

ILLINOIS STATE POLICE DIRECTIVE ENF-030, DIPLOMATIC IMMUNITY

RESCINDS: 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

| II.C. The Diplomatic Relations Act of 1978, 22 U.S.C. § 254a et seq. United States (U.S.) Diplomatic Relations Act (22 U.S.C. 254)

| II.D. "Diplomatic and Consular Immunity: Guidance for Law Enforcement and Judicial Authorities," Office of Policy Coordination and Public Affairs, Bureau of Consular Affairs, U.S. Department of State, publication number 10524 (revised July 2011)

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.

| Indicates new or revised items.

-End of Directive-

**ILLINOIS STATE POLICE DIRECTIVE
ENF-030, DIPLOMATIC IMMUNITY
ADDENDUM 1, DIPLOMATIC AND CONSULAR PRIVILEGES AND IMMUNITIES**

RESCINDS: ENF-030, Addendum 1, 2011-054, revised 08-01-2011.	REVISED: 10-01-2014 2014-070
RELATED DOCUMENTS: None	RELATED CALEA STANDARDS: 1.1.4, 61.1.3

SUMMARY OF LAW ENFORCEMENT ASPECTS

	Category	Arrested or Detained?	Enter Residence Subject to Ordinary Procedures?	Issued Traffic Citation?	Subpoenaed as Witness?	Prosecuted?	Recognized Family Member
Diplomatic	Diplomatic Agent	No ¹	No	Yes	No	No	Same as sponsor (full immunity and inviolability).
	Member of Administrative and Technical Staff Service Staff ²	No ¹	No	Yes	No	No	Same as sponsor (full immunity and inviolability).
		Yes	Yes	Yes	Yes	Official acts immunity. Consult Dept. of State.	No immunity or inviolability. ²
Consular	Career Consular Officers ²	No, except in the case of a felony and pursuant to a warrant ²	Yes ⁴	Yes	No for official acts. Testimony may not be compelled in any case.	Official acts immunity. Consult Dept. of State.	No immunity or inviolability. ²
	Honorary Consular Officers	Yes	Yes	Yes	No for official acts. Yes, in all other cases.	Official acts immunity. Consult Dept. of State.	No immunity or inviolability.
	Consular Employees	Yes ²	Yes	Yes	No for official acts. Yes, in all other cases.	Official acts immunity. Consult Dept. of State.	No immunity or inviolability. ²

(more on next page)

ENF-030, Diplomatic Immunity
 Addendum 1, Diplomatic And Consular Privileges And Immunities

Category	May Be Arrested or Detained	Residence May Be Entered Subject to Ordinary Procedures	May Be Issued Traffic Citation	May Be Subpoenaed as Witness	May Be Prosecuted	Recognized Family Member	
International Organizations	International Organization Staff ³	Yes	Yes	Yes	No for official acts. Yes, in all other cases.	Official acts immunity. Consult Dept. of State.	No immunity or inviolability.
	Diplomatic-Level Staff of Missions to International Organizations	No ¹	No	Yes	No	No	Same as sponsor (full immunity and inviolability).
	Support Staff of Missions to International Organizations	Yes	Yes	Yes	No for official acts. Yes, in all other cases.	Official acts immunity. Consult Dept. of State.	No immunity or inviolability.

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.

Direct question or inquires 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-

**ILLINOIS STATE POLICE DIRECTIVE
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ADDENDUM 2, TELEPHONE INQUIRIES**

RESCINDS: ENF-030, Addendum 2, 2011-054, revised 08-01-2011.	REVISED: 10-01-2014 2014-070
RELATED DOCUMENTS: None	RELATED CALEA STANDARDS: 1.1.4, 61.1.3

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
646/282-2812
General number for the above four status checks

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-