



*Consular Assistance Services for Chinese
Nationals*

Q & A *Booklet*

Consulate General of the
People's Republic of China in Los Angeles

Nov. 25, 2019

1. Why can consular assistance services be provided to Chinese Nationals?

According to the [Consular Convention between the People's Republic of China and the United States](#) signed on September 17, 1980:

1) The functions of a consular officer consist of protecting the rights and interests of the sending State and of its nationals, including juridical persons; and rendering assistance to and cooperating with nationals of the sending State, including juridical persons.

2) A consular officer shall be entitled, in accordance with the law of the receiving State, to take appropriate measures for the protection of the rights and interests of nationals of the sending State, including juridical persons, before the courts and other authorities of the receiving State, where, because they are not present in the receiving State or for any other reason, these nationals are not in a position to undertake timely defense of their rights and interests.

2. Consular tips for Chinese nationals:

Chinese nationals in foreign countries are highly advised to:

1) Take the initiative to obtain safety information of your overseas destination.

2) Register your information voluntarily [online](#).

3) Raise security awareness and take security precautions while you are abroad.

4) Abide by laws and regulations, respect local customs and traditions and be a smart and courteous traveler.

5) Request assistance from local authorities or Chinese Embassy or Consulates in a timely manner.

6) Defend your legitimate and relational rights and interests in accordance with the laws.

7) Take all responsibilities of your words and deeds while in foreign countries, including but not limited to financial costs.

3. What assistance can be provided to Chinese nationals?

Chinese Nationals can voluntarily request consular assistance from Chinese embassy or consulate when necessary. At the request of a Chinese national, Chinese embassy or consulate can assist:

1) To Release safety prompt and alert information of the [Consular districts](#) to Chinese nationals.

2) To urge the competent authorities to deal with the situation in a timely and appropriate manner, and contact and coordinate the relevant organizations or institutions to provide necessary assistance if a major emergency in the host country endangers personal safety of Chinese nationals.

3) To make consular visits at request or with consent of the Chinese national if a Chinese national is serving a sentence or detained or arrested in the host country.

4) To inform the family at request or with consent of the Chinese national if a Chinese national is unable to contact the family in China in the event of an accident.

5) To contact the family and friends in China and provide advice on receiving remittances from relatives or friends if a Chinese national suffers temporary financial difficulties due to theft or etc.

6) To provide a list of local legal services, translation agencies and medical institutions if a Chinese national is involved in a civil dispute or a criminal case or has a sudden illness.

7) To provide information about the channels and methods of tracing the next of kin of a Chinese national if the next of kin is reported missing in a

foreign country.

8) To issue Chinese international travel documents to Chinese nationals in accordance with Chinese laws and regulations if he or she lost or does not have a valid travel document.

9) To attend the hearing when necessary if a Chinese national is involved in a litigation case.

We CAN NOT seek any unlawful advantage or protect your illegal activities.

No interference can be made in the judicial process or law enforcement of the host country. We cannot help any Chinese national get better treatment than the locals during legal proceeding, detention or serving a sentence.

4. What can be done to assist a Chinese national?

1) If you are staff of relevant authorities of the U.S. and are handling a case involving a Chinese national, please follow the requirements of [the Convention](#):

● ***If a Chinese national is arrested or placed under any form of detention:*** the competent authorities of the U.S. shall immediately, but no later than within four days from the date of arrest or detention, notify the consulate of the P.R.C. If it is not possible to notify the consulate within four days because of communications difficulties, they should try to provide notification as soon as possible. Upon the request of a consular officer, he shall be informed of the reasons for which said national has been arrested or detained in any manner.

The competent authorities of the U.S. shall immediately inform the national of the sending State of the rights accorded to him by this Article to communicate with a consular officer.

A consular officer shall be entitled to visit a Chinese national who has been arrested or placed under any form of detention, including such national who is in prison pursuant to a judgment, to converse and to exchange correspondence with him in the language of the sending State or the receiving State, and may assist in arranging for legal representation and an interpreter. These visits shall take place as soon as possible, but, at the latest, shall not be refused after two days from the date on which the competent authorities notified the consulate that said national had been placed under any form of detention. The visits may be made on a recurring basis. No longer than one month shall be allowed to pass in between visits requested by the consular officer.

● ***In the case of a trial of, or other legal proceeding against a Chinese national in the U.S.:*** the appropriate authorities shall, at the request of a consular officer, inform such officer of the charges against such national. A consular officer shall be permitted to attend the trial or other legal proceedings.

A consular officer is entitled to provide to a national to whom the provisions of this Article apply parcels containing food, clothing, medicaments and reading and writing materials.

● ***In a case of a Chinese National missing in the U.S.:*** a consular officer may request the assistance of the authorities of the receiving State in ascertaining the whereabouts of a national of the sending State. The authorities of the U.S. shall do everything possible to provide all relevant and available information.

2) If you are an ordinary people and see a Chinese national needing your help, please do as possible as you can to assist him or her according to your assignment of responsibility and on humanity.

Please let him or her know that he or she can contact Chinese embassy

or consulate for further consular assistance mentioned above. Please [click here](#) for our contact information.

5. Why necessary assistance should be provided to Consular officers while they are performing their functions?

According to [the Convention](#),

1) The receiving State shall take all necessary steps for the establishment of the proper conditions for the normal operation of a consulate and shall accord full facilities for the performance of the functions of the consulate.

2) A consular officer shall be entitled, in his consular district, to communicate and meet with any national of the sending State, and, when necessary, to arrange for legal assistance and an interpreter. The receiving State shall in no way restrict access between a consular officer and a national of the sending State.

3) The receiving State shall afford appropriate protection to consular officers to prevent any attack upon their person, freedom or dignity and further shall take all measures necessary to ensure that consular officers are able to perform their functions and enjoy the rights, facilities, privileges and immunities provided them under this Convention.

6. How is the privacy of a Chinese national requesting consular assistance protected?

According to Chinese laws and regulations, during the process of consular services, all information including but not limited to personal information or details of the case are strictly protected by the Chinese Consulate. It is strictly limited to handling the case and will not be released to any third parties.