

Basic information

2020/0097(COD)

COD - Ordinary legislative procedure (ex-codecision procedure)
Decision

Union Civil Protection Mechanism

Amending Decision 2013/1313 [2011/0461\(COD\)](#)

Subject

3.70.10 Man-made disasters, industrial pollution and accidents
3.70.11 Natural disasters, Solidarity Fund
4.30 Civil protection
6.10.05 Peace preservation, humanitarian and rescue tasks, crisis management
6.50 Emergency, food, humanitarian aid, aid to refugees, Emergency Aid Reserve





Procedure completed

Key players

European
Parliament

Committee responsible	Rapporteur	Appointed
ENVI Environment, Public Health and Food Safety	ANDROULAKIS Nikos (S&D)	02/06/2020
	Shadow rapporteur MELO Nuno (EPP) ȘTEFĂNUȚĂ Nicolae (Renew) AUKEN Margrete (Greens /EFA) FIOCCHI Pietro (ECR) DREOSTO Marco (ID) KONEČNÁ Kateřina (GUE /NGL)	
Committee for opinion	Rapporteur for opinion	Appointed
AFET Foreign Affairs	The committee decided not to give an opinion.	
DEVE Development (Associated committee)	Chair on behalf of committee TOBÉ Tomas (EPP)	29/06/2020
BUDG Budgets	HERBST Niclas (EPP)	19/06/2020

	REGI Regional Development	The committee decided not to give an opinion.	
	Committee for opinion on the legal basis	Rapporteur for opinion	Appointed
	JURI Legal Affairs	ROBERTI Franco (S&D)	16/07/2020
Council of the European Union			
European Commission	Commission DG	Commissioner	
	European Civil Protection and Humanitarian Aid Operations (ECHO)	LENARČIČ Janez	

Key events			
Date	Event	Reference	Summary
02/06/2020	Legislative proposal published	COM(2020)0220 	Summary
17/06/2020	Committee referral announced in Parliament, 1st reading		
23/07/2020	Referral to associated committees announced in Parliament		
03/09/2020	Vote in committee, 1st reading		
07/09/2020	Committee report tabled for plenary, 1st reading	A9-0148/2020	
14/09/2020	Debate in Parliament		
16/09/2020	Decision by Parliament, 1st reading	T9-0218/2020	Summary
16/09/2020	Results of vote in Parliament		
16/09/2020	Matter referred back to the committee responsible for interinstitutional negotiations		
25/02/2021	Approval in committee of the text agreed at 1st reading interinstitutional negotiations	GEDA/A/(2021)001002 PE689.613	
26/04/2021	Debate in Parliament		
27/04/2021	Decision by Parliament, 1st reading	T9-0128/2021	Summary
10/05/2021	Act adopted by Council after Parliament's 1st reading		
20/05/2021	Final act signed		
20/05/2021	End of procedure in Parliament		
26/05/2021	Final act published in Official Journal		

Technical information

Procedure reference	2020/0097(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Decision
Amendments and repeals	Amending Decision 2013/1313 2011/0461(COD)
Legal basis	Rules of Procedure EP 57_o Rules of Procedure EP 41 Treaty on the Functioning of the European Union TFEU 196-p2 Treaty on the Functioning of the European Union TFEU 322-p1
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	ENVI/9/03230

Documentation gateway


European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE652.637	16/06/2020	
Amendments tabled in committee		PE654.063	06/07/2020	
Specific opinion	DEVE	PE654.047	16/07/2020	
Committee opinion	BUDG	PE653.873	01/09/2020	
Specific opinion	JURI	PE657.171	04/09/2020	
Committee report tabled for plenary, 1st reading/single reading		A9-0148/2020	07/09/2020	
Text adopted by Parliament, partial vote at 1st reading /single reading		T9-0218/2020	16/09/2020	Summary
Text agreed during interinstitutional negotiations		PE689.613	17/02/2021	
Text adopted by Parliament, 1st reading/single reading		T9-0128/2021	27/04/2021	Summary

Council of the EU

Document type	Reference	Date	Summary
Coreper letter confirming interinstitutional agreement	GEDA/A/(2021)001002	17/02/2021	
Draft final act	00006/2021/LEX	20/05/2021	

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2020)0220 	02/06/2020	Summary
Commission response to text adopted in plenary	SP(2021)359	18/06/2021	

National parliaments

Document type	Parliament /Chamber	Reference	Date	Summary
Contribution	RO_SENATE	COM(2020)0220	06/07/2020	
Contribution	DE_BUNDESRAT	COM(2020)0220	08/07/2020	
Contribution	PT_PARLIAMENT	COM(2020)0220	29/07/2020	
Contribution	CZ_CHAMBER	COM(2020)0220	02/10/2020	

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
CofR	Committee of the Regions: opinion	CDR3164/2020	14/10/2020	
EESC	Economic and Social Committee: opinion, report	CES3764/2020	29/10/2020	
CofA	Court of Auditors: opinion, report	52020AA0009 OJ C 385 13.11.2020, p. 0001	13/11/2020	

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Final act

Regulation 2021/0836
OJ L 185 26.05.2021, p. 0001

Union Civil Protection Mechanism

2020/0097(COD) - 02/06/2020 - Legislative proposal

PURPOSE: to enhance the Union's Civil Protection Mechanism in order to enable Member States to be better prepared and to react quickly and effectively to future crises with cross-border implications, such as the COVID-19 crisis.

PROPOSED ACT: Decision of the European Parliament and of the Council.

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure on an equal footing with the Council.

BACKGROUND: as demonstrated by the COVID-19 pandemic, in the event of serious emergencies whose scale and scope affect the whole of the European Union, a collective, coordinated and urgent response is needed to avoid a fragmented approach that would limit the effectiveness of the Union's response.

The COVID-19 crisis has shown the need for better European Union preparedness for future large-scale emergencies, while highlighting the limitations of the current framework. In this context, it is proposed to make further amendments to the existing legal framework in order to strengthen the Union's Civil Protection Mechanism for the next Multiannual Financial Framework (MFF) for the period 2021-2027.

The Union Mechanism has showed encouraging results in terms of performance in each of the three pillars (prevention/preparedness/response) so far. The Mechanism has proven to be a useful tool to mobilise and coordinate the assistance provided by the Participating States responding to crises

inside and outside the Union, constituting a tangible proof of European solidarity. The Mechanism is generally well perceived by the participating States and key stakeholders.

CONTENT: the purpose of the proposal is to make certain targeted amendments to [Council Decision No 1313/2013/EU](#) on the Union's Civil Protection Mechanism.

Building on the principles of solidarity and shared responsibility, the overall objective of this proposal is to ensure that the Union can provide a better crisis and emergency support to its citizens in Europe and beyond. The decision is to be considered in parallel with the [proposal](#) also amending this mechanism.

In line with the proposal for the new MFF 2021-2027, funding related to civil protection has been integrated into a single heading: Heading 5 'Resilience, Security and Defence'.

Objectives

Specifically, the proposed amendments have the following objectives:

- reinforce a cross-sectoral and societal preparedness approach to trans-boundary disaster risk management, including establishing a baseline and planning elements at a European level;
- ensure that the Commission is able to directly procure an adequate safety net of rescEU capacities;
- provide the Commission with the logistical capacity to provide multi-purpose air services in case of emergencies and to ensure timely transport and delivery of assistance; d) design a more flexible system for response to large-scale emergencies;
- enhance the Emergency Response Coordination Centre's operational coordination and monitoring role in support of the EU's swift and effective response to a broad range of crises inside and outside the Union. The ERCC would be operational 24 hours a day, 7 days a week, and would be at the service of the Member States and the Commission in achieving the objectives of the Union's mechanism;
- enable stronger investment in preparedness at Union level and further simplification of budget implementation;
- enable the financing of operations of efficient and scalable sustainable recovery and resilience measures under the Union Civil Protection Mechanism by external assigned revenues through financing made available under the draft Regulation establishing a European Union Recovery Instrument to support the recovery in the aftermath of the COVID-19 pandemic.

This proposal envisages the deletion of Annex I, which currently establishes the relative percentages that each pillar of the Union Mechanism (prevention, preparedness and response) should receive in terms of funding from the overall financial envelope. As the COVID-19 outbreak has shown, the percentages outlined in Annex I do not appear to ensure sufficient flexibility so that the Union can achieve the objectives it has set.

The proposal stresses the need for close coordination with actions under other EU policies and instruments, in particular with the new EU programme EU4Health.

Proposed budget

The total budget allocated for the Union Civil Protection Mechanism amounts to **EUR 3 455 902 000** (in current prices) for the 2021-2027 period:

- EUR 1 268 282 000 shall derive from heading 5 'Resilience, Security and Defence' of the MFF 2021-2027;
- EUR 2 187 620 000 shall be made available through the European Recovery Instrument based on empowerment provided in the new Own Resources Decision.

Union Civil Protection Mechanism

2020/0097(COD) - 16/09/2020 - Text adopted by Parliament, partial vote at 1st reading/single reading

The European Parliament adopted by 617 votes to 52, with 23 abstentions, amendments to the proposal for a Decision of the European Parliament and of the Council amending Decision No 1313/2013/EU on the Union civil protection mechanism.

The matter was referred back to the committee responsible for inter-institutional negotiations.

The main amendments adopted in plenary are as follows:

Strengthening the legislative proposal on prevention and preparedness

Members stated that Member States should take into account the EU's disaster resilience goals when drawing up their risk management plans. These are objectives set out to support prevention and preparedness actions to improve the capacity of the EU and its Member States to withstand the effects of a disaster that causes or is likely to cause cross-border effects.

The Commission shall cooperate with Member States to:

- develop transnational detection and early warning systems of Union interest in order to mitigate the immediate effects of disasters or pandemics on human lives;
- provide technical training assistance to local communities for the purpose of enhancing their capacities as regards their first unassisted reaction to a crisis.

Member States, for their part, shall:

- improve disaster risk management planning at national level, including cross-border collaboration, taking into account the Union's disaster resilience objectives;
- improve disaster loss data collection at the national or appropriate sub-national level to ensure evidence-based scenario, especially when it comes to identifying gaps in cross-border disaster-response capacities.

Strengthening rescEU capacities

In the light of the COVID-19 pandemic and the need to improve the EU's health and civil protection response capacity, Members considered that the EU's response capacity should be considerably strengthened in order to improve its performance in each of the three pillars of the EU mechanism: prevention, preparedness and response.

The Commission shall:

- establish, within logistical hubs, European reserves of medical countermeasures and equipment which would include the medical countermeasures that respond to high impact low probability events;
- regularly update the information on the number and classification of rescEU capacities and make that information directly available to other Union institutions.

Members consider that the European Commission should be able to acquire capacity directly, so as to enable the EU mechanism to respond quickly and effectively to Member States' needs, where appropriate.

Where the Commission acquires rescEU capacities, it shall retain the ownership of such capacities even when they are distributed to Member States. Where rescEU capacities are rented, leased or otherwise contracted by the Commission, the Commission shall retain full control of such capacities. Where the Commission acquires non-reusable capacities, it may transfer ownership of such capacities to the requesting Member State.

The Commission shall also put in place specific provisions to guarantee accountability and the correct use of rescEU capacities in third countries, including providing for access by Union controlling officers.

Synergy with the Health programme

For capacities dedicated to responding to medical emergencies, such as a strategic stockpile, emergency medical teams and any other relevant capacities, the Commission shall ensure that effective coordination and synergies are achieved with other Union programmes and funds and in particular with the EU4Health Programme^{1a} and with relevant Union and international actors.

By 2 years from the date of entry into force of this amending decision], the Commission shall evaluate the functioning of the Union Mechanism as well as the coordination and synergies achieved with the EU4Health Programme and other Union health legislation, with a view to presenting a legislative proposal that would include the creation of a specific European Health Response Mechanism.

Financial envelope

Members proposed reinstating Annex I, which currently sets out the relative percentages from which each pillar of the EU mechanism (prevention, preparedness and response) should benefit in terms of funding compared to the overall financial envelope.

Percentages for the allocation of the financial envelope for the implementation of the Union Mechanism for the period 2021-2027 shall be as follows:

- Prevention: 8% +/- 10 percentage points;
- Preparedness: 80% +/- 10 percentage points;
- Response: 12% +/- 10 percentage points.

It is recalled that an amount of EUR 2 187 620 000 shall be made available through the European Instrument for Recovery.

In addition, Parliament reintroduced the obligation for the Commission to lay down, by means of a delegated act, actions carried out under the Union Mechanism, which may be implemented by indirect management.

Union Civil Protection Mechanism

The European Parliament adopted by 641 votes to 44, with 14 abstentions, a legislative resolution on the proposal for a decision of the European Parliament and of the Council amending Decision No 1313/2013/EU on a Union Civil Protection Mechanism.

The proposal aims to strengthen the Union civil protection mechanism in order to enable Member States to be better prepared and to respond rapidly and effectively to future crises with cross-border implications, such as the COVID-19 crisis.

The European Parliament's position adopted at first reading under the ordinary legislative procedure amends the Commission's proposal as follows:

General objective

Protection under the Union Mechanism should cover primarily people, but also the environment and property, including cultural heritage, against all kinds of natural and man-made disasters, including the consequences of acts of terrorism, technological, radiological or environmental disasters, marine pollution, hydrogeological instability and acute health emergencies, occurring inside or outside the Union.

In practical terms, the EU mechanism should support, complement and facilitate the coordination of Member States' action to facilitate a rapid and effective response when a disaster occurs or is imminent, including by taking measures to mitigate the immediate consequences of disasters and by encouraging Member States to remove bureaucratic obstacles.

Strengthening prevention and preparedness

In order to achieve the prevention objectives and carry out the prevention actions, the Commission should develop and regularly update a cross-sectoral overview and map of natural and man-made disaster risks, including disaster risks with transboundary or multi-country effects, to which the Union is exposed.

The Commission, in cooperation with the Member States, should define and develop EU disaster resilience objectives in the field of civil protection. These non-binding objectives should be set out in Commission recommendations and be based on scenarios based on current situations and on prospective scenarios, taking into account data on past events and the effects of climate change on disaster risks.

RescEU

The Commission should, by means of implementing acts, define the capacities rescEU, based *inter alia* on any existing scenario-building, taking into account identified and emerging risks and overall capacities and gaps at Union level, in particular in the areas of aerial forest-firefighting, chemical, biological, radiological and nuclear incidents, emergency medical response, as well as transport and logistics.

In duly justified cases of urgency, the Commission may acquire, rent, lease or otherwise contract capacities to the extent necessary to address the gaps in the areas of transport and logistics.

Union Civil Protection Knowledge Network

The Commission should establish a European Civil Protection Knowledge Network to aggregate, process and disseminate knowledge and information relevant to the EU Mechanism, following an approach involving relevant civil protection and disaster management actors, centres of excellence, universities and researchers.

To that end, the Commission, through the Network, should, *inter alia*, set up and manage a training and exercises programme for civil protection and disaster management personnel on prevention of, preparedness for and response to disasters. The programme shall focus on and encourage the exchange of best practices in the field of civil protection and disaster management.

Budget

The regulation provides for a total amount of EUR 1263 million in funds for the period 2021-2027. It also includes a maximum amount of EUR 2056 million to implement civil protection related measures to address the consequences of the COVID-19 crisis foreseen in the EU Recovery Instrument.

In addition, the proposed regulation sets out the percentage of funds to be allocated to prevention, preparedness and response, while providing for a margin of flexibility. In case of urgent need, the Commission will be able to reallocate funds to response actions beyond the flexibility margin. This flexible approach will allow the EU to better react to the unpredictable nature of disasters and make use of the funds where they are most needed.