

SPECIALIZED CHILD WELFARE SUBJECT MATTER

Foreign Nationals and the Vienna Convention

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Policy	A Social Worker assigned to a case that involves a child who is a foreign national shall alert and consult with the Area Office legal staff.
Purpose	<p>The Vienna Convention on Consular Relations and Optional Protocols is an international treaty to which the United States and many other countries are signatories.</p> <p>Its purpose is to contribute to the development of friendly relations among nations. Two of its articles apply directly to foreign nationals who are children in the custody of DCF.</p>
Protected Persons	<p>Persons entitled to the protections of the Vienna Convention include any foreign national detained in any manner, including children held in state custody.</p> <p>Note: A child(ren) adopted by an American from a foreign country may continue to have citizenship rights in that foreign country.</p>
Protections Afforded	<p>Protections and rights afforded by the Vienna Convention include the following:</p> <ul style="list-style-type: none">• communication with the foreign national's Embassy;• visits from the foreign national's Embassy officers; and• assistance from the foreign national's Embassy officers in obtaining legal representation.
When DCF is Required to Contact a Foreign Embassy	<p>DCF shall contact the Embassy of a foreign national who is a minor without delay once the following has been determined:</p> <ul style="list-style-type: none">• the appointment of guardian is in the interest of a foreign national child;• the appointment of a trustee is in the interest of a foreign national child; or• a foreign national child has died.
