



2023/0441(CNS)

20.3.2024

AMENDMENTS

14 - 94

Draft opinion

Gilles Lebreton

(PE759.733v02-00)

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 14
Jana Toom

Proposal for a directive
Recital 1 a (new)

Text proposed by the Commission

Amendment

(1 a) The scope of the Directive (EU) 2015/637 should be extended to other categories of persons that have genuine links to a Member State or that are entitled to consular protection by that Member State. In this sense, recognised refugees, stateless persons and persons enjoying temporary protection who reside in a Member State as well as third-country nationals that reside in a Member State and are entitled to consular protection by that Member State should be entitled to consular protection in a third country where their Member State of residence is not represented under the same conditions as unrepresented citizens. This should include permanent residents of a Member State that are not citizens of any other state.

Or. en

Amendment 15
Ibán García Del Blanco

Proposal for a directive
Recital 2

Text proposed by the Commission

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 and other similar crises have provided a context to identify gaps and reflect on how to

(2) Crises resulting in requests for consular protection are increasing in frequency and scale. The COVID-19 pandemic, the crisis in Afghanistan ***in 2021***, Russia's war of aggression against Ukraine, the conflict in Sudan, the repatriations from Israel and Gaza, ***the multiplying humanitarian crises, as well as natural and human made disasters, and***

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.

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 crisis should be reinforced, addressing any shortcomings and strengthening our preparedness, information-gathering and decision-making capacity ahead of and during crisis.*** 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 16

Daniel Buda

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

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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.

Directive (EU) 2015/637 should be clarified and streamlined so as to improve the effectiveness **and speed** 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. ro

Amendment 17 **Daniel Buda**

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 **and effectiveness** for consular authorities and citizens, it is appropriate to lay down more **predictable, accessible and** 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 **proportionately** 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 **crucial** considerations.

Or. ro

Amendment 18 **Witold Pahl**

Proposal for a directive **Recital 4**

(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.

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Or. en

Amendment 19
Jana Toom

Proposal for a directive
Recital 5

(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.

(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. ***While the appropriate period of time will depend on the particularities of each assistance request, the period for citizens to safely reach or be reached by the embassy or consulate of their Member State should in any case not exceed 48 hours.*** For example, the need for an EU Emergency Travel Document as a result of the loss of travel documents should, 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.

Or. en

Amendment 20
Witold Pahl

Proposal for a directive
Recital 5

Text proposed by the Commission

(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.

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(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 ***48 hours***. For example, the need for an EU Emergency Travel Document as a result of the loss of travel documents should, 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.

Or. en

Amendment 21
Daniel Buda

Proposal for a directive
Recital 5

Text proposed by the Commission

(5) As first criterion, consular

Amendment

(5) As ***a*** 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.

authorities should take into account the difficulty ***and length of time*** 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, ***given their specific circumstances***, 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.

Or. ro

Amendment 22

Daniel Buda

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 may be assisted by Union delegations. ***Such cooperation may include, inter alia, the exchange of information, logistical and administrative coordination and the facilitation of communication between the parties concerned.***

Or. ro

Amendment 23
Ibán García Del Blanco

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.

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(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 24
Daniel Buda

Proposal for a directive
Recital 14

Text proposed by the Commission

(14) It is necessary to ensure optimal access to justice for Union citizens victimised in third countries, which requires closer contact and cooperation between authorities and support organisations of third countries and consular authorities and support organisations of Member States.

Amendment

(14) It is necessary to ensure optimal *and swift* access to justice for Union citizens victimised in third countries, which requires closer contact and cooperation between authorities and support organisations of third countries and consular authorities and support organisations of Member States.

Or. ro

Amendment 25
Ibán García Del Blanco

Proposal for a directive

Recital 19

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 26

Daniel Buda

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

Amendment

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consular protection of unrepresented citizens.

attention ***being awarded*** to the consular protection of unrepresented citizens.

Or. ro

Amendment 27
Ibán García Del Blanco

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 28
Daniel Buda

Proposal for a directive
Recital 25

(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. ro

Amendment 29
Ibán García Del Blanco

Proposal for a directive
Recital 25

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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 crisis situations, with a view to ensuring consistency in the level of advice given. This could include agreeing on a common structure of the levels of risk indicated in travel advice, making use of the secure platform of the EEAS. Such coordination should take place at an early stage when Member States are planning to change the level of their travel advice.

Or. en

Amendment 30 **Ibán García Del Blanco**

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 **have to** 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 efficiently, and that best use is made of available evacuation capacities. For that reason, **first-hand and relevant information, such as** on available evacuation capacity **for instance**, should be shared in a timely manner **to be able to react rapidly and effectively**, including in case of rescue and evacuation operations

using military assets. . *In this regard, the EEAS should be able to receive continuous and updated information from Member States on the situation in third countries.*

Or. en

Amendment 31
Daniel Buda

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) *Swift and effective* 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. *Swift and* 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. ro

Amendment 32
Ibán García Del Blanco

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

Amendment

(28) Joint consular teams should be based on the principles of solidarity with represented Member States, equality with

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.

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 33
Ibán García Del Blanco

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 ***accessible and*** reliable information on how to avail themselves of consular assistance in third countries. The Commission services and the EEAS, ***in close coordination with Member States,*** should ***disseminate*** 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 34
Ibán García Del Blanco

Proposal for a directive
Recital 30 a (new)

(30 a) Member States and EU relevant bodies shall ensure that consular protection information provided to EU citizens on digital platforms, including mobile applications, is updated, reliable, transparent and accessible. In this sense, a broadcast service should be established in order for EU citizens to receive contextualised messages related to their rights, how to exercise them when they arrive to third countries, and instant notifications in the event of a crisis. Additionally, a revised and improved joint EU portal for consular protection including all significant information, instructions for urgent situations and contact information of relevant EU delegations and consular states in third countries, should be considered.

Or. en

Amendment 35
Jana Toom

Proposal for a directive
Recital 30 a (new)

(30 a) Member States should ensure that citizens have easy access to up-to date information regarding consular protection. In this regard, EU citizens should receive automated notifications regarding their rights and the procedures for exercising them while in third countries, particularly during crisis situations.

Or. en

Amendment 36
Witold Pahl

Proposal for a directive
Recital 30 a (new)

Text proposed by the Commission

Amendment

(30 a) Member States should ensure that citizens have easy access to up-to date information regarding consular protection. In this regard, EU citizens should receive prompt notifications regarding their rights and procedures for exercising them while in third countries, particularly during crisis situations.

Or. en

Amendment 37
Ibán García Del Blanco

Proposal for a directive
Recital 31

Text proposed by the Commission

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 ***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

(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

information on the right to consular protection to the information materials made available to customers.

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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>).

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Or. en

Amendment 38

Witold Pahl

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Text proposed by the Commission

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Or. en

Amendment 39
Daniel Buda

Proposal for a directive
Recital 33

Text proposed by the Commission

(33) In cases where the costs have not been repaid by the citizen directly, that is, neither immediately when making the request or at a later stage when having been requested to do so by the assisting Member State on the basis of the undertaking to repay, the assisting Member State should be entitled to ask for the reimbursement of the costs due from the unrepresented citizen's Member State of nationality. To avoid being faced with requests for reimbursement after long periods, the assisting Member State and Member State of nationality should be given a reasonable deadline to, respectively, make the request and reimbursement.

Amendment

(33) In cases where the costs have not been repaid by the citizen directly, that is, neither immediately when making the request or at a later stage when having been requested to do so by the assisting Member State on the basis of the undertaking to repay, the assisting Member State should be entitled to ask for the reimbursement of the costs due from the unrepresented citizen's Member State of nationality. To avoid being faced with requests for reimbursement after long periods, the assisting Member State and Member State of nationality should be given a reasonable deadline to, respectively, make the request and reimbursement. ***Application of these measures will make it possible to ensure that the assisting Member State recuperates its costs in a timely and efficient manner, thus preventing any blockage of the use of funds in other such situations.***

Or. ro

Amendment 40
Ibán García Del Blanco

Proposal for a directive
Recital 34 a (new)

Text proposed by the Commission

Amendment

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

Or. en

Amendment 41
Ibán García Del Blanco

Proposal for a directive
Recital 40

Text proposed by the Commission

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 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

(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, ***providing for suitable and specific***

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

measures to safeguard the fundamental rights and the interests of the data subject, 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 detention may likely require the competent authorities to process personal data relating to criminal convictions and offences.

Or. en

Amendment 42

Daniel Buda

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

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.

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. ***Furthermore, it is vital that the competent authorities put in place clear and transparent procedures for the management and protection of this sensitive data. Such procedures could include the regular review of data security policies, regular data protection training for staff and the implementation of monitoring and reporting systems for the identification and handling of potential cybersecurity incidents and breaches of privacy.***

Or. ro

Amendment 43
Ibán García Del Blanco

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' ***rights and*** 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.

Or. en

Amendment 44
Jana Toom

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 ***and rights***. 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.

Or. en

Amendment 45
Witold Pahl

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 ***and rights***. 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.

Or. en

Amendment 46
Jana Toom

Proposal for a directive
Article 1 – paragraph 1 – point -1 (new)
Directive (EU) 2015/637
Article 5a

(-1) In Chapter 1, the following article 5a is added:

Article 5a

Unrepresented stateless persons and persons under protection in third countries

Consular protection shall be provided to recognised refugees, stateless persons and persons enjoying temporary protection who reside in a Member State which is not represented in a third country, to the same extent and on the same conditions as it would be provided to recognised refugees, stateless persons and persons enjoying temporary protection who reside in the assisting Member State, in accordance with its national law or practice.

Or. en

Amendment 47

Daniel Buda

Proposal for a directive

Article 1 – paragraph 1 – point 1

Directive (EU) 2015/637

Article 6 – paragraph 2 – point a

(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;

(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, ***given their specific circumstances***, taking into account the nature and urgency of the assistance requested and the means available to the citizen;

Or. ro

Amendment 48

Daniel Buda

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

(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;

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, ***given the citizen's circumstances***, as operational and accessible;

Or. ro

Amendment 49

Ibán García Del Blanco

Proposal for a directive

Article 1 – paragraph 1 – point 1

Directive (EU) 2015/637

Article 7 – paragraph 4a (new)

Text proposed by the Commission

Amendment

4 a. When providing consular protection to unrepresented citizens, Member States shall take into account the needs of vulnerable individuals at risk of discrimination on any ground 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 50

Ibán García Del Blanco

Proposal for a directive

Article 1 – paragraph 1 – point 4

Directive (EU) 2015/637

Article 11 – paragraph 1 – point b

Text proposed by the Commission

(b) facilitating the exchange of information between Member States' embassies and consulates;

Amendment

(b) facilitating , ***with the EEAS headquarters***, the exchange of information between Member States' embassies and consulates;

Or. en

Amendment 51

Ibán García Del Blanco

Proposal for a directive

Article 1 – paragraph 1 – point 4

Directive (EU) 2015/637

Article 11 – paragraph 1 – point c

Text proposed by the Commission

(c) facilitating, where appropriate, the exchange of information with local authorities, diplomatic and consular authorities of third countries and international organisations;

Amendment

(c) facilitating, ***with the EEAS headquarters***, where appropriate, the exchange of information with local authorities, diplomatic and consular authorities of third countries and international organisations;

Or. en

Amendment 52

Witold Pahl

Proposal for a directive

Article 1 – paragraph 1 – point 4

Directive (EU) 2015/637

Article 11 – paragraph 2

Text proposed by the Commission

2. Union delegations shall support Member States in the provision of consular

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.

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, ***without delay***, the Union delegation with all the relevant information in the case concerned.

Or. en

Amendment 53

Ibán García Del Blanco

Proposal for a directive

Article 1 – paragraph 1 – point 4

Directive (EU) 2015/637

Article 11 – paragraph 2a (new)

Text proposed by the Commission

Amendment

2 a. Union delegations and the EEAS shall be allocated the necessary additional financial and human resources to cover the overhead and additional horizontal administrative workload.

Or. en

Amendment 54

Jana Toom

Proposal for a directive

Article 1 – paragraph 1 – point 4

Directive (EU) 2015/367

Article 13 – paragraph 1

Text proposed by the Commission

Amendment

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

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:

contingency plan shall be updated annually
***or more frequently in cases where a risk
assessment deems it necessary. The joint
consular contingency plan shall*** contain:

Or. en

Amendment 55

Ibán García Del Blanco

Proposal for a directive

Article 1 – paragraph 1 – point 4

Directive (EU) 2015/637

Article 13 – paragraph 1

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 in the event of extraordinary circumstances or unstable contexts,*** and contain:

Or. en

Amendment 56

Daniel Buda

Proposal for a directive

Article 1 – paragraph 1 – point 4

Directive (EU) 2015/637

Article 13 – paragraph 1

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 and contain, ***as a minimum:***

Amendment 57

Ibán García Del Blanco

Proposal for a directive

Article 1 – paragraph 1 – point 4

Directive (EU) 2015/637

Article 13 – paragraph 1 – point a a(new)

Text proposed by the Commission

Amendment

(a a) an estimate and overview of the available evacuation capacities;

Or. en

Amendment 58

Ibán García Del Blanco

Proposal for a directive

Article 1 – paragraph 1 – point 4

Directive (EU) 2015/637

Article 13 – paragraph 2

Text proposed by the Commission

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 EEAS and the Commission services.

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

Or. en

Amendment 59

Witold Pahl

Proposal for a directive

Article 1 – paragraph 1 – point 4

Directive (EU) 2015/637

Article 13 – paragraph 3a (new)

Text proposed by the Commission

Amendment

3 a. Member States and Union delegations shall collaborate in the deployment of Early Warning Systems to enable the timely detection of potential crises or hazards, such as natural disasters, political unrest, or health emergencies, in the third country concerned. These systems shall utilize data analytics, risk assessments, and intelligence sharing to provide early indicators of emerging threats, thereby enhancing the effectiveness of crisis preparedness and response efforts.

Or. en

Amendment 60

Jana Toom

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.

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.
Where a third country is considered not safe according to their travel advice, Member States shall take proactive measures to inform their citizens of the aforementioned possibility.

Amendment 61

Witold Pahl

Proposal for a directive

Article 1 – paragraph 1 – point 4

Directive (EU) 2015/637

Article 13 – paragraph 4

Text proposed by the Commission

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.

Amendment

4. Member States shall, in accordance with national law, **take proactive measures in order to ensure that** their citizens register with or inform competent national authorities, by appropriate means and tools, of their travels to or residence in third countries, **in particular when the thirds countries in question are not considered fully safe.**

Or. en

Amendment 62

Jana Toom

Proposal for a directive

Article 1 – paragraph 1 – point 4

Directive (EU) 2015/367

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. **The Commission services and the EEAS shall make the information on travel advice referred to in the first subparagraph of this paragraph publicly available in a manner that ensures the coherence of the information provided.**

Amendment 63

Witold Pahl

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. ***Member States should always inform each-other every time they become aware of increased security risks. ;***

Or. en

Amendment 64

Ibán García Del Blanco

Proposal for a directive

Article 1 – paragraph 1 – point 4

Directive (EU) 2015/637

Article 13 – paragraph 5a (new)

Text proposed by the Commission

Amendment

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

Or. en

Amendment 65
Ibán García Del Blanco

Proposal for a directive
Article 1 – paragraph 1 – point 4
Directive (EU) 2015/637
Article 13 – paragraph 5b (new)

Text proposed by the Commission

Amendment

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

Or. en

Amendment 66
Daniel Buda

Proposal for a directive
Article 1 – paragraph 1 – point 5
Directive (EU) 2015/637
Article 13a – paragraph 1

Text proposed by the Commission

Amendment

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.

1. In the event of a crisis, the Union and Member States shall closely cooperate to ensure ***timely and*** efficient assistance for unrepresented citizens. They shall, where possible, inform each other of available evacuation capacities ***without undue delay***, including in case of operations using military assets.

Or. ro

Amendment 67
Ibán García Del Blanco

Proposal for a directive

Article 1 – paragraph 1 – point 5

Directive (EU) 2015/637

Article 13a – paragraph 2

Text proposed by the Commission

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

Or. en

Amendment 68

Jana Toom

Proposal for a directive

Article 1 – paragraph 1 – point 5

Directive (EU) 2015/367

Article 13a – paragraph 2

Text proposed by the Commission

2. Where necessary, Member States may be supported by joint consular teams composed of experts from Member States, ***in particular from Member States not represented in the third country affected by the crisis,*** the EEAS and the Commission services. Joint consular teams shall be available for rapid deployment to third countries affected by a consular crisis. 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, 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 69

Ibán García Del Blanco

Proposal for a directive

Article 1 – paragraph 1 – point 5

Directive (EU) 2015/637

Article 13a – paragraph 4

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 70

Witold Pahl

Proposal for a directive

Article 1 – paragraph 1 – point 6

Directive (EU) 2015/637

Article 13b – paragraph 1

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

Once every six months, Member States shall provide the Commission and the High Representative of the Union for Foreign Affairs and Security Policy with the following information:

Or. en

Amendment 71

Ibán García Del Blanco

Proposal for a directive

Article 1 – paragraph 1 – point 6

Directive (EU) 2015/637

Article 13b – paragraph 2

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 72

Ibán García Del Blanco

Proposal for a directive

Article 1 – paragraph 1 – point 6

Directive (EU) 2015/637

Article 13c – paragraph 1

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 73

Jana Toom

Proposal for a directive

Article 1 – paragraph 1 – point 6

Directive (EU) 2015/367

Article 13c – paragraph 1 – point –a (new)

Text proposed by the Commission

Amendment

(-a) developing automatic notification systems, such as short message systems via telephone networks, to provide their citizens with basic information about the right to consular protection and relevant contact information upon arrival to a third country, as well as alert messages during crisis situations;

Or. en

Amendment 74
Ibán García Del Blanco

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

Amendment 75
Ibán García Del Blanco

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

Text proposed by the Commission

Amendment

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

Or. en

Amendment 76

Witold Pahl

Proposal for a directive

Article 1 – paragraph 1 – point 6

Directive (EU) 2015/637

Article 13c – paragraph 1 – point ca (new)

Text proposed by the Commission

Amendment

(c a) implementing digital technologies and automated notification systems, such as SMS via telephone networks, to provide EU citizens with essential contact details for consular protection upon entering a third country, as well as alert messages during crisis situations.

Or. en

Amendment 77

Ibán García Del Blanco

Proposal for a directive

Article 1 – paragraph 1 – point 6

Directive (EU) 2015/637

Article 13c – paragraph 1 – point cb (new)

Text proposed by the Commission

Amendment

(c b) In addition, Member States shall reproduce the first sentence of Article 23 TFEU on national passports

Or. en

Amendment 78

Jana Toom

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive (EU) 2015/367

Article 14 – paragraph 2

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 79

Ibán García Del Blanco

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive (EU) 2015/637

Article 14 – paragraph 6

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 80

Jana Toom

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive (EU) 2015/367

Article 15 – paragraph 3a (new)

Text proposed by the Commission

Amendment

3 a. Where, in the crisis situations referred to in paragraph 1, recognised refugees, stateless persons and persons enjoying temporary protection who reside in a Member State are in need of assistance, Member States shall provide such assistance under the same conditions as represented and unrepresented citizens and the procedure in paragraphs 1 and 2 shall also apply to consular protection provided by the assisting Member State to recognised refugees, stateless persons and persons enjoying temporary protection who reside in another Member State.

Or. en

Amendment 81

Ibán García Del Blanco

Proposal for a directive

Article 1 – paragraph 1 – point 9

Directive (EU) 2015/637

Article 16a – paragraph 1

Text proposed by the Commission

Amendment

1. For the purposes of this Directive, the competent authorities of the Member States shall process personal data only to:

1. For the purposes of this Directive, the competent authorities of the Member States shall process personal data **in compliance with applicable regulations and** only to:

Or. en

Amendment 82

Witold Pahl

Proposal for a directive

Article 1 – paragraph 1 – point 9

Directive (EU) 2015/637

Article 16a – paragraph 1 – point fa (new)

Text proposed by the Commission

Amendment

(f a) ensure compliance with the provisions of Article 13(4) regarding the registration and notification of citizens' travels to or residence in third countries.[BA1] [BA1]as requested by the [BA1]European Data Protection Service opinion

Or. en

Amendment 83

Jana Toom

Proposal for a directive

Article 1 – paragraph 1 – point 9

Directive (EU) 2015/367

Article 16a – paragraph 1 – point fa (new)

Text proposed by the Commission

Amendment

(f a) provide the information and warnings referred to in Article 13c(1), point (-a);

Or. en

Amendment 84

Ibán García Del Blanco

Proposal for a directive

Article 1 – paragraph 1 – point 9

Directive (EU) 2015/637

Article 16a – paragraph 4

Text proposed by the Commission

Amendment

4. Personal data processed pursuant to paragraphs 1 and 2 shall be limited to what is necessary to carry out the tasks referred therein, such as the identity of the person in need of consular protection and the circumstances of the consular case.

4. Personal data processed pursuant to paragraphs 1 and 2 shall be limited to what is **strictly** necessary to carry out the tasks referred therein, such as the identity of the person in need of consular protection and the circumstances of the consular case.

Amendment 85

Ibán García Del Blanco

Proposal for a directive

Article 1 – paragraph 1 – point 9

Directive (EU) 2015/637

Article 16a – paragraph 5

Text proposed by the Commission

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.

Amendment

5. The competent authorities of the Member States and Union institutions and bodies may process personal data, , ***providing for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject, when such data reveals*** 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.

Or. en

Amendment 86

Ibán García Del Blanco

Proposal for a directive

Article 1 – paragraph 1 – point 9

Directive (EU) 2015/637

Article 16a – paragraph 6

Text proposed by the Commission

6. When processing the personal data

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.

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' ***rights and*** 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 be conferred to authorised personnel only.***

Or. en

Amendment 87

Witold Pahl

Proposal for a directive

Article 1 – paragraph 1 – point 9

Directive (EU) 2015/637

Article 16a – paragraph 6

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 88

Jana Toom

Proposal for a directive

Article 1 – paragraph 1 – point 9

Directive (EU) 2015/367

Article 16a – paragraph 6

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 89

Ibán García Del Blanco

Proposal for a directive

Article 1 – paragraph 1 – point 9

Directive (EU) 2015/637

Article 16a – paragraph 7 – subparagraph 1

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 90

Ibán García Del Blanco

Proposal for a directive

Article 1 – paragraph 1 – point 9
Directive (EU) 2015/637
Article 16 – paragraph 7 – subparagraph 2

Text proposed by the Commission

For the purposes of this Directive, Union institutions and bodies shall transfer personal data to a third country or international organisation only to carry out the tasks referred to in Article 10(1), Article 11 and Article 13a and in accordance with Chapter V of Regulation (EU) 2018/1725.

Amendment

For the purposes of this Directive, Union institutions and bodies shall transfer personal data to a third country or international organisation only to carry out the tasks referred to in Article 10(1), Article 11 and Article 13a and in accordance with Chapter V of Regulation (EU) 2018/1725. ***Personal data referred to in paragraph 5 shall be excluded from such transfer, unless explicit prior consent of the EU data subject.***

Or. en

Amendment 91
Ibán García Del Blanco

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

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 92
Jana Toom

Proposal for a directive
Article 1 – paragraph 1 – point 9
Directive (EU) 2015/367
Article 16b – paragraph 1

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 93

Ibán García Del Blanco

Proposal for a directive

Article 1 – paragraph 1 – point 10

Directive (EU) 2015/637

Article 19 – paragraph 3

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

Amendment

No sooner than [**four** years after the transposition deadline of the amending Directive], **and every four years thereafter**, the Commission shall carry out an evaluation **of the transposition and application** of this Directive and present a report on the main findings to the European Parliament and the Council, **including possible breaches of the rights under this Directive**.

Or. en

Amendment 94

Witold Pahl

Proposal for a directive

Article 1 – paragraph 1 – point 10

Directive (EU) 2015/637

Article 19 – paragraph 3

Text proposed by the Commission

No sooner than [**eight** years after the transposition deadline of the amending

Amendment

No sooner than [**five** 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.

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.

Or. en