ILLINOIS STATE POLICE DIRECTIVE
ENF-030, DIPLOMATIC IMMUNITY

RESCEINDS:
ENF-030, 2011-054, revised 08-01-2011.

REVISED:
10-01-2014 2014-070

RELATED DOCUMENTS:
None

RELATED CALEA STANDARDS:
1.1.4, 61.1.3

I. POLICY

The Illinois State Police (ISP) will provide guidelines to protect the rights and privileges of members of foreign diplomatic missions and consular posts while maintaining public safety and protecting public order in Illinois.

II. AUTHORITY

II.A. Vienna Convention on Diplomatic Relations, United Nations, 1961

II.B. Vienna Convention on Consular Relations 1963, Chapters II, III and IV, Articles 40-77


III. RESPONSIBILITY

The ISP Academy is responsible for providing the necessary training as required and a copy of the U.S. State Department “Guidance for Law Enforcement Officers and Judicial Authorities” in order to ensure officers become and remain familiar with the information and guidelines contained within the “Diplomatic and Consular Immunity: Guidance for Law Enforcement and Judicial Authorities” manual.

IV. PROCEDURES

IV.A. The principle of diplomatic immunity is a matter of international law to which the U.S. is firmly committed.

IV.B. Officers of the ISP will abide by the guidelines established and published by the U.S. Department of State and explained in the manual "Diplomatic and Consular Immunity: Guidance for Law Enforcement Officers and Judicial Authorities."

IV.C. The general rules associated with privileges and immunities of the staff of diplomatic and consular posts are presented in Addendum 1.

IV.D. The telephone numbers available to verify the identity of an individual claiming diplomatic immunity are presented in Addendum 2.

-End of Directive-
### SUMMARY OF LAW ENFORCEMENT ASPECTS

<table>
<thead>
<tr>
<th>Category</th>
<th>Arrested or Detained?</th>
<th>Enter Residence Subject to Ordinary Procedures?</th>
<th>Issued Traffic Citation?</th>
<th>Subpoenaed as Witness?</th>
<th>Prosecuted?</th>
<th>Recognized Family Member</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Diplomatic</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Diplomatic Agent</td>
<td>No¹</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Same as sponsor (full immunity and inviolability).</td>
</tr>
<tr>
<td>Member of Administrative and Technical Staff Service Staff ²</td>
<td>No¹</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Same as sponsor (full immunity and inviolability).</td>
</tr>
<tr>
<td></td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Official acts immunity. Consult Dept. of State.</td>
</tr>
<tr>
<td><strong>Consular</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Career Consular Officers ²</td>
<td>No, except in the case of a felony and pursuant to a warrant²</td>
<td>Yes⁴</td>
<td>Yes</td>
<td>No for official acts. Testimony may not be compelled in any case.</td>
<td>Official acts immunity. Consult Dept. of State.</td>
<td>No immunity or inviolability.²</td>
</tr>
<tr>
<td>Honorary Consular Officers</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>No for official acts. Yes, in all other cases.</td>
<td>Official acts immunity. Consult Dept. of State.</td>
<td>No immunity or inviolability.</td>
</tr>
<tr>
<td>Consular Employees</td>
<td>Yes²</td>
<td>Yes</td>
<td>Yes</td>
<td>No for official acts. Yes, in all other cases.</td>
<td>Official acts immunity. Consult Dept. of State.</td>
<td>No immunity or inviolability.²</td>
</tr>
</tbody>
</table>

(more on next page)
### International Organizations

<table>
<thead>
<tr>
<th>Category</th>
<th>May Be Arrested or Detained</th>
<th>Residence May Be Entered Subject to Ordinary Procedures</th>
<th>May Be Issued Traffic Citation</th>
<th>May Be Subpoenaed as Witness</th>
<th>May Be Prosecuted</th>
<th>Recognized Family Member</th>
</tr>
</thead>
<tbody>
<tr>
<td>International Organization Staff ¹</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>No for official acts. Yes, in all other cases.</td>
<td>Official acts immunity. Consult Dept. of State.</td>
<td>No immunity or inviolability.</td>
</tr>
<tr>
<td>Diplomatic-Level Staff of Missions to International Organizations</td>
<td>No ²</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Same as sponsor (full immunity and inviolability).</td>
</tr>
<tr>
<td>Support Staff of Missions to International Organizations</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>No for official acts. Yes, in all other cases.</td>
<td>Official acts immunity. Consult Dept. of State.</td>
<td>No immunity or inviolability.</td>
</tr>
</tbody>
</table>

¹ Reasonable constraints, however, may be applied in emergency circumstances involving self-defense, public safety, or the prevention of serious criminal acts.

² This table presents general rules. The employees of certain foreign countries may enjoy higher levels of privileges and immunities on the basis of special bilateral agreements.

³ A small number of senior officers are entitled to be treated identically to "diplomatic agents."

⁴ Note that consular residences are sometimes located within the official consular premises. In such cases, only the official office space is protected from police entry.

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Direct question or inquiries to the Diplomatic Security Command Center (24 hours daily)

571/345-3146
1-866/217-2089

CONSULAR NOTIFICATION

Assistance with consular notification procedures following the arrest or detention of a foreign national

Business hours: 202/647-4415
After business hours: 202/647-1512
Fax: 202/647-7559

IMMUNITY ISSUES

Contact the Office of Protocol: Diplomatic Affairs

202/647-1727

-End of Addendum-
Inquiry should be made to the United States (U.S.) Department of State in any case where an individual claims immunity and cannot present satisfactory identification or in any case where the officer has reason to believe that invalid identification is being presented. The following telephone numbers are provided for use in this connection:

RE: DIPLOMATIC AND CONSULAR PERSONNEL OR INTERNATIONAL ORGANIZATIONS OTHER THAN THE UNITED NATIONS

During Normal Business Hours (8 A.M. – 5 P.M. Eastern Time)
Current status of U.S. Department of State drivers licenses, diplomatic license plates, registrations, or other diplomatic motor vehicle information:
202/895-3521
Fax 202/895-3646

For reporting traffic incidents/accidents, issuance of citations, etc., involving foreign missions personnel:
202/895-3521

Send all citations and/or reports to:
Fax: 202/895-3646

To verify immunity status:
202/647-1985 or
202/647-1727

Send copies of criminal incident reports and citations to:

The Office of the Chief of Protocol Fax: 202/647-1198
Diplomatic Security Service, Protective Liaison Division Fax 202/895-3613

After Normal Business Hours, all inquiries should be made to the Department of State, Diplomatic Security Command Center, (operates 24 hours/day):
571/345-3146 or
866/217-2089

RE: UNITED NATIONS PERSONNEL

During Normal Business Hours (8 A.M. – 5 P.M. Eastern Time)
Current status of:
Diplomatic agents and family members, U.N. Mission staff and family members, or U.N. Secretariat employees 212/415-4168 or 212/415-4407 or 212/415-4131
U.S. Department of State license tags, registration or other motor vehicle information 646/282-2825 or General number for the above four status checks 646/282-2812

After Normal Business Hours, information is available from the Communications Section of the U.S. Mission to the United Nations (USUN) (open 24 hrs./day):
(212) 415-4444

-End of Addendum-