

Procedure file

Basic information		
CNS - Consultation procedure Decision	2006/0009(CNS)	Procedure completed
Community Civil Protection Mechanism. Recast		
Repealing Decision 2001/792/EC, Euratom 2000/0248(CNS) Repealed by 2011/0461(COD)		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
	DEVE Development		
	LIBE Civil Liberties, Justice and Home Affairs	The committee decided not to give an opinion.	
Council of the European Union	Council configuration	Meeting	Date
	Justice and Home Affairs (JHA)	2827	08/11/2007
	Justice and Home Affairs (JHA)	2807	12/06/2007
European Commission	Commission DG	Commissioner	
	Environment	DIMAS Stavros	

Key events			
26/01/2006	Legislative proposal published	COM(2006)0029	Summary
14/03/2006	Committee referral announced in Parliament		
13/09/2006	Vote in committee		
19/09/2006	Committee report tabled for plenary, 1st reading/single reading	A6-0286/2006	
23/10/2006	Debate in Parliament		
24/10/2006	Results of vote in Parliament		
24/10/2006	Decision by Parliament	T6-0434/2006	Summary
08/11/2007	Act adopted by Council after consultation of Parliament		
08/11/2007	End of procedure in Parliament		

01/12/2007	Final act published in Official Journal		
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Technical information

Procedure reference	2006/0009(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Recast
Legislative instrument	Decision
	Repealing Decision 2001/792/EC, Euratom 2000/0248(CNS) Repealed by 2011/0461(COD)
Legal basis	EC Treaty (after Amsterdam) EC 308; Euratom Treaty A 203
Stage reached in procedure	Procedure completed
Committee dossier	ENVI/6/33860

Documentation gateway

Legislative proposal		COM(2006)0029	26/01/2006	EC	Summary
Document attached to the procedure		SEC(2006)0113	26/01/2006	EC	Summary
Economic and Social Committee: opinion, report		CES0738/2006	17/05/2006	ESC	
Committee draft report		PE374.274	01/06/2006	EP	
Amendments tabled in committee		PE374.474	13/07/2006	EP	
Committee opinion	DEVE	PE376.427	30/08/2006	EP	
Committee report tabled for plenary, 1st reading/single reading		A6-0286/2006	19/09/2006	EP	
Text adopted by Parliament, 1st reading/single reading		T6-0434/2006	24/10/2006	EP	Summary
Commission response to text adopted in plenary		SP(2006)5316/2	23/11/2006	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

National parliaments	IPEX
European Commission	EUR-Lex

Final act

[Decision 2007/779](#)
[OJ L 314 01.12.2007, p. 0009](#) Summary

COMMISSION'S IMPACT ASSESSMENT

For further information regarding the context of this issue, please refer to the summary of the Commission's proposal for a Council Decision establishing a Community civil protection mechanism (recast) - COM(2006)0029.

1- POLICY OPTIONS AND IMPACTS

The Commission considered three potential policy options.

1.1- Option 1: to reject any legislative initiative: this option would not allow the Community to achieve the policy objectives set by the European Council and the European Parliament

1.2- Option 2: to create a permanent European civil protection force: while drawing on Member States' civil protection teams, the force would be kept on standby at European level to respond rapidly to emergencies. Although this option presents various advantages, in particular relating to speed, effectiveness, visibility and coordination, it is, nevertheless, considered to be unrealistic at this stage of the mechanism's development because of the financial implications and the administrative and management challenges that it entails.

1.3- Option 3: to introduce a limited number of improvements in the Council Decision governing the mechanism: This approach would enable the Community to be more ambitious with regard to civil protection cooperation, while remaining pragmatic and cost-effective.

CONCLUSION: Option 3 was the Commission's preferred option. It allows the Community to continue to build upon Member States' civil protection resources, as the principal means through which EU civil protection assistance is implemented, and to provide additional support to complement the Member States' resources. While avoiding the financial costs associated with option 2, the proposal guarantees an appropriate balance between supporting and complementing actions that will allow the Community, as a whole, to come to the aid of those affected by major emergencies.

IMPACTS

Costs: the main costs from this proposal are as follows:

? **Transport:** the precise transport costs will depend on a number of elements, including the location, size and duration of an emergency. Based on past experience and the financial data presented in the ? Survey of the needs and existing markets in the field of air transport for members of Community intervention teams? of October 2004, the average transport costs for emergencies within the EU have been estimated at EUR 0.6 million per emergency. The transport costs associated with major emergencies outside the EU have been estimated at EUR 3 million per emergency.

? **Equipment:** while the precise costs of additional Community support could vary significantly from emergency to emergency, depending on the type of support provided, the average cost has been estimated at approximately EUR 0.56 million per emergency.

? **Expert missions:** the cost of an average expert mission, including logistical support, is estimated at EUR 4,000.

Increased funding levels for the new financial perspectives period, as foreseen in the proposal for a Rapid Response and Preparedness Instrument, should allow the Commission to gradually start implementing the new actions envisaged in the present proposal.

Benefits: The proposal 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 enable 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 learnt from disasters to be taken into account and reflected in the future work of the mechanism. They will contribute to the Commission's overall policy of enhancing the security of EU citizens and showing solidarity with those who are affected by disasters.

Most importantly, the proposal will provide a legal basis for additional Community support complementing the Member States' assistance. The creation of a safety net at Community level – both with respect to transport and other means – provides all Member States with the reassurance of immediate civil protection assistance in times of need. It is a necessary step towards ensuring that the Community is capable of responding effectively to new terrorist and other threats.

2- FOLLOW-UP

The Commission shall evaluate the application of this Decision every third year from the date of its notification and transmit its conclusions to the European Parliament and the Council. The conclusions shall be accompanied, if appropriate, by proposals for amendments to this Decision.

Community Civil Protection Mechanism. Recast

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, through 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 States' 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.

Community Civil Protection Mechanism. Recast

The European Parliament adopted the report drafted by Dimitrios Papadimoulis (GUE/NGL, EL) by 573 votes in favour to 25 against with 35 abstentions and made several amendments to the proposal. The key ones are as follows;

- military assets and capabilities may, as a last resort, be made available by Member States on a voluntary basis to support civil protection in a supplementary and supportive role;
- Parliament stressed the importance of informing and alerting populations in disaster-prone zones through the use of common EU-wide signals and procedures;
- actions under the mechanism should include the identification of best practices to raise citizens' awareness and dissemination to the public of information on safety behaviours in the event of major risks. They should also include the establishment of arrangements for facilitating and supporting assistance to EU citizens in emergencies in third countries, and the identification of best practices for dealing with emergencies, crises and disasters, and the production of a Community civil protection manual geared to the needs and specific characteristics of the Member States;
- Parliament inserted a series of terms and definitions to be used for the purposes of the decision. These include "major emergency", "preparedness", "early warning", "rapid response", and "intervention module";
- a new clause states that, in the event of a major emergency occurring outside the Community, the use of military assets and capabilities available to support civil protection shall be fully consistent with the UN Guidelines;
- additional transport means and logistical support must be established through appropriate international public tendering procedures on the basis of existing EU public procurement legislation without the application of the "security" exception clause;
- the Commission will, in cooperation with the Member States, take structural measures to ensure the coordination and integration of early warning, alert and response systems for the benefit of the Member States and the MIC, as well as coordination with other Community networks, specialised centres and/or agencies competent in civil protection matters.

A series of additional recitals inserted by Parliament gave guidance on the use of the civil protection mechanism. In particular, Parliament stated that:

- the public health dimension of all civil protection interventions should be included in the scope of the Decision, bearing in mind that all disasters affect people both physically and psychologically, which puts a heavy burden on health and social security systems for a considerable time once the intervention phase is over;
- the setting up of instruments in the area of civil protection should primarily benefit the affected citizens after the disaster has occurred. Such benefits should be made visible and measurable so as to convey a strong message of solidarity of the Member States;
- land management and land use are an important part of policies and plans for the prevention and mitigation of disasters. Therefore, plans and policies should implement integrated environmental and natural resource management approaches that incorporate disaster risk reduction;
- the GMES (Global Monitoring for Environment and Security) system, which supports the development of European policy on the environment and security and helps to monitor its implementation at local, regional, Community and world level, should be systematically used. Given the strategic importance of earth observation in the environmental and security fields, the deadlines set by the Göteborg European Council of 15 and 16 June 2001 should be adhered to and an independent and operational European global monitoring capacity should be developed by 2008 at the latest.

Community Civil Protection Mechanism. Recast

PURPOSE: to recast the legislation on Community civil protection mechanism.

LEGISLATIVE ACT: Council Decision 2007/779/EC, Euratom establishing a Community Civil Protection Mechanism (recast).

BACKGROUND: the Community Civil Protection Mechanism was created in 2001 under Council Decision 2001/792/EC, Euratom ([CNS/2000/0248](#)) to support and facilitate the mobilisation and coordination of civil protection assistance in the event of major emergencies occurring inside or outside the European Union.

This Decision, which revises that Mechanism, takes into account lessons learned in past emergencies and a series of European Council declarations outlining policy orientations on the further development of European civil protection cooperation, in particular on the setting up of a rapid response capability based upon the civil protection modules of Member States.

CONTENT: the general purpose of the Mechanism is to provide, on request, support in the event of major emergencies and to facilitate improved coordination of assistance intervention provided by the Member States and the Community, taking into account the special needs of the isolated, outermost and other regions or islands of the Community. Recent years have seen a considerable growth in the number of countries calling upon the Mechanism for civil protection assistance. The Mechanism needed to be strengthened to ensure a more effective

and visible demonstration of European solidarity and to allow for the development of a European rapid response capability based on the civil protection modules of the Member States, as called for by the European Council held on 16 and 17 June 2005 and by the European Parliament in its Resolution of 13 January 2005 on the tsunami disaster.

This Decision, which uses the possibilities now offered by the [Civil Protection Financial Instrument](#) of 5 March 2007, aims at :

- developing the Monitoring and Information Centre (MIC) into a framework for collecting and sharing validated emergency information;
- contributing to the further development and establishment of detection and early warning systems;
- establishing and managing the Common Emergency Communication and Information System (CECIS) to enable communication and sharing of information between the MIC and the contact points of the Member States;
- developing self-sufficient and autonomous interoperable civil protection assistance intervention capabilities or teams consisting of resources of Member States which aim to be fully interoperable ("modules");
- facilitating the identification and pooling of transport and equipment and supporting Member States in obtaining access to transport resources;
- providing the EU assessment and coordination teams with adequate supporting equipment, in particular communication tools;
- clarifying the respective coordination roles of the Member State entrusted with the Presidency of the Council, of the Commission, of the Member States' contact points and of the United Nations during interventions in third countries.

Basic structure of the Mechanism: the Mechanism will facilitate reinforced cooperation between the Community and the Member States in civil protection assistance intervention in the event of major emergencies, or the imminent threat. It shall collect validated information on the emergency and disseminate it to the Member States.

Scope of the application and types of emergency situations foreseen: the Mechanism should facilitate the civil protection response to all types of major emergencies occurring inside or outside the Community, including natural and man-made disasters, acts of terrorism and technological, radiological and environmental accidents, including accidental marine pollution. Civil protection assistance may be required in all of these emergencies to complement the response capabilities of the affected country. It should be possible to mobilise, and facilitate coordination of, assistance interventions in order to help ensure better protection primarily of people but also of the environment and property, including cultural heritage.

Preparedness and response: the Decision provides for a series of technical measures:

1) preparation of an intervention: Member States shall identify in advance intervention teams or modules within their competent services and, in particular, their civil protection services or other emergency services, which might be available for intervention or could be established at very short notice and be dispatched, generally within 12 hours following a request for assistance. They shall take into account that team or module composition should depend on the type of major emergency and on particular needs in that emergency. Member States wishing to do so, may, subject to appropriate security constraints, provide information about relevant military assets and capabilities that could be used as a last resort as part of the civil protection assistance through the Mechanism, such as transport and logistical or medical support. Member States shall provide relevant general information on the teams, experts, modules and other intervention support.

2) response in case of a disaster: in the event of a major emergency within the Community, or of an imminent threat thereof, which causes or is capable of causing trans-boundary effects, the Member State in which the emergency has occurred shall, without delay, notify the Commission and those Member States which may be affected by the emergency. With respect to civil protection assistance interventions outside the Community, the Mechanism should facilitate and support the actions undertaken by the Community and the Member States. Assistance interventions outside the Community can either be conducted autonomously or as a contribution to an operation led by an international organisation, for which case the Community should develop its relations with relevant international organisations. The requesting Member State shall be responsible for directing assistance interventions. Where the use of military assets and capabilities is considered to be appropriate, cooperation with the military will follow the modalities, procedures and criteria established by the Council or its competent bodies.

The text states that in the event of a major emergency occurring outside the Community, the possible use of military assets and capabilities available to support civil protection should be consistent with the principles of relevant United Nations Guidelines.

Reporting: the Commission will evaluate the application of the Decision every third year from the date of its notification and transmit the conclusions of that evaluation to the European Parliament and the Council. The conclusions shall be accompanied, if appropriate, by proposals for amendments to this Decision.

ENTRY INTO FORCE: 8 November 2007. Decision 2001/792/EC, Euratom shall be repealed.