

Consular Notification and Access Fact Sheet

Definitions

Child: minor under the age of 18

Consul/consular officer: foreign government official accredited by the U.S. Department of State and authorized to provide assistance on behalf of that government to that government's citizens in the U.S.

Foreign national: any person who is not a U.S. citizen. Green card holders/permanent resident aliens are not U. S. citizens.

When to Notify the Foreign Consul

Consular notification is required in any case if the court or other appropriate authority initiates proceedings to appoint a guardian or trustee for the detained minor.

If the minor is a national of a "mandatory notification" country, you must notify the nearest consulate with delay.

If the minor is not a national of a "mandatory notification" country, you should attempt to locate the minor's relatives or guardian to ask whether he or she wants you to notify the consulate of the minor's detention. Notify the consul also if:

- No family member/guardian is known or able to be located,
- You believe contacting the family/guardian may endanger the child (case of trafficking or abuse).

[Note: If there are the circumstances, in which notification could be detrimental (e.g., if the minor is seeking asylum in the United States), seek decision from a court or other competent authority to determine whether notification would be in the best interest of the minor.]

How to Notify the Foreign Consul

Contact that country's nearest embassy or consulate. You may provide notification by fax or phone call. Keep a record of the date, time, method of notification (phone or fax), and confirmation of receipt if available.

For Guidance and Information

For a list of mandatory reporting countries, current phone and fax numbers of foreign consular office in the United States, forms and additional information, contact the Office of Policy Coordination and Public Affairs in the Bureau of Consular Affairs through <http://travel.state.gov/consularnotification> or email at consnot@state.gov.

