

16-1560

The Secretary of State presents his compliments to Their Excellencies and Messieurs and Mesdames the Chiefs of Missions having consular posts in the United States and its territories and has the honor to refer to the matter of compliance by such missions with state or municipal building, environmental, fire, sanitation and other health and safety codes and regulations.

The Department wishes to remind all Chiefs of Missions that, under international law, all foreign missions and their members have a basic duty to respect the laws and regulations of the receiving State. Further, it has been the Department's longstanding position that foreign missions are required to substantially comply with all state and municipal building and related codes in a manner that is not inconsistent with the international obligations of the United States and its territories. Thus, it is each foreign mission's responsibility to address, in a timely fashion, any instances where the relevant state or municipal authority has notified the mission that it is somehow operating in violation of established building and land use rules.

The Department's Office of Foreign Missions (OFM) will assist all consular posts with achieving a full understanding of the reason for the issuance of violation

notices associated with this topic. Further, OFM will explain to the mission and the relevant state or municipal authorities its definitive position concerning what “substantial compliance” with building and related codes means with respect to the resolution of such cases.

Accordingly, in the event a consular post receives such a notice of violation, OFM requests that the mission:

- Take immediate steps to remedy the violation, or to otherwise respond to the subject notice of violation; and
- Inform OFM at the earliest opportunity of the notice of violation and steps being taken to address it. Please keep OFM apprised of any developments concerning the matter.

Additional information concerning the use of diplomatic and consular properties is available at <http://www.state.gov/ofm/property/index.htm>.

Questions concerning such matters may be directed to OFMProperty@state.gov or to the nearest OFM Regional Office.

Department of State,

Washington, September 27, 2016.

A handwritten signature in blue ink, consisting of a large, stylized 'Q' followed by a horizontal line and a short vertical stroke.