



## Guide to Consular Protection and Services Outside Chinese Territory

### What is consular protection

Consular protection refers to the act of the diplomatic or consular organs or officers in protecting the national interests as well as the legitimate rights and interests of its citizens or legal persons in a receiving state within the limits permitted by international law. When the legitimate rights and interests of a Chinese citizen or legal person are illegally violated in a receiving state, the Chinese diplomatic or consular mission there will, in accordance with the customary international law principles, relevant international conventions, bilateral treaties or agreements and the relevant laws of China and the receiving state, reflect his/her request and urge the related authorities of that state to handle the issue in a fair, friendly and proper way. Consular protection also includes assistance rendered by Chinese diplomatic or consular missions to Chinese citizens or legal persons, such as providing information on international travel safety, assisting in employing lawyers and translators, visiting detainees and assisting in evacuating from dangerous places etc.

### Assistance provided by consular officers

- to notify your family of the incident or casualties if an accident happens to you.
- to issue travel documents or home-bound documents to Chinese citizens without any travel documents or have lost them.
- Hong Kong residents who are eligible to apply for the Hong Kong Special Administrative Region Passport or Document of Identity for Visa Purposes may submit their applications and collect the issued travel documents through the Chinese diplomatic and consular missions.
- to visit you at your request when you are under detention, arrest or sentence.
- to recommend lawyers, translators or doctors to you in order to assist you in legal proceedings or in seeking medical treatment.
- to assist you in contacting your family when you are in financial difficulties for timely and necessary financial assistance.
- to provide advice and necessary assistance for evacuating a dangerous area in case an unexpected incident takes place in the receiving state.
- to assist you in locating your friends or family members who may be in distress or custody.

- to provide notarial and authentication services for Chinese citizens in accordance with relevant laws and regulations of the People's Republic of China and international treaties; and to handle registration of marriages between Chinese citizens provided that it does not contravene with the laws and regulations of the receiving state.

### Services that cannot be provided by consular officers

- not to intervene in the judicial or administrative acts of the receiving state.
- not to partake in the arbitration or settlement of economic, labour and other civil disputes between you and others.
- not to get for you treatment better than what is given to local people when you are in hospital, in detention or in prison.
- not to pay for your lawyer's fees, translator's costs, hotel, medical and travel (air/sea/land travel tickets) expenses, or any other expenses.
- not to apply for a visa for you.
- not to institute legal proceedings for you.

### Obey the law

Chinese citizens outside Chinese territory should obey the laws and regulations of the receiving state and respect the customs and practices of the people in that state. They should strictly adhere to the permitted limit of stay granted by the state concerned as specified in their visas or permits of residence.

### If you have anything stolen

You should immediately report it to the local police and request a copy of the police report. You may also contact the Chinese diplomatic or consular mission in that state so that money could be remitted to you by your family through the diplomatic or consular mission, or transferred to you via the Ministry of Foreign Affairs.

### If you are detained or imprisoned

If you commit an offence, you should bear the legal consequences. If you are arrested or detained for any charge of offence, you have the right to request the authorities concerned to meet the consular officers of the Chinese diplomatic or consular mission.

### If someone dies

In the case that your relatives, friends or companions die abroad, the Chinese diplomatic or consular mission there may, at your request, authenticate the death certificate issued by the local authorities. The diplomatic or consular mission may also provide you with a list of the companies engaging in dead disposal services.

### Points for attention

- Consular officers are not allowed to exceed the terms of reference of consular duties in providing consular protection and services to Chinese citizens.
- Relevant provisions lay down that fees are required for some consular services, such as the processing of various documents.
- If you wish to have consular protection and services while you are overseas, you may make enquiries with the local government officials or police for the addresses and telephone numbers of the diplomatic representatives and consular organs of the People's Republic of China at that place. Such information is also available from the "Topical Issues" page of the Hong Kong Immigration Department website at <http://www.immd.gov.hk/> or directly from the webpage <http://www.immd.gov.hk/ehhtml/embassy.htm>. You may also make enquiries through the hotline of the Hong Kong Immigration Department at (852) 1868.
- The Ministry of Foreign Affairs of the People's Republic of China is responsible for the explanation of this guide.

### Related websites about the contents of this Guide

- The Ministry of Foreign Affairs <http://www.fmprc.gov.cn>
- Office of the Commissioner of the Ministry of Foreign Affairs of the People's Republic of China in the Hong Kong Special Administrative Region <http://www.fmcoprc.gov.hk>

Immigration Department  
The Government of the Hong Kong  
Special Administrative Region