

**REVISED REGULATIONS
ON HONORARY CONSULS
REPUBLIC OF LIBERIA**



**MINISTRY OF FOREIGN AFFAIRS
MONROVIA, LIBERIA
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SECTION 1: GENERAL PROVISIONS ON THE APPOINTMENT, FUNCTIONS AND TERMINATION OF HONORARY CONSULS OF THE REPUBLIC OF LIBERIA

**ARTICLE I
GENERAL PROVISIONS**

1. The present Regulations are meant to revise the Regulations/Procedures for the Appointment and Termination of Honorary Consuls issued by the Ministry of Foreign Affairs in 2009 and shall conform fully to all provisions of the Laws of the Republic of Liberia and the Vienna Convention on Consular Relations.
2. The Honorary Consul of the Republic of Liberia shall be granted Facilities, Privileges and Immunities as provided for by the Vienna Convention (1963) on Consular Relations (chapter III. "Regime Relating to Honorary Consular Officers and Consular Posts Headed by Such Officers").
3. Honorary Consuls of the Republic of Liberia shall be granted no additional privileges and immunities other than that provided by the Vienna Convention on Consular Relations. With the exception of Liberian citizens appointed as Honorary Consuls of the Republic of Liberia in other countries, **non-Liberians Honorary Consuls shall not be entitled to Liberian Diplomatic passports.**
4. An Honorary Consul shall operate under the jurisdiction and/ or oversight of the Liberian Ambassador accredited to a Receiving State or a Liberian Ambassador accredited to a country in geographical proximity of the Receiving State.
5. The Honorary Consul of the Republic of Liberia shall represent the interests of the Republic of Liberia and its citizens in the Receiving State and at the order

of the Ministry of Foreign Affairs of the Republic of Liberia (hereinafter referred to as the Ministry), shall undertake other actions which do not contravene the laws of the Republic of Liberia and the Receiving State.

6. The establishment of the honorary consul offices and the appointment of the honorary consuls of the Republic of Liberia on the territory of other States shall be completed only through an agreement with the Receiving State on the basis of the stipulations of the present Revised Regulation, the laws of the Receiving State and international treaties/conventions to which Liberia is a signatory.
7. All Honorary Consuls of the Republic of Liberia shall be required to operate from offices or locations that are conducive to the execution of the functions of Honorary Consul and promotive of the image of the Republic of Liberia.
8. The establishment, activities and termination of the honorary offices of the Republic of Liberia headed by the Honorary Consul shall be monitored, coordinated and evaluated by a Standing Committee on Honorary Consuls (SCHC) which shall be constituted pursuant to these regulations. If there is no Diplomatic or Consular Mission of the Republic of Liberia in the Receiving State, the Minister of Foreign Affairs of Liberia shall designate, where it is practically possible, a Liberian Ambassador or Head of a Liberian Diplomatic or Consular post nearest to the Receiving State to perform consular services in the Receiving State.
9. All expenses related to the establishment, activities of the consulate, the exercise of its official duties and representation of the interest of the Republic of Liberia on the territory of the Receiving State shall be supported by the Honorary Consul. The Honorary Consul shall not claim from the Liberian Government reimbursement of expenditures incurred for the effective exercise of duties of the honorary consulate.

**SECTION 2: ESTABLISHMENT OF THE CONSULAR OFFICE HEADED BY
THE HONORARY CONSUL AND THE APPOINTMENT
OF THE HONORARY CONSUL**

**ARTICLE II
LOCATION OF THE CONSULAR OFFICE**

1. The following criteria/requirements shall guide the establishment of the consular offices headed by the Honorary Consul:
 - a. The Consular office shall be established in a location where there is no Diplomatic or Consular mission of the Republic of Liberia or another Consular office headed by an Honorary Consul of the Republic of Liberia;
 - b. The consular area shall include those regions of the respective State which can be effectively served by the Honorary Consul and that shall present economic, commercial and investment opportunities for the Republic of Liberia, and/or where a significant number of citizens of the Republic of Liberia reside.
2. The heads of the Honorary Consular posts of the Republic of Liberia shall be granted the class of the Honorary Consul.

**ARTICLE III
CANDIDATURE/QUALIFICATION FOR THE POST OF
HONORARY CONSUL OF LIBERIA**

1. Candidates for the Honorary Consul post can be named among persons that are:
 - a. Citizens of the Republic of Liberia resident in Receiving State;
 - b. Citizens of the Receiving State;

- c. Citizens of a third State having permanent residence in or documented with the state permit in the Receiving State and having strong ties with Liberia; having either worked in Liberia for a significant period of time or have invested in or established business, educational and other vital links with Liberia.
- d. Mentally and physically fit;
- e. Capable of fully financing the activity of the consular office— providing suitable premises for the Honorary Consulate or underwriting the rent of the Honorary Consulate, providing the required logistics including furnishing, stationery, and equipment (transport, communication, etc) and must be able to underwrite the salaries of staff except where otherwise spelt out in these Regulations.
- f. With the approval of the Minister of Foreign Affairs, the Honorary Consul shall be allowed to hire local staff to assist him in the execution of the routine duties of the consulate.
- g. Capable and willing to promote the interests of the Republic of Liberia in the Receiving State leading to the establishment and enhancement of economic, commercial, educational, scientific, cultural, sports, and other ties and attracting investments and foreign capital into the economy of the Republic of Liberia;
- h. Does not have any criminal records and or under criminal investigation.

- i. Does not simultaneously exercise the function of the Honorary Consul of a Foreign State in the Receiving State;
- j. Is not a staff member within a foreign consular or diplomatic mission in the Receiving State.

ARTICLE IV

APPLICATION PROCEDURES FOR THE POST OF HONORARY CONSUL

1. An individual desirous of the status of Honorary Consul of the Republic of Liberia may:
 - a. Apply directly to the Ministry of Foreign Affairs through a letter addressed to the Minister of Foreign Affairs.
 - b. May be recommended by:
 - A prominent Liberian citizen
 - A Liberian Ambassador accredited to the Receiving Country
 - An accredited and reputable Liberian association(2) in the Receiving State
 - The Receiving State may also recommend an Honorary Consul on the request of the Government of Liberia.
 - c. The application must address and include the following:
 - State clearly the country, state(s), province(s), city, etc where the applicant intends to serve as Honorary Consul of the Republic of Liberia.
 - Justify the establishment of the Liberian Honorary Consulate in the location(s) specified; i.e., specifying the economic/commercial, investment, educational, cultural or other benefits that Liberia could accrue from the establishment of an Honorary Consulate in the designated area.

- Measures that shall be taken by the applicant if approved that will enhance the economic/commercial, investment, educational and cultural bonds between Liberia and the Receiving State.
- A letter from a reputable individual in the Receiving State (government official, businessman, cleric) vouching for the competence and character of the applicant.
- A proof of financial capacity – business(s) owned or significant shareholdings, real estate(s), etc.
- Curriculum vitae specifying the applicant's educational and professional backgrounds.
- Four (4) passport sized photos.
- Relevant pages of passports authenticating citizenship of the Receiving State or a foreign state, where applicable.
- Clearance from criminal activities issued by the competent authorities in the Receiving State as well as the State of citizenship (if the Applicant is not a Citizen of the Receiving State) issued no sooner than one (1) month before the submission of the application.
- Written consent not to claim remuneration for his/her activities as Honorary Consul and not to request a Diplomatic Passport of the Republic of Liberia.

- All documents submitted as part of the application process shall be submitted in original copies with appropriate English language translations, if language of the Receiving State is not English.
- Documents regarding the headquarters of the consular office (location, plans, schemes, photographs, technical details, etc.).

Note: *NO APPLICATION WILL BE PROCESSED IF AN APPLICANT DOES NOT PRESENT ALL THE DOCUMENTS REQUIRED.*

ARTICLE V
VETTING PROCEDURES FOR HONORARY CONSULS

Upon receipt of the application and the required documents, the Minister of Foreign Affairs shall proceed as follows:

- a. Forward a set of all documentations received from the applicant to the National Security Agency (NSA) for a thorough background security check on the character of the applicant with the view to establishing whether or not the applicant has a criminal background or a criminal motive for wanting the status of Honorary Consul of the Republic of Liberia. The NSA shall conduct the security check wherever in the world it deems appropriate but with special emphasis on the Country (ies), State(s), province(s), etc where the applicant intends to serve as Honorary Consul. In the unlikely event where the applicant is a citizen of a Country other than the Receiving State, the NSA security check shall also include the applicant's Country of origin.
- b. Where the applicant is not recommended by the Liberian Ambassador accredited to the Country where the applicant intends to serve as Honorary Consul, a set of the application documents will be sent to the Liberian Ambassador to conduct whatever background check he/she deems necessary to form an opinion about the suitability of the applicant. The Ambassador shall submit his assessment report to the Minister not later than a month upon receipt of the application documents from the Ministry of Foreign Affairs.
- c. Where there is a recognized/accredited Liberian citizens' organization in the Receiving State, the Ministry shall contact such organization (s) with the view to arriving at a balanced, objective, credible decision about the credibility of the applicant.

- d. Where the applicant is a citizen of Liberia who had resided in Liberia once upon a time, the Ministry shall contact the Ministry of Justice to conduct a background check on the character of the applicant that will include the Police and other parastatals, if necessary.
- e. The Minister shall forward all documentations received from the applicant and from third parties on the applicant to the Standing Committee on Honorary Consuls (SCHC) that will review and evaluate the said application documents and provide adequate justification and make recommendation to the Minister of Foreign Affairs for onward transmission to the President for endorsement.

ARTICLE VI
CONDUCT OF THE STANDING COMMITTEE
ON HONORARY CONSUL (SCHC)

In reporting its recommendations to the Minister, the SCHC shall report on the following:

- a. Whether or not the applicant submitted all his documents in keeping with the Regulation.
- b. The adequacy/inadequacy of the justification proffered for the establishment of an Honorary Consulate at the proposed destination.
- c. The suitability of the Applicant for the post of Honorary Consul of Liberia in the designated location(s). The SCHC's report shall specifically speak to:
 - The applicant's character and credibility and
 - The applicant's competence.

- d. Upon review of the report, the Minister of Foreign Affairs shall convene a meeting of the SCHC in order to give the Committee the opportunity to justify its findings. If in the view of the Minister, the justifications for the recommendations are valid, he/she shall proceed as follows:
- Endorse the Committee's Report.
 - Write the President informing him/her of the Ministry's decision to select the Applicant as Honorary Consul and requesting approval for the issuance of the Commission in favor of the Applicant. The Minister's letter to the President shall be supported by the necessary documentations including the NSA and/or MOJ's Clearance Letter in favor of the Applicant.
 - Upon receipt of a letter from the President endorsing the Applicant as Honorary Consul, the Minister shall write the Applicant informing him of his selection as Honorary Consul of Liberia in the specified location(s) to take effect upon the receipt of the *EXEQUATUR* from the Receiving State.
 - The Ministry shall request from the Receiving State, through diplomatic channels, the consent for the establishment of the Honorary Consulate, consular locations/jurisdiction and its headquarters, as well as the issuance of an *EXEQUATUR* in favor of the selected Honorary Consul.
 - If the Receiving State grants the Exequatur, the Minister shall then instruct the relevant Departments/Sections of the Ministry to prepare a *COMMISSION* for the approved Honorary Consul.

- The Commission shall specify the following:
 - 1) The name of the Honorary Consul
 - 2) The Locations(s) where the Honorary Consul shall serve
 - 3) **The tenure of the Honorary Consul, which shall be three (3) years, may be subject to renewal by the Ministry of Foreign Affairs as shown below:**
 - i. Following three (3) years of service, an Honorary Consul who intends to continue shall submit a comprehensive report covering his activities which shall be reviewed by the SCHC and recommendation(s) made to the Minister.*
 - ii. The Minister shall transmit the report of the SCHC to the President with his recommendation(s) for approval.*
 - iii. If the President approves, the Minister shall request the Receiving State for a new Exequatur.*
 - iv. Thereafter, a new Commission for the same duration of three (3) years shall be printed and signed by the Minister acting under the authority of the President.*
 - v. An Honorary Consul who may be re-appointed shall govern himself/herself in keeping with these regulations.***
 - 4) The Signature of the Minister of Foreign Affairs acting under the authority of the President of the Republic of Liberia.
 - 5) The seal of the Republic of Liberia

NOTE: *In the event where the authorities of the Republic of Liberia or the Receiving State refuse the establishment of the consular office and the appointment of the person as the Honorary Consul, the rejected candidate shall not ask for the reimbursement of costs related to the review of the application for the function of the honorary consul of the Republic of Liberia.*

**SECTION 3: FUNCTIONS, PRIVILEGES AND REPORTING
REQUIREMENTS FOR HONORARY CONSULS**

**ARTICLE VII
FUNCTIONS OF HONORARY CONSULS**

The functions of the honorary consular officer shall be established by the present Revised Regulations, laws of the Republic of Liberia and international treaties to which the Republic of Liberia is a signatory (mainly the Vienna Conventions). The honorary consular officer functions consist in:

- a. Protecting in the Receiving State the interest of the Republic of Liberia, the rights and interests of the citizens of Liberia, Liberian corporations, in accordance with the laws of the Republic of Liberia and within the limits permitted by the laws of the Receiving State and international law;
- b. Promoting the interests of the Republic of Liberia, especially in the economic/commercial, investment, technical, educational, scientific, cultural and tourism domains in the Receiving State and the development of friendly relations between the Republic of Liberia and the Receiving State;
- c. Informing the Ministry about important economic, commercial, financial, educational, cultural and technical-scientific events which are organized in the consular jurisdiction in order to ensure the participation of the relevant agencies of Government.
- d. Informing authorities, investors, and other specialized institutions of the Receiving State about the evolution of Liberia as the new frontier for investment.

- e. Proposing measures for promoting the cultural and artistic values of the people of the Republic of Liberia.
- e. With the approval of the Ministry, organizing press conferences and supporting the dissemination of information about the Republic of Liberia in the local mass media in order to encourage investments and tourism in Liberia;
- f. In coordination with diplomatic or consular mission of the Republic of Liberia accredited to the Receiving State, provide applicants with the necessary information about the procedures for issuing passports, visas and other travel documents on behalf of the diplomatic and consular mission accredited in the Receiving State.
- g. Providing protocol and logistical assistance to official of Government visiting the Receiving State and organizing meetings with officials or other persons of the Receiving State.
- h. Providing assistance to Liberian registered vessels and other means of transport that require assistance (shipwrecks, accidents, etc.);
- i. Providing assistance in cases of arrest, imprisonment, extradition, repatriation, evacuation or death of citizens of the Republic of Liberia on the territory of the consular Jurisdiction;
- j. Exercising, with the consent of the Ministry, any other functions that may not conflict with the laws of the Republic of Liberia and of the Receiving State, as well as international protocols.

- k. The Honorary Consul shall ensure the integrity and security of the diplomatic archives.

ARTICLE VIII **PRIVILEGES OF HONORARY CONSULS**

1. Upon the appointment of the Honorary Consul, the consul shall receive from the Ministry, within one month, the stamp which includes the State Emblem of the Republic of Liberia, the name of the consular office written in English and the State language of the Receiving State, as well as other consular supplies of the Ministry.
2. The Honorary Consul of the Republic of Liberia shall be required to display on the building of the consular office the Flag of the Republic of Liberia, install the official seal of the Republic of Liberia and the name of the consular office in English.

ARTICLE IX **REPORTING REQUIREMENTS OF HONORARY CONSULS**

1. Honorary Consuls are required to submit reports to the Minister on their activities covering *every quarter* of operations. The Report shall highlight:
 - a. Activities initiated aimed at promoting closer ties between Liberia and the Receiving State in the economic, commercial, educational, cultural and other spheres during the reporting period.
 - b. Actions taken with the view of protecting the interests of the Republic of Liberia, the rights and interests of Liberian citizens and bodies corporate in the Receiving State

- c. Challenges encountered in the execution of the assignment in the Receiving State.
 - d. Recommendations to the Ministry of Foreign Affairs.
2. In the event the Honorary Consul is engaged in the issuance of visas and other related consular documents, he/shall shall, in addition to the regular quarterly Comprehensive Report, ***report monthly*** to the Ministry on the number of visas issued, the amount raised, and the banking details on the deposit.
 3. The above reporting frequency notwithstanding, Honorary Consuls may, whenever they deem appropriate, send **Special Reports** on critical and urgent matters to the Minister.
 4. The Honorary Consul shall copy the Liberian Ambassador accredited to the Receiving State, if applicable, on all reports addressed to the Minister.

ARTICLE X
REPORTING DEADLINE

1. Honorary Consuls are to submit their reports to the Minister not later than:
 - a. Twenty-one days (21) as of the end of the quarter reporting period
 - b. Not later than ten (10) days as of the end of the month, where monthly reporting is applicable.

ARTICLE XI
NOTIFICATION

1. If an Honorary Consul fails to submit his report at the expiry of the deadline for reporting, the Ministry may write a letter of notification instructing him to do so promptly or face the revocation of his COMMISSION as provided hereunder. Notification is however optional and the Ministry may institute the necessary remedial measures aimed at compelling the report or institute the necessary sanctions on the defaulting Honorary Consul.

ARTICLE XII
CONSEQUENCE OF FAILURE TO REPORT

1. The following shall constitute ground for the revocation of the Commission of an Honorary Consul:
 - a. Failure to offer sufficient justification to submit a quarterly report after thirty (30) days as of the end of the month
 - b. Failure to offer sufficient justification to submit the quarterly report after forty-five days as of the end of the reporting semester.

SECTION 4: TERMINATION OF A CONSULAR POST AND OF THE FUNCTIONS OF THE HONORARY CONSUL

ARTICLE XIII
TERMINATION GENERALLY

The consular functions of the Honorary Consul shall come to an end:

- a. By notification by the Ministry to the authorities of the Receiving State that the functions of the Honorary Consul have come to an end;
- b. Upon withdrawal of the *EXEQUATUR* by the Receiving State

- c. On notification by the Receiving State to the Sending State that the Receiving State has ceased to consider him as an Honorary Consul.
- d. Upon withdrawal/cancellation of the Commission by the Republic of Liberia.
- e. The functions of the Honorary Consul can be temporarily suspended in the case when a criminal investigation was started against the Honorary Consul on the territory of the Republic of Liberia, the Receiving State or a third State, as well as in other cases (at the discretion of the Ministry). In this case, the Ministry shall notify through diplomatic channels the authorities of the Receiving State about the temporary suspension of the functions of the Honorary Consul.
- f. Upon termination of the functions of the Honorary Consul, the Ministry shall request that the consular supplies of the Honorary Consul (stamp, registers, archive, as well as other acts and consular supplies of the Ministry), be handed over to the Ministry.
- g. The Minister shall notify through diplomatic channels the authorities of the Receiving State regarding the termination of the consular office and of the functions of the Honorary Consul. The Minister shall inform the President regarding the termination of the consular office and the functions of the Honorary Consul.

SECTION 5: THE STANDING COMMITTEE ON HONORARY CONSULS (SCHC) OF THE REPUBLIC OF LIBERIA

ARTICLE XIV
THE STANDING COMMITTEE ON HONORARY CONSUL (SCHC)

The SCHC shall be established within the Ministry of Foreign Affairs with the following composition:

1. The Deputy Minister of Foreign Affairs
2. The Deputy Minister of Administration
3. The Deputy Minister of Legal Affairs
4. The Deputy Minister of International Cooperation and Economic Integration
5. A member of the Policy Advisory Council (PAC) of the Ministry to be selected by consensus of the PAC who shall serve on the SCHC on a non-permanent basis. (The PAC shall propose a new representative to the SCHC every six months.)
6. The Assistant Minister with oversight of the region in which an Applicant for the position of Honorary Consul will serve or the Honorary Consul is serving.
7. The Director-General Foreign Service Institute
8. The Chief of Protocol, Republic of Liberia
9. An official or staff of the Ministry of Foreign Affairs to be appointed by the Minister on a non-permanent basis.

ARTICLE XV
FUNCTIONS OF THE SCHC

The vetting, monitoring, coordination and evaluation of the activities of the honorary consuls of the Republic of Liberia shall include:

- 1) Vet the application documents (as received from the Minister of Foreign Affairs) of all applicants for the position of Honorary Consul of Liberia and make appropriate recommendations to the Minister on the applications. The vetting

process may include the conduct of interviews of the applicant and relevant third parties.

- 2) Review all required reports (monthly, quarterly, or special) of Honorary Consuls and advise the Minister on appropriate actions;
- 3) Assist the Minister in determining specific objectives/targets to be achieved by an Honorary Consul during a specific time period.
- 4) Based on a review of relevant facts and information, recommend appropriate actions (issuance of a letter of warning, suspension of Commission, revocation of Commission, renewal of Commission) with regard to an Honorary Consul.
- 5) Examine the annual activity reports of the consular offices headed by Honorary Consuls;
- 6) Propose to the Minister locations around the world at which the appointment of an Honorary Consul may be beneficial to the diplomatic and other interests of the Republic of Liberia.

If necessary, the SCHC shall propose the organization of Reunions/Meetings of Honorary Consuls of the Republic of Liberia in Liberia, which shall offer the opportunity of networking and enhancing the effectiveness of the Honorary Consul.

ARTICLE XVI
TRANSITIONAL PROVISIONS

1. All individuals presently serving as Honorary Consuls of Liberia will be required to submit to the Ministry of Foreign Affairs **not later than January 15, 2013** all documents (letters of appointment, commissions, Exequaturs, etc) from the Ministry of Foreign Affairs and authorities of the Receiving State confirming their legitimacy as Honorary Consuls of the Republic of Liberia assigned in a particular location.

2. All individuals presently serving as Honorary Consuls of Liberia shall submit a Comprehensive Report to the Minister **not later than January 15, 2013** detailing the following:
 - a. Significant actions taken by the Honorary Consul to advance the economic, social, cultural, educational, diplomatic or other interests of the Republic of Liberia since his/her appointment.

 - b. Significant challenges encountered

 - c. Recommendations.

3. Upon receipt of the required documentation and reports, the Minister, with the advice of the SCHC, shall make a determination as to the effectiveness and relevance of each Honorary Consul; such determination shall be made no later than **February 15, 2013**.
 - a. Immediately thereafter, the Minister shall submit to the President of the Republic of Liberia a vetted list of current Honorary Consuls whose Commissions should be renewed for a period not exceeding three years, subject to renewal.

- b. Upon approval by the President, new Commissions shall be printed for the re-affirmed Honorary Consuls and the appropriate authorities of the Receiving State shall be informed in order to take appropriate actions to accord the re-affirmed Honorary Consul all immunities and privileges appertaining to their status.
- c. The Ministry shall inform the relevant authorities of the Receiving States of the names of all individuals who once upon a time carried the title of Honorary Consul of the Republic of Liberia but whose Commissions or status have not been renewed as a result of the review process.
- d. All those carrying the title of Honorary Consuls of the Republic of Liberia failing to submit to the Ministry the required documents and reports by January 15, 2013 will, on account of their failure to report, be deemed to have forfeited their status as Honorary Consuls.
- e. Notwithstanding the provision of these Revised Regulations that non-Liberian Honorary Consuls shall not be issued Diplomatic Passports, any current Honorary Consul with a Diplomatic Passport whose status have been renewed shall be allowed to possess such Diplomatic Passport until its date of expiration. Thereafter, he/she shall not be issued a Liberian Diplomatic Passport.