

Procedure file

Basic information		
CNS - Consultation procedure Decision	2005/0052(CNS)	Procedure completed
Financial instrument for civil protection Repealed by 2011/0461(COD)		
Subject 4.30 Civil protection		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	ENVI Environment, Public Health and Food Safety		
	Committee for opinion	Rapporteur for opinion	Appointed
	BUDG Budgets		09/06/2005
		PPE-DE LEWANDOWSKI Janusz	
	LIBE Civil Liberties, Justice and Home Affairs		04/07/2005
	PSE LAMBRINIDIS Stavros		
	Committee for opinion on the legal basis	Rapporteur for opinion	Appointed
JURI Legal Affairs			13/07/2005
		PPE-DE LÓPEZ-ISTÚRIZ WHITE Antonio	
Council of the European Union	Council configuration	Meeting	Date
	General Affairs	2788	05/03/2007
	General Affairs	2770	11/12/2006
	Justice and Home Affairs (JHA)	2768	04/12/2006
	Justice and Home Affairs (JHA)	2752	05/10/2006
European Commission	Commission DG	Commissioner	
	Environment	DIMAS Stavros	

Key events			
06/04/2005	Legislative proposal published	COM(2005)0113	Summary
09/06/2005	Committee referral announced in Parliament		
24/01/2006	Vote in committee		Summary
06/02/2006	Committee report tabled for plenary, 1st reading/single reading	A6-0027/2006	
13/03/2006	Debate in Parliament		
14/03/2006	Results of vote in Parliament		
14/03/2006	Decision by Parliament	T6-0075/2006	Summary

05/10/2006	Debate in Council	2752	Summary
04/12/2006	Debate in Council	2768	
05/03/2007	Act adopted by Council after consultation of Parliament		
05/03/2007	End of procedure in Parliament		
10/03/2007	Final act published in Official Journal		

Technical information

Procedure reference	2005/0052(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation
Legislative instrument	Decision
	Repealed by 2011/0461(COD)
Legal basis	Euratom Treaty A 203; EC Treaty (after Amsterdam) EC 308
Stage reached in procedure	Procedure completed
Committee dossier	ENVI/6/27796

Documentation gateway

Legislative proposal		COM(2005)0113	06/04/2005	EC	Summary
Document attached to the procedure		SEC(2005)0439	06/04/2005	EC	Summary
Committee opinion	JURI	PE362.700	16/09/2005	EP	
Committee draft report		PE362.591	19/09/2005	EP	
Committee opinion	BUDG	PE364.878	28/11/2005	EP	
Amendments tabled in committee		PE365.136	12/12/2005	EP	
Amendments tabled in committee		PE367.693	13/12/2005	EP	
Committee opinion	LIBE	PE364.808	23/01/2006	EP	
Committee report tabled for plenary, 1st reading/single reading		A6-0027/2006	06/02/2006	EP	
Text adopted by Parliament, 1st reading/single reading		T6-0075/2006	14/03/2006	EP	Summary
Commission response to text adopted in plenary		SP(2006)1725	19/04/2006	EC	
Follow-up document		COM(2011)0696	10/11/2011	EC	Summary
Follow-up document		SEC(2011)1311	10/11/2011	EC	
Follow-up document		COM(2015)0061	18/02/2015	EC	Summary

Additional information

European Commission	EUR-Lex
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Final act

Financial instrument for civil protection

PURPOSE: to establish, from 1 January 2007 to 31 December 2013, a Preparedness and Rapid Response Instrument for major emergencies, which should contribute to the development and implementation of Community civil protection measures, as a contribution to help improving the effectiveness of systems for preparing for and responding to major emergencies.

PROPOSED ACT : Council Regulation.

CONTENT: in its Communication on the Financial Perspectives adopted on 14 July 2004, the Commission called for action at European level to provide a common response to emergency situations of different origin in an efficient and coordinated way. Action would cover both solidarity and rapid reaction, with measures allowing for immediate response and providing assistance in the aftermath of a major crisis.

The objective of the present proposal is to develop the rapid reaction strand of the Commission's integrated approach, in order to provide for Community financial assistance to support and complement the efforts of Member States for the protection of people, the environment and property by contributing to the effectiveness of systems for the preparedness for and response to major emergencies regardless of

their origin as well as to prepare for and respond to public health effects arising from major emergencies.

The solidarity strand is developed through a complementary proposal of a "European Union Solidarity Fund" (please refer to COD/2005/0033).

This proposal will constitute, once adopted, the new legal basis for granting Community financial support to civil protection actions and measures in the field of preparedness and rapid response.

To that effect, the proposal build sup on the existing instruments while widening and setting out in more detail the actions eligible for funding. The range of actions that could potentially be financed under the proposal, in terms of preparedness and rapid response, is wide since the Instrument to be established could finance actions ranging from capacity building assistance, demonstration projects, awareness and dissemination actions to training and exercises, dispatching and sending out of experts and mobilisation on short notice of adequate means and equipment. Particular attention has also been given to identify logistical support actions, such as secure communication systems and tools, which are necessary for the proper achievement of rapid response interventions.

FINANCIAL IMPLICATIONS:

- Budget lines:

07 03 06 01: Community action programme in the field of civil protection. This also includes expenditure actions in the framework of the Community civil protection Mechanism.

07 03 09: Community cooperation in the field of marine pollution.

- Duration of the action and of the financial impact: 2007-2013.

The proposed instrument aims at financing civil protection activities in the field of preparedness and rapid response.

As far as the preparedness is concerned, the following actions should be financed:

- training, exercises, workshops, exchange of staff and experts estimated at EUR 8.665 to 12.915 million per year;

- establishment and maintenance of secure communication system and tools estimated at EUR 1 million per year;

- as well as studies, surveys, modelling, scenario building and contingency planning; capacity building assistance; demonstration projects; technology transfer; awareness and dissemination actions; communication actions; provision of adequate means and equipment and monitoring assessment and

evaluation, estimated at EUR 2.635 to 3.875 million per year;

The annual estimation in the field of preparedness sums up to EUR 12.3 to 17.79 million per year. The estimations are based on the cost of the actions realized in 2004 and 2005 in this field.

Concerning the rapid response, the following actions should be financed by the proposed Instrument:

- transportation and associated logistical support for experts, liaison officers, observers, intervention teams, equipment and mobile facilities; estimated at EUR 2.4 to 6 million per year;

- dispatching and sending out of experts, liaison officers and observers;

estimated EUR 0.3 to 0.4 million per year

- mobilisation on short notice of adequate means and equipment, estimated at up to EUR 4.81 million per year.

The annual estimation in the field disaster response sums up to EUR 2.7 to 11.21 million. The estimations are based on the cost of the actions realized in 2004 and 2005 in this field.

The overall annual budget for this instrument is therefore estimated at EUR 15 to 29 million per year.

Moreover, it is appropriate to earmark an amount of EUR 1 million per year to finance the technical assistance actions foreseen by the proposed instrument.

Therefore the total amount is estimated to be EUR 173 million for the period of seven years.

Financial instrument for civil protection

COMMISSION'S IMPACT ASSESSMENT

For further information regarding the context of this issue, please refer to the summary of the Commission's initial proposal (COM(2005)0113) for a Regulation Establishing a Rapid Response and Preparedness Instrument for Major Emergencies.

1- POLICY OPTIONS AND IMPACTS

Three options have been considered for achieving the overall objective.

1.1- Option 1 - No policy change: if no action is taken at EU level, no Community financing will be available for civil protection from 2007 onwards. The Commission will not be able to continue to operate the existing instruments in the field of civil protection and the above goals cannot be achieved.

1.2- Option 2 - Promote cooperation between Member States with no financial incentive: in this case, the EU would not be capable of expressing its solidarity with those affected by major disasters. It would not be able to ensure timely transportation of vital assistance, better preparedness or the availability of assistance and equipment necessary to alleviate the immediate consequences of disasters. This would have negative consequences for the image of the Union and our citizens' perception of European solidarity. Moreover, Member States are likely to revert to purely national interventions, carried out in a bilateral framework with the country affected by a disaster. This would mean that the progress made to date risks being lost. The Union will not be capable of ensuring coherence and effectiveness of the overall assistance and will not be able to live up to its commitment to ensure solidarity with countries affected by major disasters.

1.3- Option 3 - Legislative instrument ensuring funding for civil protection: a legislative instrument is needed to strengthen cooperation and to enhance preparedness. Moreover, from the above it is evident that financial support is necessary at EU level to achieve both the general and specific objectives in this area.

CONCLUSION: it is necessary to establish a Rapid Response and Preparedness Instrument under which financial assistance may be given, as a contribution to improving the effectiveness of systems for preparing for and responding to major emergencies, in particular in the context of the Community Civil Protection Mechanism.

IMPACTS

The specific action proposed will allow the Commission and the Member States to pursue an integrated approach that will provide the optimal level of support to Member States affected by major disasters. It will allow the Commission to address the main weaknesses of existing work on civil protection and ensure that effective assistance is provided immediately to those affected by major disasters. The proposal will allow recent events, new technologies and the lessons learned from disasters to be taken into account and reflected in the future work of the Mechanism. They contribute to the Commission's overall policy of enhancing security of EU citizens and showing solidarity with those affected by disasters.

- Response to disasters

The specific objectives of civil protection actions in this area are to mobilise expertise, to facilitate transportation and associated logistical support and to mobilise equipment and means. The actions will result in

? The sending of experts in case of disasters to assist the affected country in the assessment of the needs on site and to liaise with the competent authorities of the affected country (estimated number of 10 disasters per year and 10 experts per disaster);

? Transportation of European civil protection assistance in the event of disasters as well as associated logistical support (estimated number of 10 disasters per year and 6 flights per disaster);

? The mobilisation of equipment and means (estimated number of 10 disasters).

Relevant indicators are the delivery of European assistance in case of disasters, its positive impact on the immediate consequences, its timeliness and effectiveness.

- Preparedness

Preparedness actions encompass all activities and measures taken in advance, within the EU and the participating countries, to ensure effective rapid response and to mitigate the adverse consequences of disasters.

They will ensure the following concrete results (per year):

? training courses (including general training courses in the context of the Mechanism as well as training courses focusing on specific issues or for a specialised audience) to provide experts and team leaders with the knowledge and tools needed to participate effectively in Community interventions and to develop a common European intervention culture;

? command post exercises and full-scale exercises to test interoperability, train civil protection officials and create a common intervention culture;

? the exchange of experts to enhance understanding of European civil protection and to share information and experience;

? workshops to enhance information sharing and promote a common understanding of civil protection issues;

? projects, studies, surveys, modelling, scenario-building and contingency planning, capacity building assistance; demonstration projects; technology transfer; awareness and dissemination actions; communication actions; provision of adequate means and equipment and monitoring assessment and evaluation.

2- FOLLOW-UP

The proposal will be implemented by the Commission. A comprehensive monitoring system is provided by Article 11 of the proposal. This includes:

on-the-spot checks, including sample checks, on actions financed under this Regulation; supervision and financial control of grants and contracts by the Commission and audits by the Court of Auditors, including on-the-spot, in accordance with the provisions of the Financial Regulation; obligations on the beneficiary of financial assistance to keep available for the Commission all the supporting documents regarding expenditure on the action; etc.

In addition, the Commission shall submit to the EP and the Council:

- a) an interim evaluation report no later than 31 December 2010;
- b) a communication on the continuation of this Regulation no later than 31 December 2011;
- c) an ex-post evaluation no later than 31 March 2015.

Financial instrument for civil protection

The committee adopted the report by Dimitrios PAPADIMOULIS (EUL/NGL, EL) amending the proposal in three main areas - the legal basis, the scope and the budget:

- legal basis: MEPs argued that the main purpose of the regulation was the protection of human health and the environment, and that the legal basis should therefore be Article 175 of the EC Treaty, involving the codecision procedure, rather than Article 308 as proposed by the Commission (involving the consultation procedure);

- scope: whereas the original proposal did not address prevention, the committee felt that preventive measures were essential in this field and amended the title and objectives accordingly. It also extended the scope of the proposal in other ways, so as to include a rapid response to emergencies, not only inside but also outside the Community, which have or may have "adverse impact on people, public health and safety, property, cultural heritage or the environment caused by natural, industrial or technological disasters, including marine pollution, or acts of terrorism". Special attention should also be given to isolated and outermost regions which are not easily accessible;

- budget: as a result of the amendments extending the scope to include prevention and financing of actions outside the Community, the committee called for the budget initially proposed by the Commission (EUR 173 million for the period 2007-2013) to be increased by EUR 105 million, bringing it up to EUR 278 m.

Other amendments introduced new actions which would be eligible for funding, including: special training for emergency operations personnel to enable them to deal better with the particular needs of the disabled; the transfer not only of technology but also of knowledge and expertise and the sharing of experience and best practices; networking of alert, early warning and response systems; the integration of civil protection measures into teaching programmes and awareness campaigns; and special training for volunteers, under the control and supervision of a local statutory authority. Lastly, MEPs said that, when actions are implemented outside the EU borders, they should be coordinated with the United Nations. And they introduced a new article providing as a general rule for closer links and "enhanced, structured and continued cooperation" with international organisations.

Financial instrument for civil protection

The European Parliament adopted a resolution drafted by Dimitrios PAPADIMOULIS (EUL/NGL, EL) and made some amendments to the proposal:

- the main purpose of the regulation was the protection of human health and the environment, and the legal basis should therefore be Article 175 of the EC Treaty, involving the codecision procedure, rather than Article 308 as proposed by the Commission (involving the consultation procedure);

- scope: whereas the original proposal did not address prevention, Parliament felt that preventive measures were essential in this field and amended the title and objectives accordingly. It also extended the scope of the proposal in other ways, so as to include a rapid response to emergencies, not only inside but also outside the Community, which have or may have "adverse impact on people, public health and safety, property, cultural heritage or the environment caused by natural, industrial or technological disasters, including marine pollution, or acts of terrorism". Special attention should also be given to isolated and outermost regions which are not easily accessible;

- duration and budgetary resources: the Regulation will apply from 1 January 2007 to 31 December 2013. The indicative financial framework for the implementation of the Instrument is set at EUR 278 000 000 for the seven year period. The budget initially proposed by the Commission (EUR 173 million for the period 2007-2013) was increased by EUR 105 million, bringing it up to EUR 278 m;

- new actions will be eligible for funding, including: special training for emergency operations personnel to enable them to deal better with the particular needs of the disabled; the transfer not only of technology but also of knowledge and expertise and the sharing of experience and best practices; networking of alert, early warning and response systems; the integration of civil protection measures into teaching programmes and awareness campaigns; and special training for volunteers, under the control and supervision of a local statutory authority;

- the Commission will ensure that the Instrument and the alert, early warning and response systems are effective and linked to other Community warning systems;

- a new article on volunteers states that volunteers' preparedness for and response to major man-made or natural disasters shall always be under the control and supervision of a local statutory authority and volunteers shall receive special training that enhances their ability to identify, respond to and recover from a major emergency or disaster situation;

- the interim evaluation report must, in particular, contain information relating to applications submitted, grant decisions taken and the

winding-up of financial assistance granted.

Lastly, MEPs said that, when actions are implemented outside the EU borders, they should be coordinated with the United Nations. And they introduced a new article providing as a general rule for closer links and "enhanced, structured and continued cooperation" with international organisations.

Financial instrument for civil protection

The Council examined a proposal establishing a civil protection financial instrument, in particular its main outstanding question: whether a part of the Community budget foreseen for EU civil protection activities could, under certain conditions, be used for the hiring of transport and equipment.

The Council, while confirming its willingness to conclude an agreement by December 2006, instructed the Permanent Representatives Committee (Coreper) to prepare a compromise on all outstanding questions. In particular, Coreper is tasked to conclude the discussion on transport and equipment financing taking into account the ideas expressed in the Council:

- § Article 4(2)(b) of the draft Decision [supporting Member States in obtaining access to equipment and transport resources] will remain in the text without amendments;
- § Financial assistance from the Community budget for major civil protection emergencies as foreseen in Article 4(2)(c) and (a) [financing additional resources for transport and equipment] will be available for interventions in third countries;
- § Financial assistance for major emergencies within the European Union will, as a rule, be reimbursed by the accepting Member State. The reimbursement may be waived, taking account the nature of the emergency and the extent of the damage;
- § The Commission will submit a first evaluation (Article 14) of the implementation of the relevant provisions in Article 4(2)(c) and (d) already by mid-2008;
- § The first evaluation report, to be submitted by the Commission in accordance with Article 14 as mentioned above, will take into account the results of an analysis conducted jointly by the Commission and the Member States, by 31 December 2007, on the transport and equipment needs experienced in major civil protection interventions and the measures taken under this Decision to address these needs;
- § Depending on the results of this evaluation, the Council may request the Commission to present a proposal for an amended Decision to be agreed before the end of 2008.

For the purpose of establishing the analysis, the Commission undertakes to establish a group composed of experts appointed by the Commission and the Member States before the end of 2006.

Background

The aim of the proposal is to establish, during the period of validity of the Financial Framework 2007-2013, the financial basis for Community action in the field of civil protection. The indicative amounts made available under the Financial Framework 2007-2013 are annually EUR 17 million for actions inside the EU and EUR 8 million for actions in third countries. Since the current Civil Protection Action Programme will expire on 31 December 2006, and since the present proposal includes the financing for the Civil Protection Mechanism, a failure to formally adopt the present financial instrument before January 2007 would lead to difficulties in financing after that date civil protection activities currently covered by that programme, as well as the operation of the Mechanism.

Financial instrument for civil protection

PURPOSE: to establish a Civil Protection Financial Instrument.

LEGISLATIVE ACT: Council Decision 2007/162/EC, Euratom establishing a Civil Protection Financial Instrument.

BACKGROUND: with the adoption of the [new financial perspectives 2007-2013](#), a series of new instruments have been adopted and replace the instruments from the previous financial perspectives. The funding provided under the new instrument will increase the effectiveness of rapid response and preparedness measures for major emergencies, particularly measures taken by way of the cooperation between Member States established by Council Decision 2001/792/EC, Euratom on an assistance intervention mechanism (see [CNS/2000/0248](#)). This Decision aims to replace the previous instrument.

Overall, the new instrument will establish a civil protection financial instrument under which financial assistance may be given, both as a contribution to improving the effectiveness of response to major emergencies, in particular in the context of Decision 2001/792/EC, Euratom, and to enhancing preventive and preparedness measures for all kinds of emergencies such as natural and man-made disasters, acts of terrorism including chemical, biological, radiological and nuclear terrorism, and technological, radiological or environmental accidents.

However, to avoid duplication of effort and funding, certain areas are not eligible for funding with this instrument, e.g. the actions and measures included in the action programme "Health and consumer protection 2007-2013" or the action programme in the field of consumer policy ([COD/2005/0042A](#) and [COD/2005/0042B](#)), those implemented outside the EU through the stability instrument ([COD/2004/0223](#)) and those provided for by the specific programme on terrorism or relating to the maintenance of order and internal security. Moreover, funding is excluded where the proposed action or measure is already funded by another European financial instrument.

CONTENT: this Decision establishes a Civil Protection Financial Instrument to support and complement the efforts of the Member States for the protection, primarily of people but also of the environment and property, including cultural heritage, in the event of natural and man-made disasters, acts of terrorism and technological, radiological or environmental accidents and to facilitate reinforced cooperation between the Member States in the field of civil protection.

The Instrument will cover the period from 1 January 2007 to 31 December 2013.

The financial reference amount for the implementation of the Instrument for the period 2007 to 2013 shall be EUR 189 800 000.

Actions receiving financial assistance under the Instrument shall not receive assistance from other Community financial instruments.

It lays down the rules for the provision of financial assistance for:

- actions in the field of the Community mechanism to facilitate reinforced cooperation in civil protection assistance interventions (the Mechanism);
- measures to prevent or reduce the effects of an emergency including the response to accidental marine pollution, emergencies through the Mechanism, inside or outside the Community, where a request is made for assistance in accordance with the Mechanism; and
- actions designed to enhance the Community's state of preparedness for responses to emergencies, including actions enhancing EU citizens' awareness.

In addition, it makes special provisions to fund certain transport resources in the event of a major emergency.

Actions eligible for financial assistance under the Instrument in the field of prevention and preparedness include the following:

- studies, surveys, modelling and scenario building;
- training, exercises, workshops, exchange of staff and experts, creation of networks, demonstration projects and technology transfer to enhance prevention, preparedness and effective response;
- public information, education and awareness raising and associated dissemination actions, so as to minimise the effects of emergencies on EU citizens and to help EU citizens to protect themselves more effectively;
- maintaining the functions provided by the Monitoring and Information Centre of the Mechanism (MIC) to facilitate a rapid response in the event of a major emergency;
- communication measures to promote the visibility of the Community's response;
- contributing to the development of detection and early warning systems for disasters which may affect the territory of the Member States;
- establishment and maintenance of a secure common emergency communication and information system (CECIS) and tools;
- monitoring, assessment and evaluation activities;
- establishment of a programme of lessons learnt from interventions and exercises in the context of the Mechanism.

Actions eligible for financial assistance under the Instrument in the field of response under the Mechanism:

- dispatching assessment and coordination experts along with their supporting equipment;
- supporting Member States in obtaining access to equipment and transport resources;
- complementing the transport provided by Member States by financing additional transport resources necessary for ensuring a rapid response to major emergencies falling in the scope of the Decision. Such actions will be eligible for financial assistance under the Instrument only if certain criteria are met.

Member States requesting financial support for the transportation of their assistance shall reimburse at least 50 % of the Community funds received, not later than 180 days after the intervention.

Evaluation: actions receiving financial assistance under the Instrument shall be monitored regularly in order to follow their implementation. The Commission shall submit the following to the European Parliament and to the Council:

- no later than 31 December 2008, a first evaluation report on the qualitative and quantitative aspects of the implementation of this Decision;
- no later than 30 June 2010, an interim evaluation report on the results obtained and the qualitative and quantitative aspects of the implementation of this Decision;
- no later than 31 December 2011, a communication on the continuation of this Decision;
- no later than 31 December 2014, an ex post evaluation report.

ENTRY INTO FORCE: the Decision shall apply from 1 January 2007 to 31 December 2013.