

Law Student Division (Annual Meeting 1998)

The Division's recommendation, which encourages the United States law enforcement authorities to comply with the Vienna Convention by advising foreign nationals of the right to consular assistance, was revised and approved by voice vote. As revised, it reads:

RESOLVED, That the American Bar Association urges federal, state, territorial and local law enforcement authorities to adopt a warning of rights similar to the "Miranda" standard, advising foreign nationals of their right to consular assistance pursuant to Article 36 of the Vienna Convention on Consular Relations;

FURTHER RESOLVED, That this warning be given at the moment of detention and identification of the foreign national by law enforcement authorities;

FURTHER RESOLVED, That federal, state, territorial and local law enforcement authorities adopt the procedures and statements proposed by the Department of State in its handbook titled Consular Notification and Access: Instructions for Federal, State and Other Officials Regarding Foreign Nationals in the United States and the Rights of Consular Officials to Assist Them, or substantially similar programs and statements informing foreign nationals of their right to consular assistance; and

FURTHER RESOLVED, That the American Bar Association encourages the Attorney General of the United States, as well as the public defenders and attorneys general of all the States and territories, to work together to disseminate the knowledge and the enforcement of these rights.