Community Civil Protection Mechanism. Recast

2006/0009(CNS) - 26/01/2006 - Legislative proposal

PURPOSE: the establishment of a Community civil protection mechanism.

PROPOSED ACT: Council Decision.

CONTENT: the Community civil protection mechanism was established in 2001 with the sole purpose of supporting the mobilisation and co-ordination of civil protection assistance in the event of a major emergency taking place either inside or outside of the EU. In light of increased emergencies since 2001 there is a growing recognition on the need to develop the mechanisms beyond its current mandate. Thus the main objective of the proposed Council Decision is to strengthen the mechanism and to provide a legal basis for additional Community actions in the field of civil protection. The present proposal takes account of Parliamentary declarations on this matter as well as European Council Conclusions. Taken together the various declarations set out a clear orientation for future civil protection co-operation across the EU.

The Commission points out that in the past three years there has been a considerable growth in the number of countries calling upon the mechanism for immediate civil protection assistance. In the first ten months of 2005, for example, more than ten countries requested assistance through the mechanism. These include EU Member States, EU partner countries, candidate countries, developing countries and some of the world's most affluent nations. They have all sought help through the mechanism in order to help them respond to disasters beyond the capacity of their national authorities.

Currently, two legal instruments exist in the field of civil protection. The first, a Council Decision, establishing an action programme and which is accompanied by multi-annual specific budgets. The second, Council Decision 2001/792 establishing a Community mechanism to facilitate reinforced co-operation in civil protection assistance interventions. This instrument has no financial nature; focusing instead on operational obligations. The present proposal amends this Decision to allow for improved co-operation and co-ordination. In summary, the main elements of the proposal are as follows:

- To recast Council Decision 2001/792, Euratom. It incorporates in a single text both the substantive amendments made to Decision 2001/792 and the unchanged provisions thereof. The proposal will replace and repeal Decision 2001/792 and will help make Community legislation more accessible and transparent.

- In the field of transport, an area currently creating considerable problems for the co-ordination of civil protection, the Commission is proposing a policy of closer co-operation. Community support – both financial and practical – for the transport of civil protection assistance will result in more assistance being made available. In addition, it will help reassure each Member State that it can count on Community civil protection assistance, even if the transport means of the other Member States are exhausted, insufficient or unavailable. The key new principles being introduced by the present proposal are firstly, that the transport of national civil protection assistance remains the primary responsibility of each participating country. Secondly, and where possible, that the Member States should attempt to share their transport resources to ensure rapid delivery. Thirdly and lastly, Community financing should be used as a safety net when national transport is not available, insufficient or not able to deliver effectively. Detailed rules on the mobilisation of additional transport means will be estimated in accordance with procedures laid down in Article 13.

- In terms of developing a European rapid reaction capability, the present proposal introduces four innovations. **Firstly**, it confirms arrangements agreed by the Council in May 2004 on adopting the

modalities for making the content of military databases open to the civil protection mechanism. As such the Commission, though this proposal, is requesting that the Member States include information on the availability of military means in response to the request for assistance. **Secondly** , to call upon the Member States to work towards the development of civil protection modules. These modules specify pre-defined arrangements as well as the kind of resources capable of a rapid response in the event of a civil disaster. They can consist of equipment, personnel or a combination of both. They need to be fully inter-operable, rapidly deployable and equipped to either perform support functions or to meet the priority needs arising from emergencies. **Thirdly**, the need for further action in the field of logistics. This is to be done through the support modules, which will consist of Member States' resources, to be dispatched in consultation with the Commission. **Fourthly**, to provide a framework for a new policy which enables the Community to complement Member Stats' assistance with additional support and means in a cost efficient way. This support will seek to provide assistance that can not be obtained from the participating countries. It could, for example, consist of hiring, on a temporary basis, specific equipment such as medevac aircraft, high capacity pumps for floods, fire fighting aircraft for forest fires etc.

- On the matter of early warning, the Commission states that its main objective is to protect European citizens from the effects of major disasters by assessing, and where necessary upgrading, existing early warning systems, better linking detection systems to alert mechanisms, identifying synergies between different systems and linking them for easy access to decision-makers.

- On the question of co-ordinating actions in third countries, the present proposal seeks to clarify the roles and responsibilities of the Member State holding the Presidency of the European Union, the civil protection co-ordination team on site and the Commission.

FINANCIAL IMPLICATIONS: the proposal has no implications on the Community budget.