European Parliament

Repatriation of EU citizens during the COVID-19 crisis
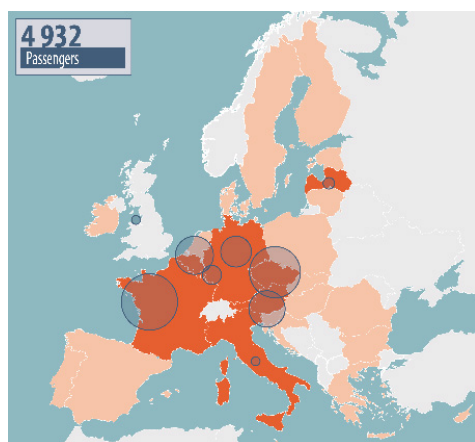
The role of the EU Civil Protection Mechanism

SUMMARY

According to official estimates, the COVID-19 crisis has left more than 200 000 EU citizens stranded outside the borders of the EU. EU Member States have been making great efforts to retrieve them, often with the help of the EU. The priority has been to return EU citizens by using commercial flights, but as the conditions continue to worsen, other resources have had to be utilised.

EU Member States can activate the EU Civil Protection Mechanism to facilitate the repatriation of their and other EU citizens, if the Emergency Crisis Response Centre assesses that there is no better way. So far, at least 15 countries are reported to have requested the help of the Civil Protection Mechanism, using it to organise flights co-funded with EU funds, and so far repatriating 4 382 EU citizens (and 550 others), first from China, and then from a wide range of countries, including Cape Verde, the Dominican Republic, Egypt, Georgia, Japan, Morocco, the Philippines, Tunisia, the USA and Vietnam. More flights are scheduled to bring people back from other locations.

The EU Civil Protection Mechanism has been used more than 300 times to respond to disasters since its establishment in 2001. All the EU Member States, together with Iceland, Montenegro, Norway, North Macedonia, Serbia and Turkey, participate in the Mechanism, but it can also be activated by any country in the world and by certain international organisations. Once the Mechanism is activated, a number of steps follow. The Emergency Crisis Response Centre, as part of the Mechanism, decides on the best response and coordinates it. The EU funds up to 75 % of the costs of the deployment of resources. The 2019 upgrade of the Mechanism boosted the joint capacity for responding to disasters, including medical emergencies. It created rescEU, a reserve of capacities, which has now been augmented to include a stockpile of medical equipment for the COVID-19 response, 90 % of which is funded by the EU. On 27 March 2020, the Commission proposed to further boost the budget for repatriation and for the rescEU stockpile.

4 932 Passengers

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Background

After the outbreak of the COVID-19 crisis, people have been asked to stay at home to protect themselves and other people from the spread of the virus. Many countries have even closed their borders to this end. Traffic has also been reduced or suspended, both within countries and between them. For example, airline companies have reduced the number of flights and some have even temporarily grounded their entire fleet. However, not everybody was in their country of residence when these measures were taken and a significant number of people, including EU citizens travelling abroad, are still waiting to get back to their homes.

This is not surprising as Europeans are estimated to make 90 million trips outside the EU each year and frequently travel to other EU Member States as well. Estimates on the number of EU citizens stranded outside the EU after the outbreak of the crisis vary, but officials put the figure at more than 200 000 people. Due to the restrictions imposed on borders and even the closing of borders by some EU Member States[1] to, for example, non-residents of that Member State who are not its citizens, some EU citizens have even faced difficulties in trying to return to their own Member State through the territory of others.

EU Member States have been investing a lot of effort to bring their citizens back, but since the scale of the crisis exceeds the capacities of individual countries, the EU has been asked to intervene, assist and coordinate the efforts. Under these worsening conditions, the EU Civil Protection Mechanism has proven to be especially useful so far in efforts to repatriate EU citizens travelling in third countries, with 4 382 citizens repatriated so far. A substantial number of non-EU citizens (550) have been rescued in this manner as well. The involvement of the EU in these efforts is in line with Commission President Ursula von der Leyen's September 2019 mission letter to Commissioner Janez Lenarčič, now in charge of the EU Civil Protection Mechanism, in which she stated that the EU has an increasing responsibility to protect its citizens and environment from crises of various kinds, and to show solidarity with people in need around the world.

Actions taken to repatriate EU citizens from third countries

EU Member States have been repatriating their citizens since the beginning of the outbreak of the crisis. The priority has been to bring EU citizens back on commercial flights, and many have been returned in this manner – 250 000 according to official estimates – with no need to activate additional EU resources, such as the EU Civil Protection Mechanism. However, the EU has been involved in these efforts as well, through the work of the European External Action Service (EEAS), EU delegations, and coordination and cooperation between EU Member States' embassies and consulates in third countries.
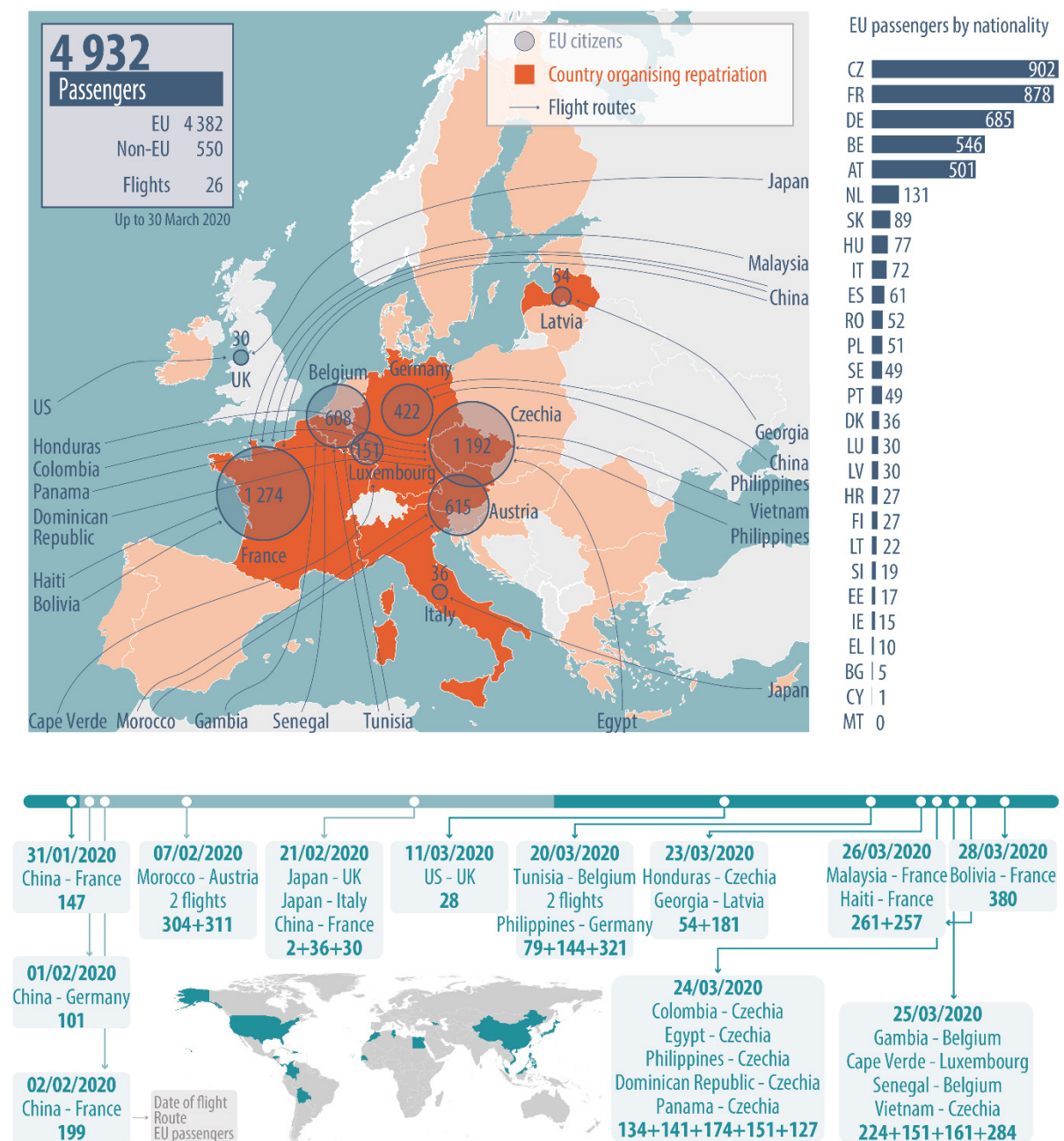
When the return of citizens is no longer possible in this manner, which has increasingly been the case, there are grounds for more EU resources to be activated in order to facilitate the safe return of everybody who needs help. The situation is assessed by the Emergency Response Coordination Centre, together with the European External Action Service and EU Member States. If they determine that the situation requires special assets and assistance, EU Member States may then activate

EU citizenship and consular protection

On the basis of Article 20(2)c and 23 of the Treaty on the Functioning of the EU and Article 46 of the EU Charter of Fundamental Rights, and according to the 2015 Directive on consular protection for unrepresented European citizens living or travelling outside the EU, EU citizens have the right to consular protection from another EU Member State in a third country, on the same conditions as its own nationals, if their own country is unrepresented. EU citizens are considered unrepresented if there is no embassy or consulate from their Member State established in the country, but also when their embassy or consulate is for some reason unable to provide consular protection. According to 2018 data, there are only four countries in the world in which all EU citizens are represented by an established consulate or embassy of their own country. The help that may be provided by the embassy or the consulate of another EU Member State includes assistance in cases of arrest or detention, being a victim of crime, a serious accident or serious illness, death, a need for emergency travel documents, and relief and repatriation in case of an emergency.

the EU Civil Protection Mechanism. In this manner, 4 382 EU citizens[2] had been repatriated up to 30 March, first from China, and subsequently from a wide range of countries, including Cape Verde, the Dominican Republic, Egypt, Georgia, Japan, Morocco, the Philippines, Tunisia, the USA and Vietnam (see Figure 1). The Mechanism was first activated for the repatriation of EU citizens following a request for assistance by France to provide consular support to EU citizens in Wuhan, China, the epicentre of the outbreak. On this occasion, Janez Lenarčič, Commissioner for Crisis Management, gave an assurance that the EU would not forget its citizens in need, wherever they are in the world. As a result, two planes were sent initially by France to retrieve healthy and asymptomatic EU citizens. Further planes were later sent to China, an additional one by France and one by Germany. The 95 EU citizens who were retrieved by a UK repatriation flight to the UK were also returned to their respective Member States. This last leg of their journey was co-funded by the Civil Protection Mechanism.

Figure 1 - EU citizens repatriated under the EU Civil Protection Mechanism, to 30 March 2020

Data source: European Commission.

The help of the Mechanism has been requested by 15 countries[3] so far, and more than 100 flights with EU support are ongoing or planned, with Germany, Belgium, Czechia, Lithuania, Poland, UK, Portugal, Austria, Spain, Netherlands, France and Ireland organising repatriation flights to bring back EU citizens from other locations around the world. Meanwhile, EU High Representative Josep Borrell has emphasised that these efforts are aimed at bringing back EU citizens who are in third countries temporarily as tourists or on business, rather than permanent residents in those countries. The EU has also been helping to repatriate citizens of other countries, such as Switzerland, the USA, Bosnia and Herzegovina, and others.

On 26 March 2020, the European Council issued a joint statement in which the Heads of State or Government stated that they would further step up efforts to ensure that EU citizens stranded in third countries who wish to return can do so, with the active support of the High Representative and the Commission. In order to facilitate transit arrangements for repatriated EU citizens to their Member States, the Commission will also put forward an addendum to the recent border management guidelines. Members of the European Council also stated that the Union Civil Protection Mechanism should be provided with the necessary resources. On 27 March, the European Commission proposed to make €75 million from the EU budget available to help Member States repatriate EU nationals.

EU Civil Protection Mechanism

Established in 2001, and last amended in 2019, the EU Civil Protection Mechanism is a useful means to strengthen cooperation between EU Member States and participating countries in the field of civil protection, to improve prevention, preparedness and response to disasters. It has so far intervened in more than 330 requests for assistance outside and inside the EU, such as the Ebola outbreak in West Africa (2014), the forest fires in Sweden (2018), the earthquakes in Albania (2019) and Croatia (2020), as well as the current COVID-19 crisis.

EU action in this area is based on Article 196 TFEU, under which the EU encourages cooperation between Member States to improve the effectiveness of systems for preventing and protecting against natural or man-made disasters. The aim is to support and complement Member States' action at national, regional and local level in risk prevention, in preparing their civil-protection personnel and in responding to natural or man-made disasters within the Union; promote swift, effective operational cooperation within the Union between national civil-protection services; and promote consistency in international civil-protection work. All EU Member States[4] participate in the Mechanism, along with Iceland, Montenegro, Norway, North Macedonia, Serbia and Turkey.

The 2019 upgrade of the Mechanism has resulted in rescEU, a new European reserve of capacities, which was initially to include a fleet of firefighting planes and helicopters. rescEU was also envisaged as providing for an EU response to other threats, such as medical emergencies and chemical, biological, radiological, and nuclear incidents. As a result, rescEU will now also include a reserve of ventilators and protective masks, 90 % of which is funded by the EU. The rest is funded by the Member State hosting the stockpile. On 27 March 2020, the Commission proposed to boost the budget of the rescEU stockpile from €50 million to €80 million.

The new changes to the Mechanism also led to a stronger European Civil Protection Pool, which was developed in order to have readily available civil-protection capacities for a stronger and more coherent collective response, and a more strategic approach to training through a European Civil Protection Knowledge Network. It also offers Member States significant incentives to enhance their national capacities through additional financing to adapt, operate and repair their resources.

The European Parliament supported the Commission proposal to upgrade the EU Civil Protection Mechanism in 2019, and it requested further changes during the legislative process, such as additional support and facilitation of the coordination of Member States' action to increase the availability and use of scientific knowledge on disasters, including in the outermost regions and overseas countries and territories, mitigate the immediate consequences that catastrophes may have on human lives and on cultural and natural heritage, and step up cooperation and coordination activities at cross-border level. It also suggested to specifically list terrorist attacks among the disasters mentioned in the document.

How does it work?

When the scale of an emergency is too big for a country to respond on its own, it can request assistance through the Civil Protection Mechanism. This can be any country in the world, as well as other relevant international organisations. When the mechanism is activated, the Emergency Response Coordination Centre mobilises the required service, depending on what is needed at that moment. Rapid mobilisation is ensured as the coordination centre constantly monitors events in the world and is directly connected to the national authorities. In cases of crises outside the EU, cooperation with the European External Action Service is also inherent.

When the mechanism is activated, the countries taking part in the Civil Protection Mechanism offer assistance, such as personnel or equipment, and their offers of assistance are coordinated through the Emergency Response Coordination Centre. The EU contributes up to 75 % of the transport and operational costs of deployments. In certain cases the Union can also cover a maximum of 100 % of the total eligible costs if this is necessary to make the pooling of Member States' assistance operationally effective. In cases where national means are exhausted and the capacities that were registered in the European Civil Protection Pool are not available, the rescEU reserve can be activated.

Funding for the EU Civil Protection Mechanism

The financial envelope for the EU Civil Protection Mechanism for 2014-2020 is €368.4 million, of which 223.4 million was to be spent on prevention, preparedness and response actions within the EU, and 144.6 million for actions abroad. Non-EU countries participating in the Mechanism also contribute funds. A further €205.6 million was added in March 2019, as part of the 2019 upgrade of the scheme. In the Commission's original proposal for the 2021-2027 financial framework, the European Union Civil Protection Mechanism was to be allocated €1 400 million for the coming seven years.

MAIN REFERENCES

Hearings of the Commissioners-designate: Janez Lenarčič - Crisis Management, EPRS, European Parliament, 2019

The impact of coronavirus on Schengen borders, EPRS, European Parliament, 2020

How the EU budget is spent: EU Civil Protection Mechanism, EPRS, European Parliament, 2015

ENDNOTES

[1] According to data up to 26 March 2020 published in an EPRS infographic, 14 Schengen countries had then notified the European Commission of the reintroduction of border controls due to threats related to the spread of COVID-19: Belgium, Czechia, Denmark, Germany, Estonia, Spain, Lithuania, Hungary, Austria, Poland, Portugal, Finland, Switzerland and Norway. A number of other Schengen countries have introduced restrictions on movement of persons that affect internal borders, such as temporary bans on non-essential travel: France, Italy, Latvia, Malta, the Netherlands, Slovakia, and Slovenia. Non-Schengen EU Member States have also introduced restrictions, with Bulgaria and Romania temporarily banning entry to all foreigners (though exceptions apply), and Cyprus denying entry to all except its citizens, legal residents and people working in Cyprus. For further details, see the infographic.

[2] The table used for this briefing, covering the period up to 30 March 2020, includes only data from confirmed flights for which the Emergency Response Coordination Centre has received the complete information on the number of passengers repatriated (EU and non-EU). Due to delays in reporting, there may thus be discrepancies with reports from other official sources. The table is updated daily by the Commission.

[3] According to the table up to 30 March used for this briefing, nine countries (France, Germany, Austria, UK, Italy, Belgium, Czechia, Latvia and Luxembourg) have already organised flights with the help of the Mechanism, and six more (Lithuania, Poland, Portugal, Spain, Netherlands and Ireland) are listed as having ongoing or planned flights which appear in the text below the table.

[4] The UK is treated as an EU Member State during the transition period under the Withdrawal Agreement, which runs until 31 December 2020.

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