Strengthening chemical, biological, radiological and nuclear security in the European Union – an EU CBRN action plan

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The Committee on Civil Liberties, Justice and Home Affairs adopted the own-initiative report by Ana Gomes (S&D, PT) on strengthening chemical, biological, radiological and nuclear security in the European Union – an EU CBRN Action Plan, in response to a Commission communication on the same subject.

The report notes that the EU CBRN Action Plan straddles the new division of competences between the Member States and the EU following the entry into force of the Lisbon Treaty in connection with the principles of conferral, subsidiarity and proportionality. It points out, however, that the implementation of the common CBRN security system should not reduce the competence of the Member States in this policy area, and considers that the action plan will play a key role in **ensuring the smooth interaction of national and European initiatives** in addressing CBRN risks.

The EU is called upon to **strengthen its common approach** to CBRN prevention, detection and response through the creation of specific mechanisms (regulatory, legislative or non-legislative instruments) which make cooperation and the provision of means of assistance compulsory in the event of a CBRN disaster caused by an accident or terrorist attack. Members also call for the **sharing and use of best knowledge and expertise** from both the civil and military fields.

Members stress that it is essential to strengthen the scope for normative and regulatory intervention by the Commission and invite it to issue legislative proposals, as far as possible, in all areas covered by the Action Plan. They urge that the commitment of the Member States to CBRN control must go further than the simple sharing of best practices and information, and that technologies and infrastructures should also be pooled/shared, so as to **avoid duplication and waste of resources** in order to create valuable and cost-effective synergies at EU level. In their view, Member States need to agree on methods for the detection and prevention of CBRN disasters, the transferral of CBRN materials within the EU and response measures, including sharing of CBRN-related information and cross-border assistance.

Among the other recommendations that Members make are:

- to create and regularly update a database of the **medical countermeasures** that are available in the Member States to respond to CBRN incidents, to encourage the sharing of existing capacities;
- the development of **EU quality and security standards**, as well as an EU system and network of laboratories for the certification of CBRN security equipment and technologies;
- regular mapping of national capabilities and assets, as well as **joint exercises** among Member States with a view to enhanced preparedness;
- the urgent establishment of a **European crisis-response mechanism**, based in the Commission's services, which should coordinate civilian and military means so as to ensure that the EU has a rapid-response capability to deal with a CBRN disaster;
- the establishment of a **European civil protection force** based on the existing EU Civil Protection Mechanism, which will enable the Union to bring together the resources necessary for providing emergency assistance, including humanitarian aid, within 24 hours of a CBRN disaster inside or outside EU territory.

The report invites Member States to appoint or create **a national authority** which, in the event of a CBRN attack or disaster, would be tasked with the responsibility of acting as the main coordinator of all the national and local bodies involved, and of all the counter measures taken to respond to such an event.

Members also urge the EU institutions to maintain **democratic scrutiny** of and transparency regarding the development and implementation of all parts of the EU CBRN Action plan, respecting the public's right to access to all information and relevant documentation that concerns public security and the everyday risks associated with CBRN disasters.

Prevention: the report calls on the Commission to act as the **main facilitator** and monitor in connection with the establishment and regular updating of EU lists on CBRN agents, whereby the Commission should be the one to decide on a reasonable timeframe. It insists that the lists should also include possible preventive and response measures for each CBRN agent, in accordance with its level of dangerousness and potential for malicious use and vulnerability.

Members consider that the Commission and the Member States' authorities should oversee the activities carried out by the organisations dealing with high-risk CBRN materials, which implies that proper **inspections of high-risk sites** must be carried out regularly.

Furthermore, the 'Prevention' part of the action plan should be amended in such a way as to ensure that the **chemicals industry** replaces the use of high-risk chemicals with suitable lower-risk alternatives, where such replacement is scientifically, technologically and environmentally possible and there is a clear increase in security.

The report invites Member States and the Commission to urge all Member States to sign and to meet their commitments under the Chemical Weapons Convention (CWC) and the Biological Weapons Convention (BWC). It also calls on the Council and the Commission to promote the existing Draft Convention on the Prohibition of the Development, Production, Stockpiling, Transfer and Use of Uranium Weapons and on their Destruction.

Members consider that the EU CBRN Action Plan should unambiguously call for the development of **EU guidelines on security training** and standard requirements to be implemented in all 27 Member States. In addition, the Commission and the Member States should work on a proper legal framework **to regulate and monitor transactions**, thus upgrading the level of security and ensuring proper and rapid reporting of all suspicious transactions as well as the loss or theft of CBRN materials.

Detection: the Commission is called upon to build on the results of an assessment to draw up **common EU guidelines** on how to handle such accidents or intentional attacks, including finding the means to ensure that Member States allocate adequate human and material resources to such an effort.

Members consider it essential to carry out proper studies with a view to engaging all relevant national and EU bodies and stakeholders on a mandatory basis, thus making the response to a public safety threat more effective.

Preparedness and response: Members call on the Council to entrust the Commission with the role of **'coordinator'** with regard to emergency planning, so that it can act as a monitor, thus ensuring that local and national emergency plans do exist. The Commission should take the role of a depository of such plans, putting it in the best position to identify potential gaps and to act accordingly more promptly than the relevant authorities. The Commission should be taking the lead in setting standards based on the needs of counter-measure capacities.

The report stresses the need to:

- create **regional/EU-wide stockpiles** of response resources, the scale of which should, as far as possible, reflect the current level of threat, whether in the form of medical or other types of relevant equipment, under the coordination of the EU Civil Protection Mechanism, funded by the EU and in line with commonly agreed EU guidelines;
- revise the rules governing the **European Solidarity Fund** to make it more accessible in the event of natural disasters, and available in the event of industrial and man-made disasters;
- create **EU/regional specialised response teams**, including medical personnel, law-enforcement staff and military personnel;
- provide **sufficient funding** to develop improved equipment for the detection and identification of biological agents in the event of an attack or incident;
- launch **training and public awareness programmes** at European level.

Environmental and health impacts: Members stress that an incident involving CBRN materials which affects the **condition of the soil and/or the drinking water supply** has the potential to produce devastating and far-reaching effects on the health and welfare of all the people in the affected area. They therefore call on the Commission to take this into account when drafting the EU CBRN Action Plan.

The report regrets the lack of measures in the CBRN Action Plan to safeguard the security of radiological and nuclear facilities and materials and to improve response plans regarding the various types of radiological emergency and their consequences for the population and the environment.

It calls on the Commission and Council to consider developing **response models** that provide an ideal response in the event of CBRN incidents, and in which special attention is paid to training establishments, medical care institutions and geriatric care centres.

Lastly, Members call on the Member States to assign special importance to the **construction of civil protection shelters**, both within (public and administrative) institutions and at local and regional level, in which the European public can take refuge in the event of a disaster.