

The Secretary of State presents his compliments to Their Excellencies and Messieurs and Mesdames the Chiefs of Mission and has the honor to refer to the establishment and maintenance of consular posts headed by honorary consular officers.

The United States Government appreciates that honorary consular officers provide important services both to the governments which they represent and to United States citizens and entities. Nevertheless, for reasons previously communicated to the missions, United States Government policy requires that the maintenance and establishment of consular posts headed by honorary consular officers must be supported by documentation which makes it possible for the Department of State to be assured that meaningful consular functions will be exercised by honorary consular officers on a regular basis and that such consular officers come under the supervision of, and are accountable to, the governments which they represent.

The Secretary informs the Chiefs of Mission that requests for the opening or maintenance of honorary consular posts should include a completed form DS-2005,

"Notification of Appointment of Honorary Consular Officer," and curriculum vitae (if available) for the applicant as well as all information requested in enclosure A of this note. These materials should be submitted to the Office of Protocol, State Annex-33, 3507 International Place, N.W., Washington D.C. 20008-3034.

Upon approval, the Department will issue a letter advising the embassy of its agreement to the opening or maintenance of the post and confirming that the honorary consular officer has been recognized. The Department will not prepare an additional response to any letters or diplomatic notes accompanying such requests. The Department wishes to emphasize that persons should not perform consular functions or hold themselves out to be honorary consular officers until they have been recognized by the United States Government.

In order to be eligible for recognition as an honorary consular officer, an individual must:

- (1) possess a consular title recognized by the United States Government (Honorary Consul General, Honorary Deputy Consul General, Honorary Consul,

Honorary Deputy Consul, Honorary Vice Consul, and Honorary Consular Agent);

- (2) be a-citizen or legal permanent resident of the United States;
- (3) not hold an office of profit or trust with the United States Government or a position with a state, county or other municipality of the United States which is considered by such entity to be incompatible with the duties of a foreign consular officer;
- (4) 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 United States Armed Forces;
- (5) reside in the area where recognition is requested; and
- (6) be over 21 years of age.

The Department would like to point out that it is not in a position to conduct background checks or provide analysis of a person's qualifications or suitability to serve as an honorary consular officer. It trusts that the sending states, through their embassies, have completely

reviewed the credentials of all persons nominated to represent their governments.

The Secretary reminds the Chiefs of Mission that prior to notification by the Department of the candidate's recognition, it would be premature for a candidate to inquire of the Department concerning his or her status. In any event, inquires regarding the status of requests to open or maintain honorary consular posts or for consular recognition should be made through the embassy and not directly to the Department by the candidate.

The Secretary also reminds the Chief's of Mission of the distinctions between career and honorary consular officers.

Article 1 of the Vienna Convention on Consular Relations (VCCR) states, in part, "Consular officers are of two categories, namely career consular officers and honorary consular officers. The provisions of Chapter II of the [present] Convention apply to consular posts headed by career consular officers; the provisions of Chapter III govern consular posts headed by honorary consular officers." The terms "career" and "honorary" are used

throughout, and provisions within the Convention for the two classes of consular officers are not identical.

The Secretary requests that the Chiefs of Mission instruct those representing their governments that this distinction should be observed by honorary consular officers in their titles, letterhead, business cards and submissions to local consular directories. To omit reference to this important legal distinction could invite error and confusion on the part of all with whom they deal, and could appear to be deliberate misrepresentation of their status under the Convention.

Enclosed is an individual listing for each addressee: of its government's honorary consular officers in the United States. The Chiefs of Mission are requested to review these listings and submit Forms DS-2008, Notification of Termination for those honorary consular officers who no longer are performing functions on behalf of the government and Forms DS-2006, Notification of Change, to report changes in addresses and telephone numbers.

Enclosures: As Stated. [***not included with this document***]

Department of State,

Washington, August 6, 2003

A handwritten signature in black ink, consisting of a large, stylized initial 'C' followed by a series of loops and a final flourish.

Enclosure A

INFORMATION PERTAINING TO
THE ESTABLISHMENT AND MAINTENANCE OF
CONSULAR POSTS HEADED BY
HONORARY CONSULAR OFFICERS IN
THE UNITED STATES OF AMERICA

1. Information on the proposed/existing consulate:
 - a. City and State?
 - b. Area of jurisdiction?
 - c. Nearest existing career and honorary consulates?
2. Type of honorary post? (Consulate, Consular agency?)
3. Is approval requested for opening, or maintaining, an honorary consular post?
4. What are the reasons for needing an honorary consular post at this particular location?
 - a. Approximate number of applications for passports, visas, and notarials the honorary consul would process.
 - b. Any existing educational, scientific, social, and cultural ties between the jurisdiction and the sending country.
 - c. Any existing commercial, transportation, tourism, and economic ties between the jurisdiction and the sending country.
5. Are there established written guidelines and duties for the honorary consul? If so, please attach a copy hereto.
6. Is there an expatriate community, including students and visitors, from the sending state in the jurisdiction of the existing or proposed honorary consulate? How large is it?

7. Will the honorary consul perform primarily commercial, trade, or travel promotion?

8. Are there any American firms in the consular jurisdiction, which export to the sending country, or maintain branch offices in the sending country?

9. Do firms from the sending state maintain branch offices in the consular jurisdiction?

10. What support and guidance is provided to honorary consuls?

11. Location of career office that will supervise and inspect the honorary consul?

12. Is there an annual statistical or inspection report, or other regular report the honorary consul is required to make to the supervisory office? If so, please attach a blank copy.

13. Do honorary consuls receive any compensation or allowances?

14. Do honorary consuls collect fees for services rendered?

15. Are honorary consuls required to maintain regular office hours? If so, please indicate days and hours when the honorary consul will be available.

16. What is the length of an honorary consul's appointment?

17. Are there any additional factors that entered into the government's decision to establish or maintain an honorary consular post at this location?
