



2023/0441(CNS)

21.3.2024

## OPINION

of the Committee on Foreign Affairs

for the Committee on Civil Liberties, Justice and Home Affairs

on the proposal for a Council directive amending Directive (EU) 2015/637 on the coordination and cooperation measures to facilitate consular protection for unrepresented citizens of the Union in third countries and Directive (EU) 2019/997 establishing an EU Emergency Travel Document (COM(2023)930 – C9-0015/2024 – 2023/0441(CNS))

Rapporteur for opinion (\*): Nacho Sánchez Amor

(\*) Associated committee – Rule 57 of the Rules of Procedure

PA\_Legam

## SHORT JUSTIFICATION

The Commission proposal foresees a substantial extension of the role and activities of the European External Action Service (EEAS) and the European Union Delegations, including new and amended provisions on preparedness and response to crises outside the European Union.

In accordance with point I.3 of Annex VI of the Rules of Procedure (RoP), the oversight of the EEAS and its various services, including the organisation and functioning of EU Delegations and the EEAS Crisis Response Centre, fall within the exclusive competence of the Committee on Foreign Affairs (AFET). The EU Delegations' work also covers the implementation of the right of citizens of the Union to protection in the territory of third countries as referred to in Article 35 of the Treaty on European Union.

The organisation and functioning of the EEAS, the EU Delegations and the Crisis Response structures are set out in Council Decision 2010/427/EU of 26 July 2010, for which AFET is competent. The 2022 Strategic Compass for Security and Defence, also an AFET competence, launched a review of the EEAS crisis response mechanisms, including among others consular support and field security.

On 15 March 2023, Parliament adopted a CFSP Recommendation led by AFET taking stock of the functioning of the EEAS and for a stronger EU in the world (2021/2065(INI)). It covers a wide range of EEAS issues, including the support the EU Crisis Response Centre (CRC) in coordinating the response of EU and Member State embassies and delegations and the services they offer to EU citizens in times of crisis.

The Commission proposal lifts the role of the EEAS (and its crisis management structures and EU Delegations) to a new level of involvement, in such a way that consular protection becomes intertwined with the EEAS' foreign, security and defence policy role, whenever decisions must be taken on the basis of assessments, contacts with third countries, use of military assets and other typically CFSP/CSDP elements.

## AMENDMENTS

The Committee on Foreign Affairs calls on the Committee on Civil Liberties, Justice and Home Affairs, as the committee responsible, to take the following into account:

### Amendment 1

#### Proposal for a directive Recital 1 a (new)

*Text proposed by the Commission*

*Amendment*

**(1a) The scope of the Directive (EU) 2015/637 should also be extended beyond EU citizens. In this sense, recognised**

*refugees and stateless persons and other persons who do not hold the nationality of any country, who reside in a Member State and are holders of a travel document issued by that Member State should be entitled to consular protection under the same conditions as unrepresented citizens, if a Member State of residence is not represented by a diplomatic or consular authority.*

## Amendment 2

### Proposal for a directive

#### Recital 2

*Text proposed by the Commission*

(2) Crises resulting in requests for consular protection are increasing in frequency and scale. The COVID-19 pandemic, the crisis in Afghanistan, Russia's war of aggression against Ukraine, the conflict in Sudan, the repatriations from Israel and Gaza and other similar crises have provided a context to identify gaps and reflect on how to further facilitate the exercise of the right to consular protection. Drawing lessons from those experiences, and in order to simplify procedures for citizens and consular authorities, the rules and procedures of Directive (EU) 2015/637 should be clarified and streamlined so as to improve the effectiveness of the provision of consular protection to unrepresented citizens of the Union, in particular in crisis situations. Best use should be made of the available resources at Member State and Union level, both locally in third countries and at capital level.

*Amendment*

(2) Crises resulting in requests for consular protection are increasing in frequency and scale. The COVID-19 pandemic, the crisis in Afghanistan **in 2021**, Russia's war of aggression against Ukraine, the conflict in Sudan, the repatriations from Israel and Gaza, **the multiplying humanitarian crises and natural and human made disasters** and other similar crises have provided a context to identify gaps and reflect on how to further facilitate the exercise of the right to consular protection. **The EU's capacity to respond to these ongoing multiplying crises should be reinforced, addressing any shortcoming and strengthening our preparedness, information-gathering and decision-making capacity ahead of and during crises.** Drawing lessons from those experiences, and in order to simplify procedures for citizens and consular authorities, the rules and procedures of Directive (EU) 2015/637 should be clarified and streamlined so as to improve the effectiveness of the provision of consular protection to unrepresented citizens of the Union, in particular in crisis situations. Best use should be made of the available resources at Member State and Union level, both locally in third countries

and at capital level.

### Amendment 3

#### Proposal for a directive

##### Recital 4

*Text proposed by the Commission*

(4) To improve legal certainty for consular authorities and citizens, it is appropriate to lay down more detailed criteria that aid in the assessment whether a Union citizen is to be considered as unrepresented and thus eligible to receive consular protection from the Member State whose consular authorities have been approached. Those criteria should be sufficiently flexible and applied in light of local circumstances, such as ease of travel or security situation in the third country concerned. In this context, accessibility and proximity should remain important considerations.

*Amendment*

(4) To improve legal certainty for consular authorities and citizens, it is appropriate to lay down more detailed criteria that aid in the assessment whether a Union citizen is to be considered as unrepresented and thus eligible to receive consular protection from the Member State whose consular authorities have been approached. Those criteria should be sufficiently ***pragmatic***, flexible and applied in light of local circumstances, such as ease of travel or security situation in the third country concerned. In this context, accessibility and proximity should remain important considerations.

### Amendment 4

#### Proposal for a directive

##### Recital 10

*Text proposed by the Commission*

(10) Where a crisis situation results in a large number of applications for consular protection, the embassies and consulates of the Member States represented in the third country concerned should be given the possibility to agree to distribute applications based on available capacity with a view to making best use thereof. For that purpose, they ***may*** be assisted by Union delegations.

*Amendment*

(10) Where a crisis situation results in a large number of applications for consular protection, the embassies and consulates of the Member States represented in the third country concerned should be given the possibility to agree to distribute applications based on available capacity with a view to making best use thereof. For that purpose, they ***should*** be assisted by Union delegations.

### Amendment 5

#### Proposal for a directive

## Recital 19

*Text proposed by the Commission*

(19) In order to ensure preparedness regarding possible consular crises requiring the provision of assistance to unrepresented citizens, local consular cooperation among Member States and Union delegations in third countries should include exchanges on matters relevant to such citizens, including their security and safety, the establishment of joint consular contingency plans and the organisation of consular exercises. In this context, it can be particularly relevant for the consular authorities of unrepresented Member States to be included in such local consular cooperation when coordinating on consular crisis preparedness and response.

*Amendment*

(19) In order to ensure preparedness regarding possible consular crises requiring the provision of assistance to unrepresented citizens - ***including natural disasters, political unrest or terrorist attacks*** -, local consular cooperation among Member States and Union delegations in third countries should include exchanges on matters relevant to such citizens, including their security and safety, the establishment of joint consular contingency plans ***and mechanisms for quick response***, and the organisation of consular exercises. In this context, it can be particularly relevant for the consular authorities of unrepresented Member States to be included in such local consular cooperation when coordinating on consular crisis preparedness and response.

## Amendment 6

### Proposal for a directive

#### Recital 23

*Text proposed by the Commission*

(23) Joint consular contingency plans should also take into account, where appropriate, the roles and responsibilities of Lead States, that is, Member States represented in a given third country that are in charge of coordinating and leading the assistance of unrepresented citizens during crises, to ensure the effective coordination of consular assistance. In addition, joint consular contingency plans should be evaluated annually in the context of consular exercises to ensure their continued relevance. At the same time, joint consular contingency plans should not be understood as replacing existing national crisis plans of Member States or affecting their responsibility to provide consular assistance to their own nationals.

*Amendment*

(23) Joint consular contingency plans should also take into account, where appropriate, the roles and responsibilities of Lead States, that is, Member States represented in a given third country that are in charge of coordinating and leading the assistance of unrepresented citizens during crises, to ensure the effective coordination of consular assistance. In addition, joint consular contingency plans should be evaluated annually, ***or more frequently if there are extraordinary circumstances that require so***, in the context of consular exercises to ensure their continued relevance. At the same time, joint consular contingency plans should not be understood as replacing existing national crisis plans of Member States or affecting

their responsibility to provide consular assistance to their own nationals, **but as a coherent approach that can additionally help to coordinate the efforts of the represented Member States.**

## Amendment 7

### Proposal for a directive Recital 25

*Text proposed by the Commission*

(25) Travel advice, that is, information issued by Member States about the relative safety of travelling to specific third countries, **enables** travellers to make an informed decision about a particular travel destination, including third countries where their Member State of nationality is not represented. While the issuance of travel advice is the responsibility of Member States, it is appropriate that they coordinate on that topic, notably in the context of **crisis situations**, with a view to ensuring, **to the extent possible**, consistency in the level of advice given. This could include agreeing on a common structure of the levels of risk indicated in travel advice, making use of the secure platform of the EEAS. **Where possible**, such coordination should take place at an early stage when Member States are planning to change the level of their travel advice.

*Amendment*

(25) Travel advice, that is, information issued by Member States about the relative safety of travelling to specific third countries **should be regularly updated in order to enable** travellers to make an informed decision about a particular travel destination, including third countries where their Member State of nationality is not represented. While the issuance of travel advice is the responsibility of Member States, it is appropriate that they coordinate on that topic, notably in the context of **crises**, with a view to ensuring consistency in the level of advice given. This could include agreeing on a common structure of the levels of risk indicated in travel advice, making use of the secure platform of the EEAS. Such coordination should take place at an early stage when Member States are planning to change the level of their travel advice.

## Amendment 8

### Proposal for a directive Recital 26

*Text proposed by the Commission*

(26) Efficient coordination is vital to ensure effective crisis response. To ensure such coordination, Member States **should** be supported by the Crisis Response Centre of the EEAS and the Emergency Response

*Amendment*

(26) Efficient coordination is vital to ensure effective crisis response. To ensure such coordination, Member States **have to** be supported **and receive timely information** by the Crisis Response Centre

Coordination Centre of the Commission. Coordinated Union crisis response is particularly important in cases requiring evacuations to ensure that available support is provided efficiently, and that best use is made of available evacuation capacities. For that reason, information on available evacuation capacity should be shared in a timely manner, including in case of rescue and evacuation operations using military assets.

of the EEAS and the Emergency Response Coordination Centre of the Commission. Coordinated Union crisis response is particularly important in cases requiring evacuations to ensure that available support is provided **quickly and** efficiently, and that best use is made of available evacuation capacities. For that reason, **first-hand and relevant** information, **such as** on available evacuation capacity **for instance**, should be shared in a timely manner **to be able to react rapidly and effectively**, including in case of rescue and evacuation operations using military assets. **In this regard, the EEAS should be able to receive automatic and continuous information from Member States on the situation in third countries.**

## Amendment 9

### Proposal for a directive Recital 28

*Text proposed by the Commission*

(28) Joint consular teams should be based on the **principles of voluntary participation**, solidarity with represented Member States, equality with regard to decisions on internal working structures, simplicity regarding composition of teams, cost-sharing – with each Member State, Union institution or body bearing its own operational costs – flexibility, visibility of the coordinated Union response and openness to relevant third countries.

## Amendment 10

### Proposal for a directive Recital 30

*Text proposed by the Commission*

(30) To support Union citizens in need, it is important to provide them with reliable information on how to avail themselves of

*Amendment*

(28) Joint consular teams should be based on the **principle** of solidarity with represented Member States, equality with regard to decisions on internal working structures, simplicity regarding composition of teams, cost-sharing – with each Member State, Union institution or body bearing its own operational costs – flexibility, visibility of the coordinated Union response and openness to relevant third countries.

*Amendment*

(30) To support Union citizens in need, it is important to provide them with reliable **and easily accessible** information on how



consular assistance in third countries. The Commission services and the EEAS should **contribute to that objective by disseminating** relevant information, including information **to be** provided by Member States on their consular networks and third countries where they have concluded practical arrangements on sharing responsibilities for providing consular protection to unrepresented citizens. To facilitate the processing of such information, it should be provided in machine-readable format.

to avail themselves of consular assistance in third countries, **including digital contact options**. The Commission services and the EEAS should **disseminate in close coordination with Member States** relevant information, including information provided by Member States on their consular networks and third countries where they have concluded practical arrangements on sharing responsibilities for providing consular protection to unrepresented citizens. To facilitate the processing of such information, it should be provided in machine-readable format.

## Amendment 11

### Proposal for a directive Recital 30 a (new)

*Text proposed by the Commission*

*Amendment*

**(30a) Member States and EU relevant bodies shall ensure that the information to citizens concerning consular protection is up-to-date and easily accessible on digital platforms, including mobile applications, so that EU citizens have quick and easy access to information and contact channels at any time. In this sense, a broadcast service should be established in order for EU citizens to receive contextualised messages related to their rights and how to exercise them through instant notifications when they arrive to third countries, and with warning messages in the event of a crisis. Additionally, a revised and improved joint EU portal for consular protection including all relevant information, instructions for urgent situations and contact information relevant to EU delegations and consular states in third countries, should be considered.**

## Amendment 12

**Proposal for a directive**  
**Recital 31**

*Text proposed by the Commission*

(31) Member States should take additional measures to further contribute to raising Union citizen's awareness of their right to consular protection, also taking into account the specific needs of persons with disabilities. Given the limited costs it entails **for the Member States, one possible way to do so would be to** reproduce the wording of Article 23 TFEU in passports issued by Member States as a way to enhance citizens' awareness of the right to protection by diplomatic and consular authorities, as already recommended by Commission Recommendation C(2007) 5841<sup>5</sup>. Member States could also feature information on the right to consular protection enjoyed by unrepresented citizens in travel advice and campaigns relating to consular assistance. They could also cooperate with passenger transport service providers and transport hubs offering travel to third countries, for example by inviting them to add relevant information on the right to consular protection to the information materials made available to customers.

---

<sup>5</sup> Commission Recommendation C(2007) 5841 of 5 December 2007 on reproducing the text of Article 20 TEC in passports (OJ L 118, 6.5.2008, p. 30, ELI: <http://data.europa.eu/eli/reco/2008/355/oj>).

**Amendment 13**

**Proposal for a directive**  
**Recital 32**

*Text proposed by the Commission*

(32) The financial provisions of Directive (EU) 2015/637 should be adapted

*Amendment*

(31) Member States should take additional measures to further contribute to raising Union citizen's awareness of their right to consular protection, also taking into account the specific needs of persons with disabilities. Given the limited costs it entails, Member States **should** reproduce the wording of Article 23 TFEU in passports issued by Member States as a way to enhance citizens' awareness of the right to protection by diplomatic and consular authorities, as already recommended by Commission Recommendation C(2007) 5841<sup>5</sup>. Member States could also feature information on the right to consular protection enjoyed by unrepresented citizens in travel advice and campaigns relating to consular assistance. They could also cooperate with passenger transport service providers and transport hubs offering travel to third countries, for example by inviting them to add relevant information on the right to consular protection to the information materials made available to customers.

---

<sup>5</sup> Commission Recommendation C(2007) 5841 of 5 December 2007 on reproducing the text of Article 20 TEC in passports (OJ L 118, 6.5.2008, p. 30, ELI: <http://data.europa.eu/eli/reco/2008/355/oj>).

*Amendment*

(32) The financial provisions of Directive (EU) 2015/637 should be adapted

to simplify reimbursements and continue ensuring financial burden-sharing. In particular, it should be possible for unrepresented citizens to directly reimburse costs, under the same conditions as nationals of the assisting Member State, for the service provided by that Member State to avoid the administrative burden resulting from seeking reimbursements from the citizen's Member State of nationality. In addition, Member States should also be allowed to waive the charging of such costs. As, in certain situations, unrepresented citizens may not be able to pay when making the request for assistance, notably when their cash and means to access funds have been stolen, it is necessary to provide that they may be required by the consular authorities of the assisting Member State to sign an undertaking to repay. On the basis of such an undertaking, the authorities of the assisting Member State may ask for the reimbursement of the costs once **four weeks** have passed since the assistance was provided.

to simplify reimbursements and continue ensuring financial burden-sharing. In particular, it should be possible for unrepresented citizens to directly reimburse costs, under the same conditions as nationals of the assisting Member State, for the service provided by that Member State to avoid the administrative burden resulting from seeking reimbursements from the citizen's Member State of nationality. In addition, Member States should also be allowed to waive the charging of such costs. As, in certain situations, unrepresented citizens may not be able to pay when making the request for assistance, notably when their cash and means to access funds have been stolen, it is necessary to provide that they may be required by the consular authorities of the assisting Member State to sign an undertaking to repay. On the basis of such an undertaking, the authorities of the assisting Member State may ask for the reimbursement of the costs once **three months** have passed since the assistance was provided.

## Amendment 14

### Proposal for a directive Recital 34 a (new)

*Text proposed by the Commission*

*Amendment*

***(34a) An appropriate increase of the EEAS budget and human resources should be granted, in addition to the revenue from Member States reimbursements, to guarantee the proper execution of responsibilities in providing assistance and/or protection to EU citizens. The impact of continuous crises and conflicts worldwide can entail the risk of overloading Member States' consular protection and/or assistance, particularly in times of major crisis. The EEAS and Union Delegations, which have assumed an increasing role in this regard, have***

*played a pivotal coordinating role on the ground.*

## **Amendment 15**

**Proposal for a directive**  
**Recital 37 a (new)**

*Text proposed by the Commission*

*Amendment*

*(37a) It is important to recall in the context of a crisis response that the 'Strategic Compass for Security and Defence, endorsed by the European Council on 24 March 2022, enacted the development of an EU Rapid Deployment Capacity, with a projected strength of 5000 troops, to be used in different phases of an operation in a non-permissive environment, and which will initially focus on rescue and evacuation operations as part of a coordinated crisis response.*

## **Amendment 16**

**Proposal for a directive**  
**Article 1 – paragraph 1 – point -1 a (new)**  
Directive (EU) 2015/637  
Article 4 – subparagraph 1 a (new)

*Text proposed by the Commission*

*Amendment*

*(-1a) in Article 4, the following subparagraph 1a is added:*

*'Recognised refugees and stateless persons and other persons who do not hold the nationality of any country, who reside in a Member State and are holders of a travel document issued by that Member State shall be entitled to consular protection under the same conditions as unrepresented citizens, if a Member State of residence is not represented by a diplomatic or consular authority.'*

## **Amendment 17**

### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 1**

Directive (EU) 2015/637

Article 7 – paragraph 4 a (new)

*Text proposed by the Commission*

*Amendment*

***(4a) When providing consular protection to unrepresented citizens, Member States shall take into account the specific needs of vulnerable groups and individuals at risk of discrimination on any ground such as those referred to in Article 21 of the Charter, namely sex, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age or sexual orientation.'***

## **Amendment 18**

### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 4**

Directive (EU) 2015/637

Article 11 – paragraph 2 a (new)

*Text proposed by the Commission*

*Amendment*

***(2a) The EEAS and Union Delegations shall be allocated the necessary financial and human resources to cover the overhead and additional horizontal administrative workload.***

## **Amendment 19**

### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 4**

Directive (EU) 2015/637

Article 13 – paragraph 1 – introductory part

*Text proposed by the Commission*

*Amendment*

1. In the context of local consular cooperation referred to in Article 12, Member States and the EEAS shall set up and agree a joint consular contingency plan for each third country. The joint consular contingency plan shall be updated annually and contain:

1. In the context of local consular cooperation referred to in Article 12, Member States and the EEAS shall set up and agree a joint consular contingency plan for each third country. The joint consular contingency plan shall be updated annually, ***or more frequently in the event of extraordinary circumstances***, and contain:

## Amendment 20

### Proposal for a directive

#### Article 1 – paragraph 1 – point 4

Directive (EU) 2015/637

Article 13 – paragraph 1 – point a

#### *Text proposed by the Commission*

(a) an analysis of the consular situation in the country, including an overview of Member State embassies or consulates, an estimate of the number and location of Union citizens, and a risk assessment of the most plausible scenarios affecting Union citizens;

#### *Amendment*

(a) an analysis of the consular situation in the country, including an overview of Member State embassies or consulates, an estimate of the number and location of Union citizens, and a risk assessment of the most plausible scenarios affecting Union citizens, ***such as, but not limited to, military, political, criminal and health risks, and natural disasters***;

## Amendment 21

### Proposal for a directive

#### Article 1 – paragraph 1 – point 4

Directive (EU) 2015/637

Article 13 – paragraph 2 – subparagraph 1

#### *Text proposed by the Commission*

(2) Where present, Union delegations shall coordinate the setting up and agreement of joint consular contingency plans, based on contributions made by the embassies or consulates of the Member States represented in the third country concerned and the consular authorities of unrepresented Member States. Joint consular contingency plans shall be made

#### *Amendment*

(2) Where present, Union delegations shall coordinate the setting up and agreement of joint consular contingency plans, based on contributions made by the embassies or consulates of the Member States represented in the third country concerned and the consular authorities of unrepresented Member States. ***This might include, when necessary, the cooperation***

available to all Member States, the EEAS and the Commission services.

***with third countries and international organisations.*** Joint consular contingency plans shall be made available to all Member States, the EEAS and the Commission services.

## **Amendment 22**

### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 4**

Directive (EU) 2015/637

Article 13 – paragraph 5 a (new)

*Text proposed by the Commission*

*Amendment*

***(5a) Member States shall enhance situational awareness with Union Delegations in third countries, including by regularly sharing risk assessments updates and possible threats to the security of EU citizens, and by exchanging information on their travel advice.***

## **Amendment 23**

### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 4**

Directive (EU) 2015/637

Article 13 – paragraph 5 b (new)

*Text proposed by the Commission*

*Amendment*

***(5b) The EEAS, in close cooperation with Member States, shall provide consular crisis preparedness, simulation and response training to Union officials and Member States' diplomatic and consular staff to improve their ability to manage crisis situations and provide assistance to EU citizens abroad.***

## Amendment 24

### Proposal for a directive

#### Article 1 – paragraph 1 – point 5

Directive (EU) 2015/637

Article 13a – paragraph 2

#### *Text proposed by the Commission*

2. Where necessary, Member States may be supported by joint consular teams composed of experts from Member States, in particular from Member States not represented in the third country affected by the crisis, the EEAS and the Commission services. Joint consular teams shall be available for rapid deployment to third countries affected by a consular crisis.

#### *Amendment*

2. Where necessary, Member States may be supported by joint consular teams composed of experts from Member States, in particular from Member States not represented in the third country affected by the crisis, the EEAS and the Commission services. Joint consular teams shall be available for rapid deployment to third countries affected by a consular crisis. ***The EEAS and the Commission shall support the preparedness of those experts and of the joint consular teams.***

## Amendment 25

### Proposal for a directive

#### Article 1 – paragraph 1 – point 5

Directive (EU) 2015/637

Article 13a – paragraph 4

#### *Text proposed by the Commission*

4. When providing assistance, Member States may ***seek, if appropriate, support*** from Union instruments such as the crisis management structures of the EEAS and its Crisis Response Centre ***and, via*** the Emergency Response Coordination Centre established by Article 7 of Decision No 1313/2013/EU, the Union Civil Protection Mechanism.

#### *Amendment*

4. When providing assistance, Member States may ***be supported*** from Union instruments such as the crisis management structures of the EEAS and its Crisis Response Centre. ***Member States may also involve*** the Emergency Response Coordination Centre established by Article 7 of Decision No 1313/2013/EU, the Union Civil Protection Mechanism ***and, if appropriate, EU missions and operations under the framework of the Common Security and Defence Policy and the EU Rapid Deployment Capacity as provided for in the ‘Strategic Compass for Security and Defence’.***



## Amendment 26

### Proposal for a directive

#### Article 1 – paragraph 1 – point 6

Directive (EU) 2015/637

Chapter 2a – article 13b – paragraph 1 – introductory part

#### *Text proposed by the Commission*

1. At least once per year, Member States shall provide the Commission **and the High Representative of the Union for Foreign Affairs and Security Policy** with the following information:

#### *Amendment*

1. At least once per year, Member States shall provide **the EEAS and** the Commission with the following information:

## Amendment 27

### Proposal for a directive

#### Article 1 – paragraph 1 – point 6

Directive (EU) 2015/637

Chapter 2 a – Article 13 b – paragraph 2

#### *Text proposed by the Commission*

2. Member States, the Commission services and the EEAS shall make the information referred to in paragraph 1, points (a), (b) and (c), publicly available in a manner that ensures the coherence of the information provided.

#### *Amendment*

2. Member States, the Commission services and the EEAS shall make the information referred to in paragraph 1, points (a), (b), (c) and **(d)**, publicly available in a manner that ensures the coherence of the information provided.

## Amendment 28

### Proposal for a directive

#### Article 1 – paragraph 1 – point 6

Directive (EU) 2015/637

Chapter 2a – article 13c – paragraph 1 – introductory part

#### *Text proposed by the Commission*

1. Member States shall take measures to inform their citizens of their right set out in Article 20(2), point (c), TFEU. ***This may include in particular the following measures:***

#### *Amendment*

1. Member States shall take measures to inform their citizens of their right set out in Article 20(2), point (c), TFEU ***in particular by:***

## Amendment 29

### Proposal for a directive

#### Article 1 – paragraph 1 – point 6

Directive (EU) 2015/637

Chapter 2a – article 13c – paragraph 1 – introductory part – point a

*Text proposed by the Commission*

*Amendment*

**(a) reproducing the first sentence of Article 23 TFEU on national passports;** **deleted**

## Amendment 30

### Proposal for a directive

#### Article 1 – paragraph 1 – point 6

Directive (EU) 2015/637

Chapter 2a – article 13c – paragraph 1 – introductory part – point c a (new)

*Text proposed by the Commission*

*Amendment*

**(ca) developing automatic notification systems, such as short message systems via telephone networks, to provide all EU citizens with basic contact information for consular protection upon arrival to a third country, as well as warning messages in the event of a crisis;**

## Amendment 31

### Proposal for a directive

#### Article 1 – paragraph 1 – point 6

Directive (EU) 2015/637

Chapter 2a – article 13c – paragraph 1 – introductory part – point c b (new)

*Text proposed by the Commission*

*Amendment*

**(cb) In addition, Member States shall reproduce the first sentence of Article 23 TFEU on national passports.**

## Amendment 32

### Proposal for a directive

#### Article 1 – paragraph 1 – point 7

Directive (EU) 2015/637

Article 14 – paragraph 2 – subparagraph 1

#### *Text proposed by the Commission*

If an unrepresented citizen is unable to pay the costs referred to in paragraph 1 to the assisting Member State when making a request for assistance, the assisting Member State may require the unrepresented citizen to sign an undertaking to repay. On that basis, the assisting Member State may ask the unrepresented citizen concerned to pay such costs once **four weeks** have passed since the assistance was provided.

#### *Amendment*

If an unrepresented citizen is unable to pay the costs referred to in paragraph 1 to the assisting Member State when making a request for assistance, the assisting Member State may require the unrepresented citizen to sign an undertaking to repay. On that basis, the assisting Member State may ask the unrepresented citizen concerned to pay such costs once **three months** have passed since the assistance was provided.

## Amendment 33

### Proposal for a directive

#### Article 1 – paragraph 1 – point 7

Directive (EU) 2015/637

Article 14 – paragraph 6

#### *Text proposed by the Commission*

6. The Commission may adopt implementing acts establishing standard forms to be used for the undertaking to repay referred to in paragraph 2 and for the repayment of the costs from the Member State of nationality referred to in paragraph 3. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 15a(2).

#### *Amendment*

6. The Commission may adopt implementing acts establishing standard forms, **available in all Member State languages**, to be used for the undertaking to repay referred to in paragraph 2 and for the repayment of the costs from the Member State of nationality referred to in paragraph 3. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 15a(2).

## Amendment 34

### Proposal for a directive

#### Article 1 – paragraph 1 – point 9

Directive (EU) 2015/637

## Article 16a – paragraph 6

### *Text proposed by the Commission*

6. When processing the personal data referred to in paragraph 5, the competent authorities of the Member States and Union institutions and bodies shall ensure suitable and specific measures to safeguard data subjects' interests. They shall also introduce internal policies and undertake necessary technical and organisational measures to prevent unauthorised access and transmission of such personal data.

### *Amendment*

6. When processing the personal data referred to in paragraph 5, the competent authorities of the Member States and Union institutions and bodies shall ensure suitable and specific measures to safeguard data subjects' interests. They shall also introduce internal policies and undertake necessary technical and organisational measures to prevent unauthorised access and transmission of such personal data. ***Access rights to the personal data referred to in paragraph 5 shall only be granted to personnel holding an EU Member State passport.***

## **Amendment 35**

### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 9**

Directive (EU) 2015/637

Article 16a – paragraph 7 – subparagraph 1

### *Text proposed by the Commission*

For the purposes of this Directive, the competent authorities of the Member States shall transfer personal data to a third country or international organisation only to carry out the tasks referred to in Article 9, Article 10 and Article 13a and in accordance with Chapter V of Regulation (EU) 2016/679.

### *Amendment*

For the purposes of this Directive, the competent authorities of the Member States shall transfer personal data to a third country or international organisation only to carry out the tasks referred to in Article 9, Article 10 and Article 13a and in accordance with Chapter V of Regulation (EU) 2016/679. ***Personal data referred to in paragraph 5 shall be excluded from such transfer, unless the explicit prior consent of the Union citizen concerned has been obtained.***

## **Amendment 36**

### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 9**

Directive (EU) 2015/637

Article 16b – paragraph 1 – introductory part

*Text proposed by the Commission*

Member States shall ensure that unrepresented citizens have an effective remedy under national law in the event of a breach of their rights under this Directive.

*Amendment*

Member States shall ensure that unrepresented citizens have an effective ***access to complaint mechanisms and remedies*** under national law in the event of a breach of their rights under this Directive.

**Amendment 37**

**Proposal for a directive**

**Article 1 – paragraph 1 – point 10**

Directive (EU) 2015/637

Article 19 – paragraph 3 – subparagraph 1

*Text proposed by the Commission*

3. ***No sooner than [eight years after the transposition deadline of the amending Directive]***, the Commission shall carry out an evaluation of this Directive and present a report on the main findings to the European Parliament and the Council.

*Amendment*

3. ***By [four years after the transposition deadline of the amending Directive] and every four years thereafter***, the Commission shall carry out an evaluation ***of the transposition and application*** of this Directive and present a report on the main findings to the European Parliament and the Council, ***including possible breaches of the rights under this Directive***.

**ANNEX: LIST OF ENTITIES OR PERSONS  
FROM WHOM THE RAPPORTEUR HAS RECEIVED INPUT**

Pursuant to Article 8 of Annex I to the Rules of Procedure, the rapporteur declares that he has received input from the following entities or persons in the preparation of the opinion, until the adoption thereof in committee:

<b>Entity and/or person</b>
European External Action Service
European Commission

The list above is drawn up under the exclusive responsibility of the rapporteur.

## PROCEDURE – COMMITTEE ASKED FOR OPINION

<b>Title</b>	Measures to facilitate consular protection for unrepresented citizens of the Union in third countries
<b>References</b>	COM(2023)0930 – C9-0015/2024 – 2023/0441(CNS)
<b>Committee responsible</b> Date announced in plenary	LIBE 14.3.2024
<b>Opinion by</b> Date announced in plenary	AFET 14.3.2024
<b>Rapporteur for the opinion</b> Date appointed	Nacho Sánchez Amor 20.2.2024
<b>Discussed in committee</b>	22.2.2024
<b>Date adopted</b>	20.3.2024
<b>Result of final vote</b>	+ : 43 - : 3 0 : 4
<b>Members present for the final vote</b>	Alviina Alametsä, Alexander Alexandrov Yordanov, Maria Arena, Traian Băsescu, Krzysztof Brejza, Reinhard Bütikofer, Susanna Ceccardi, Włodzimierz Cimoszewicz, Katalin Cseh, Michael Gahler, Kinga Gál, Bernard Guetta, Andrius Kubilius, David Lega, Nathalie Loiseau, Leopoldo López Gil, Lukas Mandl, Thierry Mariani, David McAllister, Vangelis Meimarakis, Sven Mikser, Alessandra Moretti, Matjaž Nemec, Demetris Papadakis, Tonino Picula, Thijs Reuten, Nacho Sánchez Amor, Isabel Santos, Jordi Solé, Tineke Strik, Dominik Tarczyński, Hermann Tertsch, Idoia Villanueva Ruiz, Thomas Waitz, Isabel Wiseler-Lima, Tomáš Zdechovský, Željana Zovko
<b>Substitutes present for the final vote</b>	Udo Bullmann, Michael Kauch, Andrey Kovatchev, Georgios Kyrtzos, Juozas Olekas, Nikos Papandreou, María Soraya Rodríguez Ramos, Mick Wallace, Javier Zarzalejos
<b>Substitutes under Rule 209(7) present for the final vote</b>	Theresa Bielowski, Sylvie Guillaume, Andrey Novakov, Juan Ignacio Zoido Álvarez

## FINAL VOTE BY ROLL CALL IN COMMITTEE ASKED FOR OPINION

43	+
PPE	Alexander Alexandrov Yordanov, Traian Băsescu, Krzysztof Brejza, Michael Gahler, Andrey Kovatchev, Andrius Kubilius, Leopoldo López Gil, David McAllister, Lukas Mandl, Vangelis Meimarakis, Andrey Novakov, Isabel Wiseler-Lima, Javier Zarzalejos, Tomáš Zdechovský, Juan Ignacio Zoido Álvarez, Željana Zovko
Renew	Katalin Cseh, Bernard Guetta, Michael Kauch, Georgios Kyrtos, Nathalie Loiseau, María Soraya Rodríguez Ramos
S&D	Maria Arena, Theresa Bielowski, Udo Bullmann, Włodzimierz Cimoszewicz, Sylvie Guillaume, Sven Mikser, Alessandra Moretti, Matjaž Nemeč, Juozas Olekas, Demetris Papadakis, Nikos Papandreou, Tonino Picula, Thijs Reuten, Nacho Sánchez Amor, Isabel Santos
The Left	Idoia Villanueva Ruiz
Verts/ALE	Alviina Alametsä, Reinhard Bütikofer, Jordi Solé, Tineke Strik, Thomas Waitz

3	-
ECR	Dominik Tarczyński, Hermann Tertsch
ID	Thierry Mariani

4	0
ID	Susanna Ceccardi
NI	Kinga Gál
PPE	David Lega
The Left	Mick Wallace

Key to symbols:

+ : in favour

- : against

0 : abstention