



2023/0441(CNS)

6.3.2024

AMENDMENTS

15 - 135

Draft opinion
Nacho Sánchez Amor
(PE758.853v01-00)

Measures to facilitate consular protection for unrepresented citizens of the Union in third countries

Proposal for a directive
(COM(2023)0930 – C9-0015/2024 – 2023/0441(CNS))

Amendment 15
Tineke Strik
on behalf of the Verts/ALE Group

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.

Or. en

Amendment 16
Idoia Villanueva Ruiz

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 17
Idoia Villanueva Ruiz

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, Russia's war of aggression against Ukraine, the conflict in Sudan, the repatriations from Israel and Gaza, ***the multiplying humanitarian crises*** 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 has dwindled and action to address these shortcomings should be addressed.*** 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 18
Tineke Strik
 on behalf of the Verts/ALE Group

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 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. ***Fundamental changes are needed in the EU's 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.

Or. en

Amendment 19

Željana Zovko

Proposal for a directive

Recital 2

Text proposed by the Commission

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Or. en

Amendment 20

Idoia Villanueva Ruiz

Proposal for a directive

Recital 3

Text proposed by the Commission

(3) Directive (EU) 2015/637 defines ‘unrepresented citizen’ as every citizen holding the nationality of a Member State which is not represented in a third country. Pursuant to that Directive, a Member State is not represented in a third country if it has no embassy or consulate established there on a permanent basis, or if it has no embassy, consulate or honorary consul there which is effectively in a position to provide consular protection in a given case. Given the absence of more detailed criteria in Directive (EU) 2015/637, past experiences have shown that it may be difficult to determine whether the latter criterion is fulfilled. This can result in citizens being wrongly considered, by the

Amendment

(3) Directive (EU) 2015/637 defines ‘unrepresented citizen’ as every citizen holding the nationality of a ***Member State or persons who do not hold the nationality of any country, who reside in a Member State and are holders of travel document issued by that*** Member State which is not represented in a third country. Pursuant to that Directive, a Member State is not represented in a third country if it has no embassy or consulate established there on a permanent basis, or if it has no embassy, consulate or honorary consul there which is effectively in a position to provide consular protection in a given case. Given the absence of more detailed criteria in Directive (EU) 2015/637, past experiences

consular authorities they have approached, as represented by their Member State of nationality and thus refused consular protection.

have shown that it may be difficult to determine whether the latter criterion is fulfilled. This can result in citizens being wrongly considered, by the consular authorities they have approached, as represented by their Member State of nationality and thus refused consular protection.

Or. en

Amendment 21
Željana Zovko

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 *pragmatical*, 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.

Or. en

Amendment 22
Thierry Mariani, Jean-Lin Lacapelle

Proposal for a directive
Recital 5

Text proposed by the Commission

Amendment

(5) *As first criterion, consular authorities should take into account the difficulty for citizens to safely reach or be reached by the embassy or consulate of their Member State of nationality within a reasonable period of time, taking into account the nature and urgency of the assistance requested and the means, notably financial resources, available to them. For example, the need for an EU Emergency Travel Document as a result of the loss of travel documents should, in principle, result in the citizen being considered as unrepresented if reaching the embassy or consulate of his or her Member State of nationality would require overnight or air travel, as he or she cannot be expected to travel under such circumstances.*

deleted

Or. fr

Amendment 23

Tineke Strik

on behalf of the Verts/ALE Group

Proposal for a directive

Recital 7 a (new)

Text proposed by the Commission

Amendment

(7a) *Any additional specific circumstances or conditions possibly not covered by this Directive that might hamper a Union citizen to travel to a third country should also be taken into account when considering a citizen as unrepresented;*

Or. en

Amendment 24

Tineke Strik

on behalf of the Verts/ALE Group

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.

Or. en

Amendment 25
Thierry Mariani, Jean-Lin Lacapelle

Proposal for a directive
Recital 17

Text proposed by the Commission

(17) Recent events have highlighted the important contribution of Union delegations, in close cooperation with Member States, to the implementation of the right to consular protection. This has been the case in particular in third countries where few Member States are represented, in crisis situations, and as regards the exchange of information. Against this background, it is appropriate to clarify the supporting role of Union delegations in the implementation of the right to consular protection. For reasons of consistency and business continuity, Union delegations should normally chair local consular cooperation meetings and lead the setting up and agreement of joint consular contingency plans. In order to ensure coordination and effective protection of unrepresented citizens, Union delegations should also take part in

Amendment

(17) It should be pointed out, however, that Union delegations in third countries cannot under any circumstances replace Member States' consular and diplomatic services, as those services remain the exclusive prerogative of Member States.

the coordination of crisis response in close cooperation with the Member States.

Or. fr

Amendment 26
Željana Zovko

Proposal for a directive
Recital 17

Text proposed by the Commission

(17) Recent events have highlighted the important contribution of Union delegations, in close cooperation with Member States, to the implementation of the right to consular protection. This has been the case in particular in third countries where few Member States are represented, in crisis situations, and as regards the exchange of information. Against this background, it is appropriate to clarify the supporting role of Union delegations in the implementation of the right to consular protection. For reasons of consistency and business continuity, Union delegations should *normally* chair local consular cooperation meetings and lead the setting up and agreement of joint consular contingency plans. In order to ensure coordination and effective protection of unrepresented citizens, Union delegations should also take part in the coordination of crisis response in close cooperation with the Member States.

Amendment

(17) Recent events have highlighted the important contribution of Union delegations, in close cooperation with Member States, to the implementation of the right to consular protection. This has been the case in particular in third countries where few Member States are represented, in crisis situations, and as regards the exchange of information. Against this background, it is appropriate to clarify the supporting role of Union delegations in the implementation of the right to consular protection. For reasons of consistency and business continuity, Union delegations should ***in close cooperation and agreement with the Member States*** chair local consular cooperation meetings and lead the setting up and agreement of joint consular contingency plans. In order to ensure coordination and effective protection of unrepresented citizens, Union delegations should also take part in the coordination of crisis response in close cooperation with the Member States.

Or. en

Amendment 27
Thierry Mariani, Jean-Lin Lacapelle

Proposal for a directive
Recital 17 a (new)

Text proposed by the Commission

Amendment

(17a) Unrepresented citizens can be effectively reached even if Member States act independently of each other. Any action taken at Union level should under no circumstances lead to the establishment of a supranational crisis management instrument. Consequently, any amendment to the current Directive that seeks to grant Union delegations new powers to provide direct consular protection for unrepresented citizens in uncovered third countries must be rejected.

Or. fr

Amendment 28

Thierry Mariani, Jean-Lin Lacapelle

Proposal for a directive

Recital 20

Text proposed by the Commission

Amendment

(20) Consular crisis preparedness is an essential requirement to ensure effective consular crisis response. Member States, ***supported by the European External Action Service (EEAS)***, should therefore ensure that adequate consular preparedness measures for the protection of unrepresented citizens are discussed and implemented in all third countries.

(20) Consular crisis preparedness is an essential requirement to ensure effective consular crisis response. Member States should therefore ensure that adequate consular preparedness measures for the protection of unrepresented citizens are discussed and implemented in all third countries.

Or. fr

Amendment 29

Anna Fotyga

Proposal for a directive

Recital 21

Text proposed by the Commission

(21) Past crises have shown the relevance of contingency planning and the usefulness of joint consular contingency plans, known as ‘Joint EU Consular Crisis Preparedness Frameworks’, in third countries, involving the participation of the diplomatic and consular authorities of all Member States, as well as of the local Union delegation. Such plans should be tailored to local circumstances, set a clear division of responsibilities between represented and non-represented Member States and the Union delegation and include a set of procedures and activities to be carried out at local level in case of a crisis, with a specific attention to the consular protection of unrepresented citizens.

Amendment

(21) Past crises have shown ***in some cases*** the relevance of contingency planning and the usefulness of joint consular contingency plans, known as ‘Joint EU Consular Crisis Preparedness Frameworks’, in third countries, involving the participation of the diplomatic and consular authorities of all Member States, as well as of the local Union delegation. Such plans should be tailored to local circumstances, set a clear division of responsibilities between represented and non-represented Member States and the Union delegation and include a set of procedures and activities to be carried out at local level in case of a crisis, with a specific attention to the consular protection of unrepresented citizens. ***The need for joint consular contingency plans should be evaluated on a case-by-case basis in light of the situation and the principles of voluntary participation.***

Or. en

Amendment 30

Željana Zovko

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

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(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.

relevance. At the same time, joint consular contingency plans should not be understood as replacing *the* existing national crisis plans of *individual* Member States or affecting their responsibility to provide *required and timely* consular assistance to their own nationals, *but as a coherent approach that can additionally help to coordinate the efforts of the represented Member States.*

Or. en

Amendment 31

Tineke Strik

on behalf of the Verts/ALE Group

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

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Or. en

Amendment 32
Željana Zovko

Proposal for a directive
Recital 24

Text proposed by the Commission

(24) The estimated number and location of Union citizens present in a third country is crucial information for the preparation of a joint consular contingency plan, notably where an evacuation or repatriation becomes necessary. In addition, Union citizens should be able to receive relevant information from their Member State of nationality in case of a crisis. It is therefore important that Member States provide their citizens with the possibility to register with or inform competent national authorities, by appropriate means and tools, of their travels to or residence in third countries. For that purpose, Member States should, in accordance with Union and national law regarding personal data protection, lay down the categories of personal data required and the retention periods of such data.

Amendment

(24) The estimated number and location of Union citizens present in a third country is crucial information for the preparation of a joint consular contingency plan, notably where an evacuation or repatriation becomes necessary. In addition, Union citizens should be able to receive relevant information from their Member State of nationality in case of a **crisis. Member States and EU delegations should ensure that this information is easily accessible, relevant and up to date. To achieve this a broadcast service should be established with warning messages and important information through instant notification system when they are in third countries, especially during the** crisis. It is therefore important that Member States provide their citizens with the possibility to register with or inform competent national authorities, by appropriate means and tools, of their travels to or residence in third countries. For that purpose, Member States should, in accordance with Union and national law regarding personal data protection, lay down the categories of personal data required and the retention periods of such data.

Or. en

Amendment 33
Thierry Mariani, Jean-Lin Lacapelle

Proposal for a directive
Recital 24

Text proposed by the Commission

Amendment

(24) The estimated number and location of Union citizens present in a third country is crucial information for the preparation of a joint consular contingency plan, notably where an evacuation or repatriation becomes necessary. In addition, Union citizens should be able to receive relevant information from their Member State of nationality in case of a crisis. ***It is therefore important that Member States provide their citizens with*** the possibility to register with or inform competent national authorities, by appropriate means and tools, of their travels to or residence in third countries. ***For that purpose, Member States should, in accordance with Union and national law regarding personal data protection, lay down the categories of personal data required and the retention periods of such data.***

(24) The estimated number and location of Union citizens present in a third country is crucial information for the preparation of a joint consular contingency plan, notably where an evacuation or repatriation becomes necessary. In addition, Union citizens should be able to receive relevant information from their Member State of nationality in case of a crisis. ***However, the fact of giving citizens of*** Member States the possibility to register with or inform competent national authorities, by appropriate means and tools, of their travels to or residence in third countries ***would simply represent a fresh bureaucratic constraint.***

Or. fr

Amendment 34
Sunčana Glavak

Proposal for a directive
Recital 24 a (new)

Text proposed by the Commission

Amendment

(24a) Member States shall ensure that all information on consular protection, including instructions for emergency situations, is available on digital platforms, including mobile applications, in order to provide EU citizens with quick and easy access to information at any time.

Or. hr

Amendment 35
Sunčana Glavak

Proposal for a directive
Recital 24 b (new)

Text proposed by the Commission

Amendment

(24b) A common EU consular protection portal shall be established to provide EU citizens with access to information on consular protection, instructions for emergency situations and contact details of relevant EU delegations and Member States' consulates in third countries.

Or. hr

Amendment 36
Thierry Mariani, Jean-Lin Lacapelle

Proposal for a directive
Recital 25

Text proposed by the Commission

Amendment

(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.

(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. Where possible, such coordination should take place at an early stage when Member States are planning to change the level of their travel advice.

Or. fr

Amendment 37
Anna Fotyga

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.

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Or. en

Amendment 38
Željana Zovko

Proposal for a directive
Recital 25

Text proposed by the Commission

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Amendment

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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.

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, 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.

Or. en

Amendment 39

Tineke Strik

on behalf of the Verts/ALE Group

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

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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.

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.

Or. en

Amendment 40
Idoia Villanueva Ruiz

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.

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Or. en

Amendment 41
Thierry Mariani, Jean-Lin Lacapelle

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 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.***

Amendment

(26) Efficient coordination is vital to ensure effective crisis response. ***Member States already ensure such coordination through diplomatic networks responsible for protection of their nationals abroad in the event of a crisis. Consequently, proposing a new legal basis for the possible deployment of joint consular teams would be tantamount to repudiating each Member State's own crisis management capacity.***

Or. fr

Amendment 42

Željana Zovko

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 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

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

assets.

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 and Member States should be able to share automatic and continuous information flow on the situation in third countries.***

Or. en

Amendment 43

Anna Fotyga

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 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.

Amendment

(26) Efficient coordination is vital to ensure effective crisis response. To ensure such coordination, Member States ***may seek support from*** the Crisis Response Centre 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 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.

Or. en

Amendment 44

Sunčana Glavak

Proposal for a directive

Recital 26 a (new)

Text proposed by the Commission

Amendment

(26a) EU delegations and Member States' consulates shall be required to set up a rapid reaction mechanism to facilitate coordination and cooperation in emergency situations, including natural disasters, political unrest or terrorist attacks, with a view to providing EU citizens with swift and effective consular protection.

Or. hr

Amendment 45
Thierry Mariani, Jean-Lin Lacapelle

Proposal for a directive
Recital 26 a (new)

Text proposed by the Commission

Amendment

(26a) The EEAS must not take over Member State competences with regard to consular protection and/or assistance or coordination on the ground. Consequently, any increase in the budget and human resources for the EEAS would be inappropriate.

Or. fr

Amendment 46
Sunčana Glavak

Proposal for a directive
Recital 26 b (new)

Text proposed by the Commission

Amendment

(26b) Member States should ensure that their citizens who are travelling or residing in third countries are informed of the existence of EU delegations and Member States' consulates and of the

consular protection possibilities available to them.

Or. hr

Amendment 47

Anna Fotyga

Proposal for a directive

Recital 27

Text proposed by the Commission

(27) The COVID-19 pandemic highlighted the need for Member States to work together and support each other in the context of multi-disciplinary crisis teams referred to as joint consular teams. The deployment of a joint consular team to a third country in crisis situations can be critical in helping to prevent that the consular authorities of represented Member States become overwhelmed with the demands of the situation.

Amendment

(27) The COVID-19 pandemic highlighted the need for Member States to work together and support each other in the context of multi-disciplinary crisis teams referred to as joint consular teams. The deployment of a joint consular team to a third country in crisis situations can be critical in helping to prevent that the consular authorities of represented Member States become overwhelmed with the demands of the situation *and be requested by the Member State to process provide support.*

Or. en

Amendment 48

Tineke Strik

on behalf of the Verts/ALE Group

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*,

Amendment

(28) Joint consular teams should be based on the principles of solidarity with represented Member States, equality with regard to decisions on internal working structures, simplicity regarding composition of teams, cost-sharing – with Member *States equally covering a fair*

Union institution or body bearing its own operational costs – flexibility, visibility of the coordinated Union response and openness to relevant third countries.

share of the operational costs – flexibility, visibility of the coordinated Union response and openness to relevant third countries.

Or. en

Amendment 49
Idoia Villanueva Ruiz

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

(28) Joint consular teams should be based on the principles 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.

Or. en

Amendment 50
Thierry Mariani, Jean-Lin Lacapelle

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 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**

Amendment

(30) To support Union citizens in need, it is important to provide them with reliable information on how to avail themselves of consular assistance in third countries. **Member States** should contribute to that objective by disseminating relevant information on their consular networks. To facilitate the processing of such

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.

information, it should be provided in machine-readable format.

Or. fr

Amendment 51
Željana Zovko

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 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.

Amendment

(30) To support Union citizens in need, it is important to provide them with reliable information on how to avail themselves of consular assistance in third countries. The Commission services and the EEAS should **in close coordination with Member States disseminate** 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. **In order to facilitate and improve consular protection, with special attention being paid to the situation of unrepresented citizens, the Commission should establish practical guidelines** in machine-readable format.

Or. en

Amendment 52
Michael Kauch

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 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.

Amendment

(30) To support Union citizens in need, it is important to provide them with reliable **and easily accessible** information on how to avail themselves of consular assistance in third countries, **including digital contact options**. 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.

Or. en

Amendment 53

Anna Fotyga

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 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

Amendment

(30) To support Union citizens in need, it is important to provide them with reliable information on how to avail themselves of consular assistance in third countries. The Commission services and the EEAS **may** 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.

machine-readable format.

Or. en

Amendment 54

Tineke Strik

on behalf of the Verts/ALE Group

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) 5841⁵. 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.

⁵ 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

(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) 5841⁵. 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.

⁵ 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 55
Thierry Mariani, Jean-Lin Lacapelle

Proposal for a directive
Recital 32

Text proposed by the Commission

(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.*

Amendment

(32) *Consular protection is a public service activity which must remain free of charge. Consequently, the provisions on the financial reimbursement of costs resulting from providing consular protection are inappropriate. The EEAS and the Commission must ensure that the distinction between consular protection and crisis management is properly taken into account when this Directive is revised.*

Amendment 56
Michael Kauch

Proposal for a directive

Recital 32

Text proposed by the Commission

(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.

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 **three months** have passed since the assistance was provided.

Or. en

Amendment 57

Anna Fotyga

Proposal for a directive

Recital 32

Text proposed by the Commission

(32) The financial provisions of Directive (EU) 2015/637 **should** be adapted to simplify reimbursements and continue ensuring financial burden-sharing.

Amendment

(32) The financial provisions of Directive (EU) 2015/637 **may** be adapted to simplify reimbursements and continue ensuring financial burden-sharing. In

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.

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.

Or. en

Amendment 58
Thierry Mariani, Jean-Lin Lacapelle

Proposal for a directive
Recital 34

Text proposed by the Commission

(34) Member States should reimburse Union delegations for their support in providing consular protection to unrepresented citizens to ensure that such support is provided on a resource-neutral basis, as required by Article 5(10) of Decision 2010/427/EU.

Amendment

deleted

Or. fr

Amendment 59
Željana Zovko

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, and in agreement those of Member States should be granted to guarantee the proper execution of responsibilities in providing assistance and/or protection to EU citizens in third countries in order to avoid the risk of overloading existing resources.

Or. en

Amendment 60
Nathalie Loiseau

Proposal for a directive
Recital 37 a (new)

Text proposed by the Commission

Amendment

(37a) Where the 'Strategic Compass for Security and Defence – For a European Union that protects its citizens, values and interests and contributes to international peace and security', 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.

Or. en

Amendment 61
Thierry Mariani, Jean-Lin Lacapelle

Proposal for a directive
Recital 40

Text proposed by the Commission

(40) Given that consular tasks can vary significantly, covering sensitive situations such as arrest, incarceration, injury or being a victim of a crime, it is necessary to ensure that competent authorities of the Member States ***and relevant Union institutions and bodies*** have access to and can exchange all the necessary information, ***including personal data, that is required*** to provide consular protection to Union citizens. In that context, the competent authorities of the Member States and, where they provide support, Union institutions and bodies should be entitled to process special categories of personal data, where doing so is strictly necessary to provide consular protection to the person concerned. This should cover health data, which may need to be processed in order to provide consular protection to an unrepresented citizen who has been seriously injured or has fallen seriously ill. Persons' facial images need to be processed notably in cases where an EU Emergency Travel Document is to be issued. ***Providing assistance to an unrepresented citizen, including in the defence of legal claims, may also exceptionally require the processing of personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, or data concerning sexual orientation. In certain cases, providing consular assistance may also require the processing of genetic data, such as when providing assistance in the context of serious accidents requiring the unique identification of an incapacitated person or in the context of establishing paternity. Finally, consular cases linked to arrest or***

Amendment

(40) Given that consular tasks can vary significantly, covering sensitive situations such as arrest, incarceration, injury or being a victim of a crime, it is necessary to ensure that competent authorities of the Member States have access to and can exchange all the necessary information to provide consular protection to Union citizens. In that context, the competent authorities of the Member States and, where they provide support, Union institutions and bodies should be entitled to process special categories of personal data, where doing so is strictly necessary to provide consular protection to the person concerned. This should cover health data, which may need to be processed in order to provide consular protection to an unrepresented citizen who has been seriously injured or has fallen seriously ill. Persons' facial images need to be processed notably in cases where an EU Emergency Travel Document is to be issued.

detention may likely require the competent authorities to process personal data relating to criminal convictions and offences.

Or. fr

Amendment 62

Thierry Mariani, Jean-Lin Lacapelle

Proposal for a directive

Recital 41

Text proposed by the Commission

(41) *When* processing such special categories of personal data, *the competent authorities of the Member States and Union institutions and bodies should ensure suitable and specific measures to safeguard data subjects' interests. This should include, where possible, encrypting such personal data and specific attribution of access rights for personnel who have access to the specified types of special categories of personal data.*

Amendment

(41) *The* processing *of* such special categories of personal data *must take place in the context of international judicial cooperation under an international letter rogatory.*

Or. fr

Amendment 63

Michael Kauch

Proposal for a directive

Recital 41

Text proposed by the Commission

(41) When processing such special categories of personal data, the competent authorities of the Member States and Union institutions and bodies should ensure suitable and specific measures to safeguard data subjects' interests. This should include, where possible, encrypting

Amendment

(41) When processing such special categories of personal data, the competent authorities of the Member States and Union institutions and bodies should ensure suitable and specific measures to safeguard data subjects' interests. This should include, where possible, encrypting

such personal data and specific attribution of access rights for personnel who have access to the specified types of special categories of personal data.

such personal data and specific attribution of access rights for personnel who have access to the specified types of special categories of personal data. ***Access to such special categories of personal data shall be limited to personnel holding an EU Member State passport.***

Or. en

Amendment 64
Idoia Villanueva Ruiz

Proposal for a directive
Recital 41

Text proposed by the Commission

(41) When processing such special categories of personal data, the competent authorities of the Member States and Union institutions and bodies should ensure suitable and specific measures to safeguard data subjects' interests. This should include, ***where possible***, encrypting such personal data and specific attribution of access rights for personnel who have access to the specified types of special categories of personal data.

Amendment

(41) When processing such special categories of personal data, the competent authorities of the Member States and Union institutions and bodies should ensure suitable and specific measures to safeguard data subjects' interests. This should include encrypting such personal data and specific attribution of access rights for personnel who have access to the specified types of special categories of personal data.

Or. en

Amendment 65
Thierry Mariani, Jean-Lin Lacapelle

Proposal for a directive
Recital 42

Text proposed by the Commission

(42) Where the provision of consular protection requires the transfer of personal data of Union citizens to third countries or international organisations, such as the United Nations, collaborating

Amendment

deleted

in the crisis response measures, such transfers should comply with Chapter V of Regulation (EU) 2016/679 and Chapter V of Regulation (EU) 2018/1725.

Or. fr

Amendment 66
Anna Fotyga

Proposal for a directive
Recital 43

Text proposed by the Commission

(43) It is necessary to further specify safeguards applicable to the personal data processed, such as the maximum retention period of personal data collected. To ensure the collection of any applicable costs, a maximum retention period of 12 months for the assisting Member State or Union institutions and bodies and 24 months for the Member State of nationality is necessary. The longer retention period applicable to the Member State of nationality is also necessary to prevent possible abuses or other fraudulent activities, including by persons who repeatedly seek consular protection and attempt to conceal such behaviour by approaching the consular authorities of different Member States. Finally, where the personal data concerns the contact details of public officials such as honorary consuls, the personal data should be retained for as long as the person remains the relevant contact. The erasure of personal data of applicants should not affect Member States' abilities to monitor the application of this Directive.

Amendment

(43) It is necessary to further specify safeguards applicable to the personal data processed, such as the maximum retention period of personal data collected. To ensure the collection of any applicable costs, a maximum retention period of 12 months for the assisting Member State or Union institutions and bodies and 24 months for the Member State of nationality is necessary, ***unless in cases of criminal or terrorism convictions***. The longer retention period applicable to the Member State of nationality is also necessary to prevent possible abuses or other fraudulent activities, including by persons who repeatedly seek consular protection and attempt to conceal such behaviour by approaching the consular authorities of different Member States. Finally, where the personal data concerns the contact details of public officials such as honorary consuls, the personal data should be retained for as long as the person remains the relevant contact. The erasure of personal data of applicants should not affect Member States' abilities to monitor the application of this Directive.

Or. en

Amendment 67

Tineke Strik

on behalf of the Verts/ALE Group

Proposal for a directive

Article 1 – paragraph 1 – point -1 (new)

Directive (EU) 2015/637

Article 2 a (new)

Text proposed by the Commission

Amendment

(-1) in Chapter 1, the following Article 2a is inserted:

‘Article 2a

Principle of non-discrimination and protection of vulnerable groups

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.’

Or. en

Amendment 68

Idoia Villanueva Ruiz

Proposal for a directive

Article 1 – paragraph 1 – point - 1 (new)

Directive (EU) 2015/637

Article 2 a (new)

Text proposed by the Commission

Amendment

(-1) Article 2a

Principle of non-discrimination and protection of vulnerable groups

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.'

Or. en

Amendment 69

Tineke Strik

on behalf of the Verts/ALE Group

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.'

Or. en

Amendment 70

Thierry Mariani, Jean-Lin Lacapelle

Proposal for a directive

Article 1 – paragraph 1 – point 1

Directive (EU) 2015/637

Article 6 – paragraph 1

Text proposed by the Commission

1. For the purposes of this Directive, a Member State is not represented in a third country if it has no embassy or consulate established there on a permanent basis, or if it has no embassy or consulate there which is *effectively* in a position to provide consular protection in a given case.

Amendment

1. For the purposes of this Directive, a Member State is not represented in a third country if it has no embassy or consulate established there on a permanent basis, or if it has no embassy or consulate there which is in a position to provide consular protection in a given case.

Or. fr

Amendment 71

Thierry Mariani, Jean-Lin Lacapelle

Proposal for a directive

Article 1 – paragraph 1 – point 1

Directive (EU) 2015/637

Article 6 – paragraph 2

Text proposed by the Commission

2. To determine whether a Member State has no embassy or consulate which is *effectively* in a position to provide consular protection in a given case, the embassy or consulate from which the unrepresented citizen seeks consular protection shall take into account the following *criteria, in light of local* circumstances:

Amendment

2. To determine whether a Member State has no embassy or consulate which is in a position to provide consular protection in a given case, the embassy or consulate from which the unrepresented citizen seeks consular protection shall take into account the following circumstances:

Or. fr

Amendment 72

Thierry Mariani, Jean-Lin Lacapelle

Proposal for a directive

Article 1 – paragraph 1 – point 1

Directive (EU) 2015/637

Article 6 – paragraph 2 – point a

Text proposed by the Commission

Amendment

(a) *the difficulty for the citizen concerned to safely reach or be reached by the embassy or consulate of his or her Member State of nationality within a reasonable period of time, taking into account the nature and urgency of the assistance requested and the means available to the citizen;*

deleted

Or. fr

Amendment 73

Thierry Mariani, Jean-Lin Lacapelle

Proposal for a directive

Article 1 – paragraph 1 – point 1

Directive (EU) 2015/637

Article 6 – paragraph 2 – point b

Text proposed by the Commission

Amendment

(b) *possible closures of the embassy or consulate of his or her Member State of nationality, including when it cannot be confirmed, within a reasonable period of time, as operational and accessible;*

(b) when it cannot be confirmed *that the embassy or consulate is* operational and accessible;

Or. fr

Amendment 74

Thierry Mariani, Jean-Lin Lacapelle

Proposal for a directive

Article 1 – paragraph 1 – point 1

Directive (EU) 2015/637

Article 6 – paragraph 2 – point c

Text proposed by the Commission

Amendment

(c) *whether, by redirecting the citizen to the embassy or consulate of his or her Member State of nationality, consular protection would likely be compromised,*

(c) *where* the urgency of the matter requires immediate action by the requested embassy or consulate.

in particular if the urgency of the matter requires immediate action by the requested embassy or consulate.

Or. fr

Amendment 75

Tineke Strik

on behalf of the Verts/ALE Group

Proposal for a directive

Article 1 – paragraph 1 – point 1

Directive (EU) 2015/637

Article 6 – paragraph 2 – point c a (new)

Text proposed by the Commission

Amendment

(ca) any other difficulties or local circumstances that might have been overseen by this Directive and that prevent the citizen to reach the embassy or consulate concerned.

Or. en

Amendment 76

Thierry Mariani, Jean-Lin Lacapelle

Proposal for a directive

Article 1 – paragraph 1 – point 1

Directive (EU) 2015/637

Article 7 – paragraph 2 – subparagraph 1

Text proposed by the Commission

Amendment

Without prejudice to Article 2, a Member State may *represent another Member State on a permanent basis and Member States' embassies or consulates may, wherever deemed necessary, conclude practical arrangements on sharing responsibilities for providing consular protection to unrepresented citizens.*

Without prejudice to Article 2, a Member State may, *in all countries, systematically apportion nationals of the 27 Member States among a number of posts on the spot, with regular updates to take account of developments.*

Or. fr

Amendment 77

Thierry Mariani, Jean-Lin Lacapelle

Proposal for a directive

Article 1 – paragraph 1 – point 4

Directive (EU) 2015/637

Article 11 – paragraph 1 – introductory part

Text proposed by the Commission

1. Union delegations ***shall closely cooperate and coordinate with Member States' embassies and consulates to contribute to local consular cooperation, crisis preparedness and crisis response, in particular by:***

Amendment

1. Union delegations ***may*** contribute to crisis preparedness and crisis response, in particular by:

Or. fr

Amendment 78

Thierry Mariani, Jean-Lin Lacapelle

Proposal for a directive

Article 1 – paragraph 1 – point 4

Directive (EU) 2015/637

Article 11 – paragraph 1 – point e

Text proposed by the Commission

(e) chairing local consular cooperation meetings referred to in Article 12(2);

Amendment

deleted

Or. fr

Amendment 79

Thierry Mariani, Jean-Lin Lacapelle

Proposal for a directive

Article 1 – paragraph 1 – point 4

Directive (EU) 2015/637

Article 11 – paragraph 1 – point f

Text proposed by the Commission

Amendment

(f) coordinating the setting up and agreement of joint consular contingency plans referred to in Article 13;

deleted

Or. fr

Amendment 80

Thierry Mariani, Jean-Lin Lacapelle

Proposal for a directive

Article 1 – paragraph 1 – point 4

Directive (EU) 2015/637

Article 11 – paragraph 2

Text proposed by the Commission

Amendment

2. Union delegations shall support Member States in the provision of consular protection to unrepresented citizens in accordance with Article 5(10) of Decision 2010/427/EU. Such support may include carrying out, upon request by and on behalf of Member States, specific consular assistance tasks. The assisting Member State and the Member State of nationality shall provide the Union delegation with all the relevant information in the case concerned.

2. Union delegations shall support Member States in the provision of consular protection to unrepresented citizens in accordance with Article 5(10) of Decision 2010/427/EU. Such support may include carrying out, upon request by and on behalf of Member States, specific consular assistance tasks. The assisting Member State and the Member State of nationality shall provide the Union delegation with all the relevant information in the case concerned ***to the extent possible.***

Or. fr

Amendment 81

Sunčana Glavak

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. *With a view to strengthening consular protection, the EEAS and*

Member States shall develop joint training and simulations for consular staff to improve their crisis management skills and ability to offer assistance to EU citizens abroad.

Or. hr

Amendment 82

Thierry Mariani, Jean-Lin Lacapelle

Proposal for a directive

Article 1 – paragraph 1 – point 4

Directive (EU) 2015/637

Article 12 – paragraph 3

Text proposed by the Commission

Amendment

3. Unless otherwise agreed by the consular authorities of the Member States, the Chair shall be a representative of the Union delegation. Where no Union delegation is present, meetings shall be chaired by a representative of a Member State.

deleted

Or. fr

Amendment 83

Tineke Strik

on behalf of the Verts/ALE Group

Proposal for a directive

Article 1 – paragraph 1 – point 4

Directive (EU) 2015/637

Article 12 – paragraph 3

Text proposed by the Commission

Amendment

3. Unless otherwise agreed by the consular authorities of the Member States, the Chair shall be a representative of the Union delegation. Where no Union delegation is present, meetings shall be chaired by a representative of a Member

3. The Chair shall be a representative of the Union delegation. Where no Union delegation is present, meetings shall be chaired by a representative of a Member State.

State.

Or. en

Amendment 84

Thierry Mariani, Jean-Lin Lacapelle

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

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:

Amendment

1. In the context of local consular cooperation referred to in Article 12, Member States shall set up and agree a consular contingency plan for each third country. ***The contingency plan must remain confidential and national, as threats may change over time depending on nationalities and the national policies followed. It may be the subject of exchanges of information and analysis but may not be fixed in a single consolidated document. It is necessary to monitor the situation and adapt to developments, and be able to contact people quickly.*** The joint consular contingency plan shall be updated annually and contain:

Or. fr

Amendment 85

Anna Fotyga

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

1. In the context of local consular

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:

cooperation referred to in Article 12, Member States and the EEAS **may** set up and agree a joint consular contingency plan for each third country. The ***need for joint consular contingency plans should be evaluated on a case-by-case basis in light of the situation and the principles of voluntary participation.*** The joint consular contingency plan shall be updated annually and contain:

Or. en

Amendment 86

Tineke Strik

on behalf of the Verts/ALE Group

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

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:

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, ***or more frequently if there are extraordinary circumstances that require so,*** and contain:

Or. en

Amendment 87

Michael Kauch

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, natural disaster and health risks;***

Or. en

Amendment 88

Thierry Mariani, Jean-Lin Lacapelle

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 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;

Or. fr

Amendment 89

Tineke Strik

on behalf of the Verts/ALE Group

Proposal for a directive

Article 1 – paragraph 1 – point 4

Directive (EU) 2015/637

Article 13 – paragraph 1 – point a (new)

Text proposed by the Commission

Amendment

(aa) an analysis of all local staff having worked directly or indirectly for Member States' embassies or consulates, Union delegations or other EU's or Member States' projects, including a risk assessment for them and evacuation scenarios;

Or. en

Amendment 90
Michael Kauch

Proposal for a directive
Article 1 – paragraph 1 – point 4
Directive (EU) 2015/637
Article 13 – paragraph 1 – point b

Text proposed by the Commission

(b) joint consular crisis preparedness arrangements, including communication channels and contacts within local consular cooperation and with local authorities and relevant third countries;

Amendment

(b) joint consular crisis preparedness arrangements, including communication channels and contacts within local consular cooperation and with local authorities and relevant third countries *as well as prompt and reliable bi-directional means of communication with registered Union citizens according to paragraph 4;*

Or. en

Amendment 91
Thierry Mariani, Jean-Lin Lacapelle

Proposal for a directive
Article 1 – paragraph 1 – point 4
Directive (EU) 2015/637
Article 13 – paragraph 1 – point b

Text proposed by the Commission

(b) *joint consular crisis preparedness arrangements, including* communication channels and contacts within local consular cooperation and with local authorities and

Amendment

(b) communication channels and contacts within local consular cooperation and with local authorities and relevant third countries;

relevant third countries;

Or. fr

Amendment 92

Thierry Mariani, Jean-Lin Lacapelle

Proposal for a directive

Article 1 – paragraph 1 – point 4

Directive (EU) 2015/637

Article 13 – paragraph 1 – point c

Text proposed by the Commission

(c) ***joint consular crisis response arrangements, including*** information-sharing and communication processes within local consular cooperation and with Union citizens, crisis meetings, cooperation with local authorities and relevant third countries and crisis and post-crisis actions;

Amendment

(c) information-sharing and communication processes within local consular cooperation and with Union citizens, crisis meetings, cooperation with local authorities and relevant third countries and crisis and post-crisis actions;

Or. fr

Amendment 93

Thierry Mariani, Jean-Lin Lacapelle

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

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 available to all Member States, the EEAS

Amendment

Joint consular contingency plans shall be made available to all Member States, the EEAS and the Commission services.

and the Commission services.

Or. fr

Amendment 94

Tineke Strik

on behalf of the Verts/ALE Group

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

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

Amendment

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

Or. en

Amendment 95

Tineke Strik

on behalf of the Verts/ALE Group

Proposal for a directive

Article 1 – paragraph 1 – point 4

Directive (EU) 2015/637

Article 13 – paragraph 2 – subparagraph 1 (new)

Text proposed by the Commission

Amendment

When necessary, during the preparation of joint consular contingency plans, Member States and Union delegations shall cooperate with third countries and

international organisations, including military organisations.

Or. en

Amendment 96

Thierry Mariani, Jean-Lin Lacapelle

Proposal for a directive

Article 1 – paragraph 1 – point 4

Directive (EU) 2015/637

Article 13 – paragraph 4

Text proposed by the Commission

Amendment

4. Member States shall, in accordance with national law, provide their citizens with the possibility to register with or inform competent national authorities, by appropriate means and tools, of their travels to or residence in third countries.

deleted

Or. fr

Amendment 97

Tineke Strik

on behalf of the Verts/ALE Group

Proposal for a directive

Article 1 – paragraph 1 – point 4

Directive (EU) 2015/637

Article 13 – paragraph 5

Text proposed by the Commission

Amendment

5. Member States shall exchange information on changes to their travel advice to citizens at an early stage, in particular in the context of crisis situations, and shall seek to ensure consistency in the level of travel advice given.;

5. Member States shall exchange information on changes to their travel advice to citizens at an early stage, in particular in the context of crisis situations, and shall seek to ensure consistency in the level of travel advice given *based on objective and reliable criteria. Member States and Union delegations shall also exchange information to ensure the*

consistency in the level of travel advice given.;

Or. en

Amendment 98

Anna Fotyga

Proposal for a directive

Article 1 – paragraph 1 – point 4

Directive (EU) 2015/637

Article 13 – paragraph 5

Text proposed by the Commission

5. Member States shall exchange information on changes to their travel advice to citizens at an early stage, in particular in the context of crisis situations, and shall seek to ensure consistency in the level of travel advice given.;

Amendment

5. Member States shall exchange information on changes to their travel advice to citizens at an early stage, in particular in the context of crisis situations, and shall seek to ensure consistency in the level of travel advice given, ***while also taking into account the differences in risk levels that different Member States may be posed to.***;

Or. en

Amendment 99

Thierry Mariani, Jean-Lin Lacapelle

Proposal for a directive

Article 1 – paragraph 1 – point 4

Directive (EU) 2015/637

Article 13 – paragraph 5

Text proposed by the Commission

5. ***Member States shall exchange information on changes to their travel advice to citizens at an early stage, in particular in the context of crisis situations, and shall seek to ensure consistency in the level of travel advice given.***;

Amendment

5. Travel advice to citizens, ***while it may be similar, must remain country-specific and shall not be equivalent.***;

Amendment 100

Tineke Strik

on behalf of the Verts/ALE Group

Proposal for a directive

Article 1 – paragraph 1 – point 5 – introductory part

Directive (EU) 2015/637

Chapter 2 – introductory part

Text proposed by the Commission

Amendment

(5) in Chapter 2, the following Article **13a** is inserted:

(5) in Chapter 2, the following Article **13aa** is inserted:

Or. en

Amendment 101

Tineke Strik

on behalf of the Verts/ALE Group

Proposal for a directive

Article 1 – paragraph 1 – point 5

Directive (EU) 2015/637

Article 13 a – title

Text proposed by the Commission

Amendment

Article 13a

Article 13a

Crisis response

Emergency and crisis response

Or. en

Amendment 102

Thierry Mariani, Jean-Lin Lacapelle

Proposal for a directive

Article 1 – paragraph 1 – point 5

Directive (EU) 2015/637

Article 13 a – paragraph 1

Text proposed by the Commission

1. In the event of a crisis, the Union and Member States shall closely cooperate to ensure efficient assistance for unrepresented citizens. ***They shall, where possible, inform each other of available evacuation capacities in a timely manner, including in case of operations using military assets.***

Amendment

1. In the event of a crisis, the Union and Member States shall closely cooperate to ensure efficient assistance for unrepresented citizens.

Or. fr

Amendment 103

Tineke Strik

on behalf of the Verts/ALE Group

Proposal for a directive

Article 1 – paragraph 1 – point 5

Directive (EU) 2015/637

Article 13 a – paragraph 1

Text proposed by the Commission

1. In the event of a crisis, the Union and Member States shall ***closely cooperate*** to ensure efficient assistance for unrepresented citizens. They shall, ***where possible***, inform each other of available evacuation capacities in a timely manner, ***including*** in case of operations using military assets.

Amendment

1. In the event of a crisis, ***a permanent mechanism of enhanced cooperation between the Union, particularly via its Union delegations***, and Member States shall ***be established*** to ensure efficient ***and timely*** assistance for unrepresented citizens. They shall inform each other of ***all*** available evacuation capacities in a timely manner, ***particularly*** in case of operations using military assets.

Or. en

Amendment 104

Thierry Mariani, Jean-Lin Lacapelle

Proposal for a directive

Article 1 – paragraph 1 – point 5

Directive (EU) 2015/637

Article 13 a – 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. Participation in joint consular teams shall be voluntary.***

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.

Or. fr

Amendment 105

Michael Kauch

Proposal for a directive

Article 1 – paragraph 1 – point 5

Directive (EU) 2015/637

Article 13 a – 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. Participation in joint consular teams shall be ***voluntary***.

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. Participation in joint consular teams shall be ***mandatory for Member States not represented in the third country affected by the crisis***.

Or. en

Amendment 106

Tineke Strik

on behalf of the Verts/ALE Group

Proposal for a directive
Article 1 – paragraph 1 – point 5
Directive (EU) 2015/637
Article 13 a – 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. Participation in joint consular teams shall be **voluntary**.

Amendment

2. Member States **shall** 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. Participation in joint consular teams shall be **mandatory**.

Or. en

Amendment 107
Nathalie Loiseau

Proposal for a directive
Article 1 – paragraph 1 – point 5
Decision No 1313/2013/EU
Article 13 a – 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 seek, if appropriate, support from Union instruments such as the crisis management structures of the EEAS and its Crisis Response Centre, via the Emergency Response Coordination Centre established by Article 7 of Decision No 1313/2013/EU, the Union Civil Protection Mechanism **and, when applicable, the EU Rapid Deployment Capacity as provided for in the ‘Strategic Compass for Security and Defence – For a European Union that protects its citizens, values and interests and contributes to international peace and**

security’, endorsed by the European Council on 24 March 2022.

Or. en

Amendment 108

Thierry Mariani, Jean-Lin Lacapelle

Proposal for a directive

Article 1 – paragraph 1 – point 5

Directive (EU) 2015/637

Article 13 a – 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 seek, if appropriate, support from Union instruments.;

Or. fr

Amendment 109

Tineke Strik

on behalf of the Verts/ALE Group

Proposal for a directive

Article 1 – paragraph 1 – point 5

Directive (EU) 2015/637

Article 13 a – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. When appropriate, and particularly within the context of Common Security and Defence Policy (CSDP) operations, Member States shall cooperate with the EU Military Staff.’

Or. en

Amendment 110

Tineke Strik

on behalf of the Verts/ALE Group

Proposal for a directive

Article 1 – paragraph 1 – point 5 a (new)

Directive (EU) 2015/637

Article 13 a a (new)

Text proposed by the Commission

Amendment

(5a) in Chapter 2, the following Article 13aa is inserted:

‘Article 13aa

Permanent Consular Crisis Response Mechanism

1. A Permanent Consular Crisis Response Mechanism shall be established to guarantee the fulfilment of the right to consular protection under this Directive. This mechanism shall include the Member States, the Commission and the EEAS.

2. This mechanism shall have three different levels of activation:

(a) Monitoring mode: This mode shall allow information about a crisis to be exchanged on a voluntary basis.

(b) Information-sharing mode: This mode shall involve an obligation for the Commission and the EEAS to produce Integrated Situational Awareness and Analysis (ISAA) reports, as well as investment into situational awareness and preparedness for possible escalation.

(c) Full activation mode: This mode shall entail the preparation of proposals for action with regard to the EU response.

3. This mechanism, in any of the three modes as provided for in the previous paragraph, can be triggered by any Member State, the European Commission, the EEAS and the European

Amendment 111

Tineke Strik

on behalf of the Verts/ALE Group

Proposal for a directive

Article 1 – paragraph 1 – point 5 b (new)

Directive (EU) 2015/637

Article 13 a b (new)

Text proposed by the Commission

Amendment

(5b) in Chapter 2, the following Article 13ab is inserted:

‘Article 13ab

EU’s duty of care

1. Member States, the European Commission and the EEAS shall establish a permanent cross-institutions evacuation cell tasked with constantly monitoring countries at risk and identifying the ‘eligible persons’ to be evacuated and resettled in the event of a crisis.

2. Union delegations shall ensure the fulfilment of their duty of care responsibilities in line with the Decision of the High Representative of the Union for Foreign Affairs and Security Policy of 19 June 2023 on the security rules for the European External Action Service 2023/C 263/04.

3. In the event of a crisis in a third country that requires immediate evacuation of the personnel working in a Union delegation, the ‘staff placed under the responsibility of the EEAS’ as defined in Article 2 of the aforementioned Decision, as well as their eligible dependants, shall enjoy the same rights to consular protection granted to citizens of the Union under this Directive under the same conditions as the nationals of the

Member States.

4. Member States shall also fulfil their duty of care responsibilities, particularly regarding the staff placed under the responsibility of their embassies and consulates, regardless of their administrative status or origin, as well as their eligible dependants. To this end, Member States shall regulate their own security rules with the aim at fulfilling their duty of care. Member States may request the support of other Member States and/or the EEAS when setting up their own security rules.

5. Union delegations and Member States' consulates and embassies shall extend their duty of care of 'entitled persons' to contractors and local staff that previously worked with the missions.'

Or. en

Amendment 112

Tineke Strik

on behalf of the Verts/ALE Group

Proposal for a directive

Article 1 – paragraph 1 – point 5 c (new)

Directive (EU) 2015/637

Article 13 a c (new)

Text proposed by the Commission

Amendment

(5c) in Chapter 2, the following Article 13ac is inserted:

'Article 13ac

EU's responsibility to protect human rights defenders in third countries

In the event of a crisis in a third country, Member States' embassies and consulates and the respective Union delegation shall ensure the protection of human rights defenders at risk, including evacuation from the third country concerned to the EU as a last resort. To this end, Member

States and Union delegations may take into account the EU Guidelines on Human Rights Defenders.'

Or. en

Amendment 113

Tineke Strik

on behalf of the Verts/ALE Group

Proposal for a directive

Article 1 – paragraph 1 – point 5 d (new)

Directive (EU) 2015/637

Article 13 a d (new)

Text proposed by the Commission

Amendment

(5d) in Chapter 2, the following Article 13ad is inserted:

'Article 13ad

Special protection of children

1. Member States, with the support of the Union delegations, shall take protective measures to ensure the right to consular protection of children in third countries, particularly when there is a risk of infringement of their rights enshrined in the Charter of Fundamental Rights of the EU and the UN Convention on the Rights of the Child. When providing consular assistance to children, Member States shall consider the child's best interest as their primary consideration.

2. The Member State of nationality shall ensure the repatriation of children who are under its jurisdiction. In case the Member State of nationality is unwilling or unable to repatriate the children under its jurisdiction, the other Member States represented in a third country, with the assistance of the Union delegation if needed, shall provide the concerned children with the appropriate consular assistance, including repatriation.'

Amendment 114

Tineke Strik

on behalf of the Verts/ALE Group

Proposal for a directive

Article 1 – paragraph 1 – point 6

Directive (EU) 2015/637

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

Text proposed by the Commission

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

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

Amendment 115

Thierry Mariani, Jean-Lin Lacapelle

Proposal for a directive

Article 1 – paragraph 1 – point 6

Directive (EU) 2015/637

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

Text proposed by the Commission

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

If they consider it necessary, Member States ***may*** provide the Commission and the High Representative of the Union for Foreign Affairs and Security Policy with the following information:

Amendment 116

Anna Fotyga

Proposal for a directive

Article 1 – paragraph 1 – point 6

Directive (EU) 2015/637

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

Text proposed by the Commission

Amendment

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:

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

Or. en

Amendment 117

Thierry Mariani, Jean-Lin Lacapelle

Proposal for a directive

Article 1 – paragraph 1 – point 6

Directive (EU) 2015/637

Chapter 2 a – Article 13 b – paragraph 1 – point a

Text proposed by the Commission

Amendment

(a) up-to-date lists of contacts for their consular networks; **deleted**

Or. fr

Amendment 118

Thierry Mariani, Jean-Lin Lacapelle

Proposal for a directive

Article 1 – paragraph 1 – point 6

Directive (EU) 2015/637

Chapter 2 a – Article 13 b – paragraph 1 – point d

Text proposed by the Commission

Amendment

(d) the number of unrepresented citizens having been provided consular protection referred to in Article 2 during the previous year, broken down by nationality and third country; **deleted**

Amendment 119
Thierry Mariani, Jean-Lin Lacapelle

Proposal for a directive
Article 1 – paragraph 1 – point 6
Directive (EU) 2015/637
Chapter 2 a – Article 13 b – paragraph 1 – point e

Text proposed by the Commission

Amendment

(e) the number of reimbursement requests submitted and received pursuant to Articles 14 and 15 during the previous year.

deleted

Amendment 120
Tineke Strik
on behalf of the Verts/ALE Group

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

Amendment

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.

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

Amendment 121
Tineke Strik
on behalf of the Verts/ALE Group

Proposal for a directive
Article 1 – paragraph 1 – point 6
Directive (EU) 2015/637
Chapter 2 a – Article 13 b – paragraph 3

Text proposed by the Commission

3. **Where requested by the Commission**, Member States shall provide the information referred to in paragraph 1 in a machine-readable format.

Amendment

3. Member States shall provide the information referred to in paragraph 1 in a machine-readable format.

Or. en

Amendment 122
Tineke Strik
on behalf of the Verts/ALE Group

Proposal for a directive
Article 1 – paragraph 1 – point 6
Directive (EU) 2015/637
Chapter 2 a – Article 13 c – 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. **Member States shall reproduce the first sentence of Article 23 TFEU on national passports. Member States may take**, in particular, the following measures:

Or. en

Amendment 123
Tineke Strik
on behalf of the Verts/ALE Group

Proposal for a directive
Article 1 – paragraph 1 – point 6
Directive (EU) 2015/637
Chapter 2 a – Article 13 c – paragraph 1 – point a

Text proposed by the Commission

Amendment

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

Or. en

Justification

Included already in the previous amendment.

Amendment 124

Tineke Strik

on behalf of the Verts/ALE Group

Proposal for a directive

Article 1 – paragraph 1 – point 6

Directive (EU) 2015/637

Chapter 2 a – Article 13 c – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. The EEAS shall provide travel advice addressed to all Union citizens, especially regarding the security situation in the third country in question.

Or. en

Amendment 125

Michael Kauch

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

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

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.

assisting Member State may ask the unrepresented citizen concerned to pay such costs once **three months** have passed since the assistance was provided.

Or. en

Amendment 126

Michael Kauch

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 in all consulates***, 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).

Or. en

Amendment 127

Thierry Mariani, Jean-Lin Lacapelle

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive (EU) 2015/637

Article 15 – paragraph 3

Text proposed by the Commission

3. ***Where, in the crisis situations referred to in paragraph 1, it is not possible or practically feasible to distinguish between represented and***

Amendment

deleted

unrepresented citizens, and where the possibility to provide assistance to unrepresented citizens requires or implies assistance to citizens who may also be represented, the procedure in paragraphs 1 and 2 shall also apply to consular protection provided by the assisting Member State to represented citizens of another Member State in crisis situations.

Or. fr

Amendment 128

Thierry Mariani, Jean-Lin Lacapelle

Proposal for a directive

Article 1 – paragraph 1 – point 9

Directive (EU) 2015/637

Article 16 a – paragraph 5

Text proposed by the Commission

Amendment

5. *The competent authorities of the Member States and Union institutions and bodies may process personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health, data concerning sex life or sexual orientation or personal data relating to criminal convictions and offences of a person in need of consular protection where doing so is strictly necessary to be able to carry out the tasks referred to in Article 9, Article 10, Article 11 and Article 13a in relation to that person.*

deleted

Or. fr

Amendment 129

Michael Kauch

Proposal for a directive
Article 1 – paragraph 1 – point 9
Directive (EU) 2015/637
Article 16 a – 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.

Or. en

Amendment 130
Thierry Mariani, Jean-Lin Lacapelle

Proposal for a directive
Article 1 – paragraph 1 – point 9
Directive (EU) 2015/637
Article 16 a – 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, 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.

Or. fr

Amendment 131
Michael Kauch

Proposal for a directive
Article 1 – paragraph 1 – point 9
Directive (EU) 2015/637
Article 16 a – 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.***

Or. en

Amendment 132
Anna Fotyga

Proposal for a directive
Article 1 – paragraph 1 – point 9
Directive (EU) 2015/637
Article 16 a – paragraph 8 – subparagraph 1

Text proposed by the Commission

The assisting Member State, the Member State of nationality and, where applicable, Union institutions and bodies shall retain the personal data of an assisted person only for as long as necessary to carry out the tasks referred to in paragraphs 1 and 2. In no case shall that personal data be retained longer than 12 months by the assisting Member State and Union institutions and bodies, or longer than 24 months by the

Amendment

The assisting Member State, the Member State of nationality and, where applicable, Union institutions and bodies shall retain the personal data of an assisted person only for as long as necessary to carry out the tasks referred to in paragraphs 1 and 2. In no case shall that personal data be retained longer than 12 months by the assisting Member State and Union institutions and bodies, or longer than 24 months by the

Member State of nationality, from the date of collection. Contact details exchanged in accordance with Article 10(4) and Article 13b(1) shall only be retained for as long as the persons exercise the relevant function.

Member State of nationality, from the date of collection, ***unless in cases of criminal or terrorism conviction***. Contact details exchanged in accordance with Article 10(4) and Article 13b(1) shall only be retained for as long as the persons exercise the relevant function.

Or. en

Amendment 133
Anna Fotyga

Proposal for a directive
Article 1 – paragraph 1 – point 9
Directive (EU) 2015/637
Article 16 a – paragraph 8 – subparagraph 2

Text proposed by the Commission

The personal data shall be erased as soon as possible after the tasks referred to in paragraph 1 or 2 have been completed ***and*** at the latest upon the expiry of the retention periods referred to in the first subparagraph.

Amendment

The personal data shall be erased as soon as possible after the tasks referred to in paragraph 1 or 2 have been completed, ***unless in cases of criminal or terrorism convictions, or*** at the latest upon the expiry of the retention periods referred to in the first subparagraph.

Or. en

Amendment 134
Tineke Strik
on behalf of the Verts/ALE Group

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

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

Amendment

No sooner than [***four*** 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.

a report on the main findings to the European Parliament and the Council.

Or. en

Amendment 135

Thierry Mariani, Jean-Lin Lacapelle

Proposal for a directive

Article 3 – paragraph 1 – subparagraph 1

Directive (EU) 2019/997

Article 3 – paragraph 1 – subparagraph 1

Text proposed by the Commission

Amendment

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by [two years after the entry into force] at the latest. They shall forthwith communicate to the Commission the text of those provisions.

deleted

Or. fr