Basic information

2010/2114(INI) INI - Own-initiative procedure	Procedure completed
Strengthening chemical, biological, radiological and nuclear security in the European Union – an EU CBRN action plan **Subject** 4.30 Civil protection 7.30.09 Public security 7.30.12 Control of personal weapons and ammunitions 7.30.20 Action to combat terrorism	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
LIBE Civil Liberties, Justice and Home Affairs	GOMES Ana (S&D)	12/07/2010

Committee for opinion	Rapporteur for opinion	Appointed
AFET Foreign Affairs	ALBERTINI Gabriele (PPE)	27/04/2010
ENVI Environment, Public Health and Food Safety (Associated committee)	LIOTARD Kartika Tamara (GUE/NGL)	15/07/2010
ITRE Industry, Research and Energy	FRANCO Gaston (PPE)	19/05/2010

European Commission

Commission DG	Commissioner
Migration and Home Affairs	MALMSTRÖM Cecilia

Key events

Date	Event	Reference	Summary
24/06/2009	Non-legislative basic document published	COM(2009)0273	Summary
08/07/2010	Committee referral announced in Parliament		
08/07/2010	Referral to associated committees announced in Parliament		
25/11/2010	Vote in committee		Summary
02/12/2010	Committee report tabled for plenary	A7-0349/2010	

14/12/2010	Decision by Parliament	T7-0467/2010	Summary
14/12/2010	Results of vote in Parliament		
14/12/2010	End of procedure in Parliament		

Technical information	
Procedure reference	2010/2114(INI)
Procedure type	INI - Own-initiative procedure
Procedure subtype	Initiative
Legal basis	Rules of Procedure EP 55
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	LIBE/7/03348

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE448.764	23/09/2010	
Committee opinion	ITRE	PE443.084	04/10/2010	
Committee opinion	AFET	PE445.808	29/10/2010	
Committee opinion	ENVI	PE448.854	11/11/2010	
Amendments tabled in committee		PE450.643	15/11/2010	
Committee report tabled for plenary, single reading		A7-0349/2010	02/12/2010	
Text adopted by Parliament, single reading		T7-0467/2010	14/12/2010	Summary

European Commission

Document type	Reference	Date	Summary
Non-legislative basic document	COM(2009)0273	24/06/2009	Summary

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

2010/2114(INI) - 14/12/2010 - Text adopted by Parliament, single reading

The European Parliament adopted a resolution 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.

In the resolution, Parliament recalls that measures regarding CBRN material are one of the cornerstones of the EU Counter-Terrorism Strategy, and consequently, an EU CBRN Action Plan was approved by the Council on 30 November 2009. Although Member States are responsible for CBRN policy, close cooperation and coordination at EU level is nevertheless a necessity, according to Members.

Ensure the smooth interaction of national and European initiatives: Parliament 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.

Strengthen the common approach: 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.

General recommendations: Parliament calls on the Member States 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 resolution 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 resolution 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.

Parliament 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 resolution 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 resolution 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, Parliament calls 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.

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

2010/2114(INI) - 24/06/2009 - Non-legislative basic document

PURPOSE : Commission Communication on an ~Action Plan to on strengthen chemical, biological, radiological and nuclear security in the European Union – an EU CBRN Action Plan.

CONTENT : this Communication proposes an Action Plan in response to the risk of terrorist groups acquiring chemical, biological, radiological or nuclear (CBRN) materials. It notes the commonly held view that the risks involved are such, that coordinated action in terms of prevention, detection and response is indispensable. It is clear that no public authority can afford to ignore this threat given its potentially very significant consequences in terms of human life, and its economic effects.

Overall goal and core measures: the overall goal of the new CBRN policy is to reduce the threat from CBRN incidents, by way of a prioritised EU CBRN Action Plan, which involves all relevant stakeholders, including industry representatives. Coherence will be sought with relevant Community and CFSP instruments, in particular the Instrument for Stability, the INSC and the IPA, which pursue CBRN risks mitigation and preparedness outside the EU, as well as relevant Euratom treaty provisions and secondary legislation.

This goal will be achieved by concentrating efforts on minimising the likelihood of CBRN incidents occurring and limiting their consequences should they materialise. Some of the core measures to achieve these goals are:

- deploying a risk-based approach to CBRN security in the EU. This entails the use of risk-assessments to drive the prioritisation of security measures;
- pensuring that CBRN materials are well protected and the potential for their diversion is limited;
- strengthening the exchange of information between Member States on CBRN security issues in order to react more swiftly to emerging threats;
- improving the development and use of detection systems across the EU; and
- providing responders with the necessary tools to save lives and limit damage to property in case of CBRN incidents.

These aims will be achieved through the implementation of the 133 measures described in the EU CBRN Action Plan, which is part of the current policy package.

Main Areas of Work: the Action Plan envisages three main areas of CBRN security work:

- prevention - ensuring that unauthorised access to CBRN materials of concern is as difficult as possible;
- detection - having the capability to detect CBRN materials in order to prevent or respond to CBRN incidents;

- preparedness and response - being able to efficiently respond to incidents involving CBRN materials and recover from them as quickly as possible.

These three areas of work are supported by a number of horizontal measures, which are broadly applicable to all CBRN work.

Prevention: preventive measures constitute the main focus of activity of the CBRN Action Plan. This means that efforts should be concentrated on a limited number of vulnerabilities, which could be exploited for malicious purposes, on the basis of robust risk-assessment processes. Consequently, one of the first activities to be undertaken under the CBRN Action Plan should be the prioritisation of high-risk CBRN materials based on a thorough risk-assessment. This will be a prerequisite for many further measures targeted specifically at high-risk CBRN materials.

Subsequent actions will concentrate on the security of CBRN materials and facilities, control over CBRN materials, developing a high-security culture of staff, strengthening the identification of suspicious transactions and behaviours in relation to high-risk CBRN materials, improving the security of transport, information exchange, import and export regimes and strengthening cooperation on the security of nuclear materials.

Detection: detection capacity is an indispensable supplement to prevention and also crucial for ensuring an appropriate response to a CBRN incident, since without detection it is impossible to ascertain which materials were involved in the incident. Detection systems should be installed both at external borders and within each Member State. Proper and immediate detection may save thousands of lives and provide the necessary background for a proper response. EU level efforts concerning the use of detection equipment for CBRN materials will concentrate on developing minimum detection standards to be applied across the entire EU, establishing trialling, testing and certification schemes for CBRN detection and improving the exchange of good practices on the detection of CBRN materials.

Preparedness and response: further work should be undertaken in order to strengthen existing measures, in particular with regard to malicious CBRN incidents. Specific attention needs to be paid to CBRN emergency planning, strengthening countermeasure capacity, reinforcing information flows, developing better modelling tools and improving criminal investigation capacity.

Horizontal actions: the horizontal actions set out in the CBRN Action Plan concentrate on international cooperation, communication with the public, information tools, training, personnel security, research and criminalisation of CBRN acts.

Implementation: this should be taken forward primarily by way of existing structures. Although the EU Action Plan envisages the establishment of a small number of new working structures, these are mainly intended as temporary working arrangements, which have specific and time-limited goals.

In the field of **civil protection**, work will be taken forward under the Community Civil Protection Mechanism and the Civil Protection Financial Instrument to enhance preparedness for CBRN incidents. This includes workshops, training, exchange of experts, simulation exercises, scenario development and capability assessment. Further steps are required to increase EU CBRN response capability, notably by improving the availability of civil protection modules and exploring the need for new types of modules and the feasibility of pre-positioning key modules in the event of major public events. The different strands of work under the Mechanism will be streamlined through the launch of an EU CBRN Resilience Programme, bringing together the various civil protection activities included in the EU CBRN Action Plan and ensuring a consolidated contribution from the Civil Protection Mechanism to the overall implementation of this Action Plan.

In the health sector, an extensive framework has already been developed. The Health Security Committee and existing information exchange mechanisms such as the EWRS, RAS BICHAT and the RASFF will play an important role in the implementation of health related measures of the Action Plan.

The Commission will also establish and chair a CBRN Advisory Group.

Commission financial support: the main financial tools available to the Commission to support the implementation of the current policy package are the existing Financial Programmes, in particular the specific programme 'Prevention, Preparedness and Consequence Management of Terrorism and other Security related risks', as well as the specific programme "Prevention of and Fight against Crime". These specific programmes will cover the period until December 2013. The Annual Work Programmes of both financial programmes will specify the amounts available for the implementation of the current policy package. It is anticipated that up to EUR 100 million will be made available in support of the implementation of the CBRN Action Plan over the period 2010-2013.

Additional funding stemming from other programmes and instruments will also contribute to the CBRN Action Plan. These include the Civil Protection Financial Instrument, the Seventh Framework Programme and the EU Health Programme 2008-2013.

For cases where a CBRN incident has actually taken place, the Commission has proposed an expansion of the scope of the existing EU Solidarity Fund .

Lastly, the Communication examines the Action Plan in the context of the EU's external relations with particular reference to the EU Strategy against Proliferation of Weapons of Mass Destruction, as well as relevant Community Instruments, in particular the Instrument for Stability.