

16-1281

The Secretary of State presents his compliments to Their Excellencies, and Messieurs and Mesdames the Chiefs of Mission and has the honor to transmit new and consolidated information concerning the Department's policies concerning the establishment of a consular post headed by an honorary consular officer, as well as the appointment of and accreditation of such personnel in the United States and its territories.

The enclosed policy supersedes the Department's circular diplomatic dated August 6, 2003, regarding this topic.

The Department's Office of Foreign Missions (OFM) holds the authority and responsibility for approving the establishment of consular posts in the United States, including those headed by honorary consular offices, as well as the appointment of honorary consular officers.

The requirements stated in the enclosed policy are intended to be consistent with the Vienna Convention on Consular Relations and to ensure the Department's confidence that proposed honorary consular officers will:

- exercise meaningful consular functions on a regular basis; and

- come under the supervision of, and be accountable to, the government which he or she represents.

Questions concerning this matter should be directed to the Department's Office of Foreign Missions at honoraryconsul@state.gov.

This policy is also available at:

<http://www.state.gov/ofm/accreditation/honoraryconsularofficers/index.htm>.

Enclosure:

As stated.

Department of State,

Washington, August 23, 2016

A handwritten signature in black ink, consisting of a stylized 'C' followed by a horizontal line and a small flourish.

HANDBOOK REGARDING HONORARY CONSULAR OFFICERS
OFFICE OF FOREIGN MISSIONS
AUGUST 23, 2016

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I. Overview

Pursuant to Article 68 of the Vienna Convention on Consular Relations (VCCR), the United States has decided to receive honorary consular officers. The Department of State's Office of Foreign Missions (OFM) holds the authority and responsibility for approving the establishment of consular posts in the United States, including those headed by honorary consular officers, as well as the appointment of honorary consular officers.

OFM has prepared this handbook to disseminate to embassies and consulates the Department's rules regarding the opening of a consular post and the appointment of honorary consular officers thereto, as well as the appointment of honorary consular officers to a consular post headed by a career consular officer. This document supersedes the Department's circular note dated August 6, 2003, regarding this topic.

The requirements stated herein are intended to be consistent with the VCCR and to inform the Department that the proposed honorary consular officer will (1) exercise meaningful consular functions on a regular basis and (2) come under the supervision of, and be accountable to, the government which he or she represents.

II. Requesting OFM Approval to Appoint an Honorary Consular Officer

A. Information Required Regarding Location and Duties

Embassies must submit a diplomatic note to request the approval of OFM to: establish a new consular post headed by an honorary consular officer, appoint an honorary consular officer to replace another at an existing consular post, appoint an honorary consular officer as additional staff at a consular post headed by another honorary consular officer, or appoint an honorary consular officer as additional staff at a consular post headed by a career consular officer. The note must contain a detailed justification for the request, to include, at a minimum, responses to the following:

- 1) What is the city and state of the consular post? Also provide the address of the consular premises if available. If not currently available, the address will be required at the time of submitting the notification of appointment.
- 2) What is the consular district for the consular post?
- 3) Describe in detail the primary and secondary responsibilities of the honorary consular officer.
- 4) What duties is the honorary consular officer not permitted by the sending State to perform?
- 5) Which mission (embassy or consular post headed by a career consular officer) will supervise and provide assistance as needed for the honorary consular officer?
- 6) How many hours per week will the honorary consular officer be expected to perform services?
- 7) Provide where the consular archives and premises will be located: at the honorary consular officer's private residence, at the honorary consular officer's commercial

office space, or at a separate premises to be used exclusively for the exercise of consular functions.

- 8) Provide any additional information that should be taken into account by the Department of State when reviewing this application.

OFM does not permit the establishment of a consular post headed by an honorary consular officer in any metropolitan area where the sending State already has an existing diplomatic mission or consular post.

B. Information Required Regarding the Proposed Honorary Consular Officer

The Department retains the discretion to determine whether an individual is acceptable to the United States as an honorary consular officer, whether as the head of a post, or as additional staff at a consular post headed by another honorary consular officer, or as additional staff at a consular post headed by a career consular officer.

Proposed appointees may not perform consular functions or present themselves as an honorary consular officer until OFM has admitted the individual to the exercise of functions. Furthermore, proposed appointees may not contact OFM directly to inquire about the status of the review process.

To be eligible for appointment as an honorary consular officer, and to retain such status, a person must:

- (1) be a U.S. citizen or lawful permanent resident (LPR);
- (2) not hold an office of profit or trust with the U.S. Government or a position with a state, county, or other municipality of the United States and which is considered by such entity to be incompatible with the duties of an honorary consular officer;
- (3) obtain permission from the Secretary of the Department concerned, if he or she holds a commission as a Reserve Officer in any branch of the U.S. Armed Forces;
- (4) reside full-time in the area where the embassy is requesting representation; and
- (5) be age 21 or over.

Consequently, in addition to the information requested in section II.A. above, the embassy must submit to OFM proof of the appointee's U.S. citizenship (i.e., copy of U.S. passport) or LPR status (i.e., copy of permanent residence card) and the appointee's current resume or CV. The embassy is also encouraged to highlight the connection that the proposed appointee has had with the country.

The embassy should not submit a notification of appointment until after OFM has given the approval to do so.

OFM expects that foreign governments will seek to nominate individuals of good standing and reputation in the community.

C. Department Review

The Department will review the complete application package as described above and provide its approval or denial in a diplomatic note to the Embassy.

III. Upon OFM Approval

If approved, OFM will request the Embassy submit a Notification of Appointment, along with a passport size photo, via eGov for the proposed honorary consular officer. Once accepted, the individual will be accredited as an honorary consular officer and admitted to the exercise of functions.

OFM accredits honorary consular officers solely with the title of “Honorary Consul”. Therefore, the use of other titles to describe an honorary consular officer may not be used. Honorary consular officers must observe the distinction in the VCCR between “career” and “honorary” consular officers by using the correct title, letterhead, business cards, and submissions to local consular directories in order to avoid confusing constituents and to avoid the appearance of deliberate misrepresentation of their status under the VCCR.

OFM will also mail an identification card to the consular premises for the newly appointed honorary consular officer. The reverse of the card confirms that as honorary consular officer, the individual enjoys immunity from the jurisdiction of the judicial or administrative authorities of the United States in respect of acts performed in the exercise of consular functions.

The term of recognition for an honorary consular officer is 6 years. Please see section IV below for procedures regarding renewing the honorary consul’s appointment.

To facilitate protection of the consular premises in accordance with Article 59 of the Vienna Convention on Consular Relations (VCCR), appropriate signs must clearly designate which area is being used exclusively for the purposes of the consular post. Further, in accordance with Article 61 of the VCCR, the consular archives and documents shall be inviolable, provided they are kept separate from other papers and documents and, in particular, from the private correspondence of the head of the consular post and of any person working with him, and from the materials, books, or documents relating to their profession or trade.

IV. Renewing Appointment

At a minimum of 30 days prior to the expiration of the identification card, the Embassy should submit a request to renew the honorary consul’s identification card, and attach in eGov the following: a diplomatic note that reaffirms the honorary consular officer’s duties, an updated resume or CV, an updated passport sized photo, and confirmation of the residence and duty addresses.

If an identification card renewal request is not made within six months of the card’s expiration, OFM will withdraw the status of the honorary consular officer, consider the consular post closed, and notify the embassy accordingly.

V. Changes to Premises or Consular District

Changes in the address for the premises of a consular post are subject to approval by OFM prior to performing consular functions from a new location. Changes in the consular district are also subject to approval by OFM. In either case, the Embassy must submit a diplomatic note to OFM requesting permission.

VI. Other Staff Members

If the embassy wishes to post a U.S. citizen or LPR as support staff at a consular post headed by an honorary consular officer, it must notify OFM by submitting a notification of appointment via eGov and attaching a diplomatic note outlining the expected duties of the individual. As support staff, the individual will not enjoy official acts immunity and will not receive an identification card.

VII. Termination of Appointment

The embassy must submit a notification of termination upon the termination of the appointment by the sending State. The embassy may contemporaneously propose a replacement for the honorary consular officer, following instructions in section II above. If a replacement is not proposed within six months of termination, the consular post will be deemed closed by OFM.