Consular Protection and Assistance Regulations of the PRC

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Unofficial English translation prepared for reference only. The official Chinese text prevails.

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Article 1 — These Regulations are formulated for the purposes of safeguarding the lawful rights and interests of Chinese citizens, legal persons, and unincorporated organizations abroad, and regulating and strengthening consular protection and assistance work.

Article 2 — Consular protection and assistance work shall uphold the leadership of the Communist Party of China, adhere to a people-centered approach, implement the holistic view of national security, strengthen overall planning and coordination, and enhance consular protection and assistance capabilities.

Article 3 — These Regulations apply to consular protection and assistance and related activities such as guidance and coordination, safety prevention, and support and guarantee.

For the purposes of these Regulations, "consular protection and assistance" means the acts of diplomatic missions abroad to safeguard, in accordance with the law, the lawful rights and interests of Chinese citizens, legal persons, and unincorporated organizations abroad and to provide assistance to them when their lawful rights and interests are infringed upon or when they need help.

For the purposes of the preceding paragraph, "diplomatic missions abroad" means the embassies, consulates, and other representative institutions of the People's Republic of China abroad that perform the duties of consular protection and assistance.

Article 4 — The Ministry of Foreign Affairs shall coordinate the conduct of consular protection and assistance work, conduct publicity and reminders on overseas safety, guide diplomatic missions abroad in carrying out consular protection and assistance, coordinate the participation of relevant departments and local people's governments in consular protection and assistance-related work, and conduct relevant international exchanges and cooperation.

Diplomatic missions abroad shall perform the duties of consular protection and assistance in accordance with the law, carry out relevant safety publicity and prevention activities, and strengthen communication and coordination with relevant domestic departments and local people's governments.

Relevant departments of the State Council and local people's governments shall establish relevant working mechanisms, participate in consular protection and assistance-related work according to their respective duties, and provide necessary assistance to Chinese citizens, legal persons, and unincorporated organizations abroad.

Domestic units with personnel stationed abroad shall properly conduct publicity, education, and training on overseas safety, and related handling work. Chinese citizens, legal persons, and unincorporated organizations abroad shall comply with the laws of China and the host country, respect the religious beliefs and customs of the host country, and properly conduct self-safety protection.

Article 5 — The Ministry of Foreign Affairs shall establish a public hotline and online platform, and diplomatic missions abroad shall publicly announce their office addresses and contact information, to accept consultations and requests for help concerning consular protection and assistance.

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When Chinese citizens, legal persons, and unincorporated organizations request consular protection and assistance, they shall provide documents or relevant information capable of proving their identity to the diplomatic mission abroad.

Article 6 — Chinese citizens, legal persons, and unincorporated organizations abroad may pre-register basic information on the information registration platform established by the Ministry of Foreign Affairs or diplomatic missions abroad, so as to facilitate the provision of consular protection and assistance to them by diplomatic missions abroad.

Relevant departments of the State Council and diplomatic missions abroad shall, according to the needs of consular protection and assistance, lawfully share relevant information on Chinese citizens, legal persons, and unincorporated organizations abroad, and properly protect the information.

Article 7 — Diplomatic missions abroad shall perform the duties of consular protection and assistance within their areas of responsibility; under special circumstances, with the consent of the host country, they may temporarily perform the duties of consular protection and assistance outside their areas of responsibility; and with the consent of a third country, they may perform the duties of consular protection and assistance in that third country.

Article 8 — Where Chinese citizens, legal persons, or unincorporated organizations abroad seek help from a diplomatic mission abroad because their lawful rights and interests have been infringed upon, the diplomatic mission abroad shall, based on the relevant circumstances, provide them with channels and suggestions for safeguarding their own lawful rights and interests, verify the situation with the relevant departments of the host country, urge fair and proper handling in accordance with the law, and provide assistance.

Article 9 — Where a diplomatic mission abroad learns that Chinese citizens, legal persons, or unincorporated organizations abroad have been subjected to relevant measures by the host country because they are suspected of violating the law or committing a crime, the diplomatic mission abroad shall, based on the relevant circumstances, learn about and verify the situation with the relevant departments of the host country and demand fair and proper handling in accordance with the law.

Where a Chinese citizen referred to in the preceding paragraph is detained, arrested, imprisoned, or otherwise deprived of personal liberty by the host country, the diplomatic mission abroad shall, based on the relevant circumstances and in accordance with the laws of the host country and the international treaties concluded or jointly acceded to by China and the host country, visit or contact the person, learn about the person's relevant needs, and demand that the relevant departments of the host country give the Chinese citizen humane treatment and fair treatment.

Article 10 — Where a diplomatic mission abroad learns that the host country is hearing a case involving Chinese citizens, legal persons, or unincorporated organizations, the diplomatic mission abroad may observe the hearing in accordance with the laws of the host country and the international treaties concluded or jointly acceded to by China and the host country, and demand that the relevant departments of the host country safeguard their litigation rights in accordance with the laws of the host country.

Article 11 — Where a diplomatic mission abroad learns that a Chinese citizen abroad needs guardianship but is living without anyone to care for the person, the diplomatic mission abroad shall report the situation to the relevant departments of the host country and urge proper handling in accordance with the law. Where the situation is urgent, the diplomatic mission abroad shall coordinate the relevant parties to provide necessary temporary care for daily life.

The diplomatic mission abroad shall promptly notify the relatives of the Chinese citizen or the provincial people's government of the place of the person's domicile in China of the relevant situation. The provincial people's government that receives the notification shall promptly notify, level by level, the residents' committee, villagers' committee, or civil affairs department of the place of domicile of the Chinese citizen of

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the relevant situation. Diplomatic missions abroad and local people's governments shall provide assistance to the relevant persons or organizations in performing guardianship duties.

Article 12 — Where a Chinese citizen abroad seeks help from a diplomatic mission abroad because of difficulties in basic living security, the diplomatic mission abroad shall provide assistance to the person in contacting relatives and friends, obtaining relief, and the like.

Article 13 — Where a Chinese citizen abroad is missing and the person's relatives seek help from a diplomatic mission abroad, the diplomatic mission abroad shall provide information on local methods of reporting to the police and other information for obtaining help.

Where the police of the host country file a case, the diplomatic mission abroad shall urge the police of the host country to handle it promptly and properly.

Article 14 — Where a diplomatic mission abroad learns that a Chinese citizen abroad has been injured due to public security or criminal cases, natural disasters, accidents, or the like, the diplomatic mission abroad shall, based on the relevant circumstances, learn about and verify the situation with the relevant departments of the host country, urge emergency rescue and medical treatment, and demand fair and proper handling in accordance with the law.

Where a Chinese citizen dies due to the circumstances listed in the preceding paragraph, the diplomatic mission abroad shall provide assistance to the close relatives of the deceased in handling the aftermath in accordance with the relevant provisions of the host country, inform the close relatives of the deceased of the local provisions on the time limits for handling the remains and belongings, and demand that the relevant departments of the host country handle the matter fairly in accordance with the law and properly keep the remains and belongings.

Article 15 — Where major emergencies such as war, armed conflict, riot, serious natural disaster, major accident or disaster, major infectious disease epidemic, or terrorist attack occur in the host country, and Chinese citizens, legal persons, and unincorporated organizations abroad need help because their personal and property safety is threatened, the diplomatic mission abroad shall promptly verify the situation, urge the host country to take effective measures to protect the personal and property safety of Chinese citizens, legal persons, and unincorporated organizations, and provide assistance based on the relevant circumstances.

Where it is truly necessary and conditions permit, the Ministry of Foreign Affairs and diplomatic missions abroad shall contact and coordinate the host country and relevant domestic parties to provide relevant assistance to Chinese citizens, legal persons, and unincorporated organizations abroad, and the relevant departments and local people's governments shall actively perform their corresponding duties.

Article 16 — Diplomatic missions abroad shall learn about information on local legal services, translation, medical care, funeral, and other institutions in the host country, and provide consultation when Chinese citizens, legal persons, and unincorporated organizations need it.

Article 17 — Where Chinese citizens, legal persons, or unincorporated organizations abroad seek help from a diplomatic mission abroad because of disputes with intermediary institutions, tourism operators, transport institutions, or the like, the diplomatic mission abroad shall, based on the specific circumstances, provide them with relevant information and suggestions on safeguarding their own lawful rights and interests in accordance with the law.

Article 18 — Diplomatic missions abroad shall, in light of the local security situation, legal environment, customs, and other circumstances, establish a safety early-warning and emergency response mechanism for consular protection and assistance work, conduct safety risk assessments, carry out safety publicity for Chinese citizens, legal persons, and unincorporated organizations within their areas of responsibility, and guide them in carrying out emergency response, daily safety protection, and other work.

Chinese legal persons and unincorporated organizations abroad shall, in light of the security situation of the host country, establish safety protection and emergency response mechanisms, guarantee the relevant funds, strengthen safety protection education and emergency knowledge training, and, as needed, set up dedicated safety management institutions and personnel.

Article 19 — The Ministry of Foreign Affairs and diplomatic missions abroad shall closely follow the security situation, such as public security, natural disasters, accidents and disasters, and epidemic situations in the relevant countries and regions, and publicly issue overseas safety reminders according to the circumstances. The classification of levels and the issuance procedures of overseas safety reminders shall be formulated by the Ministry of Foreign Affairs.

The culture and tourism department of the State Council shall, together with the Ministry of Foreign Affairs, establish a safety risk warning mechanism for overseas tourism destinations and publicly issue safety risk warnings for tourism destinations based on overseas safety reminders.

Relevant departments of the State Council and local people's governments shall, in light of overseas safety reminders and according to their respective duties, remind the relevant Chinese citizens, legal persons, and unincorporated organizations to properly conduct safety protection locally and avoid traveling to and staying in high-risk countries or regions.

Article 20 — Relevant departments of the State Council shall, according to their respective duties, carry out publicity, education, and training work on overseas safety, improve the level of overseas safety risk prevention of relevant industries and personnel, and focus on improving the safety awareness and risk prevention capabilities of persons studying, traveling, doing business, working, and the like abroad.

Local people's governments shall, in light of the situation of Chinese citizens, legal persons, and unincorporated organizations from their regions who are abroad, strengthen safety publicity for key regions and groups and training for the relevant personnel.

Article 21 — The relevant Chinese citizens, legal persons, and unincorporated organizations shall actively pay attention to safety reminders and, according to the requirements of the safety reminders, properly conduct safety protection locally and avoid traveling to and staying in high-risk countries or regions.

Travel agencies operating outbound tourism business shall pay attention to overseas safety reminders and safety risk warnings for tourism destinations and, by means such as pre-departure notification, give tourists truthful explanations and clear warnings of the safety risks existing in the destination country or region; where the business is sold through online platforms, the relevant risks shall be clearly indicated in a prominent position.

Article 22 — The state shall provide personnel, funds, and other guarantees for consular protection and assistance work.

The funds of local people's governments for participating in consular protection and assistance-related work shall be incorporated into budget management.

The input of domestic enterprises with personnel stationed abroad for overseas safety protection shall be incorporated into the costs and expenses of the enterprises.

Article 23 — Diplomatic missions abroad may, based on the actual needs of consular protection and assistance work and upon approval of the Ministry of Foreign Affairs, employ personnel to engage in auxiliary work.

The Ministry of Foreign Affairs and diplomatic missions abroad shall, according to the requirements of their work duties, train diplomatic personnel stationed abroad and other personnel engaged in consular protection and assistance work.

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Article 24 — The state encourages relevant organizations and individuals to provide voluntary services for consular protection and assistance work.

The state encourages and supports social forces such as insurance companies, emergency rescue institutions, and law firms in participating in consular protection and assistance-related work.

Article 25 — Organizations and individuals that make outstanding contributions in consular protection and assistance work shall be commended and rewarded in accordance with relevant state provisions.

Article 26 — Where Chinese citizens, legal persons, and unincorporated organizations receive materials and services such as food and accommodation, transport, and medical care provided by third parties in the course of consular protection and assistance, they shall pay the expenses that should be borne by themselves.

Article 27 — These Regulations shall come into force on September 1, 2023.

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