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Regulations of the People's Republic of China on Consular Protection and Assistance

(Adopted at the 9th Executive Meeting of the State Council on June 29, 2023, promulgated by Decree No. 763 of the State Council of the People's Republic of China on July 9, 2023, and effective as of September 1, 2023)

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

Article 2 Consular protection and assistance shall adhere to the leadership of the Communist Party of China, maintain a people-centered approach, implement a holistic approach to national security, and strengthen overall coordination, to enhance the capability for consular protection and assistance.

Article 3 These Regulations apply to consular protection and assistance, and related activities including guidance and coordination, security precaution, and resource support.

The term "consular protection and assistance" in these Regulations refers to the acts performed by Chinese diplomatic missions abroad, in accordance with the law, to protect the legitimate rights and interests of and provide assistance to Chinese citizens, legal persons, and unincorporated organizations abroad when their rights and interests are infringed upon or when they need assistance.

The term "Chinese diplomatic missions abroad" in the preceding paragraph refers to embassies, consulates and other representative offices of the People's Republic of China in foreign countries that undertake the duties of consular protection and assistance.

Article 4 The Ministry of Foreign Affairs shall coordinate the

implementation of consular protection and assistance, carry out awareness-raising activities and issue alert on overseas safety and security, give guidance to Chinese diplomatic missions abroad in performing such work, coordinate the participation by relevant government departments and local people's governments in work related to consular protection and assistance, and carry out relevant international exchanges and cooperation.

Chinese diplomatic missions abroad shall perform their duties of consular protection and assistance in accordance with the law, conduct safety and security publicity and risk prevention activities, and strengthen communication and coordination with relevant domestic government departments and local people's governments in China.

The competent departments of the State Council and local people's governments shall establish working mechanisms to participate in consular protection and assistance in accordance with their respective duties, and provide necessary assistance to Chinese citizens, legal persons and unincorporated organizations abroad.

Entities in China with personnel posted abroad shall carry out awareness-raising and training activities on safety and security protection abroad for such personnel and handle related matters. Chinese citizens, legal persons and unincorporated organizations abroad shall abide by the laws of China and those of the host countries, respect the religious beliefs and customs of the host countries, and conduct self-protection measures.

Article 5 The Ministry of Foreign Affairs shall establish public hotlines and online platforms and Chinese diplomatic missions abroad shall publicly disclose their office addresses and contact information for receiving inquiries and requests relating to consular protection and assistance.

When requesting consular protection and assistance, Chinese citizens, legal persons, or unincorporated organizations shall provide documents or relevant information that can verify their identities to the Chinese diplomatic missions abroad.

Article 6 Chinese citizens, legal persons, and unincorporated organizations abroad may preregister basic information on the information registration platforms established by the Ministry of Foreign Affairs or Chinese diplomatic missions abroad,

so as to facilitate the provision of consular protection and assistance by such missions.

The competent departments of the State Council and Chinese diplomatic missions abroad shall, according to the needs for consular protection and assistance, share information of Chinese citizens, legal persons, and unincorporated organizations abroad in accordance with the law, and shall protect such information.

Article 7 Chinese diplomatic missions abroad shall perform consular protection and assistance duties within their designated consular districts. Under special circumstances and with the consent of the receiving State, they may temporarily perform such duties outside their designated consular districts. They may perform such duties in a third country with the consent of that country.

Article 8 Where Chinese citizens, legal persons or unincorporated organizations abroad seek assistance from Chinese diplomatic missions due to infringement of their legitimate rights and interests, Chinese diplomatic missions shall, in light of the relevant circumstances, provide them with channels and advice to safeguard such rights and interests, verify the circumstances with the competent authorities of the receiving State, urge lawful, fair, and proper handling of the matter, and provide assistance.

Article 9 Upon becoming aware that a Chinese citizen, legal person, or unincorporated organization abroad is subject to measures by the receiving State due to suspected violation of the law, the Chinese diplomatic mission abroad shall, according to the relevant circumstances, make inquiries and verify the facts with the competent authorities of that country, and demand lawful, fair, and proper handling of the case.

Where a Chinese citizen mentioned in the preceding paragraph is detained, arrested, imprisoned, or otherwise deprived of personal freedom by the receiving State, the Chinese diplomatic mission concerned shall, in light of the relevant circumstances and in accordance with the laws of the receiving State as well as international treaties concluded or jointly acceded to by China and that country, visit or contact the citizen, ascertain his/her needs, and demand that the competent

authorities of the receiving State provide humane and fair treatment to the citizen involved.

Article 10 Upon becoming aware of a case involving a Chinese citizen, legal person, or unincorporated organization being heard in the receiving State, the Chinese diplomatic mission abroad may, in accordance with the laws of that country and international treaties concluded or jointly acceded to by China and the receiving State, attend the trial and request that the competent authorities of the receiving State guarantee the litigation rights of the Chinese citizen, legal person or unincorporated organization involved in accordance with its law.

Article 11 Upon becoming aware that a Chinese citizen abroad needs guardianship but is living without proper care, the Chinese diplomatic mission abroad shall notify the competent authorities of the receiving State of the situation, and urge them to handle the matter lawfully and properly. In emergency situations, the mission shall coordinate with relevant parties to provide necessary temporary care to the said Chinese citizen.

The Chinese diplomatic mission abroad shall promptly notify the citizen's relatives or the provincial-level people's government of the citizen's domicile in China of the conditions of the said Chinese citizen. The notified provincial-level people's government shall relay the information progressively to the residents committee, villagers committee, or civil affairs department at the citizen's domicile. The Chinese diplomatic mission abroad and local people's governments shall assist relevant individuals or organizations in performing their responsibilities of guardianship.

Article 12 Where a Chinese citizen abroad seeks assistance from a Chinese diplomatic mission abroad due to difficulties in basic living necessities, the Chinese diplomatic mission abroad shall assist him/her in contacting relatives or friends and obtaining relief.

Article 13 Where a Chinese citizen abroad is missing and the relatives of the said citizen seek assistance from a Chinese diplomatic mission abroad, the Chinese

diplomatic mission abroad shall provide information on local police contacts and other available assistance channels.

If a case is filed by the police of the receiving State, the Chinese diplomatic mission abroad shall urge the police to handle it promptly and properly.

Article 14 Upon becoming aware that a Chinese citizen abroad is injured due to a public security or criminal case, natural disaster, accident, or similar causes, the Chinese diplomatic mission abroad shall, according to the relevant circumstances, inquire about and verify the situation with the competent authorities of the receiving State, urge the provision of emergency rescue and medical treatment, and demand lawful, fair, and proper handling.

In the event of the death of a Chinese citizen under the circumstances listed in the preceding paragraph, the Chinese diplomatic mission abroad shall assist the deceased's close relatives in handling the aftermath in accordance with the relevant regulations of the receiving State, inform them of local provisions regarding time limits for handling remains and personal effects, and demand that the competent authorities of the receiving State handle the matter lawfully and fairly while preserving the remains and personal effects properly.

Article 15 Where a major emergency occurs in the receiving State, such as war, armed conflict, riots, severe natural disasters, major accidents, significant infectious disease outbreaks, or terrorist attacks, and Chinese citizens, legal persons, or unincorporated organizations abroad require assistance due to threats to their personal or property safety, the Chinese diplomatic mission abroad shall promptly verify the situation, urge the receiving State to take effective measures to protect their personal and property safety, and provide assistance according to the circumstances.

Where necessary and feasible, the Ministry of Foreign Affairs and Chinese diplomatic missions abroad shall liaise with relevant entities in the receiving State and in China, and coordinate assistance. The relevant departments and local people's governments shall actively fulfill their corresponding duties.

Article 16 Chinese diplomatic missions abroad shall acquire information on local service providers that provide legal, translation, medical, funeral and other related services in the receiving State, and provide consultation when needed by Chinese citizens, legal persons, or unincorporated organizations.

Article 17 Where Chinese citizens, legal persons, or unincorporated organizations abroad seeks assistance from Chinese diplomatic missions abroad due to disputes with intermediaries, tourism operators, transport agencies, or other entities, the missions shall, based on the specific circumstances, provide information and suggestions on safeguarding their legitimate rights and interests in accordance with the law.

Article 18 Chinese diplomatic missions abroad shall, in light of local security conditions, legal environment, and customs, establish security early-warning and emergency response mechanisms for consular protection and assistance, conduct security risk assessments, carry out safety and security publicity for Chinese citizens, legal persons, and unincorporated organizations within their consular districts, and provide guidance to them on emergency response and daily security protection.

Chinese legal persons and unincorporated organizations abroad shall establish preventive security and emergency response mechanisms according to the security situation in the receiving State, allocate necessary funds, strengthen safety and security education and emergency training, and establish and staff dedicated security management units as needed.

Article 19 The Ministry of Foreign Affairs and Chinese diplomatic missions abroad shall closely follow safety and security developments in relevant countries and regions, including public security, natural disasters, accidents, and infectious diseases, and issue overseas safety and security alert as appropriate. The classification system and issuance procedures for such alert shall be formulated by the Ministry of Foreign Affairs.

The competent department of culture and tourism under the State Council, in cooperation with the Ministry of Foreign Affairs, shall establish an alert mechanism

for safety and security risks in overseas tourist destinations, and release such alert based on overseas security advisories.

The relevant departments of the State Council and local people's governments shall, in accordance with their respective duties and on the basis of overseas security advisories, remind relevant Chinese citizens, legal persons, and unincorporated organizations to take local safety precautions and avoid traveling to or staying in high-risk countries or regions.

Article 20 The relevant departments of the State Council shall conduct publicity, education, and training on overseas safety and security in accordance with their respective duties, and improve risk prevention capabilities of relevant industries and personnel, with emphasis on improving safety and security awareness and risk prevention skills of people studying, traveling, doing business and working abroad.

Local people's governments shall improve safety and security awareness in key regions for priority groups of Chinese citizens, legal persons, and unincorporated organizations abroad who are from their localities, and strengthen training for relevant personnel.

Article 21 Relevant Chinese citizens, legal persons and unincorporated organizations shall closely follow safety and security alert, take safety precautions accordingly and avoid traveling to or staying in a high-risk country or region.

Overseas tour operators shall closely follow overseas safety and security alert and alert on safety and security risks in tourist destinations. They shall, through such means as pre-travel notification, provide truthful statement and explicit alert to tourists regarding safety and security risks in a destination country or region. Where overseas tour services are marketed through online platforms, the relevant risks shall be stated in a prominent place.

Article 22 The State shall provide personnel, funding and other means of support for consular protection and assistance.

Funds for the participation of local people's governments in consular protection and assistance shall be incorporated into government budget.

Expenses incurred for overseas safety and security protection by Chinese enterprises with personnel posted abroad shall be included in the costs of these enterprises.

Article 23 Chinese diplomatic missions abroad may, based on actual needs of consular protection and assistance work and upon approval by the Ministry of Foreign Affairs, employ personnel for auxiliary work.

The Ministry of Foreign Affairs and Chinese diplomatic missions abroad shall provide training to diplomatic personnel and other staff engaged in consular protection and assistance according to their duties.

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

The State encourages and supports insurance companies, emergency rescue agencies, law firms and other social entities to participate in consular protection and assistance.

Article 25 Organizations and individuals that have made outstanding contributions to consular protection and assistance shall be given commendations and awards in accordance with relevant State provisions.

Article 26 Chinese citizens, legal persons, or unincorporated organizations that have received materials or services such as accommodation, transportation, or medical care from third parties in the course of consular protection and assistance shall bear the costs attributable to themselves.

Article 27 These Regulations shall be effective as of September 1, 2023.

本译本仅供参考，若有歧义，请以中文版本为准。

The English version is for reference only. In case of any discrepancy or ambiguity of meaning between this English translation and the Chinese version, the latter shall prevail.