

Source: Official Journal of the European Union

The EU Emergency Travel Document

The COUNCIL DIRECTIVE (EU) 2019/997 of 18 June 2019 establishes an EU Emergency Travel Document and lays down rules on the conditions and procedure for unrepresented citizens in third countries to obtain an EU Emergency Travel Document ('EU ETD') and establishes a uniform format for such document.

1. The EU Emergency Travel Document ('EU ETD') is a travel document that shall be issued by a Member State to an unrepresented citizen in a third country for a single journey to the citizen's Member State of nationality or residence, as requested by the citizen, or exceptionally, to another destination. Member States may also decide to issue EU ETDs to other recipients.

2. Member States shall issue EU ETDs to unrepresented citizens in third countries whose passports or travel documents have been lost, stolen or destroyed, or can otherwise not be obtained within a reasonable time.

1. Where a Member State receives an application for an EU ETD, it shall, as soon as possible, and no later than two working days after receipt of the application, consult the Member State of nationality for the purpose of verifying the nationality and identity of the applicant.

2. The assisting Member State shall provide the Member State of nationality with all relevant information, including:

- (a) the applicant's surname and given name(s), nationality, date of birth and sex;
- (b) a facial image of the applicant taken by the authorities of the assisting Member State at the time of application or, only where this is not feasible, a scanned or digital photograph of the applicant.
- (c) a copy or scan of any available means of identification, such as an identity card or driving license, and, where available, the type and number of the document replaced and the national registration or social security number.

3. As soon as possible, and no later than three working days after receipt of the information referred to in paragraph 2, the Member State of nationality shall respond to the consultation and shall confirm whether the applicant is its national. If the Member State of nationality is unable to respond within three working days, it shall, within that period, inform the assisting Member State and shall provide an estimate of when the response is to be expected. The assisting Member State shall inform the applicant accordingly. Upon confirmation of the applicant's nationality, the assisting Member State shall provide the applicant with the EU ETD as soon as possible and no later than two working days after receipt of the confirmation.

4. If the Member State of nationality objects to an EU ETD being issued to one of its nationals, it shall inform the assisting Member State. In that case, the EU ETD shall not be issued and the Member State of nationality shall assume responsibility for providing consular protection to its citizen in accordance with its legal obligations and practice. The assisting Member State, in close consultation with the Member State of nationality, shall inform the applicant accordingly.

5. In justified cases, the Member States may take longer than the time limits laid down in paragraphs 1 and 3.

6. In cases of extreme urgency, the assisting Member State may issue an EU ETD without prior consultation of the Member State of nationality. Before doing so, the assisting Member State shall have exhausted the available means of communication with the Member State of nationality. The assisting Member State shall notify the Member State of nationality, as soon as possible, of the fact that an EU ETD has been issued and of the identity of the person to whom the EU ETD was issued. That notification shall include all data which were included on the EU ETD.

7. The authority of the Member State issuing the EU ETD shall store a copy or scan of each EU ETD issued and shall send another copy or scan to the applicant's Member State of nationality.

Source: European Union External Action

Consular protection for EU citizens

The primary responsibility for providing consular assistance to EU citizens lies with the individual EU member states. However, not every EU member state has an embassy or consulate in every country of the world. This means that some EU citizens are 'unrepresented', with no embassy or consulate from their own member state to help them. As part of their EU citizenship rights, EU citizens can seek help from the embassy or consulate of any EU country if they need assistance outside the EU and are 'unrepresented'. In other words, all EU member states must assist unrepresented EU citizens on the same conditions as their own nationals.

This is known as the right to equal treatment and it is one of EU citizens' fundamental rights. It is enshrined in articles 20(2)(c) and 23 of the Treaty on the Functioning of the EU and in article 46 of the EU Charter of Fundamental Rights. This mutual assistance among member states is particularly important if there is a consular crisis. A consular crisis arises when the life, health or security of a large number of EU citizens in a non-EU country is at risk – such as during natural disasters, major accidents, or periods of political instability.

Embassies and consulates of EU member states can provide assistance in the following situations:

- Lost or stolen passport or ID card. The embassy can issue emergency travel documents to allow EU citizens to return home.
- Arrest or detention. The embassy can provide information on the local legal system and help EU citizens find a lawyer.
- Falling victim to a crime. The embassy can assist EU citizens and advise on the next steps.
- Serious accident or illness. The embassy can help contact the insurance company, family, or friends of EU citizens who end up in hospital.
- Relief and repatriation. The embassy can help EU citizens in case of an emergency (i.e. a conflict or a natural disaster).
- Death. The embassy can help EU citizens notify next of kin and help register a death. To strengthen and facilitate the right to consular protection, in 2015 the EU adopted a directive on consular protection for unrepresented EU citizens living or travelling outside the EU. This directive promotes greater cooperation and coordination among consular authorities across the EU.

How member states work together on consular protection.

Given that not all member states are present worldwide, it is essential that EU countries cooperate to ensure that all EU citizens in distress receive assistance under the same conditions. Member states' consular network meets in non-EU countries to discuss matters of common concern regarding EU citizens in that country. Moreover, consular staff of member states represented in the country in question may meet with the EU delegation to prepare for crisis situations, notably to draw up a joint contingency plan. Member states' consular departments and crisis centres, as well as EU delegations, also use an online platform for information sharing and contingency planning.

Source: Minister of Foreign Affairs and International Cooperation website.

COMITES

Established in 1985, the Committees of Italian abroad (Comites) are representative bodies of the Italian community, directly elected by the Italian nationals living abroad in each consular district where at least three thousand Italian nationals registered in the updated list referred to in Article 5, paragraph 1, of Law 459/2001, live.

In the districts where fewer than three thousand Italian citizens live, the Committees may be appointed by the diplomatic-consular authorities.

The Committees are composed of 12 or 18 members, depending on whether they are elected in consular districts with fewer or more than 100,000 resident Italian citizens, as they result from the updated list of Italian citizens living abroad.

In addition to the elected members of Italian citizenship, foreign citizens of Italian origin may be members of the Committees, by cooptation, in a number not exceeding one third of the elected Committee members (4 or 6 members).

Pursuant to Article 1, paragraph 2, of Law 286/2003, the Comites are representative bodies of Italians abroad in their relations with diplomatic-consular Missions.

They contribute to identifying the social, cultural and civil development needs of the community of reference, also through studies and research. Jointly with the consular authorities, the regions and local authorities, as well as with bodies, associations and committees operating within the consular district, they also promote appropriate initiatives in matters pertaining to social and cultural life, with specific reference to youth participation, equal opportunities, social and educational assistance, vocational training, the recreational sector, sport and leisure. The Committees are also called upon to cooperate with the consular authorities in protecting the rights and interests of Italian citizens residing in the consular district.

Following the elections in December 2021, there are now 115 elective Committees operating worldwide, of which 9 are newly established and 3 are consular-appointed. The 118 Committees are distributed as follows: 55 in Europe, 44 in the Americas, 10 in Asia and Oceania, 4 in the Middle East and 5 in Africa.

CGIE

The General Council of Italians Abroad (C.G.I.E.), established by Law No. 368 of November 6, 1989 (last amended by Decree Law No.66 of April 24, 2014, converted with amendments by Law No. 89 of June 23, 2014) and governed by the implementing regulation set out in Presidential Decree No. 329 of September 14, 1998, is an advisory body to the Government and Parliament on major issues of interest to Italians abroad.

It derives its representative legitimacy from its direct election by the members of the Comites in the world and is an important step in the process of developing proactive participation in the country's political life by Italian communities around the world. At the same time, it is the essential body for their permanent connection with Italy and its institutions.

The CGIE is chaired by the Minister for Foreign Affairs and, following the changes introduced by Law 89/2014, is composed of 63 councilors, 43 of whom represent Italian communities abroad and 20 are appointed by the government.