## Basic information

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| **2020/0097(COD)**<br><br>COD - Ordinary legislative procedure (ex-codecision procedure)<br>Decision | Procedure completed |
| Union Civil Protection Mechanism<br><br>Amending Decision 2013/1313 2011/0461(COD)<br><br>**Subject**<br><br>3.70.10 Man-made disasters, industrial pollution and accidents<br>3.70.11 Natural disasters, Solidarity Fund<br>4.30 Civil protection<br>6.10.05 Peace preservation, humanitarian and rescue tasks, crisis management<br>6.50 Emergency, food, humanitarian aid, aid to refugees, Emergency Aid Reserve | |

## Key players

European Parliament

| Committee responsible | Rapporteur | Appointed |
|---|---|---|
| ENVI Environment, Public Health and Food Safety | ANDROULAKIS Nikos (S&D) | 02/06/2020 |
| | Shadow rapporteur<br><br>MELO Nuno (EPP)<br><br>ȘTEFĂNUȚĂ Nicolae (Renew)<br><br>AUKEN Margrete (Greens/EFA)<br><br>FIOCCHI Pietro (ECR)<br><br>DREOSTO Marco (ID)<br><br>KONEČNÁ Kateřina (GUE/NGL) | |

| Committee for opinion | Rapporteur for opinion | Appointed |
|---|---|---|
| AFET Foreign Affairs | The committee decided not to give an opinion. | |
| DEVE Development<br>(Associated committee) | Chair on behalf of committee<br>TOBÉ Tomas (EPP) | 29/06/2020 |
| BUDG Budgets | HERBST Niclas (EPP) | 19/06/2020 |
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| | 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 |

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| 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<br>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

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|---|---|
| **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<br>Rules of Procedure EP 41<br>Treaty on the Functioning of the European Union TFEU 196-p2<br>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<br>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 Programme1a 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

2020/0097(COD) - 27/04/2021 - Text adopted by Parliament, 1st reading/single reading

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.