1951 <sup>2</sup>	—	—	—
Maldives	Yes	—	—	—	—
Mali	Yes	—	—	—	—
Malta	—	1951 <sup>2</sup>	—	Yes (S)	—
Marshall Islands <sup>11</sup>	Yes	—	1986 <sup>12</sup>	—	—
Mauritania	—	—	—	—	—
Mauritius	Yes	1951 <sup>2</sup>	—	—	Yes
Mexico	Yes	1942	—	Yes (B 1976)	Yes
Micronesia, Federated States of <sup>11</sup>	Yes	—	1986 <sup>12</sup>	—	—
Moldova <sup>3</sup>	Yes	1964	1989 <sup>4</sup> 1933	—	—
Monaco	—	—	—	—	Yes
Mongolia	Yes	1987 <sup>13</sup>	—	—	—
Morocco	Yes	—	1836	—	—
Mozambique	Yes	—	—	—	—

Country/ Jurisdiction	VCCR	Bilateral Consular Conventions	Other Relevant Agreements	Prisoner Transfer Agreements	Child Abduction
Namibia	Yes	—	—	—	—
Nauru	—	—	—	—	—
Nepal	Yes	—	1947	—	—
Netherlands	Yes	—	1957 <sup>14</sup>	Yes (S)	Yes
New Zealand	Yes	—	—	—	Yes
Nicaragua	Yes	—	—	—	—
Niger	Yes	—	—	—	—
Nigeria	Yes	1951 <sup>2</sup>	—	—	—
Norway	Yes	—	1928	Yes (S)	Yes
Oman	Yes	—	1958	—	—
Pakistan	Yes	—	1959	—	—
Palau	—	—	1986	—	—
Panama	Yes	—	1913	Yes (B 1979)	Yes
Papua New Guinea	Yes	—	—	—	—
Paraguay	Yes	—	1859	—	—
Peru	Yes	—	—	Yes (B 1979)	—
Philippines	Yes	1947	—	—	—
Poland	Yes	1972	—	Yes (S)	Yes
Portugal	Yes	—	—	Yes (S)	Yes
Qatar	—	—	—	—	—
Romania	Yes	1972	—	Yes (S)	Yes
Russia <sup>3</sup>	Yes	1964	1989 <sup>4</sup> 1933	—	—
Rwanda	Yes	—	—	—	—
Saint Kitts and Nevis	Yes	1951 <sup>2</sup>	—	—	Yes
Saint Lucia	Yes	—	—	—	—
Saint Vincent and the Grenadines	Yes	1951 <sup>2</sup>	—	—	—
Samoa	Yes	—	—	—	—
San Marino	—	—	—	—	—
Sao Tome and Principe	Yes	—	—	—	—
Saudi Arabia	Yes	—	1933	—	—
Senegal	Yes	—	—	—	—
Serbia and Montenegro <sup>5</sup>	Yes	—	1881	—	—

Country/ Jurisdiction	VCCR	Bilateral Consular Conventions	Other Relevant Agreements	Prisoner Transfer Agreements	Child Abduction
Seychelles	Yes	1951 <sup>2</sup>	—	—	—
Sierra Leone	—	1951 <sup>2</sup>	—	—	—
Singapore	—	1951 <sup>2</sup>	—	—	—
Slovakia <sup>7</sup>	Yes	1973	—	Yes (S)	—
Slovenia <sup>5</sup>	Yes	—	1881	Yes (S)	Yes
Solomon Islands	Yes	—	—	—	—
Somalia	Yes	—	—	—	—
South Africa	Yes	—	—	—	Yes
Spain	Yes	—	1902	Yes (S)	Yes
Sri Lanka	—	—	—	—	—
Sudan	Yes	—	—	—	—
Suriname	Yes	1855	1963 <sup>15</sup>	—	—
Swaziland	—	—	—	—	—
Sweden	Yes	1910	—	Yes (S)	Yes
Switzerland	Yes	1855	—	Yes (S)	Yes
Syria	Yes	—	1924 <sup>9</sup> 1944	—	—
Taiwan	—	—	1946 <sup>16</sup>	—	—
Tajikistan <sup>3</sup>	Yes	1964	1989 <sup>4</sup> 1933	—	—
Tanzania	Yes	1951 <sup>2</sup>	—	—	—
Thailand	—	—	1966	Yes (B 1982)	—
Togo	Yes	—	1966	—	—
Tonga	Yes	1951 <sup>2</sup>	—	—	—
Trinidad and Tobago	Yes	1951 <sup>2</sup>	—	Yes (S)	—
Tunisia	Yes	1988	1904	—	—
Turkey	Yes	—	1927	Yes (S;B 1979)	—
Turkmenistan <sup>3</sup>	Yes	1964	1989 <sup>4</sup> 1933	—	—
Tuvalu	Yes	1951 <sup>2</sup>	—	—	—
Uganda	—	—	—	—	—
Ukraine <sup>3</sup>	Yes	1964	1989 <sup>4</sup> 1933	Yes (S)	—
United Arab Emirates	Yes	—	—	—	—

Country/ Jurisdiction	VCCR	Bilateral Consular Conventions	Other Relevant Agreements	Prisoner Transfer Agreements	Child Abduction
United Kingdom	Yes	1951	—	Yes (S)	Yes
Uruguay	Yes	—	—	—	—
Uzbekistan <sup>3</sup>	Yes	1964	1989 <sup>4</sup> 1933	—	—
Vanuatu	Yes	—	—	—	—
Venezuela	Yes	—	1836	—	Yes
Vietnam	Yes	—	1961 <sup>17</sup> 1994 <sup>18</sup>	—	—
Yemen	Yes	—	1946	—	—
Zambia	—	1951 <sup>2/</sup>	—	—	—
Zimbabwe	—	1951 <sup>2/</sup>	—	—	Yes

## Notes

<sup>1</sup> The bilateral consular convention with Algeria was ratified by the U.S. Senate in August 1992. Instruments of ratification were exchanged on June 30, 1997, and the convention entered into force on July 30, 1997.

<sup>2</sup> Consular convention between the United States of America and the United Kingdom of Great Britain and Northern Ireland, signed at Washington, D.C., June 6, 1951, entered into force September 7, 1952, 3 UST 3426.

<sup>3</sup> The United States considers that consular relations with each of the successor states of the former Soviet Union are governed by agreements in force on this subject at the time of the dissolution of the former Soviet Union, most notably the 1964 Consular Convention Between the United States of America and the Union of Soviet Socialist Republics, signed at Moscow, June 1, 1964, entered into force July 13, 1968, and its related protocol, and the Vienna Convention on Consular Relations, done at Vienna, April 24, 1963, 21 UST 77 ("VCCR").

<sup>4</sup> Agreement concerning passports and the mutual visits by inhabitants of the Bering Straits Region. Signed at Jackson Hole, Wyoming on September 13, 1989; entered into force on July 10, 1991. Applicable only as relevant.

<sup>5</sup> The United States considers that consular relations with Bosnia and Herzegovina, Croatia, Slovenia, the Former Yugoslav Republic of Macedonia, and Serbia and Montenegro are governed by agreements in force on this subject at the time of the dissolution of the former Yugoslavia, most notably the Vienna Convention on Consular Relations, done at Vienna, April 24, 1963, 21 UST 77 ("VCCR"). A bilateral consular convention signed with the former Yugoslavia in 1988 never entered into force. It is the United States' view that the Socialist Federal Republic of Yugoslavia has dissolved and that no successor state represents its continuation.

<sup>6</sup> The United States has encouraged Brunei to accede formally to the Vienna Convention on Consular Relations. Brunei has stated in the past that it deems accession unnecessary on the grounds that it has adopted many of the Convention's provisions into its domestic law.

<sup>7</sup> The United States considers that consular relations with the Czech Republic and Slovakia are governed by the agreements on this subject in force at the time of the dissolution of the former Czechoslovakia, most notably the Vienna Convention on Consular Relations, done at Vienna, April 24, 1963, 21 UST 77 ("VCCR"), and the bilateral Consular Convention Between the United States of America and the Czechoslovak Socialist Republic, signed at Prague July 9, 1973, entered into force Nov. 6, 1987, TIAS 11083.

<sup>8</sup> Applicable to all Danish territories except Greenland and to all territories over which the United States has jurisdiction or international responsibility except the Trust Territory of the Pacific Islands.

<sup>9</sup> Convention between the United States and France relating to rights in Syria and Lebanon, signed at Paris April 4, 1924, entered into force July 13, 1924, 7 Bevans 925.

<sup>10</sup> Convention on navigation and commerce between the United States and France, signed at Washington on June 24, 1822, and extended to Madagascar in 1896, 7 Bevans 822.

<sup>11</sup> Formerly a member of the Trust Territory of the Pacific Islands, now a sovereign State.

<sup>12</sup> Agreement for the implementation of the Compact of Free Association between the Government of the United States and the Governments of the Marshall Islands and of the Federated States of Micronesia, Title II, Pub. L. 99-239, 48 U.S.C. 1681 note.

<sup>13</sup> A bilateral consular convention between the United States and the Mongolian People's Republic was signed in 1990 and approved by the U.S. Senate in August, 1992, but instruments of ratification had not been exchanged and the convention had not entered into force as of the publication of this brochure.

<sup>14</sup> Also applicable to Aruba and the Netherlands Antilles.

<sup>15</sup> Treaty of friendship, commerce and navigation, with protocol and exchange of notes, between the United States and The Netherlands, signed at The Hague, March 27, 1956; applicable to Suriname as of February 10, 1963, 8 UST 2043.

<sup>16</sup> Treaty of friendship, commerce, and navigation with accompanying protocol. Signed at Nanking, November 4, 1946; entered into force on November 30, 1948, 6 Bevans 761.

<sup>17</sup> A treaty of amity and economic relations was in force between the United States and the Republic of Viet-Nam (South Viet-Nam) from November 30, 1961, until 1967. The status of this agreement, published at 12 UST 1703, remains under review by the United States.

<sup>18</sup> The United States and Vietnam entered into an agreed minute in 1994, in which each side made certain undertakings with respect to consular relations and the conduct of consular functions.

## **Part Six: Foreign Embassies and Consulates in the United States (as of January 2003)**

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The following information provides the short-form name of the country, followed by telephone and fax numbers as available to the Department of State in January 2003. Consular notification should be made to the listed location nearest to the place of arrest or detention. Washington, DC information is generally for embassies to the United States; numbers for other locations are for consular offices outside of Washington or, in the case of some countries without embassies or consular offices in the United States, for the country's mission to the United Nations in New York. Corrections to the listed numbers may be provided to the Department of State's Bureau of Consular Affairs, Office of Public Affairs and Policy Coordination, telephone 202-647-4415; facsimile 202-736-7559.

In a few instances an entity that is not recognized as a country is listed because aliens may be traveling in the United States on travel documents issued by that entity. In addition, some aliens may still be traveling in the United States on documents issued by the former Union of Soviet Socialist Republics (U.S.S.R.), the former Socialist Federal Republic of Yugoslavia, and the former Socialist Federal Republic of Czechoslovakia. The successor states or entities of these three former countries are as follows:

### **Former U.S.S.R.:**

- Armenia
- Azerbaijan
- Belarus
- Georgia
- Kazakhstan
- Kyrgyzstan
- Moldova
- Russia
- Tajikistan
- Turkmenistan
- Ukraine
- Uzbekistan

### **Former Yugoslavia:**

- Bosnia and Herzegovina
- Croatia
- Macedonia, the Former Yugoslav Republic of
- Slovenia
- Yugoslavia (Serbia and Montenegro)

### **Former Czechoslovakia:**

- Czech Republic
- Slovak Republic

**AFGHANISTAN**

Washington, DC (202) 416-1620; fax (202) 416-1630  
New York, NY (212) 972-2277; fax (212) 972-9046

**ALBANIA**

Washington, DC (202) 223-4942; fax (202) 628-7342

**ALGERIA**

Washington, DC (202) 265-2800; fax (202) 213-5134

**ANDORRA**

New York, NY (212) 750-8064; fax (212) 750-6630

**ANGOLA**

Washington, DC (202) 785-1156; fax (202) 785-1258  
Houston, TX (713) 212-3840; fax (713) 212-3841  
New York, NY (212) 861-5656

**ANTIGUA AND BARBUDA**

Washington, DC (202) 362-5211; fax (202) 362-5225

**ARGENTINA**

Washington, DC (202) 238-6460; fax (202) 332-3171  
Atlanta, GA (404) 880-0805; fax (404) 880-0806  
Chicago, IL (312) 819-2620; fax (312) 819-2626  
Houston, TX (713) 871-8935; fax (713) 871-0639  
Los Angeles, CA (323) 954-9155; fax (323) 954-9155  
Miami, FL (305) 373-1889; (305) 371-7108  
New York, NY (212) 603-0400; fax (212) 541-7746

**ARMENIA**

Washington, DC (202) 319-1976; fax (202) 319-2982  
Beverly Hills, CA (310) 657-6102; fax (310) 657-7419

**AUSTRALIA**

Washington, DC (202) 797-3000; fax (202) 797-3168  
Atlanta, GA (404) 760-3400; fax (404) 760-3401  
Chicago, IL (312) 419-1480; fax (312) 419-1499  
Honolulu, HI (808) 524-5050; fax (808) 531-5142  
Kolonias, Micronesia (691) 320-5448  
Los Angeles, CA (310) 229-4800; fax (310) 277-2258  
New York, NY (212) 421-6910  
San Francisco, CA (415) 536-1970; fax (415) 536-1982

**AUSTRIA**

Washington, DC (202) 895-6767; fax (202) 895-6750  
Chicago, IL (312) 222-1515; fax (312) 222-4113  
Los Angeles, CA (310) 444-9310; fax (310) 477-9897  
New York, NY (212) 737-6400; fax (212) 772-8926

**AZERBAIJAN**

Washington, DC (202) 337-3500; fax (202) 337-5911

**BAHAMAS**

Washington, D.C. (202) 319-2660; fax (202) 319-2668  
Miami, FL (305) 373-6295; fax (305) 373-6312

New York, NY (212) 421-6420/22; fax (212) 759-2135

**BAHRAIN**

Washington, DC (202) 342-0741; fax (202) 362-2192  
New York, NY (212) 223-6200; fax (212) 319-0687

**BANGLADESH**

Washington, DC (202) 244-0183; fax (202) 244-5366  
Los Angeles, CA (310) 441-9399; fax (310) 441-4458  
New York, NY (212) 599-6767; fax (212) 682-9211

**BARBADOS**

Washington, DC (202) 939-9200; fax (202) 332-7467  
Los Angeles, CA (213) 380-2198; fax (213) 384-2763  
Miami, FL (212) 867-8435; fax (305) 567-2844  
New York, NY (212) 867-8435; fax (212) 986-1030

**BELARUS**

Washington, DC (202) 986-1604; fax (202) 986-1805  
New York, NY (212) 682-5392; fax (212) 682-5491

**BELGIUM**

Washington, DC (202) 333-6900; fax (202) 333-3079  
Atlanta, GA (404) 659-2150; fax (404) 659-8474  
Chicago, IL (312) 263-6624; fax (312) 263-4805  
Los Angeles, CA (213) 857-1244; fax (213) 936-2564  
New York, NY (212) 586-5110; fax (212) 582-9657

**BELIZE**

Washington, DC (202) 332-9636; fax (202) 332-6888  
Los Angeles, CA (323) 469-7343; fax (323) 469-7346

**BENIN**

Washington, DC (202) 232-6656; fax (202) 265-1996

**BHUTAN**

New York, NY (212) 826-1919; fax (212) 826-2998

**BOLIVIA**

Washington, DC (202) 232-4828; fax (202) 232-8017  
Miami, FL (305) 670-0709; fax (305) 670-2548  
New York, NY (212) 687-0530; fax (212) 687-0532  
San Francisco, CA (415) 495-5173; fax (415) 399-8958  
St. Louis, MO (314) 725-9466; fax (314) 725-9103

**BOSNIA AND HERZEGOVINA**

Washington, DC (202) 337-1500; fax (202) 337-1502  
New York (212) 751-9018; fax (212) 751-9135

**BOTSWANA**

Washington, DC (202) 244-4990; fax (202) 244-4164

**BRAZIL**

Washington, DC (202) 238-2700; fax (202) 238-2827  
Chicago, IL (312) 464-0244; fax (312) 464-0299  
Houston, TX (713) 961-3063; fax (713) 961-3070



Los Angeles, CA (213) 651-2664; fax (213) 651-1274  
Miami, FL (305) 285-6200; fax (305) 285-6229  
New York, NY (212) 757-3080; fax (212) 956-3794  
San Francisco, CA (415) 981-8170; fax (415) 981-3628

## **BRUNEI**

*Washington, DC (202) 237-1838; fax (202) 885-0560*

## **BULGARIA**

*Washington, DC (202) 387-7969; fax (202) 234-7973*

## **BURKINO FASO**

*Washington, DC (202) 332-5577; fax (202) 667-1882*

## **BURMA (formerly MYANMAR)**

*Washington, DC (202) 332-9044/45; fax (202) 332-9046*  
New York, NY (212) 535-1310; fax (212) 737-2421

## **BURUNDI**

*Washington, DC (202) 342-2574; fax (202) 342-2578*

## **CAMBODIA**

*Washington, DC (202) 726-7742; fax (202) 726-8381*

## **CAMEROON**

*Washington, DC (202) 265-8790; fax (202) 387-3826*

## **CANADA**

*Washington, DC (202) 682-1740; fax (202) 682-7726*  
Atlanta, GA (404) 532-2000; fax (404) 532-2050  
Boston, MA (617) 262-3760; fax (617) 262-3415  
Buffalo, NY (716) 858-9500; fax (716) 852-4340  
Chicago, IL (312) 616-1860; fax (312) 616-1877  
Dallas, TX (214) 922-9806; fax (214) 922-9815  
Detroit, MI (313) 567-2340; fax (313) 567-2164  
Los Angeles, CA (213) 346-2700; fax (213) 620-8827  
Miami, FL (305) 579-1600; fax (305) 374-6774  
Minneapolis, MN (612) 332-7486; fax (612) 332-4061  
New York, NY (212) 596-1600; fax (212) 596-1793  
San Francisco, CA (415) 834-3180; fax (415) 834-3189  
San Jose, CA (408) 289-1157; fax (408) 289-1168  
Seattle, WA (206) 443-1777; fax (206) 443-9662/443-9735

## **CAPE VERDE**

*Washington, DC (202) 965-6820; fax (202) 965-1207*  
Boston, MA (617) 353-0014; fax (617) 859-9798

## **CENTRAL AFRICAN REPUBLIC**

*Washington, D. C. (202) 483-7800; fax: (202) 332-9893*

## **CHAD**

*Washington, DC (202) 462-4009; fax (202) 265-1937*

## **CHILE**

*Washington, DC (202) 785-1746; fax (202) 887-5579*  
Chicago, IL (312) 654-8780; fax (312) 654-8948

Houston, TX (713) 963-9066; fax (713) 961-3910  
Los Angeles, CA (310) 785-0113; fax (310) 785-0132  
Miami, FL (305) 371-3219; fax (305) 374-4270  
New York, NY (212) 355-0612; fax (212) 688-5879  
Philadelphia, PA (215) 829-9520; fax (215) 829-0594  
San Francisco, CA (415) 982-7662; fax (415) 982-2384  
San Juan, PR (809) 725-6365; (809) 725-7295

## **CHINA**

*Washington, DC (202) 328-2500/02; fax (202) 328-2582*  
Chicago, IL (312) 803-0095; fax (312) 803-0105  
Houston, TX (713) 524-0780; fax (713) 524-8466  
Los Angeles, CA (213) 807-8088; fax (213) 380-1961  
New York, NY (212) 868-7752; fax (212) 629-2698  
San Francisco, CA (415) 563-4885

## **COLOMBIA**

*Washington, DC (202) 387-8338; fax (202) 232-8643*  
Atlanta, GA (770) 668-0451; fax (770) 668-0763  
Beverly Hills, CA (323) 653-9863; fax (323) 653-2964  
Boston, MA (617) 536-6222; fax (617) 536-9372  
Chicago, IL (312) 923-1196; fax (312) 923-1197  
Houston, TX (713) 527-8919; fax (713) 529-3395  
Los Angeles, CA (213) 282-1137; fax (213) 383-2785  
Miami, FL (305) 448-5558; fax (305) 441-9537  
New Orleans, LA (504) 525-5580; fax (504) 525-4903  
New York, NY (212) 949-9898; fax (212) 972-1725  
San Francisco, CA (415) 795-7195; fax (415) 777-3731  
San Juan, PR (809) 754-6885; fax (809) 754-1675

## **COMOROS**

New York, NY (212) 972-8010; fax (212) 983-4712

## **CONGO, REPUBLIC OF (Brazzaville)**

*Washington, D. C. (202) 726-5500; fax (202) 726-1860*

## **CONGO, DEMOCRATIC REPUBLIC OF (Kinshasa)**

*Washington, DC (202) 234-7690; fax (202) 234-2609*

## **COSTA RICA**

*Washington, DC (202) 328-6628; fax (202) 265-4795*  
Atlanta, GA (770) 951-7025; fax (770) 951-7073  
Chicago, IL (312) 263-2772; fax (312) 263-5807  
Houston, TX (713) 266-0484; fax (713) 266-1527  
Los Angeles, CA (213) 380-7915; fax (213) 380-5639  
Miami, FL (305) 871-7485/87; fax (305) 871-0860  
New Orleans, LA (504) 581-6800; fax (504) 581-6850  
New York, NY (212) 509-3066; fax (212) 509-3068  
San Francisco, CA (415) 392-8488; fax (415) 392-3745  
San Juan, PR (787) 723-6227; fax (787) 723-6226  
Tampa, FL (813) 248-6741; fax (813) 248-6741

## **COTE D'IVOIRE (IVORY COAST)**

*Washington, DC (202) 797-0300; fax (202) 462-9444*

**CROATIA**

Washington, DC (202) 588-5899; fax (202) 588-8936  
Los Angeles, CA (310) 477-1009; fax (310) 477-1866

**CUBA**

Washington, DC (202) 797-8518; fax (202) 797-8521

**CYPRUS**

Washington, DC (202) 462-5772; fax (202) 483-6710  
New York, NY (212) 686-6016

**CZECH REPUBLIC**

Washington, DC (202) 274-9100; fax (202) 966-8540  
Los Angeles, CA (310) 473-0889; fax (310) 473-9813  
New York, NY (212) 717-5643; fax (212) 717-5064

**DENMARK**

Washington, DC (202) 234-4300; fax (202) 328-1470  
Chicago, IL (312) 787-8780; fax (312) 787-8744  
Los Angeles, CA (310) 443-2090; fax (310) 443-2099  
New York, NY (212) 223-4545; fax (212) 754-1904

**DJIBOUTI**

Washington, DC (202) 331-0270; fax (202) 331-0302

**DOMINICA**

Washington, DC (202) 364-6781; fax (202) 364-6791  
New York, NY (212) 599-8478; fax (212) 661-0979

**DOMINICAN REPUBLIC**

Washington, DC (202) 332-6280; fax (202) 265-8057  
Boston, MA (617) 482-8121; fax (617) 482-8133  
Chicago, IL (847) 441-1831; fax (847) 441-1833  
Jacksonville, FL (904) 346-0909; fax (904) 346-0919  
Miami, FL (305) 358-3220/21; fax (305) 358-2318  
Mobile, AL (334) 433-8894  
New Orleans, LA (504) 522-1843; fax (504) 522-1007  
New York, NY (212) 768-2480; fax (212) 768-2677  
Philadelphia, PA (215) 923-3006; fax (215) 923-3007  
San Francisco, CA (415) 982-5144; fax (415) 982-0237  
San Juan, PR (809) 725-9550; fax (809) 721-7820

**EAST TIMOR**

Washington, DC (202) 721-1555; fax (301) 608-3567  
New York, NY (212) 759-3675; fax (212) 759-4196

**ECUADOR**

Washington, DC (202) 234-7166; fax (202) 667-3482  
Beverly Hills, CA (323) 658-6020/5146; fax (323) 658-1934  
Chicago, IL (312) 329-0266; fax (312) 329-0359  
Houston, TX (713) 622-1787; fax (713) 622-8105  
Miami, FL (305) 539-8214/15; fax (305) 539-8313  
New Orleans, LA (504) 523-3229; fax (504) 523-3229  
New York, NY (212) 808-0170/71; fax (212) 808-0188  
Newark, NJ (201) 985-1300  
Philadelphia, PA (215) 925-9060; fax (215) 867-0894  
San Francisco, CA (415) 957-5921/22; fax (415) 957-5923

**EGYPT**

Washington, DC (202) 966-6342; fax (202) 244-4319  
Chicago, IL (312) 828-9162; fax (312) 828-9167  
Houston, TX (713) 961-4915; fax (713) 961-3868  
New York, NY (212) 759-7120; fax (212) 308-7643  
San Francisco, CA (415) 346-3422; fax (415) 346-9480

**EL SALVADOR**

Washington, DC (202) 331-4032; fax (202) 331-4036  
Chicago, IL (312) 332-1393/578-5390; fax (312) 332-4446  
Dallas, TX (214) 637-1018/0732; fax (214) 637-1106  
Houston, TX (713) 270-6239/6270; fax (713) 270-9683  
Los Angeles, CA (213) 383-8580; fax (213) 383-8599  
Miami, FL (305) 371-8850; fax (305) 371-7820  
New York, NY (212) 889-3608; (212) 679-2835  
San Francisco, CA (415) 781-7924; fax (415) 781-1136

**EQUATORIAL GUINEA**

Washington, DC (202) 518-5700; fax (202) 518-5252

**ERITREA**

Washington, DC (202) 319-1991; fax (202) 319-1304  
Oakland, CA (510) 986-1991

**ESTONIA**

Washington, DC (202) 588-0101; fax (202) 588-0108  
New York, NY (212) 883-0636; fax (212) 883-0648

**ETHIOPIA**

Washington, DC (202) 274-4555; fax (202) 686-9621

**FIJI**

Washington, DC (202) 337-8320; fax (202) 337-1996  
New York, NY (212) 687-4130; fax (212) 687-3963

**FINLAND**

Washington, DC (202) 298-5800; fax (202) 298-6030  
Los Angeles, CA (310) 203-9903; fax (310) 203-9186  
New York, NY (212) 750-4400; fax (212) 750-4418

**FRANCE**

Washington, DC (202) 944-6000; fax (202) 944-6166  
Atlanta, GA (404) 522-4226; fax (404) 495-1661  
Boston, MA (617) 542-7376; fax (617) 542-8054  
Chicago, IL (312) 787-5359; fax (312) 664-4196  
Houston, TX (713) 528-2181; fax (713) 528-1933  
Los Angeles, CA, (310) 235-3200; fax (310) 479-4813  
Miami, FL (305) 372-9799; fax (305) 372-9549  
New Orleans, LA (504) 523-5772; fax (504) 523-5725  
New York, NY (212) 606-3689; fax (212) 606-3620/3614  
San Francisco, CA (415) 397-4330; fax (415) 433-8357

**GABON**

Washington, DC (202) 797-1000; fax (202) 332-0668

**GAMBIA, THE**

Washington, DC (202) 785-1399; fax (202) 785-1430

**GEORGIA**

Washington, DC (202) 387-2390; fax (202) 393-6060

**GERMANY**

Washington, DC (202) 298-8140; fax (202) 298-4249  
Atlanta, GA (404) 659-4760-62; fax (404) 659-1280  
Boston, MA (617) 536-4414; fax (617) 536-8573  
Chicago, IL (312) 580-1199; fax (312) 580-0099  
Detroit, MI (313) 962-6526; fax (313) 962-7345  
Houston, TX (713) 627-7770; fax (713) 627-0506  
Los Angeles, CA (323) 930-2703; fax (323) 930-2805  
Miami, FL (305) 358-0290/91; fax (305) 358-0307  
New York, NY (212) 308-8700; fax (212) 308-3422  
San Francisco, CA (415) 775-1061; fax (415) 775-0187  
Seattle, WA (206) 682-4312; fax (206) 682-3724

**GHANA**

Washington, DC (202) 686-4520; fax (202) 686-4527  
New York, NY (212) 832-1300; fax (212) 751-6743

**GREECE**

Washington, DC (202) 232-8222; fax (202) 939-5824  
Atlanta, GA (404) 261-3391/3313; fax (404) 262- 2798  
Boston, MA (617) 523-0100; fax (617) 523-0511  
Chicago, IL (312) 335-3915; fax (312) 335-3958  
Houston, TX (713) 840-7522; fax (713) 840-0614  
Los Angeles, CA (310) 826-5555; fax (310) 826-8670  
New Orleans, LA (504) 523-1167; fax (504) 524-3610  
New York, NY (212) 988-5500; fax (212) 734-8492  
San Francisco, CA (415) 775-2103; fax (415) 776-6815

**GRENADA**

Washington, DC (202) 265-2561; fax (202) 265-2468  
New York, NY (212) 599-0301; fax (212) 599-1540

**GUATEMALA**

Washington, DC (202) 745-4952; fax (202) 745-1908  
Chicago, IL (312) 332-1587/3170; fax (312) 332-4256  
Miami, FL (305) 679-9945; fax (305) 443-4830  
Houston, TX (713) 953-9531; fax (713) 953-9383  
Los Angeles, CA (213) 365-9251/52; fax (213) 365-9245  
New York, NY (212) 686-3837; fax (212) 447-6947  
San Francisco, CA (415) 788-5651; fax (415) 788-5653

**GUINEA**

Washington, DC (202) 483-9420; fax (202) 483-8688

**GUINEA-BISSAU**

Washington, DC (301) 947-3958; fax (301) 947-3958  
New York, NY (212) 338-9380 or 94; fax (212) 573-6094

**GUYANA**

Washington, DC (202) 265-6900/01; fax (202) 232-1297  
New York, NY (212) 527-3215; fax (212) 527-3229

**HAITI**

Washington, DC (202) 332-4090/92; fax (202) 745-7215  
Boston, MA (617) 266-3660; fax (617) 266-4060  
Chicago, IL (312) 922-4004; fax (312) 922-7122  
Miami, FL (305) 859-2003/06; fax (305) 223-1641  
New York, NY (212) 697-9767; fax (212) 949-7966  
San Juan, PR (809) 764-1392; fax (809) 764-3109

**HOLY SEE**

Washington, D. C. (202) 333-7121; fax (202) 337-4036

**HONDURAS**

Washington, DC (202) 737-2972; fax (202) 737-2907  
Chicago, IL (773) 342-8289; fax (773) 342-8293  
Houston, TX (713) 622-7911; fax (713) 622-6540  
Los Angeles, CA (213) 383-9244/9317; fax (213) 383-9306  
Miami, FL (305) 447-6948/6375; fax (305) 447-9036  
New Orleans, LA (504) 522-3118; fax (504) 523-0544  
New York, NY (212) 269-3611-12; fax (212) 509-8391  
San Francisco, CA (415) 392-0076; fax (415) 292-6726

**HONG KONG (See CHINA)****HUNGARY**

Washington, DC (202) 362-6730; fax (202) 966-8135  
Los Angeles, CA (310) 473-9344; fax (310) 479-6443  
New York, NY (212) 752-0669; fax (212) 755-5986

**ICELAND\***

Washington, DC (202) 265-6653; fax (202) 265-6656  
New York, NY (212) 593-2700; fax (212) 593-6269

\*Note: Call the New York number for foreign nationals that are arrested/detained in New York, New Jersey, Connecticut, and Rhode Island; all others call the Washington, DC number.

**INDIA**

Washington, DC (202) 939-7000; fax (202) 483-3972  
Chicago, IL (312) 595-0405/1410; fax (312) 595-0416/17  
Houston, TX (713) 626-2148/49; fax (713) 626-2450  
New York, NY (212) 879-7800; fax (212) 988-6423  
San Francisco, CA (415) 668-0682/83; fax (415) 668-2073/7968

**INDONESIA**

Washington, DC (202) 775-5200; fax (202) 775-5365  
Chicago, IL (312) 595-1777; fax (312) 595-9952  
Houston, TX (713) 785-1691; fax (713) 708-9644  
Los Angeles, CA (213) 383-5126; fax (213) 487-3971  
New York, NY (212) 879-0600; fax (212) 570-6206  
San Francisco, CA (415) 474-9571; fax (415) 441-4320

**IRAN**

Washington, DC (202) 965-4990

**IRAQ**

Washington, DC (202) 483-7500; fax (202) 462-5066

## **IRELAND**

*Washington, DC (202) 462-3939; fax (202) 232-5993*  
Boston, MA (617) 267-9330; fax (617) 267-6375  
Chicago, IL (312) 337-1868; (fax) (312) 337-1954  
New York, NY (212) 319-2555; fax (212) 980-9475  
San Francisco, CA (415) 392-4214; fax (415) 392-0885

## **ISRAEL**

*Washington, D. C. (202) 364-5500; fax (202) 364-3607*  
Atlanta, GA (404) 487-6500; fax (404) 874-5364  
Boston, MA (617) 542-0041; fax (617) 338-4995  
Chicago, IL (312) 565-3300; fax (312) 565-3871  
Houston, TX (713) 627-3780; fax (713) 627-0149  
Los Angeles, CA (213) 852-5500; fax (213) 852-5555  
Miami, FL (305) 358-8111; fax (305) 371-5034  
New York, NY (212) 499-5301; fax (212) 499-5355  
Philadelphia, PA (215) 546-5556; fax (215) 545-3986  
San Francisco, CA (415) 398-8885; fax (415) 398-8589

## **ITALY**

*Washington, DC (202) 612-4400; fax (202) 518-2151*  
Boston, MA (617) 542-0483/4; fax (617) 542-3998  
Chicago, IL (312) 467-1550/51; fax (312) 467-1335  
Houston, TX (713) 850-7520/1; fax (713) 850-9113  
Los Angeles, CA (310) 826-5998/3832; fax (310) 820-0727  
Miami, FL (305) 374-6322; fax (305) 374-7945  
New York, NY (212) 737-9100; fax (212) 249-4945  
Philadelphia, PA (215) 592-7329; fax (215) 592-9808  
San Francisco, CA (415) 931-4924/292-9210; fax (415) 931-7205

## **JAMAICA**

*Washington, DC (202) 452-0660; fax (202) 452-0081*  
Miami, FL (305) 374-8431; fax (305) 577-4970  
New York, NY (212) 935-9000; fax (212) 832-0411

## **JAPAN**

*Washington, DC (202) 238-6700; fax (202) 328-2187*  
Agana, Guam (671) 646-1290; fax (671) 649-2620  
Anchorage, Alaska (907) 279-8428; fax (907) 279-9271  
Atlanta, GA (404) 240-4300; fax (404) 240-4311  
Boston, MA (617) 973-9772; fax (617) 542-1329  
Chicago, IL (312) 280-0400; fax (312) 280-9568  
Denver, CO (303) 534-1151; fax (303) 534-3393  
Detroit, MI (313) 567-0120; fax (313) 567-0274  
Honolulu, HI (808) 536-2226; fax (808) 537-3276  
Houston, TX (713) 652-2977; fax (713) 651-7822  
Kansas City, MO (816) 471-0111; fax (816) 472-4248  
Los Angeles, CA (213) 617-6700; fax (213) 617-6727  
Miami, FL (305) 530-9090; fax (305) 530-0950  
New Orleans, LA (504) 529-2101; fax (504) 568-9847  
New York, NY (212) 371-8222; fax (212) 319-6357  
Portland, OR (503) 221-1811; fax (503) 224-8936  
Saipan (670) 234-7201; fax (670) 234-8764  
San Francisco, CA (415) 777-3533; fax (415) 974-3660  
Seattle, WA (206) 682-9107; fax (206) 624-9097

## **JORDAN**

*Washington, DC (202) 966-2664; fax (202) 966-3110*

## **KAZAKHSTAN**

*Washington, DC (202) 232-5488; fax (202) 232-5845*  
New York, NY (212) 888-3024; fax (212) 888-3025

## **KENYA**

*Washington, DC (202) 387-6101; fax (202) 462-3829*  
Los Angeles, CA (310) 274-6635  
New York, NY (212) 486-1300; fax (212) 688-0911

## **KIRIBATI**

Honolulu, HI (808) 521-7703; fax (808) 542-5159 (honorary consul)

## **KOREA, DEMOCRATIC PEOPLE'S REPUBLIC OF (NORTH KOREA)**

New York, NY (212) 972-3105; fax (212) 972-3154 (U.N. Mission)

## **KOREA, REPUBLIC OF (SOUTH KOREA)**

*Washington, DC (202) 939-5634; fax (202) 342-1597*  
Agana, Guam (671) 647-6488; fax (671) 649-1336  
Anchorage, Alaska (907) 561-5488; fax (907) 563-0313  
Atlanta, GA (404) 522-1611; fax (404) 521-3169  
Boston, MA (617) 641-2830; fax (617) 641-2831  
Chicago, IL (312) 822-9485; fax (312) 822-9849  
Honolulu, HI (808) 595-6109; fax (808) 595-3046  
Houston, TX (713) 961-0186; fax (713) 961-3340  
Los Angeles, CA (213) 385-9300; fax (213) 385-1849  
New York, NY (646) 674-6001; fax (646) 674-6023  
San Francisco, CA (415) 921-2251; fax (415) 921-5946  
Seattle, WA (206) 441-1011; fax (206) 441-7912

## **KUWAIT**

*Washington, DC (202) 966-0702; fax (202) 966-0517*

## **KYRGYZSTAN**

*Washington, DC (202) 338-5141/42; fax (202) 338-5139*

## **LAOS**

*Washington, DC (202) 332-6416/17; fax (202) 332-4923*

## **LATVIA**

*Washington, DC (202) 726-8213; fax (202) 726-6785*

## **LEBANON**

*Washington, DC (202) 939-6300; (202) 939-6324*  
Detroit, MI (313) 393-5874  
Los Angeles, CA (213) 467-1253; fax (213) 467-2935  
New York, NY (212) 744-7905

## **LESOTHO**

*Washington, DC (202) 797-5533; fax (202) 234-6815*

## **LIBERIA**

*Washington, DC (202) 723-0437; fax (202) 723-0436*  
New York, NY (212) 687-1025

**LIBYA**

New York, NY (212) 752-5775; fax (212) 593-4787

**LIECHTENSTEIN**

New York, NY (212) 599-0220; fax (212) 599-0064

**LITHUANIA**

Washington, DC (202) 234-5860; fax (202) 328-0466  
Chicago, IL (312) 397-0382; fax (312) 397-0885  
New York, NY (212) 354-7849; fax (212) 354-7911

**LUXEMBOURG**

Washington, DC (202) 265-4171; fax (202) 328-8270  
New York, NY (212) 888-6664; fax (212) 888-6116  
San Francisco, CA (415) 788-0816; fax (415) 788-0985

**MACEDONIA, THE FORMER YUGOSLAV  
REPUBLIC OF**

Washington, DC (202) 337-3063; fax (202) 337-3093  
New York, NY (212) 317-1727; fax (212) 317-1484

**MADAGASCAR**

Washington, DC (202) 265-5525; fax (202) 265-3034  
New York, NY (212) 986-9491

**MALAWI**

Washington, DC (202) 797-1007; fax (202) 265-0976

**MALAYSIA**

Washington, DC (202) 572-9755; fax (202) 572-9786  
Los Angeles, CA (213) 892-1238; fax (213) 892-9031  
New York, NY (212) 682-0232; fax (212) 983-1987

**MALDIVES**

New York, NY (212) 599-6195; fax (212) 972-3970 (UN  
Mission)

**MALI**

Washington, DC (202) 332-2249; fax (202) 332-6603

**MALTA**

Washington, DC (202) 462-3611/12; fax (202) 387-5470  
New York, NY (212) 725-2345; fax (212) 779-7097

**MARSHALL ISLANDS**

Washington, DC (202) 234-5414; fax (202) 232-3236

**MAURITANIA**

Washington, DC (202) 232-5700; fax (202) 319-2623

**MAURITIUS**

Washington, DC (202) 244-1491/92; fax (202) 966-0983

**MEXICO**

Washington, DC (202) 736-1000; fax (202) 234-4498

Albuquerque, NM (505) 247-2147; fax (505) 842-9490  
Atlanta, GA (404) 688-3258; fax (404) 266-2309  
Austin, TX (512) 478-2866; fax (512) 478-8008  
Boston, MA (617) 426-4181; fax (617) 695-1957  
Brownsville, TX (210) 542-2051; fax (210) 542-7267  
Calexico, CA (760) 357-3863; fax (760) 357-6284  
Chicago, IL (312) 855-1380; fax (312) 855-9257  
Corpus Christi, TX (512) 882-3375; fax (512) 882-9324  
Dallas TX (214) 630-7341; fax (214) 630-3511  
Del Rio, TX (512) 755-2352; fax (512) 775-9451  
Denver, CO (303) 331-1110; (303) 830-2655  
Detroit, MI (313) 964-4515; fax (313) 964-4522  
Eagle Pass, TX (830) 773-9255; fax (830) 773-9397  
El Paso, TX (915) 533-3644; fax (915) 532-7163  
Fresno, CA (559) 233-9770; fax (559) 233-6156  
Houston, TX (713) 271-6800; fax (713) 271-3201  
Laredo, TX (956) 723-6369; fax (956) 723-1741  
Los Angeles, CA (213) 351-6800; fax (213) 383-4927  
McAllen, TX (956) 686-0243/44; fax (956) 686-4901  
Miami, FL (305) 716-4977; fax (305) 593-2758  
Midland, TX (915) 687-2334; fax (915) 687-3952  
New Orleans, LA (504) 522-3596; fax (504) 525-2332  
New York, NY (212) 217-6400; fax (212) 545-8197  
Nogales, AZ (520) 287-2521; fax (602) 287-3175  
Orlando, FL (407) 422-0514; fax (407) 733-4123  
Oxnard, CA (805) 483-4684  
Philadelphia, PA (215) 922-4262; fax (215) 923-7281  
Phoenix, AZ (602) 242-7398; fax (602) 242-2957  
Portland, OR (503) 274-1442; fax (503) 274-1540  
Presidio, TX (915) 229-2788; fax (915) 229-2792  
Raleigh, NC (919) 754-0046  
Saint Louis, (314) 436-3065; (314) 436-2695  
Sacramento, CA (916) 441-3287; fax (916) 441-3176  
Salt Lake City, UT (801) 521-8502 fax (801) 521-0534  
San Antonio, TX (210) 227-1085; fax (210) 227-1817  
San Bernadino, CA (714) 889-9836; fax (714) 889-8285  
San Diego, CA (619) 231-8414 fax (619) 231-4802  
San Francisco, CA (415) 392-5554; fax (415) 392-3233  
San Jose, CA (408) 294-3414; fax (408) 294-4506  
San Juan, PR (787) 764-0258; fax (787) 250-0042  
Santa Ana, CA (714) 835-3069; fax (714) 835-3472  
Seattle, WA (206) 448-3526; fax (206) 448-4771  
St. Louis, MO (314) 436-3233; fax (314) 436-2695  
Tucson, AZ (602) 882-5595; fax (602) 882-8959

**MICRONESIA, FEDERATED STATES OF**

Washington, DC (202) 223-4383; fax 202-223-4391

**MOLDOVA**

Washington, DC (202) 667-1130; fax (202) 667-1204

**MONACO**

New York, NY (212) 286-0500; fax (212) 286-1574

**MONGOLIA**

Washington, DC (202) 333-7117; fax (202) 298-9227

**MOROCCO**

Washington, DC (202) 462-7982; fax (202) 265-0161

New York, NY (212) 758-2625

## **MOZAMBIQUE**

Washington, DC (202) 293-7146; fax (202) 835-0245

## **NAMIBIA**

Washington, DC (202) 986-0540; fax (202) 986-0443

## **NAURU**

Honolulu, HI (808) 532-7821

## **NEPAL**

Washington, DC (202) 667-4550; fax (202) 667-5534  
New York, NY (212) 370-4188; fax (212) 953-2038

## **NETHERLANDS**

Washington, DC (202) 244-5300; fax (202) 362-3430  
Chicago, IL (312) 856-0110; fax (312) 856-9218  
Houston, TX (713) 622-8000; fax (713) 622-3581  
Los Angeles, CA (310) 268-1598; fax (310) 312-0989  
Miami, FL (305) 350-5650  
New York, NY (212) 246-1429; fax (212) 333-3603

## **NEW ZEALAND**

Washington, D. C. (202) 328-4800; fax (202) 667-5227  
Los Angeles, CA (310) 207-1605; fax (310) 207-3605  
New York, NY (212) 832-4038; fax (212) 832-7602

## **NICARAGUA**

Washington, DC (202) 939-6570; fax (202) 939-6545  
Houston, TX (713) 789-2762; fax (713) 789-3164  
Los Angeles, CA (213) 252-1170; fax (213) 252-1177  
Miami, FL (305) 220-6900; fax (305) 220-8794  
New Orleans, LA (504) 523-1507; fax (504) 523-2359  
New York, NY (212) 983-1981; fax (212) 983-2646

## **NIGER**

Washington, DC (202) 483-4224-27; fax (202) 483-3169  
New York, NY (212) 421-3260; fax (212) 483-3169

## **NIGERIA**

Washington, DC (202) 986-8400; fax (202) 822-1562  
Atlanta, GA (770) 394-6261  
New York, NY (212) 850-2228; fax (212) 687-1476

## **NORWAY**

Washington, DC (202) 944-8939; fax (202) 337-0870  
Houston, TX (713) 521-2900; fax (713) 521-9473  
Miami, FL (305) 358-4386; fax (305) 374-4369  
Minneapolis, MN (612) 332-3338; fax (612) 332-1386  
New York, NY (212) 421-7333; fax (212) 754-0583  
San Francisco, CA (415) 986-0766-8; fax (415) 986-3318

## **OMAN**

Washington, DC (202) 387-1980; fax (202) 745-4933

## **PAKISTAN**

Washington, DC (202) 939-6209; fax (202) 232-4142  
Los Angeles, CA (310) 441-5114; fax (310) 441-9256  
New York, NY (212) 879-5800

## **PALAU**

Washington, DC (202) 452-6814; fax (202) 452-6281

## **PALESTINIAN AUTHORITY MISSION**

Washington, DC (202) 255-3332

## **PANAMA**

Washington, DC (202) 483-1407; fax (202) 483-8416  
Atlanta, GA (404) 522-4114; fax (404) 522-4120  
Houston, TX (713) 622-4451; fax (713) 622-4468  
Miami, FL (305) 447-3700; fax (305) 447-4142  
New Orleans, LA (504) 525-3458; fax (504) 424-8960  
New York, NY (212) 840-2450; fax (212) 840-2469  
Philadelphia, PA (215) 574-2994; fax (215) 625-4876  
San Francisco, CA (415) 391-4268; fax (415) 391-4269  
Tampa (813) 251-0316; (813) 831-6685

## **PAPUA NEW GUINEA**

Washington, DC (202) 745-3680; fax (202) 745-3679

## **PARAGUAY**

Washington, DC (202) 483-6960-62; fax (202) 234-4508  
Kansas City, KS (913) 281-5252  
Los Angeles, CA (818) 907-1959  
Miami, FL (305) 374-9090  
New Orleans, LA (504) 522-7424  
New York, NY (212) 432-0733

## **PERU**

Washington, DC (202) 833-9868; fax (202) 659-8124  
Chicago, IL (312) 853-6173; fax (312) 704-6969  
Houston, TX (713) 355-9571; fax (713) 781-1739  
Los Angeles, CA (213) 252-5910; fax (213) 252-8130  
Miami, FL (305) 374-1305; fax (305) 381-6027  
New York, NY (212) 481-7410; fax (212) 481-8606  
Patterson, NJ (201) 278-2221; fax (201) 278-0254  
San Francisco, CA (415) 362-7136; fax (415) 362-2836  
San Juan, PR (787) 250-0391; fax (787) 250-0319

## **PHILIPPINES**

Washington, DC (202) 467-9300; fax (202) 328-7614  
Chicago, IL (312) 332-6458; fax (312) 332-3657  
Honolulu, HI (808) 595-6316; fax (808) 595-2581  
Los Angeles, CA (213) 639-0980; fax (213) 639-0990  
New York, NY (212) 764-1330; fax (212) 382-1146  
Saipan (670) 234-1848  
San Francisco, CA (415) 433-6666; fax (415) 421-2641  
Tamuning, Guam (671) 646-4620; (671) 649-1868

## **POLAND**

Washington, DC (202) 232-4517; fax (202) 328-2152  
Chicago, IL (312) 337-8166; fax (312) 337-7841

Los Angeles, CA (310) 442-8500; fax (310) 442-8515  
New York, NY (646) 237-2100; fax (646) 237-2105

### **PORTUGAL**

Washington, DC (202) 232-7632; fax (202) 462-3726  
Boston, MA (617) 536-8740  
New York, NY (212) 246-4580; fax (212) 459-0190  
Newark, NJ (201) 622-7300  
San Francisco, CA (415) 346-3400

### **QATAR**

Washington, DC (202) 274-1600; fax (202) 237-0061  
Houston, TX (713) 355-8221; fax (713) 355-8184

### **ROMANIA**

Washington, DC (202) 232-4747; fax (202) 232-4748  
Los Angeles, CA (310) 444-0043; fax (310) 445-0043  
New York, NY (212) 682-9120; fax (212) 972-8463

### **RUSSIA**

Washington, DC (202) 939-8907; fax 202-939-8917  
New York, NY (212) 348-0926; fax (212) 831-9162  
San Francisco, CA (415) 928-6878, fax (415) 929-0306  
Seattle, WA (206) 728-1910; fax (206) 728-1871

### **RWANDA**

Washington, DC (202) 232-2882; fax (202) 232-4544

### **SAINT KITTS AND NEVIS**

Washington, DC (202) 686-2636; fax (202) 686-5740

### **SAINT LUCIA**

Washington, DC (202) 364-6792; fax (202) 364-6723  
New York, NY (212) 697-9360

### **SAINT VINCENT AND THE GRENADINES**

Washington, DC (202) 364-6730; fax (202) 364-6736  
New York, NY (212) 687-4490

### **SAMOA**

New York, NY (212) 599-6196; fax (212) 599-0797

### **SAN MARINO**

New York, NY (212) 465-1012 (UN Mission)

### **SAO TOME AND PRINCIPE**

New York, NY (212) 697-4211; fax (212) 687-8389 (UN Mission)

### **SAUDI ARABIA**

Washington, DC (202) 342-3800; fax (202) 944-3113  
Houston, TX (713) 785-5577; fax (713) 785-1163  
Los Angeles, CA (310) 479-6000; fax (310) 479-2752  
New York, NY (212) 752-2740; fax (212) 688-2719

### **SENEGAL**

Washington, DC (202) 234-0540; fax (202) 332-6315

### **SEYCHELLES**

New York, NY (212) 972-1785; fax (212) 972-1786

### **SIERRA LEONE**

Washington, DC (202) 939-9261 fax (202) 483-1793

### **SINGAPORE**

Washington, DC (202) 537-3100; fax (202) 537-0876  
San Francisco, CA (415) 543-4775; fax (415) 543-4788

### **SLOVAK REPUBLIC**

Washington, DC (202) 965-5160; fax (202) 965-5166

### **SLOVENIA**

Washington, DC (202) 332-9332; fax (202) 667-4563  
Cleveland, OH (216) 589-9220  
New York, NY (212) 370-3006; fax (212) 370-3581

### **SOLOMON ISLANDS**

New York, NY (212) 599-6192; fax (212) 661-8925 (UN Mission)

### **SOMALIA**

Since May 8, 1991, there have been no accredited Somali diplomats or consular officers in the United States. Although the United States and Somalia have not broken consular relations, consular notification cannot effectively be made at this time. This situation, however, is subject to change. You should check the State Department's website for the current status whenever you have custody of a Somali national

### **SOUTH AFRICA**

Washington, DC (202) 232-4400; fax (202) 232-3402  
Chicago, IL (312) 939-7929; fax (312) 939-2588  
Los Angeles, CA (323) 651-5902; fax (323) 651-5969  
New York, NY (212) 213-4880; fax (212) 213-0102

### **SPAIN**

Washington, DC (202) 728-2330; fax (202) 728-2302  
Boston, MA (617) 536-2506; fax (617) 536-8512  
Chicago, IL (312) 782-4588; fax (312) 782-1635  
Houston, TX (713) 783-6200; fax (713) 783-6166  
Los Angeles, CA (213) 938-0158; fax (213) 938-2502  
Miami, FL (305) 446-5511; fax (305) 446-0585  
New Orleans, LA (504) 525-4951; fax (504) 525-4955  
New York, NY (212) 355-4080; fax (212) 644-3751  
San Francisco, CA (415) 922-2995; fax (415) 931-9706  
San Juan, PR (787) 758-6090; fax (787) 763-0190

### **SRI LANKA**

Washington, DC (202) 483-4025/4028; fax (202) 232-7181  
Los Angeles, CA (323) 634-0479; fax (323) 634-1095

**SUDAN**

Washington, DC (202) 338-8565; fax (202) 667-2406  
New York, NY (212) 421-2680

**SURINAME**

Washington, D. C. (202) 244-7488; fax (202) 244-5878  
Miami, FL (305) 593-2163; fax (305) 599-1034

**SWAZILAND**

Washington, DC (202) 234-5002; fax (202) 234-8254

**SWEDEN**

Washington, DC (202) 467-2600; fax (202) 467-2699  
Los Angeles, CA (310) 445-4008; fax (310) 473-2229  
New York, NY (212) 583-2550; fax (212) 755-2732

**SWITZERLAND**

Washington, DC (202) 745-7900; fax (202) 387-2564  
Atlanta, GA (404) 870-2000; fax (404) 870-2011  
Chicago, IL (312) 915-0061; fax (312) 915-0388  
Houston, TX (713) 650-0000; fax (713) 650-1321  
Los Angeles, CA (310) 575-1145; fax (310) 575-1982  
New York, NY (212) 599-5700; fax (212) 599-4266  
San Francisco, CA (415) 788-2272; fax (415) 788-1402

**SYRIA**

Washington, DC (202) 232-6313; fax (202) 234-9548

**TAIWAN--Taipei Economic and Cultural  
Representative Office (TECRO)**

Washington, DC (202) 895-1800; fax (202) 363-0999  
Agana, Guam (671) 472-5865; fax (671) 472-5869  
Atlanta, GA (404) 872-1234; fax (404) 873-3474  
Boston, MA (617) 737-2050; fax (617) 737-1684  
Chicago, IL (312) 616-0100; fax (312) 616-1490  
Honolulu, HI (808) 595-6347; fax (808) 595-6542  
Houston, TX (713) 626-7445; fax (713) 626-1202  
Kansas City, MO (816) 531-1298; fax (816) 531-3066  
Los Angeles, CA (213) 389-1215; fax (212) 383-3245  
Miami, FL (305) 443-8917; fax (305) 444-4796  
New York, NY (212) 317-7300; fax (212) 754-1549  
San Francisco, CA (415) 362-7680; fax (415) 362-5382  
Seattle, WA (206) 441-4586; fax (206) 441-4320

**TAJKISTAN**

New York, NY (212) 472-7645/744-2196

**TANZANIA**

Washington, DC (202) 939-6125; fax (202) 797-7408

**THAILAND**

Washington, DC (202) 944-3600; fax (202) 944-3611  
Chicago, IL (312) 664-3129; fax (312) 664-3230  
Los Angeles, CA (323) 962-9574; fax (323) 962-2128  
New York, NY (212) 745-1770; fax (212) 754-1907

**TOGO**

Washington, DC (202) 234-4212; fax (202) 232-3190

**TONGA**

San Francisco, CA (415) 781-0365; fax (415) 781-3964  
New York, NY (917) 369-1025; fax (917) 369-1024

**TRINIDAD AND TOBAGO**

Washington, DC (202) 467-6490; fax (202) 785-3130  
Miami, FL (305) 374-2199; fax (305) 374-3199  
New York, NY (212) 682-7272; fax (212) 986-2146

**TUNISIA**

Washington, DC (202) 862-1850; fax (202) 862-1858

**TURKEY**

Washington, DC (202) 612-6700; fax (202) 612-6744  
Chicago, IL (312) 263-0644; fax (312) 263-1449  
Houston, TX (713) 622-5849; fax (713) 623-6639  
Los Angeles, CA (213) 937-0118; fax (213) 932-0061  
New York, NY (212) 949-0160; fax (212) 983-1293

**TURKMENISTAN**

Washington, DC (202) 588-1500; fax (202) 588-0697

**TUVALU (See UNITED KINGDOM)****UGANDA**

Washington, DC (202) 726-7100/02

**UKRAINE**

Washington, DC (202) 333-0606; fax (202) 333-0817  
Chicago, IL (312) 642-4388; fax (312) 642-4385  
New York, NY (212) 371-5690; fax (212) 371-5547

**UNITED ARAB EMIRATES**

Washington, DC (202) 243-2400; fax (202) 243-2432

**UNITED KINGDOM**

Washington, DC (202) 588-6500; fax (202) 588-7870  
Atlanta, GA (404) 954-7700; fax (404) 954-7702  
Boston, MA (617) 248-9555; fax (617) 621-0220  
Chicago, IL (312) 346-1810  
Cleveland, OH (216) 621-7674  
Houston, TX (713) 659-6270; fax (713) 659-7094  
Los Angeles, CA (310) 481-0031; fax (310) 481-2960  
New York, NY (212) 752-8400; fax (212) 754-3062  
San Francisco, CA (415) 981-3030; fax (415) 434-2018

**URUGUAY**

Washington, DC (202) 331-1313/16; fax (202) 331-8142  
Chicago, IL (312) 642-3430; fax (312) 642-3470  
Coral Gables, FL (305) 443-9764; fax (305) 443-7802  
New York, NY (212) 753-8581; fax (212) 753-1603  
Santa Monica, CA (310) 394-5777; fax (310) 394-5140



**UZBEKISTAN**

*Washington, DC (202) 887-5300; fax (202) 293-6804*  
*New York, NY (212) 754-6178; fax (212) 486-7998*

**VANUATU**

*New York, NY (212) 593-0144; fax (212) 593-0219 (UN Mission)*

**VENEZUELA**

*Washington, DC (202) 342-2214; fax (202) 342-6820*  
*Boston, MA (617) 266-9355*  
*Chicago, IL (312) 236-9655*  
*Houston, TX (713) 961-5141*  
*Miami, FL (305) 577-4301; fax (305) 372-5167*  
*New Orleans, LA (504) 522-3284*  
*New York, NY (212) 826-1660*  
*San Francisco, CA (415) 955-1982*  
*San Juan, PR (787) 766-4250*

**VIETNAM**

*Washington, DC (202) 861-0737; fax (202) 861-0917*  
*San Francisco, CA (415) 922-1577; fax (415) 922-1848*

**YEMEN**

*Washington, D. C. (202) 965-4760; fax (202) 337-2017*

**YUGOSLAVIA, FEDERAL REPUBLIC OF**

*Washington, DC (202) 332-0333; fax (202) 332-3933*

**ZAMBIA**

*Washington, DC (202) 265-9717/19; fax (202) 332-0826*

**ZIMBABWE**

*Washington, DC (202) 332-7100; fax (202) 483-9326*

counsel. Consular notification is given as a result of international legal requirements, so that a foreign government can provide its nationals with whatever consular assistance it deems appropriate. You should follow consular notification procedures with respect to detained foreign nationals in addition to providing Miranda or other warnings when required.

**Q. If the alien's government is aware of the case and helping with our investigation, should we still go through the process of notification?**

A. Yes. It is important to distinguish between a government's consular officials and other officials, such as law enforcement officers, who have different functions and responsibilities. Even if law enforcement officials of the alien's country are aware of the detention and are helping to investigate the crime in which the alien was allegedly involved, it is still important to ensure that consular notification procedures are followed.

### **Questions About How Consular Notification Should Be Given**

**Q. How quickly do I need to inform the detainee of the right to consular notification?**

A. The VCCR requires that a foreign national be notified "without delay" of the right to consular assistance. *There should be no deliberate delay, and notification should occur as soon as reasonably possible under the circumstances.* Once foreign nationality is known, advising the national of the right to consular notification should follow promptly.

In the case of an arrest followed by a detention, the Department of State would ordinarily expect the foreign national to have been advised of the possibility of consular notification by the time the foreign national is booked for detention. The Department encourages judicial authorities to confirm during court appearances of foreign nationals that consular notification has occurred as required.

**Q. Does the notification to the foreign national have to be in writing?**

A. No. You may inform the detainee orally or in writing. Providing the notification in writing may be helpful, however, particularly when the foreign national does not clearly understand English. A sample notification statement is on page 7 of this booklet; translations of the statement into a number of foreign languages are in

Part Four. In addition, the Department of State strongly recommends that a written record of the fact of notification be maintained.

**Q. If the foreign national requests that consular officials be notified, how quickly do I have to do so?**

A: This notification should also occur "without delay" after the foreign national has requested that it be made. The Department of State also considers "without delay" here to mean that there should be no deliberate delay, and that notification should occur as soon as reasonably possible under the circumstances. The Department of State would normally expect notification to consular officials to have been made within 24 hours, and certainly within 72 hours. On the other hand, the Department does not normally consider notification of arrests and detentions to be required outside of a consulate's regular working hours. In some cases, however, it will be possible and convenient to leave a message on an answering machine at the consulate or to send a fax even though the consulate is closed. (If a message is left on an answering machine, the Department of State encourages a follow-up call during normal business hours to ensure that it was received.) In addition, in cases of emergencies (such as deaths or serious accidents), efforts should be made to contact consular officials outside of normal hours.

**Q. In the case of a "mandatory notification" country, how quickly must the notification be provided to consular officials?**

A. The bilateral agreements that provide for mandatory notification use such formulations as "without delay" and "immediately." A few provide that notification should occur immediately and not later than within two, three, or four days. Thus, the same guidance as above would generally apply: *there should be no deliberate delay, and notification should occur as soon as reasonably possible under the circumstances.*

**Q. Can we simplify the process by always notifying consular officials, regardless of the alien's wishes, instead of worrying about which countries are "optional" and which are "mandatory"?**

A. No. You should not adopt a policy of notifying consular officers in every case regardless of whether notification is mandatory. The VCCR provides for giving the foreign national the option of having consular officials notified in part because of a concern that some foreign nationals will not want the fact of their arrest or detention disclosed unnecessarily. In some cases, a foreign na-

tional may be afraid of his/her government and may wish to apply for refugee status/asylum in the United States. The privacy wishes of the foreign national should therefore be respected unless there is a mandatory notification requirement. Only in mandatory notification cases should you notify consular officials regardless of the alien's wishes.

**Q. When we notify the consulate, should we tell them the reasons for the detention?**

A. Generally you may use your discretion in deciding how much information to provide consistent with privacy considerations and the applicable international agreements. Under the VCCR, the reasons for the detention do not have to be provided in the initial communication. The detainee may or may not want this information communicated. Thus we suggest that it not be provided unless requested specifically by the consular officer, or if the detainee authorizes the disclosure. Different requirements may apply if there is a relevant bilateral agreement. (Some of the bilateral agreements require that the reasons for the detention be provided upon request.) If a consular official insists that he/she is entitled to information about an alien that the alien does not want disclosed, the Department of State can provide guidance.

**Q. Isn't it wrong to follow "mandatory notification" procedures if the alien doesn't want his consular officials notified? What about the alien's privacy interests? What if the alien is afraid of his own government?**

A. If the alien is from a "mandatory notification" country, notification must be given even if the alien objects or claims to be afraid. If the alien is an asylum seeker, arrangements can be made to protect the alien while ensuring that his/her government's right to notification is protected. Under no circumstances should the fact that a foreign national has applied for asylum or withholding of removal be revealed to that national's government. Specific guidance on such cases may be obtained from the Department of State.

**Q. If the foreign national is from a "mandatory notification" country and I notify the consulate as required, should I tell the foreign national?**

A. Yes. The alien should always be told that his consulate has been notified. While the mandatory notification agreements generally do not expressly require that the national be informed of such notification, informing the national is provided for in the VCCR. Most countries with which the United States has a bilateral agreement also belong to the VCCR.

**Q. Can I comply with consular notification requirements by simply letting the detained alien have access to a telephone?**

A. Not necessarily. It is the responsibility of the government officials responsible for the detention to ensure that consular notification is made. If the alien is from a mandatory notification country, you must ensure that notification is given to the consular officials; permitting the alien access to a phone, without taking further action, will not be sufficient for this purpose. If the alien is not from a mandatory notification country but wants consular notification, simply making a phone available also may not be sufficient. There must be adequate arrangements to ensure that the alien is actually able to make contact with his/her consular officials, and the responsible law enforcement officials must be able to confirm that contact was in fact made.

**Q. Is there a guiding principle I can follow in applying the consular notification requirements?**

A. Yes. Remember, always, that these are mutual obligations. In general, you should treat the foreign national as you would want an American citizen to be treated in a similar situation in a foreign country. This means prompt, courteous notification to the foreign national of the possibility of consular assistance, and prompt, courteous notification to the foreign national's nearest consular officials so that they can perform whatever consular services they deem appropriate.

## **Questions About Failure To Notify**

**Q. If we failed to provide notification at the time of arrest and the alien is still in custody, what should we do?**

A. Consular notification is "better late than never." You should follow the instructions in this booklet as soon as you become aware that a foreign national is in detention but consular notification procedures were not followed. A foreign government may commence providing consular assistance at any time, and should be given the opportunity to do so.

**Q. If we failed to provide consular notification but the alien is receiving consular assistance, should we still go through the process of notification?**

A. If the foreign national has already established contact with his/her consular officials, the Department of State does not consider it necessary to remedy a failure to

provide consular notification by going through the procedures described in this booklet. The consular notification procedures are a mechanism to ensure that a foreign government can provide consular assistance to its nationals who are detained. Once the foreign government's consular officials are aware of the detention it is not necessary, for the mere sake of formality, to follow consular notification procedures. If the foreign government officials involved are not consular officials, however (e.g., if they are law enforcement officials), then consular notification procedures should still be followed.

**Q. If we failed to provide consular notification and the alien has already been released from detention, should we still go through the process of notification?**

A. If the alien is still involved in proceedings related to the reasons for which he/she was originally detained, the Department of State would recommend that he/she be advised of the possibility of consular assistance even if no longer detained, because consular assistance could still be useful. If proceedings against the alien have ended, so that consular assistance is unlikely to have any continuing relevance, the Department does not consider that it is necessary to provide notification.

**Q: What is the remedy if we failed to give consular notification?**

A. If the foreign national is still in detention, you should provide notification as soon as you become aware that it was not provided. This will ensure that the foreign government is given the opportunity to provide consular assistance for the remaining period of detention.

If the Department of State receives a complaint that consular notification was not provided, it will take appropriate action. For example, the Department may request the relevant facts from the detaining federal, state, or local authority; discuss the matter with the foreign government involved; apologize on behalf of the Government of the United States to the concerned foreign government for a failure to provide consular notification; intervene to ensure that consular access is permitted; or seek to work with the involved federal, state, or local detaining officials to improve future compliance.

Some aliens are attempting to obtain judicial remedies (such as new trials or sentencing hearings) for failures to give notification. Others have sought executive clemency. For further information on these developments, consult with the appropriate federal or state authorities, or call the Department of State.

## **Questions About Consular Access and Assistance**

**Q. What can we expect a consular officer to do once notified?**

A. A consular officer may do a variety of things to assist a foreign national. The consular officer may speak with the detained foreign national over the phone and/or arrange one or more consular visits to meet with the detainee about his/her situation and needs. A consular officer may assist in arranging legal representation, monitor the progress of the case, and seek to ensure that the foreign national receives a fair trial (e.g., by working with the detainee's lawyer, communicating with prosecutors, or observing the trial). The consular officer may speak with prison authorities about the detainee's conditions of confinement, and may bring the detainee reading material, food, medicine, or other necessities, if permitted by prison regulations. A consular officer frequently will be in touch with the detainee's family, particularly if they are in the country of origin, to advise them of the detainee's situation, morale, and other relevant information.

The actual services provided by a consular officer will vary in light of numerous factors, including the foreign country's level of representation in the United States and available resources. For example, some countries have only an Embassy in Washington, D.C., and will rarely be able to visit their nationals imprisoned in locations remote from there. Other countries have consulates located in many major U.S. cities and may regularly perform prison visits throughout the United States. Each country has discretion in deciding what level of consular services it will actually provide.

**Q. Can we rely on the consular officer to arrange for legal counsel?**

A. No. If the foreign national has a right to counsel and requests that he/she be given a court-appointed lawyer, the usual process of arranging counsel should be followed. While a consular officer is permitted to assist in arranging counsel, the consular officer may or may not actually choose to take such action.

**Q. Is a consular officer entitled to act as legal counsel for a detained alien?**

A. No. Consular officers are not permitted to practice law in the United States. They may, however, participate in litigation as "friends of the court," and they may assist an alien and his/her legal counsel in preparation of the alien's defense.

**Q. Do I have to permit a consular officer to have access to a detainee?**

*A. Yes. Consular officers are entitled to visit and to communicate with their detained nationals. This is true even if the foreign national has not requested a visit. The consular officer must refrain from taking action on behalf of the foreign national if so requested by the national, however.*

**Q. Are consular officers entitled to visit whenever they want to?**

*A. No. Law enforcement authorities may make reasonable regulations about the time, place, and manner of consular visits to detained foreign nationals. Those regulations cannot, however, be so restrictive that the purpose of consular assistance is defeated. These matters are addressed in Article 36 of the VCCR. The Department urges law enforcement authorities to grant foreign consular officials liberal access to detained persons, granting the consular officer every courtesy and facility consistent with local laws and regulations. Liberal visiting privileges are particularly important when consular officers have to travel long distances to visit their nationals.*

**Q. Do consular officers have to comply with prison security regulations?**

*A. Yes. If the consular officer questions having to follow a particular security rule, the consular officer should be advised to address the question to the Department of State. Such questions may arise occasionally because, while not exempt from security regulations, under rules relating to the privileges and immunities of diplomatic and consular officers, consular officers conducting prison visits are entitled to be treated with respect.*

**Q. Can a consular officer be subject to search prior to visiting a prisoner?**

*A. Yes. Even though a consular officer has certain privileges and immunities, the officer must comply with applicable prison security rules. On the other hand, because a consular officer is entitled to be treated with respect, any search of a consular officer should not be unnecessarily intrusive.*

**Q. Is a consular officer entitled to meet privately with a detained foreign national?**

*A. Yes, as a general rule. The VCCR entitles consular officers to converse with their nationals. It does not explicitly state that such conversations may be private,*

*but some of the bilateral agreements do contain such explicit requirements. The Department of State believes that consular officers should normally be able to converse in private. This does not mean, however, that the conversation cannot be observed for security reasons.*

*If a consular officer insists upon a private meeting but the detained national objects to meeting privately, you should seek guidance from the Department of State.*

**Q. Is there a guiding principle I can follow in providing consular access?**

*A. Yes. Remember, always, that these are mutual obligations. In general, you should permit a consular officer the same access to a foreign national that you would want an American consular officer to have to an American citizen in a similar situation in a foreign country.*

## **Questions About Contacting the Department of State**

**Q. Do we need to notify the U.S. Department of State when we detain a foreign national?**

*A. No. Your obligations are to inform the detainee of the right to consular notification, and to make the notification to the detainee's embassy or consulate if the detainee requests or if the detainee is from a "mandatory notification" country. You do not need to inform the State Department about the detention, and in fact we generally prefer that you not do so, since informing the State Department often causes confusion about whether the foreign consulate has been informed properly in a timely manner. On the other hand, it may be appropriate to inform us of unusual cases, provided that this is not done in lieu of making any required notification to a foreign consulate. Also, if you have questions about the VCCR consular notification obligation or related matters, the Department stands ready to help with information and advice.*

**Q. How can I get answers to other questions?**

*A. Additional inquiries may be directed to the Office of the Assistant Legal Adviser for Consular Affairs, L/CA, Room 5527A, U.S. Department of State, Washington, D.C. 20520; telephone number 202-647-4415; facsimile number 202-736-7559. Urgent telephone inquiries after regular business hours may be directed to the State Department Operations Center, 202-647-1512.*

## Part Four

### Translations of Suggested Statements To Be Made to Foreign Nationals To Be Arrested or Detained

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#### How To Use the Translations

There appear below, in thirteen different languages commonly used by foreign nationals in the United States, statements that can be shown to a foreign national who has been arrested or detained and who does not understand English. There are two statements for each foreign language, which are shown below in English and on the following pages in translation. Statement 1 is for use if consular notification is at the foreign national's discretion, and Statement 2 for use if consular notification is mandatory. These statements are the same as Statement 1 and Statement 2 on page 7 of this booklet, except that Statement 1 includes an additional sentence asking the foreign national to circle "yes" or "no" to indicate whether consular notification should be made. The words "yes" and "no" then appear in both the foreign language and in English, to help minimize the possibility of any misunderstanding between the federal, state, or local government officials and the foreign national. The additional language is shown in italics in Statement 1 as it appears in English below.

#### Statement 1:

##### When Consular Notification Is at the Foreign National's Option

As a non-U.S. citizen who is being arrested or detained, you are entitled to have us notify your country's consular representatives here in the United States. A consular official from your country may be able to help you obtain legal counsel, and may contact your family and visit you in detention, among other things. If you want us to notify your country's consular officials, you can request this notification now, or at any time in the future. After your consular officials are notified, they may call or visit you. Do you want us to notify your country's consular officials? *Please circle "yes" or "no."*

*Yes (in foreign language)/Yes (in English)*      *No (in foreign language)/No (in English)*

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#### Statement 2:

##### When Consular Notification Is Mandatory

Because of your nationality, we are required to notify your country's consular representatives here in the United States that you have been arrested or detained. After your consular officials are notified, they may call or visit you. You are not required to accept their assistance, but they may be able to help you obtain legal counsel and may contact your family and visit you in detention, among other things. We will be notifying your country's consular officials as soon as possible.

## ARABIC

**Statement 1:**  
**When Consular Notification Is at the Foreign National's Option**

كمواطن لا يحمل الجنسية الامريكية مقبوض عليه او محتجز، من حقت ان تطلب منا اخطار ممثلى قنصلية دولتك هنا فى الولايات المتحدة، إذا كنت ترغب فى ذلك. قد يستطيع مسؤول قنصلى من دولتك، من بين اشياء اخرى، مساعدتك فى الحصول على محام، والاتصال بعائلتك، وزيارتك فى مكان احتجازك. إذا اردت منا اخطار المسؤولين القنصليين لدولتك، يمكن ان تطلب هذا الاخطار الان، او فى اى وقت فى المستقبل. بعد اخطار المسؤولين القنصليين لدولتك، قد يقوموا بالاتصال بك هاتفياً او بزيارتك. هل تريد منا اخطار المسؤولين القنصليين لدولتك؟

لا نعم  
No Yes

(رجاء وضع دائرة على نعم أو لا)

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**Statement 2:**  
**When Consular Notification Is Mandatory**

أنا ملزمون، بسبب جنسيتك، باخطار الممثلين القنصليين لدولتك هنا فى الولايات المتحدة الامريكية بأنه قد تم القاء القبض عليك او احتجازك. بعد اخطار المسؤولين القنصليين لدولتك، قد يقوموا بالاتصال بك هاتفياً او بزيارتك. انت غير ملزم بقبول مساعدتهم، ولكنهم قد يستطيعوا، من بين اشياء اخرى، مساعدتك فى الحصول على محام، والاتصال بعائلتك، وزيارتك فى مكان احتجازك. سنقوم باخطار الممثلين القنصليين لدولتك بأسرع ما يمكن.

## CHINESE

### **Statement 1: When Consular Notification Is at the Foreign National's Option**

你作为非美国公民被捕或受到拘留时，有权在自愿情况下要求我们通知你本国驻美国领事代表。你本国领事官员可能有能力帮助你得到法律辅助，通知你的家人以及到拘留所探访你等等。如果你希望我们通知你本国的领事，就可以现在或者以后任何时候提出此要求。你本国的领事得到通知后可以来电话或者来探访你。你希望我们通知你本国的领事吗？

希望 (YES)

不希望 (NO)

---

### **Statement 2: When Consular Notification Is Mandatory**

由于你的国籍，我们根据要求要向你本国驻美国的领事代表通知你被捕或者受到拘留的情况。你本国的领事官员接到通知后可以给你打电话或者来探访你。不要求你接受他们的协助，但是他们可以帮你取得法律辅助，通知你的家人，以及来拘留所探访你等等。我们将尽快地通知你国的领事官员。



## FARSI

### Statement 1: When Consular Notification Is at the Foreign National's Option

چه زمانی دادن اطلاع به کنسولگری به صلاح تبعه خارجی است شما بعنوان یک فرد غیر آمریکایی بازداشت شده حق دارید در صورتیکه مایل باشید به نمایندگان کنسولی خود در آمریکا مراتب را اطلاع دهید. یک نماینده رسمی کنسولی کشور شما ممکن است بتواند برای گرفتن وکیل کمک کند و علاوه بر چیزهای دیگر با افراد خانواده شما بمنظور ملاقاتتان در محل بازداشت تماس بگیرد. اگر بخواهید به نمایندگان کنسولی کشورتان اطلاعی دهید میتوانید هم اکنون چنین درخواستی را تسلیم کنید یا آنرا به آینده موکول سازید. نمایندگان کنسولی کشور شما پس از اطلاع از جریان امر ممکن است بخواهند بشما تلفن کنند یا با شما تماس بگیرند، آیا مایلید ما به

نمایندگان کنسولی کشورتان در این زمینه اطلاع دهیم؟

YES - بلی

NO - خیر

خواهشمند است پاسخ خود را با دایره مشخص کنید.

---

### Statement 2: When Consular Notification Is Mandatory

ما بمناسبت تابعیت شما مکلف هستیم به نمایندگان کنسولی کشورتان در آمریکا اطلاع دهیم شما در بازداشت بسر میرید. نمایندگان کنسولی شما ممکن است پس از دریافت این اطلاعیه بخواهند به شما تلفن کنند یا به ملاقات شما بیایند. شما موظف نیستید کمک آنها را قبول کنید ولی آنان در عین حال ممکن است علاوه بر چیزهای دیگر برایتان وکیل بگیرند، با افراد خانواده شما ارتباط برقرار سازند و یا شما را در بازداشتگاه ملاقات کنند- ما در اولین فرصت ممکن مراتب را با اطلاع نمایندگان کنسولی کشورتان خواهیم رساند.

## **FRENCH**

### **Statement 1: When Consular Notification Is at the Foreign National's Option**

Si vous êtes détenu ou en état d'arrestation, et ressortissant d'un autre pays que les Etats-Unis, vous avez le droit de nous demander, si vous le souhaitez, de prévenir le consulat de votre pays ici aux Etats-Unis. Un représentant consulaire de votre pays peut notamment être en mesure de vous aider à obtenir un avocat et peut contacter votre famille et vous rendre visite au cours de votre détention. Si vous souhaitez que nous prévenions le consulat, vous pouvez le demander maintenant ou à n'importe quel moment plus tard. Une fois prévenus, les officiers consulaires pourront vous appeler ou vous rendre visite. Désirez-vous que nous prévenions votre consulat?

**YES  
OUI**

**NO  
NON**

(Entourez la réponse correcte)

---

### **Statement 2: When Consular Notification Is Mandatory**

Si vous êtes détenu ou en état d'arrestation, nous sommes tenus, en raison de votre nationalité, de prévenir le consulat de votre pays ici aux Etats-Unis. Une fois prévenus, les représentants consulaires pourront vous appeler ou vous rendre visite. Vous n'êtes pas obligés d'accepter leur aide, mais ils peuvent notamment être en mesure de vous aider à obtenir un avocat, contacter votre famille et vous rendre visite au cours de votre détention. Nous préviendrons votre consulat le plus tôt possible.

## **GERMAN**

### **Statement 1:**

#### **When Consular Notification Is at the Foreign National's Option**

Als fremder Staatsbürger, der in den Vereinigten Staaten verhaftet oder festgenommen wurde, haben Sie das Recht, zu verlangen, daß wir die konsularische Vertretung Ihres Landes hier in den USA benachrichtigen. Ein Konsulatsbeamter Ihres Landes kann Ihnen unter anderem bei der Auswahl eines Rechtsbeistands behilflich sein, sich mit Ihrer Familie in Verbindung setzen und Sie in der Haftanstalt besuchen. Wenn Sie wünschen, daß wir das Konsulat Ihres Landes benachrichtigen, können Sie uns dies jetzt oder zu einem beliebigen späteren Zeitpunkt wissen lassen. Nachdem Ihr Konsulat benachrichtigt worden ist, können die Konsulatsbeamten Sie anrufen oder besuchen. Wünschen Sie, daß wir Ihr Konsulat benachrichtigen?

YES (JA)

NO (NEIN)

(BITTE MACHEN SIE EINEN KREIS UM JA ODER NEIN)

---

### **Statement 2:**

#### **When Consular Notification Is Mandatory**

Aufgrund Ihrer Staatsangehörigkeit sind wir verpflichtet, die konsularische Vertretung Ihres Landes in den Vereinigten Staaten davon zu benachrichtigen, daß Sie verhaftet oder festgenommen wurden. Nachdem Ihr Konsulat benachrichtigt worden ist, kann ein Konsulatsbeamter Sie anrufen oder besuchen. Sie sind nicht verpflichtet, seine Hilfe anzunehmen, aber er kann Ihnen unter anderem bei der Auswahl eines Rechtsbeistands behilflich sein, sich mit Ihrer Familie in Verbindung setzen und Sie in der Haftanstalt besuchen. Wir werden Ihr Konsulat so bald wie möglich benachrichtigen.

## ITALIAN

### **Statement 1: When Consular Notificaton Is at the Foreign National's Option**

In quanto cittadino non statunitense arrestato o detenuto, Lei ha il diritto di chiederci di contattare i rappresentanti consolari del Suo paese qualora lo desideri. Un rappresentante consolare del Suo paese potrà, per esempio, aiutarLa ad ottenere assistenza legale, avvertire la Sua famiglia o farLe visita durante la detenzione. Qualora Lei desideri che informiamo i rappresentanti consolari del Suo paese, può chiedere che questa notifica venga eseguita subito o in qualsiasi altro momento nel futuro. Dopo di che i Suoi rappresentanti consolari saranno stati avvertiti è possibile che cerchino di contattarLa telefonicamente o che Le facciano visita. Desidera che prendiamo contatto con i rappresentanti consolari del Suo paese?

YES (SI)

NO (NO)

(FARE UN CERCHIO INTORNO ALLA RISPOSTA DESIDERATA)

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### **Statement 2: When Consular Notification Is Mandatory**

A causa della Sua nazionalità siamo obbligati ad avvertire il rappresentante consolare del Suo paese negli Stati Uniti del Suo arresto o della Sua detenzione. Dopo di che i Suoi rappresentanti consolari saranno stati notificati, è possibile che cerchino di contattarLa telefonicamente o farLe visita. Non è obbligatorio accettare la loro assistenza, ma è possibile che loro vi aiutino, per esempio, a trovare assistenza legale, avvertino la Sua famiglia o Le facciano visita quando si trova in stato di detenzione. Avvertiremo i rappresentanti consolari del Suo paese al più presto possibile.

## JAPANESE

### Statement 1:

#### When Consular Notification Is at the Foreign National's Option

あなたは、逮捕又は拘禁中の非米国市民として、米当局から在米日本領事代表に通報してもらう権利があります。日本から派遣の領事官は、あなたが弁護人を選任する手助けや、あなたの家族との連絡、身柄拘束中のあなたを訪問する等の措置を取ってくれるかも知れません。もしあなたが日本の領事官への通報を希望する場合は、今直ぐ、又は後から何時でも、その旨要請できます。領事官は、通報を受けた後、あなたに電話を掛けたり、あるいはあなたを訪門することができます。あなたは日本の領事官への通報を希望しますか？

YES (はい)      NO (いいえ)

(YES 又は NO を円で囲って下さい。)

---

### Statement 2:

#### When Consular Notification Is Mandatory

米当局は、あなたの国籍故に、在米日本領事代表にあなたが逮捕又は拘禁されたことを通報する必要があります。領事官は通報を受けた後、あなたに電話を掛けたり、あるいはあなたを訪門することができます。あなたは領事官の援助を受ける必要はありませんが、あなたが弁護人を選任する手助けや、あなたの家族との連絡、身柄拘束中のあなたを訪問する等の措置を取ってくれるかも知れません。できるだけ早く日本の領事官に通報します。

## KOREAN

### Statement 1:

#### When Consular Notification Is at the Foreign National's Option

당신은 비미국시민으로 체포, 구속 되어 있는 동안 당신이 원한다면, 미국내에 있는당신의 영사관 대표에 '통보할수 있습니다. 당신의 영사관리는 변호사 선정에 도움을 줄수 있으며, 당신 가족에게 알려주고 당신의 구속 중 방문 등을 할수 있습니다. 우리가 당신 나라의 영사 관리에게 통보 할것을 원한다면, 지금 또는 나중에 그러한 요청을 할수 있습니다. 당신의 영사관리는 통보 접수후에 당신에게 전화통화 혹은 방문 등을 할수 있습니다. 우리가 당신 국가의 영사관리에게 통보 할 것을 원하십니까?                    네 (YES)                    아니오 (NO) (둘중 하나에 동구라미 표를 표시 하시오)

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### Statement 2:

#### When Consular Notification Is Mandatory

당신의 국적 때문에, 미국내에 있는 당신 나라의 영사대표에게 당신이 체포, 구속중에 있음을 통보 하도록 돼 있습니다. 당신의 영사 관리는 통보를 받고 당시에 전화 또는 방문을 할수 있습니다. 당신은 그들의 도움을 사양할수 있으나, 그들은 변호사 선정을 위한 도움, 가족에 대한 통보 그리고 당신에 대한 방문 등을 할수 있습니다. 가능한 빨리 당신의 영사 관리들에게 통보 하겠습니다.

## **POLISH**

### **Statement 1:**

#### **When Consular Notification Is at the Foreign National's Option**

Jako osoba nie będąca obywatelem USA, która zostaje aresztowana lub zatrzymana, ma Pan(i) prawo do tego - jeśli sobie tego Pan(i) życzy - abyśmy powiadomili przedstawicieli konsularnych Pana(i) kraju tutaj w Stanach Zjednoczonych. Urzędnik konsularny Pana(i) kraju może między innymi być w stanie pomóc Panu(i) w uzyskaniu porady prawnej oraz może powiadomić Pana(i) rodzinę oraz odwiedzić Pana(ią) w areszcie. Jeśli chciałby Pan(i), abyśmy powiadomili urzędników konsularnych Pana(i) kraju, to może Pan(i) poprosić o takie powiadomienie teraz lub w dowolnej chwili w przyszłości. Po powiadomieniu urzędników konsularnych Pana(i) kraju, będą oni mogli zadzwonić lub odwiedzić Pana(ią). Czy chce Pan(i), abyśmy powiadomili urzędników konsularnych Pana(i) kraju?

Yes Tak

No Nie

(Proszę zakreślić Tak lub Nie)

---

### **Statement 2:**

#### **When Consular Notification Is Mandatory**

Ze względu na Pana(i) narodowość, mamy obowiązek powiadomić przedstawicieli konsularnych Pana(i) kraju tutaj w Stanach Zjednoczonych o tym, że został Pan(i) aresztowany lub zatrzymany. Po powiadomieniu urzędników konsularnych Pana(i) kraju, będą oni mogli zadzwonić lub odwiedzić Pana(ią). Nie ma Pan obowiązku przyjąć ich pomocy, ale mogą między innymi być oni w stanie pomóc Panu(i) w uzyskaniu porady prawnej i mogą powiadomić Pana(i) rodzinę oraz odwiedzić Pana(ią) w areszcie. Możliwie jak najszybciej powiadomimy urzędników konsularnych Pana kraju.

## PORTUGUESE

### Statement 1:

#### When Consular Notification Is at the Foreign National's Option

Como cidadão de outro país que está sendo preso ou detido, cabe-lhe decidir se deseja que notifiquemos os representantes consulares do seu país aqui nos Estados Unidos. Um funcionário do consulado do seu país poderá ajudá-lo a obter assistência jurídica e entrar em contato com a sua família e visitá-lo durante a sua detenção, entre outras coisas. Se é seu desejo que notifiquemos as autoridades consulares do seu país, essa notificação pode ser solicitada, agora ou a qualquer momento no futuro. Uma vez notificadas as autoridades do seu consulado, elas poderão chamá-lo ou visitá-lo. É seu desejo que nós notifiquemos as autoridades consulares do seu país?

Yes (Sim)      No (Não)

Por favor indique com um círculo se Sim ou Não.

---

### Statement 2:

#### When Consular Notification Is Mandatory

Devido a sua nacionalidade, nós somos obrigados a notificar os representantes consulares do seu país aqui nos Estados Unidos sobre a sua prisão ou detenção. Uma vez notificadas as autoridades do seu consulado, elas poderão visitá-lo. Não se lhe exige que aceite essa assistência, mas as autoridades do seu consulado lhe podem ajudar a obter assessoramento jurídico e entrar em contato com sua família e visitá-lo durante a sua detenção, entre outras coisas. Nós notificaremos as autoridades do seu consulado o mais pronto possível.



## **RUSSIAN**

### **Statement 1: When Consular Notification Is at the Foreign National's Option**

В случае ареста или задержания Вы, не будучи гражданином США, вправе потребовать, чтобы мы, если Вы этого желаете, уведомили представителей Вашего консульства в Соединенных Штатах Америки. Сотрудник Вашего консульства может оказать Вам содействие в найме адвоката или юрисконсульта, связаться с Вашей семьей, посетить Вас в месте задержания и т.п. Если Вы желаете, чтобы мы уведомили представителей Вашего консульства, с требованием об этом можно обратиться сейчас или в любое время в дальнейшем. После получения такого уведомления работниками Вашего консульства, они, возможно, посетят Вас или позвонят Вам по телефону.

Хотите ли Вы, чтобы мы уведомили Ваше консульство?  
(Соответствующее области:)

да    нет  
YES    NO

---

### **Statement 2: When Consular Notification Is Mandatory**

В связи с Вашим гражданством, мы обязаны уведомить консульское учреждение Вашего государства в Соединенных Штатах Америки о том, что Вы арестованы или задержаны. После получения такого уведомления, сотрудник Вашего консульства, возможно, посетит Вас или позвонит Вам по телефону. Вы не обязаны принимать помощь от представителя консульства, но он может оказать Вам содействие в найме адвоката или советника по правовым вопросам, связаться с Вашей семьей, посетить Вас в месте задержания и т.п. Мы уведомим консульское учреждение Вашего государства как можно скорее.

## SPANISH

### **Statement 1: When Consular Notification Is at the Foreign National's Option**

Como no es ciudadano de los Estados Unidos, al ser arrestado o detenido tiene derecho a pedirnos que notifiquemos a los representantes consulares de su país aquí en los Estados Unidos, si lo desea. Entre otras cosas, un funcionario consular de su país puede ayudarle a obtener asesoramiento legal, ponerse en contacto con su familia y visitarle en la cárcel. Si Ud. desea que notifiquemos a los funcionarios consulares de su país, puede solicitarlo ahora o en cualquier oportunidad en el futuro. Después de que se haya notificado a los funcionarios consulares de su país, ellos podrán llamarle o visitarle. ¿Desea que notifiquemos a los funcionarios consulares de su país?

YES (SI)

NO

(Sírvese poner un círculo alrededor de Sí o No)

---

### **Statement 2: When Consular Notification Is Mandatory**

Debido a su nacionalidad, estamos obligados a notificar a los representantes consulares de su país aquí en los Estados Unidos que Usted ha sido arrestado o detenido. Después de notificar a sus funcionarios consulares, ellos podrán llamarle o visitarle. Usted no está obligado a aceptar su ayuda, pero ellos pueden ayudarle a obtener asesoramiento legal, ponerse en contacto con su familia y visitarle en la cárcel, entre otras cosas. Notificaremos a los funcionarios consulares de su país tan pronto como sea posible.

## **VIETNAMESE**

### **Statement 1: When Consular Notification Is at the Foreign National's Option**

Vì quý vị không phải là công dân Hoa Kỳ nên khi bị bắt hoặc bị câu lưu, nếu muốn, quý vị có quyền yêu cầu chúng tôi thông báo cho đại diện lãnh sự vụ của quý quốc tại Hoa Kỳ. Ngoài những dịch vụ khác, nhân viên lãnh sự vụ của quý quốc còn có thể giúp quý vị tìm kiếm luật sư, và có thể liên hệ với gia đình của quý vị và thăm viếng quý vị tại nơi bị câu lưu. Nếu quý vị muốn chúng tôi thông báo cho nhân viên lãnh sự vụ của quý quốc, quý vị nên yêu cầu ngay bây giờ hoặc bất cứ lúc nào trong tương lai. Sau khi chúng tôi thông báo cho nhân viên lãnh sự vụ của quý vị, họ có thể sẽ gọi hoặc thăm viếng quý vị. Quý vị có muốn chúng tôi thông báo cho nhân viên lãnh sự vụ của quý quốc không?

YES (CÓ)                      NO (KHÔNG)  
Xin khoanh tròn CÓ hoặc KHÔNG

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### **Statement 2: When Consular Notification Is Mandatory**

Vì quốc tịch của quý vị, chúng tôi buộc phải thông báo cho đại diện lãnh sự vụ của quý quốc tại Hoa Kỳ là quý vị đã bị bắt hoặc bị câu lưu. Sau khi chúng tôi thông báo cho nhân viên lãnh sự vụ của quý vị, họ có thể sẽ gọi hoặc thăm viếng quý vị. Quý vị không bắt buộc phải nhận sự giúp đỡ của họ, nhưng ngoài những dịch vụ khác, họ còn có thể giúp quý vị tìm kiếm luật sư, và có thể liên hệ với gia đình của quý vị và thăm viếng quý vị tại nơi bị câu lưu. Chúng tôi sẽ thông báo cho nhân viên lãnh sự vụ của quý quốc càng sớm càng hay.

## **Part Five**

### **Legal Material**

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The following pages in this booklet summarize and provide the basic legal authorities that pertain to the rights of consular officials to assist their nationals. They include the key legal provisions relating to consular notification and access including, in the case of mandatory notification, excerpts from the bilateral agreements. (Note: As each agreement excerpt is a verbatim quote, some inconsistencies in capitalization and spelling conventions appear.)

The materials in this section include:

- **A Legal Overview**
- **The Vienna Convention on Consular Relations, Articles 5, 36, and 37 (full text)**
- **The Mandatory Notification Provisions (Excerpts from Bilateral Agreements)**
- \* **A Table of Agreements Pertaining to Consular Functions**

# Legal Overview

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## Historical Background

A function of governments has long been to provide services to their citizens/nationals abroad. These "consular" services include certain legal services, such as notarizing documents or assisting with the estate of a citizen who dies abroad. They also include looking for missing citizens, determining whether citizens are safe, assisting in evacuating citizens from countries where their lives are endangered, and other similar "welfare and whereabouts" services. Another important consular function is the provision of assistance to citizens who are detained by a foreign government. Protecting such citizens may include attempting to ensure that they receive a fair and speedy trial with benefit of counsel; visiting them in prison to ensure that they are receiving humane treatment; and facilitating communications with their families.

The performance of such consular functions was originally a subject of customary international law but not uniformly addressed in any treaty. Eventually, however, efforts were made to codify in international treaties the rights of governments to provide consular services to their citizens. Such treaties might be called treaties, conventions, or agreements, but all would generally have the status of treaties in international law, in that they would be binding on the countries that adhered to them.

When the United States first began to codify its consular relations in international agreements with other countries, the vehicle was often a treaty of Friendship, Commerce, and Navigation ("FCN"). Later, bilateral conventions dealing exclusively with consular matters became more common. They are often simply referred to as "consular conventions." In 1963, however, the multilateral Vienna Convention on Consular Relations ("VCCR"),<sup>1</sup> was completed and countries throughout the world began ratifying

it. Today, most countries, including the United States, are parties to the VCCR. The VCCR to a large extent codified customary international law and thus represents the most basic principles pertaining to the performance of consular functions. Since the VCCR entered into force for the United States on December 24, 1969, we have relied increasingly on it as the principal basis for the conduct of our consular activities. Bilateral consular conventions continue to be negotiated from time to time, however.

## Vienna Convention on Consular Relations ("VCCR")

Because of its comprehensive nature and near-universal applicability, the VCCR now establishes the "baseline" for most obligations with respect to the treatment of foreign nationals in the United States, and for the treatment of U.S. citizens abroad by foreign governments. As of June 1997, some 165 different countries were party to the VCCR (another 26 or so were not). The VCCR provides rules for the operation of consulates and for the functions of consuls and honorary consuls of a "sending" country (*i.e.*, the country that has sent the consular official abroad) in a "receiving" country (the country to which the foreign consular official has been sent). Much of the VCCR addresses the "privileges and immunities" of consular officers (*e.g.*, the fact that they may not be sued for official acts). Some of the VCCR's articles, however, address what consular officers may actually do for their nationals in the "host country."

Article 5 of the VCCR enumerates appropriate consular functions and includes a "catch-all" provision that consular functions include "performing any . . . functions entrusted to a consular post by the sending State which are not prohibited by the laws and regulations of the receiving State or to which no objection is taken by the receiving State or which are referred to in the international agreements in force between the sending State and the receiving State." Other specifically enumerated functions relevant to the issues addressed in this booklet include "help-

<sup>1</sup> Done at Vienna April 24, 1963; entered into force March 19, 1967; entered into force for the United States December 24, 1969; 21 UST 77; TIAS 6820; 596 UNTS 261.

ing and assisting nationals . . . of the sending State", "safeguarding the interests of nationals . . . of the sending State in cases of succession *mortis causa* in the territory of the receiving State . . .", and "safeguarding . . . the interests of minors and other persons lacking full capacity who are nationals of the sending State, particularly where any guardianship or trusteeship is required with respect to such persons."

The special importance of providing assistance to citizens who are arrested or detained is reflected in the fact that these issues are addressed, additionally, in Article 36 of the VCCR. To facilitate the foreign government's ability to protect its nationals in these circumstances, Article 36(1)(b) of the VCCR provides that a detained person must be informed that consular officials of his/her country may be notified about the detention. If the detainee "so requests," the consular officials must be notified of the detention. Article 36(1)(c) provides for access to detainees by consular officials.

The special needs for government assistance in cases of death, vulnerability due to incompetence, and major accidents are also reflected in the VCCR by giving these matters additional treatment, in Article 37. Article 37 provides expressly for consular notification in the situations it addresses.

The full text of Articles 5, 36, and 37 of the VCCR are reproduced below.

## **Bilateral Agreements**

As noted above, prior to the VCCR the United States entered into numerous treaties with specific countries to address the conduct of consular relations. We have done fewer such treaties since the United States ratified the VCCR, but may still enter into a bilateral consular treaty if special circumstances suggest the need for an agreement in addition to, or in lieu of, the VCCR. (The United States has also entered into a small number of non-binding memoranda of understanding, in which goals and principles relating to consular assistance have been set forth.)

Importantly, some of our bilateral consular agreements require that consular officials be notified of the arrest and/or detention of one of their nationals regardless of their national's request. These are com-

monly called "mandatory notification agreements" and the countries to which they pertain are called "mandatory notification countries." They are listed on page 5 in this booklet, and the text of the mandatory notification provisions is reproduced below. While the mandatory notification requirement pertains to over 50 countries, it flows from a much smaller number of treaties. This is because, under international law principles relating to successor states, a treaty that applied to a country when it was part of another country may in some circumstances continue to apply to that country when it becomes independent. Thus, one of the mandatory notification agreements now applies to two countries,<sup>2</sup> another applies to 32 countries,<sup>3</sup> and a third applies to 12 countries.<sup>4</sup>

Note that the United States is party to many bilateral agreements that do not contain "mandatory notification" provisions but that nevertheless contain other important provisions relevant to the provision of consular assistance. These agreements should be consulted if particular questions arise as to the treatment of a foreign national of a particular country (e.g., with respect to the handling of deaths and estates of foreign nationals in the United States).

The large number of bilateral agreements and the many variations in their provisions makes it unrealistic to include any of their text other than the man-

<sup>2</sup> The Czech Republic and Slovakia are covered by the Consular Convention between the United States of America and the Czechoslovak Socialist Republic (signed 1973; entered into force 1987), TIAS 11083.

<sup>3</sup> Antigua, the Bahamas, Barbados, Belize, Brunei, Cyprus, Dominica, Fiji, The Gambia, Ghana, Grenada, Guyana, Jamaica, Kiribati, Kuwait, Malaysia, Malta, Mauritius, Nigeria, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Seychelles, Sierra Leone, Singapore, Tanzania, Tonga, Trinidad and Tobago, Tuvalu, the United Kingdom, Zambia, and Zimbabwe are covered by the Consular Convention Between the United States of America and the United Kingdom of Great Britain and Northern Ireland (signed 1951; entered into force 1952), 3 UST 3426. British dependencies also covered by this agreement are Anguilla, British Virgin Islands, Bermuda, Montserrat, and the Turks and Caicos Islands. Their residents carry British passports.

<sup>4</sup> Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Russia, Tajikistan, Turkmenistan, Ukraine, and Uzbekistan are covered by the Consular Convention between the United States of America and the Union of Soviet Socialist Republics (signed 1964; entered into force 1968), 19 UST 5018.

datory notification provisions in this booklet. The most commonly referred to agreements relevant to the provision of consular services are listed below, however, under the heading "Agreements Pertaining to Consular Functions."

### **Customary International Law**

While the field of consular relations is now largely occupied by the treaties discussed above, the United States still looks to customary international law as a basis for insisting upon adherence to the right of consular notification, even in the case of countries not party to the VCCR or any relevant bilateral agreement. Consular notification is in our view a universally accepted, basic obligation that should be extended even to foreign nationals who do not benefit from the VCCR or from any other applicable bilateral agreement. Thus, in all cases, the minimum requirements are to notify a foreign national who is arrested or detained that the national's consular officials may be notified upon request; to so notify consular officials if requested; and to permit consular officials to provide consular assistance if they wish to do so.

### **Basis for Implementation**

The obligations of consular notification and access are binding on states and local governments as well as the federal government, primarily by virtue of the Supremacy Clause in Article VI of the United States Constitution, which provides that "all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding." See *United States v. Arlington*, 669 F.2d 925 (4th Cir.), cert. denied, 459 U.S. 801 (1982).

Customary international law—the basis for consular notification and access obligations in the absence of any treaty—is also binding on federal, state, and local authorities in these circumstances (where there is no controlling contrary federal authority).

The obligations of consular notification and access are not codified in any federal statute. Implementing legislation is not necessary (and the VCCR and bilateral agreements are thus "self-executing") because executive, law enforcement, and judicial authorities can implement these obligations through their existing powers.

Implementation can be directly on the basis of the relevant treaties and written guidance such as this booklet. Implementation may also be facilitated through issuance of internal directives, orders, or similar instructions by appropriate federal, state, and local officials to their subordinates. For example, many police departments incorporate instructions on consular notification into their local manuals. The Department of State encourages local law enforcement entities to develop practical guidance based on the instructions in this booklet or to adapt the five pages of "basic instructions" at the front of this booklet for general distribution to law enforcement officers in the field.

It is also open to government entities to adopt laws or regulations for the purpose of implementing these obligations. The Immigration and Naturalization Service has adopted such regulations, which are published in the Code of Federal Regulations, Title 8, Section 236.1(e).

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Inquiries on this subject may be directed to the Office of the Assistant Legal Adviser for Consular Affairs, U.S. Department of State, Washington, D.C. 20520; telephone number: 202-647-4415; facsimile number: 202-736-7559.

# Vienna Convention on Consular Relations

## Articles 5, 36, and 37

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### Article 5: Consular Functions

Consular functions consist in:

(a) protecting in the receiving State the interests of the sending State and of its nationals, both individuals and bodies corporate, within the limits permitted by international law;

(b) furthering the development of commercial, economic, cultural and scientific relations between the sending State and the receiving State and otherwise promoting friendly relations between them in accordance with the provisions of the present Convention;

(c) ascertaining by all lawful means conditions and developments in the commercial, economic, cultural and scientific life of the receiving State, reporting thereon to the Government of the sending State and giving information to persons interested;

(d) issuing passports and travel documents to nationals of the sending State, and visas or appropriate documents to persons wishing to travel to the sending State;

(e) helping and assisting nationals, both individuals and bodies corporate, of the sending State;

(f) acting as notary and civil registrar and in capacities of a similar kind, and performing certain functions of an administrative nature, provided that there is nothing contrary thereto in the laws and regulations of the receiving State;

(g) safeguarding the interests of nationals, both individuals and bodies corporate, of the sending State in cases of succession *mortis causa* in the territory of the receiving State, in accordance with the laws and regulations of the receiving State;

(h) safeguarding, within the limits imposed by the laws and regulations of the receiving State, the interests of minors and other persons lacking full capacity who are nationals of the sending State, particularly where any guardianship or trusteeship is required with respect to such persons;

(i) subject to the practices and procedures obtaining in the receiving State, representing or arranging appropriate representation for nationals of the sending State before the tribunals and other authorities of the receiving State, for the purpose of obtaining, in accordance with the laws and regulations of the receiving State, provisional measures for the preservation of the rights and interests of these nationals, where, because of absence or any other reason, such nationals are unable at the proper time to assume the defence of their rights and interests;

(j) transmitting judicial and extra-judicial documents or executing letters rogatory or commissions to take evidence for the courts of the sending State in accordance with international agreements in force or, in the absence of such international agreements, in any other manner compatible with the laws and regulations of the receiving State;

(k) exercising rights of supervision and inspection provided for in the laws and regulations of the sending State in respect of vessels having the nationality of the sending State, and of aircraft registered in that State, and in respect of their crews;

(l) extending assistance to vessels and aircraft mentioned in sub-paragraph (k) of this Article and to their crews, taking statements regarding the voyage of a vessel, examining and stamping the ship's papers, and, without prejudice to the powers of the authorities of the receiving State, conducting investigations into any incidents which occurred during the voyage, and settling disputes of any kind between the master, the officers and the seamen in so far as this may be authorized by the laws and regulations of the sending State;

(m) performing any other functions entrusted to a consular post by the sending State which are not prohibited by the laws and regulations of the receiving State or to which no objection is taken by the receiving State or which are referred to in the international agreements in force between the sending State and the receiving State.



### **Article 36: Communication and Contact With Nationals of the Sending State**

1. With a view to facilitating the exercise of consular functions relating to nationals of the sending State:

(a) consular officers shall be free to communicate with nationals of the sending State and to have access to them. Nationals of the sending State shall have the same freedom with respect to communication with and access to consular officers of the sending State;

(b) if he so requests, the competent authorities of the receiving State shall, without delay, inform the consular post of the sending State if, within its consular district, a national of that State is arrested or committed to prison or to custody pending trial or is detained in any other manner. Any communication addressed to the consular post by the person arrested, in prison, custody or detention shall also be forwarded by the said authorities without delay. The said authorities shall inform the person concerned without delay of his rights under this subparagraph;

(c) consular officers shall have the right to visit a national of the sending State who is in prison, custody or detention, to converse and correspond with him and to arrange for his legal representation. They shall also have the right to visit any national of the sending State who is in prison, custody or detention in their district in pursuance of a judgment. Nevertheless, consular officers shall refrain from taking action on behalf of a national who is in prison, custody or detention if he expressly opposes such action.

2. The rights referred to in paragraph 1 of this Article shall be exercised in conformity with the laws and regulations of the receiving State, subject to the proviso, however, that the said laws and regulations must enable full effect to be given to the purposes for which the rights accorded under this Article are intended.

### **Article 37: Information in Cases of Deaths, Guardianship or Trusteeship, Wrecks, and Air Accidents**

If the relevant information is available to the competent authorities of the receiving State, such authorities shall have the duty:

(a) in the case of the death of a national of the sending State, to inform without delay the consular post in whose district the death occurred;

(b) to inform the competent consular post without delay of any case where the appointment of a guardian or trustee appears to be in the interests of a minor or other person lacking full capacity who is a national of the sending State. The giving of this information shall, however, be without prejudice to the operation of the laws and regulations of the receiving State concerning such appointments;

(c) if a vessel, having the nationality of the sending State, is wrecked or runs aground in the territorial sea or internal waters of the receiving State, or if an aircraft registered in the sending State suffers an accident on the territory of the receiving State, to inform without delay the consular post nearest to the scene of the occurrence.