



COMMISSION OF THE EUROPEAN COMMUNITIES

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Proposal for a
COUNCIL DECISION
ESTABLISHING A COMMUNITY ACTION PROGRAMME
IN THE FIELD OF CIVIL PROTECTION

(presented by the Commission)

EXPLANATORY MEMORANDUM

1. In recent decades Community Member States have suffered major disasters, both natural and technological.

Southern Europe has suffered mainly from natural disasters, such as the series of tragic earthquakes in Italy and Greece, including the earthquake in Irpinia in 1979 which alone caused 4 500 deaths, and the dramatic floods in Barcelona and Murcia (Spain).

Northern Europe has also been hit by major natural disasters, such as the tragic floods in the Netherlands and Germany, and has witnessed numerous industrial accidents and man-made disasters such as the Sandoz accident which resulted in serious pollution of the Rhine, not to mention the series of serious fires and transport accidents such as ferry tragedies.

The number and scale of these disasters can be seen, above all, from the frequent need for the Commission to resort to emergency aid for the victims of this wide variety of disasters striking European society and their families; in the last eight years the Commission has granted aid of this type sixty times.

More detailed analysis of this toll reveals that the range of risks to which the Community is exposed is extremely wide, extending from natural disasters, such as cold spells, storms, cyclones, forest fires, floods and earthquakes, to "technological" disasters, such as explosions in mines or on oil rigs, air crashes, shipping accidents, etc., not to mention outbreaks of human violence in the form of attacks and violence at mass gatherings.

Of all these hazards, flooding is the most common in Europe. For this reason, the Commission has decided to tackle this problem. To this end, in January 1995 it set up a special interdepartmental working party to report to it on the issues raised in order to put the Commission in a position to make appropriate proposals.

2. The Member States have responded by taking steps to prevent disasters and to be prepared for those which do occur, and, in particular, have drawn up disaster relief plans to enable them to manage such emergencies.

As some problems are common to all Member States, or similar, cooperation in the field of civil protection has been developed at Community level.

3. In 1985, a first ministerial-level meeting laid the foundations for such cooperation. Since then, the Council of Ministers responsible for civil protection has met, and six resolutions have been adopted by the Council and the representatives of the Governments of the Member States, meeting within the Council. These

¹ OJ No C 176, 4.7.1987, p. 1; OJ No C 44, 23.2.1989, p. 3; OJ No C 315, 14.12.1990, p. 1; OJ No C 315, 14.12.1990, p. 3; OJ No C 198, 27.7.1991, p. 1; OJ No C 313, 10.11.1994, p. 1.

resolutions have resulted in the establishment of cooperation in the field of civil protection at Community level.

4. The general objective of Community action in the field of civil protection is to help provide better protection for people, the environment and property in the event of natural and technological disasters.

More specifically, this action has the three following objectives:

- to support and back up the efforts made at national, regional and local level to increase the degree of preparedness of those involved in civil protection;
- to establish a framework for effective and rapid cooperation between the national civil protection departments when needed;
- to create conditions enabling civil protection action by the Community and its Member States in countries outside the European Union to be carried out even more effectively and visibly.

5. These objectives are attained mainly by establishing a technical network of those responsible for civil protection in the Member States and by the extensive sharing of experience among them.

In practical terms, technical instruments are being developed (operational manual and pilot projects) as well as initiatives aimed directly at those involved in civil protection which help to increase their degree of preparedness (training, exchanges of experts and simulation exercises).

6. A fuller understanding of the causes of natural disasters and of the reasons for accidental spills of products is essential in order to develop effective alert, prevention and intervention systems. For this reason, research to predict, prevent, reduce and study the behaviour of natural disasters such as earthquakes, volcano eruptions, forest fires, landslides and floods was included in the Community research programmes on environmental protection and on climatology and natural hazards.
7. As part of the fourth framework programme,² on 1 December 1994 the Council adopted a specific research programme on the environment and climate to continue and extend these activities.
8. At its meeting on 21 April 1994, the Council of Ministers responsible for civil protection emphasized the importance of cooperating in this field in order to increase solidarity between Member States. In a resolution on strengthening Community cooperation on civil protection, the Ministers welcomed the active role played by the Commission in developing such cooperation and called for it to be stepped up.

² OJ No L 126, 18.5.1994, p.1.

This resolution, formally adopted on 31 October 1994, is a political endorsement of all that has been done at administrative level in recent years. It stresses the importance of training and calls for the mechanism for mutual assistance in the event of a disaster to be strengthened. It also calls for further steps to be taken. The new fields identified include:

- prevention of natural and technological disasters;
- cooperation between national civil protection schools;
- regular meetings of the Directors-General for Civil Protection;
- awareness, education and information campaigns to help people protect themselves more effectively;
- new technical instruments (trans-European telematic networks and teleconferencing).

Finally, the resolution recalls that Article 3(t) of the Treaty establishing the European Community states that the activities of the Community shall include measures in the sphere of civil protection. A declaration appended to the Final Act of the Treaty on European Union states that the question of introducing into the Treaty establishing the European Community a Title relating to civil protection will be examined on the basis of a report which the Commission will submit to the Council by 1996 at the latest.

9. An action programme will permit the requested consolidation and strengthening of Community cooperation on civil protection, without prejudice to the form this cooperation will take following the revision of the Treaty in 1996. To that end the proposal for a Decision defines the priority action to be taken in the next few years. It also sets out the criteria and financing arrangements for this action. The 1995 budget for Community cooperation is ECU 1.5 million (item B4-3300).
10. The Community action proposed in the programme is not intended to replace the Member States' efforts in the field of civil protection. In accordance with the principle of subsidiarity, the aim is to back them up and supplement them in order to make them more effective. In particular, the programme allows extensive pooling of experience at national level and mutual assistance in case of need. Transfer of know-how and mutual assistance help reduce loss of life and economic damage throughout the Community.
11. The Treaty makes no specific provision for action in the field of civil protection. The proposal for a Decision is therefore based on Article 235 of the EC Treaty.
12. In view of the importance of such an action programme both to the regions, which bear heavy responsibility for civil protection, and to various circles in economic life and society, this proposal will be submitted to the Committee of the Regions and to the Economic and Social Committee for their opinions.

PROPOSAL FOR A COUNCIL DECISION
ESTABLISHING A COMMUNITY ACTION PROGRAMME
IN THE FIELD OF CIVIL PROTECTION

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 235 thereof,

Having regard to the proposal from the Commission,³

Having regard to the opinion of the European Parliament,⁴

Having regard to the opinion of the Economic and Social Committee,⁵

Having regard to the opinion of the Committee of the Regions,⁶

Whereas the action taken by the Community in this field since 1985 has made it possible progressively to develop cooperation between the Member States; whereas the resolutions adopted since 1987⁷ constitute the basis for this cooperation;

Whereas Community cooperation in the field of civil protection (including environmental emergencies) helps to achieve the objectives of the Treaty by promoting solidarity between the Member States and contributing to preserving and protecting the environment; whereas, in order to attain these objectives, Article 3(t) of the Treaty calls on the Community to adopt appropriate measures in the sphere of civil protection;

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OJ No C 176, 4.7.1987, p. 1; OJ No C 44, 23.2.1989, p. 3; OJ No C 315, 14.12.1990, p. 1; OJ No C 315, 14.12.1990, p. 3; OJ No C 198, 27.7.1991, p. 1; OJ No C 313, 10.11.1994, p. 1.

Whereas the Community programme of policy and action in relation to the environment and sustainable development⁸ states that the Community's activity will be stepped up in the fields of civil protection and environmental emergencies; whereas the same programme calls for these activities to take account of scientific research and technological development;

Whereas the establishment of a Community action programme will help to develop cooperation in this field even more effectively; whereas such a programme should be based to a large extent on experience already gained in this field;

Whereas action to prepare those responsible for and involved in civil protection and other environmental emergencies in the Member States is important, in order to increase their degree of preparedness;

Whereas it is also important to undertake action targeted at the general public so as to help European citizens to protect themselves more effectively;

Whereas an advisory committee on civil protection will assist the Commission in managing the action programme; whereas the Commission may also refer any matter relating to civil protection to this committee;

Whereas, in accordance with the principle of subsidiarity, Community cooperation supplements national policies in the field of civil protection and environmental emergencies in order to make them more effective; whereas pooling of experience and mutual assistance will help to reduce the loss of human life and economic and environmental damage throughout the Community;

Whereas the Treaty contains no legal basis for adoption of this Decision other than Article 235,

HAS DECIDED AS FOLLOWS:

⁸ OJ No C 138, 17.5.1993, p. 5.

Article 1

A Community action programme in the field of civil protection, including environmental emergencies, is hereby established. The action making up the programme and the arrangements for granting Community financial support are set out in the Annex.

Article 2

The Commission shall implement the action programme. In so doing it may where necessary arrange additional ad hoc action not listed in the Annex. Such additional action shall be assessed in the light of the priorities set and the financial resources available.

Article 3

1. Each individual action undertaken within the framework of the action programme shall be aimed at supporting, backing up and supplementing the civil protection activities undertaken in the Member States.
2. This individual action shall be selected primarily on the basis of the following criteria:
 - (a) contribution to increasing the degree of preparedness of those involved in civil protection in the Member States, in order to increase their ability to respond to an emergency;
 - (b) contribution to improving techniques and methods of response: pilot projects;
 - (c) contribution to public information, education and awareness, so as to help citizens to protect themselves more effectively.
3. Each individual action shall be implemented in close cooperation with the national, regional or local authorities concerned.

4. Each action shall take account of the results of the Community and national research in the relevant fields.
5. The Commission and the Member States shall encourage complementary operation of this programme and of the European Community action programme for the implementation of a vocational training policy.

Article 4

For the purposes of implementing the programme, the Commission shall be assisted by an advisory committee on civil protection composed of representatives of the Member States and chaired by the representative of the Commission.

The representative of the Commission shall submit to the committee a draft of the measures to be taken. The committee shall deliver its opinion on the draft, within a time limit which the chairman may lay down according to the urgency of the matter, if necessary by taking a vote.

The opinion shall be recorded in the minutes; in addition, each Member State shall have the right to ask to have its position recorded in the minutes.

The Commission shall take the utmost account of the opinion delivered by the committee and shall inform the committee of the manner in which its opinion has been taken into account.

The Commission may also refer any other matter relating to civil protection to the advisory committee on civil protection.

Article 5

Every three years the Commission shall evaluate implementation of the action programme and shall inform the committee referred to in Article 4 accordingly.

ACTION	FINANCING ARRANGEMENTS
<p>CIVIL PROTECTION, INCLUDING ENVIRONMENTAL EMERGENCIES</p> <p>A. Action contributing to increasing the degree of preparedness of those involved in civil protection</p> <p>1. <u>Training</u></p> <p>Organization of (mainly self-tuition) workshops bringing together high-level experts from the Member States permitting, within each discipline, the mutual sharing of experience by means of in-depth discussions of their methods, techniques and means with a view to:</p> <ul style="list-style-type: none"> - increasing their degree of preparedness; - creating the conditions for the establishment of a human network permitting more effective operational cooperation between Member States in case of emergency. 	<p>Maximum Community financial contribution: 75% of the total cost of the action, with a ceiling of ECU 62 500 per action.</p>

⁹ Research and technological development activities are excluded from this programme.

2. Exchange of experts

Organization of exchanges of Member State experts enabling them to follow short training courses in another Member State run by a training body or another civil protection department.

Organization of the secondment to another Member State of one or more trainers who are particularly qualified to present certain training courses or modules.

3. Community simulation exercises

These exercises are intended to compare methods and to back up progress in national civil protection systems.

100% of the experts' travel and subsistence expenses and the costs of coordinating the system for an initial period of two years (1995-1996).

Thereafter, the financing of experts' travel and subsistence expenses will be limited to 75%.

Maximum Community financial contribution: 50% of the participation costs of observers from the other Member States invited by the organizing State, the cost of organizing the associated workshops, preparing the exercise, the final report, etc.

B. Projects contributing to improving techniques and methods of response:

Pilot projects

Projects designed to increase the Member States' response capacity. These projects are aimed mainly at improving means, techniques and procedures. Their scope should be such as to interest all or several Member States.

Maximum Community financial contribution: 50% of the total cost of each project.

C. Action contributing to improving public information, education and awareness, so as to help citizens to protect themselves more effectively¹⁰

Action encouraging exchanges of experience between Member States, regions and local authorities in the field of initiatives to improve public information, education and awareness, so as to help citizens to protect themselves more effectively. The idea is to build on the work done by the Member States and to enable the authorities and other organizations concerned to benefit from similar experience in other Member States. The target group is the general public, focusing in particular on schoolchildren and young people receiving initial vocational training.

Maximum Community financial contribution: 50% of the total cost of the action.

Distribution of information and travelling exhibitions.

100% financing.

D. Other action

Action to promote civil protection activities in one or more Member States, particularly those which have a direct impact in other Member States.

Maximum Community financial contribution: 50% of the total cost of the action

¹⁰ The Community action in the field of public health is excluded from this programme (cf. in particular the Commission communication and proposal for a European Parliament and Council Decision adopting a programme of Community action on health promotion, information, education and training within the framework of the action in the field of public health, OJ No C 252, 9.9.1994, p.3).

<p>Conferences and other civil protection events open to large audiences, especially those involving several Member States.</p>	<p>Maximum Community financial contribution: 30%, with a ceiling of ECU 25 000.</p>
<p>E. Mobilization of expertise</p> <p>Mobilization, as provided for in the civil protection operational manual, of expertise to reinforce the arrangements made in the Member States or in third countries by authorities facing emergencies resulting from natural, technological and environmental disasters.</p>	<p>Community financial contribution: 100% of costs of experts' missions.</p>

FINANCIAL STATEMENT

SECTION I - OPERATIONAL EXPENDITURE (PART B)

1. TITLE OF OPERATION

Proposal for a Council Decision establishing a Community action programme in the field of civil protection

2. BUDGET HEADING INVOLVED

B4-3300

3. LEGAL BASIS

- Article 235.
- Resolutions of the Council and the representatives of the Governments of the Member States, meeting within the Council, of 23 November 1990 on Community cooperation on civil protection (OJ No C 315, 14.12.1990, p. 1) and on improving mutual aid between Member States in the event of a natural or man-made disaster (OJ No C 315, 14.12.1990, p. 3).
- Resolution of the Council and of the representatives of the Governments of the Member States, meeting within the Council, of 8 July 1991 on improving mutual aid between Member States in the event of natural or technological disaster (OJ No C 198, 27.7.1991, p. 1).
- Resolution of the Council and the representatives of the Governments of the Member States, meeting within the Council, of 1 February 1993 on a Community programme of policy and action in relation to the environment and sustainable development (OJ No C 138, 17.5.1993, p. 1).
- Resolution of the Council and of the representatives of the Governments of the Member States, meeting within the Council, of 31 October 1994 on strengthening Community cooperation on civil protection (OJ No C 313, 10.11.1994, p.1).

4. DESCRIPTION OF OPERATION

4.1. General objective

To ensure better protection for people, the environment and property in the event of natural and technological disasters by:

- supporting and backing up the efforts made at national, regional and local level to increase the degree of preparedness of those involved in civil protection and also to improve coordination between all involved in the light of the various experience in Europe;
- establishing a framework for effective and rapid cooperation between the Member States when mutual assistance is needed;
- supporting preventive and response preparedness operations and Community assistance in the event of ecological disasters;

- implementing the resolution adopted by the Council of Ministers responsible for civil protection on 31 October 1994, in particular by supporting public awareness, education and information campaigns aimed at helping citizens to protect themselves more effectively.

4.2. Period covered and arrangements for renewal or extension

Annual operation with legal basis.

5. CLASSIFICATION OF EXPENDITURE OR REVENUE

Non-compulsory expenditure/Differentiated appropriations

6. TYPE OF EXPENDITURE

- 100% subsidy.
- Subsidy for joint financing with other sources in the public and/or private sector
- Hire and purchase of equipment, experts' travel and subsistence expenses, cost of networking the relevant departments in the Community, costs of descriptive analyses, financing of training schemes, exchanges of experts, simulation exercises, awareness, information, education and support schemes, financial contributions to specific projects ("pilot projects"); expenditure on evaluations before and after such action.
- Costs of the Task Force and groups of experts who will be called on to respond to environmental emergencies and/or natural or technological disasters, and costs of simulation exercises, including exercises outside Community territory. These costs include expenditure on the 24-hour a day standby service.

7. FINANCIAL IMPACT

7.1. Method of calculating total cost of operation (definition of unit costs)

The cost of individual activities varies according to the type of activity, how it is organized and the number of participants.

The activities can be divided into five categories:

- training;
- simulation exercises;
- pilot projects;
- task force;
- information, public awareness and other activities.

7.2. Itemized breakdown of cost

Breakdown	1996 budget	1997 budget	1998 budget	1999 budget	2000 budget	Total
Training*	1200	1500	1550	1650	1800	
Exercises	200	200	200	200	200	
Pilot projects	500	750	750	800	800	
Task Force	50	50	50	50	50	
Information, public awareness and other activities**	150	200	250	300	350	
TOTAL	2100	2700	2800	3000	3200	13800

The above amounts are in thousands of current ECU.

* Training includes exchanges of experts.

** Most of the costs under this item are for public information and awareness campaigns; "other activities" means support operations in the interest of the Community, conferences and publications.

7.3. Indicative schedule of appropriations

	n	n + 1	n + 2	n + 3	n + 4	TOTAL
Commitment appropriations	2 100	2 700	2 800	3 000	3 200	13 800
Payment appropriations						
n	1 800	200	100			2 100
n + 1		1 700	600	400		2 700
n + 2			1 500	900	400	2 800
n + 3				1 200	1 000	2 200
n + 4					1 200	1 200
TOTAL*	1 800	1 900	2 200	2 500	2 600	11 000

The above amounts are in thousands of current ECU.

* This total takes no account of payments made from the appropriations for the years before year n.

8. FRAUD PREVENTION MEASURES; RESULTS OF MEASURES TAKEN

- Payments under the contracts concluded will be made on the basis of actual expenditure following verification.
- Before the contract is signed an estimate of expenditure will be requested.
- Before payment is made, supporting documents will be requested and checked.
- Contracts will provide for on-the-spot inspections.

SECTION II - COST-EFFECTIVENESS ANALYSIS

9. ELEMENTS OF COST-EFFECTIVENESS ANALYSIS

9.1. Specific and quantified objectives; target population

- Specific objectives: links with general objective

Civil protection and environmental emergencies

- (a) Training courses and simulation exercises
- (b) Exchanges of experts
- (c) Pilot projects aimed at improving techniques and means of combating disasters
- (d) Development of technical instruments with the Member States
- (e) Public information, awareness and education campaigns
- (f) International cooperation

Secondment of experts

Experience in the field of marine pollution has highlighted the importance of a pool of experts being available at Community level: this "Community Task Force" is made up of highly qualified government experts who can be mobilized to advise those responsible for dealing with emergencies or disasters in the Member States.

In addition to the Task Force, other groups of experts have been set up to cover various civil protection sectors. Thus it is now possible to mobilize experts in the fields of forest fires, environmental issues (for liaison and evaluation missions) and chemicals.

The Commission can second these experts 24 hours a day at the request of the Member State concerned.

- Target population:

Appropriate public emergency relief departments, organizations and associations have been established to respond to disasters and emergencies. These entities form a civil protection system consisting of approximately 5.25 million persons directly involved in the action funded here in the Member States. They include:

- 250 000 professional firemen, government experts, etc.;
- 5 000 000 volunteers, charities, NGOs, etc.

The action is also intended to have an impact on as many citizens as possible with the aid of public information, awareness and education campaigns.

9.2. Grounds for the operation

The action programme to be established by the proposed Decision will consolidate and strengthen Community cooperation on civil protection, as requested in the resolution adopted by the Council of Ministers responsible for civil protection on 31 October 1994.

The Community action proposed in the programme is not intended to replace the Member States' efforts in the field of civil protection. In accordance with the principle of subsidiarity, the aim is to back them up and supplement them in order to make them more effective. In particular, the programme allows pooling of experience at national level and mutual assistance in case of need. Transfer of know-how and mutual assistance help reduce loss of life and economic damage throughout the Community. The selection criteria for intervention at European level will ensure economic, effective use of the resources available for civil protection. The experience gained with the pilot projects and training programmes will be widely disseminated.

9.3. Monitoring and evaluation of the operation

Consensus among the Member States on the guidelines for and results of the operation will be expressed within the advisory committee to be set up by the Decision.

Meetings of technical experts will be held for each planned operation with a view to analysing the arrangements, objectives and consequences. Checks will also be carried out on each specific action to ensure that the requisite contractual and financial obligations are in line with the plans and objectives set.

The proposed Decision provides for the Commission regularly to evaluate implementation of the action programme and to inform the advisory committee thereof.

This evaluation will be carried out every three years. It will cover the results of the various actions taken as part of this programme. The priorities and detailed rules for management of the programme will be adopted on the basis of these results, taking account, also, of the financial aspects of the various measures.

DG XI's policy group and resources group will also evaluate the measures taken to implement the action programme.

SECTION III - ADMINISTRATIVE EXPENDITURE

10. ADMINISTRATIVE EXPENDITURE¹ (Part A of the budget for 1996-2000)

Expenditure is set out below in current ECU.

10.1 Meetings of experts (A-2500)

Meetings of senior officials are needed to prepare the various operations. They will involve 3 to 10 people, depending on the subject of the meeting. This includes meetings of cooperation officials and technical experts. Approximately 50 persons per year will attend these meetings.

Ten meetings per year are planned, starting in 1996.

$10 \times 5 \times \text{ECU } 825/\text{person} = \text{ECU } 41\,250/\text{year from } 1996 \text{ on.}$

An annual meeting of Directors-General for Civil Protection is also planned, starting in 1995. This meeting will involve 30 senior officials from the Member States.

$1 \times 30 \times \text{ECU } 825/\text{person} = \text{ECU } 24\,750/\text{year from } 1995 \text{ on.}$

10.2. Publications (A-3410)

Publication, in several languages, of the documents drawn up for the Member States or third countries and, with their assistance, documents intended for widespread dissemination within their national, regional or even local civil protection departments.

Total expenditure: ECU 35 000/year.

¹ Annual expenditure in addition to current expenditure. Expenditure on the committee to be set up is already covered by the appropriations provided for the Permanent Network of National Correspondents for Civil Protection which it will replace.

IMPACT ASSESSMENT FORM
THE IMPACT OF THE PROPOSAL ON
SMALL AND MEDIUM-SIZED ENTERPRISES

Title of proposal: Proposal for a Council Decision establishing a Community action programme in the field of civil protection

Reference number:

The proposal

To respond to emergencies caused by natural and technological disasters, the Member States have taken steps to prevent disasters and to be better prepared for those which do occur, and, in particular, have drawn up disaster relief plans to enable them to manage such emergencies.

As some problems are common to all Member States, or similar, cooperation in the field of civil protection has been developed at Community level.

The general objective of Community action in the field of civil protection is to help provide better protection for people, the environment and property in the event of natural and technological disasters. In line with the subsidiarity principle, these objectives are attained mainly by establishing a technical network of those responsible for civil protection in the Member States and by the extensive sharing of experience among them.

In practical terms, technical instruments are being developed (operational manual and pilot projects) as well as initiatives aimed directly at those involved in civil protection which help to increase their degree of preparedness (training, exchanges of experts and simulation exercises). The proposal aims in particular at consolidating and strengthening the development of pilot projects, which will be carried out primarily by small and medium-sized enterprises.

The impact on business

Firms in the civil protection equipment and facilities industry could participate in the Community action programme. Most Member States have firms of this type, ranging from small firms to medium-sized enterprises.

Generally, businesses of this type respond to calls for proposals in order to qualify for a financial contribution from the Community.

This proposal could, therefore, have an impact on employment in the undertakings receiving funds.

In some cases, eventual development and fine-tuning of prototypes could even culminate in industrial production of products or equipment encouraging new investment and even new jobs.

The proposal places no specific requirements on small and medium-sized businesses.

Consultation

Not applicable.

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DOCUMENTS

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