



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 1 February 2006

**Interinstitutional File:
2006/0009 (CNS)**

**5865/06
ADD 1**

**PROCIV 16
COSDP 43
SAN 18**

COVER NOTE

from: Secretary-General of the European Commission,
signed by Mr Jordi AYET PUIGARNAU, Director

date of receipt: 26 January 2006

to: Mr Javier SOLANA, Secretary-General/High Representative

Subject: Commission Staff Working Document
Annex to the Proposal for a Council Decision on the Community civil
protection mechanism (recasting)
– Impact assessment

Delegations will find attached Commission document SEC(2006) 113.

Encl.: SEC(2006) 113



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 26.1.2006
SEC(2006)113

COMMISSION STAFF WORKING DOCUMENT

Annex to the

**Proposal for a Council Decision on the Community civil protection mechanism
(recasting)**

Impact assessment

{COM(2006)29 final}

1. INTRODUCTION

Reinforcing civil protection cooperation at Community level has acquired a new urgency in the light of the terrorist attacks in Madrid on 11 March 2004 and in London on 7 July 2005. Major natural disasters, such as the tsunami in South Asia, the forest fires in Southern Europe and hurricane Katrina in the United States, have added to the sense of urgency by reminding Governments and European citizens of the importance of solidarity and mutual assistance in times of need. In a series of successive statements and declarations, the European Council, the Council and the European Parliament have emphasised the need to improve and further develop the Community civil protection mechanism, as the principal instrument in Europe to facilitate the mobilisation and coordination of Member States' civil protection assistance in the event of major emergencies.¹

Since its establishment in 2001, the Community mechanism has responded to a broad range of disasters both inside and outside the EU, including floods in Central Europe (2002) and France (2003), the Prestige accident (2002), the earthquakes in Algeria (2003), Iran (2003) and Morocco (2004), the forest fires in France and Portugal (2003, 2004), the explosion in Asunción (2004) and the tsunami disaster in South Asia (2004). In 2005 alone, the mechanism was utilised by Sweden (storms), Albania (snow storms), Georgia (floods), Romania (floods), Bulgaria (floods), Kyrgyzstan (flood), Portugal (forest fires), the United States of America (hurricane) and Pakistan (earthquake).

The list demonstrates that major emergencies can potentially overwhelm the civil protection capabilities of any country. When this is the case, the affected country must be able to call upon the solidarity of the EU Member States and rely upon their civil protection assistance to help manage the consequences of the disaster. The Community must encourage, support and facilitate this cooperation to ensure that civil protection assistance is provided rapidly, effectively and in a coordinated manner.

To this end, the Commission presents a proposal for a Council Decision recasting the legal instrument governing the mechanism. The recast is intended to strengthen the mechanism, based upon the lessons learned in past emergencies, and to provide a legal basis for additional supporting and complementary action at Community level.

2. CONSULTATION OF INTERESTED PARTIES

2.1 Consultation process

In January 2005, the Commission launched a public consultation on the future of European cooperation in the field of civil protection and maritime accidents. On the basis of a discussion paper and a questionnaire, the Commission consulted the countries participating in the mechanism² and a wide range of other stakeholders. On 8 February 2005, the Commission convened a consultation meeting with members of the marine pollution management

¹ For an overview of recent political declarations on civil protection cooperation, see the explanatory memorandum, section 1.3.

² The EU Member States, Bulgaria, Romania, Iceland, Liechtenstein and Norway.

committee, the civil protection committee, representatives of NGOs and civil society, and the Commission services.

2.2 Response

Virtually all Member States reacted to the consultation paper, either separately or in group. The Commission also received contributions from regional authorities (e.g., Xunta de Galicia), various NGOs and professional associations, including Castalia Ecolmar S.C.p.A., the European Emergency Number Association (EENA), the European Federation of Geologists (EFG), EuroGeoSurveys (the Association of the European Geological Surveys), IFAW, the Management Unit of the North Sea Mathematical Models (MUMM), etc.

2.3 Results

The consultation process revealed widespread support for the overall policy objective to strengthen the existing instruments in the field of civil protection. The respondents expressed general agreement with the objectives identified in the consultation paper and supported the Commission's approach to build upon the existing instrument rather than to create new tools. Others expressed doubts as to the appropriateness of the proposed format of a Directive and emphasised the need to respect the overall financial perspectives and to base future developments on a thorough deficit analysis.

The respondents welcomed the proposed strengthening of the EU civil protection response capacity. Some respondents remarked on the need to improve the visibility of European civil protection assistance. Others focused on the need to respect the principles of subsidiarity and to maximise added value at EU level. Some Member States also emphasised the need to ensure coordination and complementarity between humanitarian aid and civil protection in third countries. Several stakeholders underlined the importance of early warning. Further work is also needed on better information flows between countries in case of an emergency.

Most respondents supported the development of a modular approach to civil protection assistance through the establishment of civil protection modules. Questions were nevertheless raised concerning the proposal to have certain key modules on standby in Europe in order to ensure a rapid response to all disasters.

Specific proposals were made on the need to integrate geology in land-use planning to avoid unnecessary risks, on enhanced understanding of natural hazards and the improvement of early warning systems (geo-indicators) in areas at risk. Other proposals concerned the operation of the European emergency call number 112 and how to use signals and telecommunication networks to alert populations at risk, including specific target groups such as tourists, non-residents and the disabled. The concerns relating to land-use planning and the operation of the single emergency call number fall outside the scope of the mechanism and cannot be accommodated in the present proposal. Those relating to early warning have been included in a generic way and will be followed-up in the implementation of the proposal.

3. OVERALL PERFORMANCE OF THE COMMUNITY MECHANISM

The proposal addresses three main challenges in the operation of the Community mechanism. For a good understanding of these problems, it is necessary to demonstrate first the scale and dimensions of Community civil protection cooperation through the mechanism.

3.1 The civil protection response to major emergencies since 2002

3.1.1 Number of emergencies

Since 2002, the Monitoring and Information Centre (MIC) monitored 83 emergencies worldwide³, of which 40 occurred in participating States to the mechanism. The mechanism was called upon in one way or another for 37 of these emergencies⁴. If one observes the number of activations of the mechanism per year, a considerable growth is immediately apparent. This can be witnessed in both those emergencies occurring in participating States as well as those in third countries for which the mechanism was activated.

| Year | Requests for assistance from the participating States | Requests for assistance from third countries | Other emergencies monitored by the MIC | Total emergencies |
|-------------------|---|--|--|-------------------|
| 2002 | 4 | 3 | 18 | 25 |
| 2003 | 5 | 3 | 10 | 18 |
| 2004 | 5 | 4 | 13 | 22 |
| 2005 ⁵ | 7 | 6 | 5 | 18 |
| Total | 21 | 16 | 46 | 83 |

Table 1: Overview of emergencies monitored and handled by the MIC, per affected country

3.1.2 Type of emergencies

The type of emergencies monitored by the mechanism varies from case to case. The same variety may be found even in the ones for which the mechanism was activated. The following table illustrates this.

| Year | Airplane crashes | Explosions | Fires | Floods | Forest fires | Hurricanes/ etc. | Maritime Accidents | Others | Seismic events | Severe storms | Standby | Terrorist attacks | Tsunami | Volcanic activity |
|------|------------------|------------|-------|--------|--------------|------------------|--------------------|--------|----------------|---------------|---------|-------------------|------------------|-------------------|
| 2002 | 2/0 | 0/0 | 1/0 | 7/4 | 1/0 | 1/0 | 4/2 | 2/1 | 5/0 | 1/0 | 0 | 0/0 | 0/0 | 1/0 |
| 2003 | 0/0 | 1/0 | 0/0 | 3/2 | 2/2 | 0/0 | 7/1 | 2/2 | 2/1 | 0/0 | 0 | 1/0 | 0/0 | 0/0 |
| 2004 | 0/0 | 3/0 | 2/2 | 1/0 | 2/2 | 2/0 | 2/0 | 0/0 | 3/1 | 1/0 | 3 | 2/0 | 1/1 ⁶ | 0/0 |
| 2005 | 1/0 | 0/0 | 0/0 | 7/7 | 2/1 | 1/1 | 0/0 | 1/0 | 2/1 | 2/2 | 1 | 1/0 | 0/0 | 0/0 |

Table 2: Overview of emergencies monitored (x) and handled by the MIC (y), per type of emergency (x/y)

³ Until 30 September 2005.

⁴ This number does not include 5 exercises for which the Mechanism was activated as though a real emergency were taking place. It includes however the times the Mechanism was activated on standby.

⁵ Until 30 September 2005.

⁶ Assistance provided to 4 third countries

The mechanism has to date never been activated to deal with the consequences of terrorist attacks. Nevertheless it has been put on standby on four occasions where the risk factor of such an attack was considered to be high. These events were the D-day celebrations (France, 2004), Euro2004 (Portugal, 2004), the Olympic Games (Greece, 2004) and the funeral of Pope John Paul II (Italy, 2005).

3.1.3 Assistance offered through the Community mechanism

In most cases in which the Community mechanism was activated, assistance was offered and eventually provided. The number of offers varies greatly from one year to the other. This mainly depends on two factors: the type and magnitude of the emergency as well as the distance where the disaster occurred.

Similarly, the number of offers of assistance eventually reaching the affected State does not reflect a particular rationale. In a number of cases, requesting States have refused assistance because they received too many offers of one kind and perhaps not another. Some assistance may not have been accepted for political reasons. Tables 3 and 4 illustrate the generic numerical trends.

| Year | Number of requests for assistance from participating States | Number of emergencies for which assistance was delivered | Number of emergencies for which no assistance was offered | Number of offers of assistance from participating States/MIC ⁷ | Number of offers of assistance eventually reaching affected State |
|-------------------|---|--|---|---|---|
| 2002 | 4 | 4 | 0 | 38 | 34 |
| 2003 | 5 | 4 | 1 | 32 | 10 |
| 2004 | 5 | 3 | 2 ⁸ | 15 | 5 |
| 2005 ⁹ | 7 | 6 | 1 ¹⁰ | 53 | 36 |

Table 3: Delivery of assistance to participating States to the Community mechanism in emergencies

No assistance was offered during the 2003 emergency in Table 3 due to the fact that no suitable assistance was available for the type of emergency. The other three instances occurring in 2004 and 2005 were standby operations. One might note that in another standby operation occurring in 2004, 7 offers were put forward by the participating States.

⁷ Includes assistance in the form of satellite images, etc.

⁸ These were 2 standby operations.

⁹ Until 30 September 2005.

¹⁰ This was a standby operation.

The following table summarises the offers of assistance channelled through the MIC in response to requests for assistance from third countries. Further data show that, in the case of third countries, one major cause for assistance not reaching the affected State was transport. This is dealt with in section 4.1.

| Year | Number of requests for assistance from third countries | Number of emergencies for which assistance was delivered | Number of emergencies which no assistance was offered | Number of offers of assistance from participating States/MIC ¹¹ | Number of offers of assistance eventually reaching affected State |
|--------------------|--|--|---|--|---|
| 2002 | 3 | 2 | 1 | 2 | 2 |
| 2003 | 3 | 3 | 0 | 16 | 16 |
| 2004 | 4 | 4 | 0 | 43 | 41 |
| 2005 ¹² | 6 | 5 | 1 | 37 | 22 |

Table 4: Delivery of assistance to third countries in emergencies

Both inside and outside the Community, the mechanism facilitated the mobilisation of a particularly wide range of resources and expertise, including search and rescue, fire fighting, water pumping capacity, water sanitation, emergency medicine, field hospitals, shelter, food, communication and logistics.

There is currently no detailed information available as to the financial value of the assistance offered by Member States through the mechanism. The financial cost for Member States will obviously vary greatly, depending on the type of assistance offered, the duration of the intervention and the distance to be travelled.

3.2 Preparedness

3.2.1 Training Courses

The training courses organised by the Commission are of three types: Community Mechanism Induction Course (CMI), Operational Management Course (OPM) and High Level Coordination Course (HLC). The courses, which last approximately six days, are residential and include a field exercise.

¹¹ Includes assistance in the form of satellite images, etc.

¹² Until 30 September 2005

The participation rate for these courses has increased since 2002. The total number of people trained over the years is shown in Table 5.

| Course type | Total number of courses held | Total number of persons trained |
|-------------|------------------------------|---------------------------------|
| CMI | 13 | 287 |
| OPM | 6 | 148 |
| HLC | 5 | 65 |

Table 5: Participation in training

Over these last years, the Commission has spent approximately €2,000,000 on training, while seven¹³ participating States have contributed a total of €300,000.¹⁴ As the number of participants to the high-level courses is increasing on an annual basis, the MIC will now be in a better position to appoint experts and other on-site officials from the list of attendees to such courses.

3.2.2 Simulation Exercises and Exchange of experts

In addition to the training tools mentioned above, the Community mechanism provides for seminars, simulation exercises, expert exchanges and workshops in co-operation with highly-developed Civil Protection training institutions (schools, academies or similar training establishments) available in the Member and participating States. These activities help ensure that participating intervention teams can work well together on an emergency site.

Table 6 illustrates the variety of the exercises undertaken by civil protection authorities participating in the mechanism. The Commission supports these exercises, as demonstrated in the following table.

¹³ AT, DE, DK, FI, FR, IT and SE

¹⁴ This includes travel expenses and accommodation for the participants, course materials and costs associated with the organisation of a field exercise during the course.

| Date, Place | Exercise | Scenario | Type | Organiser | Participants | Total budget (€) | EU contribution (€) |
|--------------------|---------------------------------------|---|-----------------------|------------------|---|-------------------------|----------------------------|
| 10/2002 France | EURATOX 2002 | CBRN attack during an international sport event | Full size | FR (Civipol) | FR, AT, ES, IT, GR, SE | 399,199 | 399,199 |
| 10/2002 Denmark | COMMON CAUSE | CBRN | Table top | DK (DEMA) | DK, BE, IT, SE, UK | 143,730 | 120,300 |
| 02/2003 Belgium | EU Response 2003 / FLORIVAL II | CBRN | Large scale table top | BE (MoI) | BE, DE, FI, FR, GR, SE | 114,762 | 114,762 |
| 04/2004 France | FOREST FIRE Exercise | Forest fire | Full size | FR (Entente) | FR, DE, AT, BE, ES, GR, IT, LU, PT, SE, SI | 592,922 | 392,922 |
| 10/2004 Austria | EUDREX | Earthquake + incident in chemical plant | Full size | AT (MoI) | AT, BG, CZ, DE, LV, PL, SK, + UN/OCHA | 699,984 | 400,000 |
| 11/2004 Finland | EU ESCEX 2004 | Earthquake + other related emergencies | Full size | FI | FI, BE, DK, EE, PL, SE | 384,500 | 288,375 |
| 04/2005 France | EURATECH | Fire + explosion in a SEVESO (chemical) plant | Full size | FR (Civipol) | FR, DE, BE, IT, CZ | 595,976 | 395,976 |
| 06/2005 Poland | EUPOLEX | Earthquake | Full size | PL | PL, BE, CZ, DE, DK, EE, FI, FR, SE, SK, UK, + UA, RU + NATO as observer | 196,401 | 139,601 |
| 10/2005 Italy | PO | Flood | Full size | IT | Mainly NGOs (from 10 MS) | 374,175.23 | 280,631.42 |
| 10/2005 Italy | EUROSOT | Earthquake + chemical accident | Full size | IT | IT, FR, GR, PT, SE, UK | 511,138 | 277,638 |

Table 6: Details on Exercises: participation, type, participants and funding

4. PROBLEMS IN THE CURRENT SITUATION

4.1 Transport

Under the current arrangements, each Member State is responsible for ensuring the transport of its civil protection assistance. In all recent emergencies, at least one Member State indicated that, although it was able to offer the assistance requested by the affected country, it could not ensure timely transport of equipment or supplies to the affected region. In five emergencies in 2005, the lack of sufficient transport means threatened to significantly undermine the effectiveness of the civil protection assistance intervention. Indeed, the transport-related problems often result in much needed assistance being delayed or not being sent. Even when Member States succeed in arranging transport, the costs are often disproportionate and tend to have a negative impact on the size or the duration of the intervention, thus minimising the positive impact of Community civil protection assistance.

Although smaller countries experience more difficulties to arrange transport, the MIC has also received reports from larger Member States indicating that more assistance could have been sent if additional transport means had been available, suggesting that transport is a problem common to most Member States.

The transport problem was particularly acute during the response to the tsunami in South Asia. Although several Member States reacted very quickly, sending assistance during the first 24 hours, others were not able to transport the urgently needed assistance until several days after the occurrence of the tsunami. This also impacted the mechanism's ability to assist in the (medical) evacuation of European citizens. In some cases, the MIC was able to assist the Member States by encouraging the pooling of transport capacities.

Further evidence of the transport problem is found in two recent emergencies. The delays associated with making suitable transport arrangements significantly affected the civil protection assistance intervention launched to help the US authorities deal with the consequences of hurricane Katrina. Although all countries participating in the mechanism offered assistance to the US, several reported problems in arranging suitable transport means, resulting in significant delays. A similar situation arose during the civil protection intervention that was launched following the earthquake in Pakistan.

If the Union is to have an autonomous capacity to provide effective civil protection assistance in the event of major emergencies, it must urgently find solutions to enhance the transport of assistance through the mechanism.

4.2 The need for additional assistance

Community civil protection assistance interventions are implemented through teams, experts and equipment offered by Member States on a voluntary basis. As demonstrated above, the Member States have responded generously to requests for assistance channelled through the MIC. In one emergency, all participating countries offered assistance. At the other extreme, only once did a request for assistance not trigger any offers. In the other emergencies, the number of offers ranged from two to eighteen.

While the total assistance offered through the mechanism was in most cases considerable, it is rarely sufficient to meet requests in their totality. Several reasons can impact the Member States' ability to provide the requested assistance:

- Specialised assistance is often available only in a few Member States: some countries have invested in certain civil protection equipment whereas others have invested in other which is more suitable to their national emergency scenarios.
- In some cases, the requested assistance was not available from the Member States because the resources were being used in another emergency. A clear example of this was the spring-summer floods in Romania and Bulgaria, where Bulgaria fared worse in the assistance provided primarily because the assistance had already been sent some days earlier to Romania.
- In some cases, the requested assistance was not available because the participating States were using the equipment for their own emergencies. This was repeatedly the case during the forest fires season. A similar situation is likely to arise in the event of simultaneous terrorist threats in different Member States or a tsunami hitting European shores.

Moreover, the Commission has recently carried out, in close cooperation with the Member States, an assessment of the civil protection assistance available through the mechanism in the event of major terrorist attacks in Europe. The assessment demonstrates certain capability shortfalls in areas in which mutual assistance is likely to be required.¹⁵ These must be addressed to ensure that the Community can collectively provide assistance when needed.

The capability assessment demonstrates for instance particular shortfalls in the area of logistics. The Community should exploit economies of scale in this area and ensure that central support functions (communications, light vehicle fleet on site, supplies, facilities for joint meetings, etc.) can be met by dedicated units serving all Member States' intervention teams.

The above demonstrates that Member States' assistance, even when pooled within the Community mechanism, may not be sufficient to enable the Community to respond rapidly and effectively to any emergency. Where necessary, the Community must be able to supplement the Member States' resources with additional means necessary for an effective response.

4.3 Coordination of Community civil protection interventions in third countries

Further work is also needed with respect to the coordination of civil protection assistance interventions in third countries. Two levels can be distinguished in the coordination of these interventions: the coordination with other partners, on the one hand, and the coordination of the Community assistance (involving the Presidency, Member States and Commission), on the other.

4.3.1 Coordination with other partners

In some disaster situations, civil protection intervenes in response to humanitarian needs and contributes to a wider humanitarian effort involving various other players. The other main players in addition to the Member States include the Commission's own Directorate General for Humanitarian Aid (ECHO) and the United Nations' Office for the Co-ordination of Humanitarian Affairs (OCHA). For marine pollution accidents, the International Maritime

¹⁵ Commission Communication "Building solidarity through mutual assistance", SEC(2005)1406 final.

Organisation (IMO) needs to be added to this list. The list is further completed by NATO's Euro-Atlantic Disaster Response Coordination Centre (EADRCC), which has started playing a more active role in emergency response in 2005. The following table gives an overview of the recent major emergencies in third countries for which Community civil protection assistance was requested, indicating the presence of ECHO and OCHA.

| Major recent emergencies handled by the MIC | ECHO | OCHA |
|---|------|------|
| Tsunami – South East Asia, 2004-12 | ✓ | ✓ |
| Snow storm – Albania, 2005-02 | | |
| Flood – Georgia, 2005-04 | | ✓ |
| Flood – Romania, 2005-04 | | ✓ |
| Flood – Bulgaria, 2005-06 | | |
| Flood – Georgia, 2005-06 | | |
| Flood – Kyrgyzstan, 2005-06 | | ✓ |
| Flood – Romania, 2005-07 | | |
| Flood – Bulgaria, 2005-07 | | |
| Hurricane Katrina – USA, 2005-09 | | ✓ |
| Earthquake – Pakistan, 2005-10 | ✓ | ✓ |

Table 7: The presence of other actors in recent Community civil protection assistance interventions

The table suggests that there is a good degree of complementarity between EC humanitarian assistance and civil protection assistance.¹⁶ In nine out of the eleven emergencies listed above, the mechanism was the only instrument available to the Community to channel immediate European assistance to the affected countries. Vice versa, ECHO is active in a particularly impressive number of humanitarian situations that do not trigger any need for civil protection assistance.

In the two cases where both ECHO and the mechanism were simultaneously active, the disasters were of such dimensions that both civil protection and humanitarian assistance could be usefully provided. Arrangements have been put in place to ensure close cooperation and coordination in such situations. In March 2003, DG ECHO and DG Environment signed a Memorandum of Understanding, which was followed by an annex on Standard Operating Procedures in April 2004. These agreed documents provide an adequate basis for close cooperation in the response to major emergencies. ECHO is for instance included in the MIC's distribution lists to ensure that they systematically receive all information on the Community civil protection interventions. Further improvements can be made at Commission level and do not require any legislative interventions.

¹⁶ For a description of the differences between EC humanitarian aid and civil protection assistance, see COM(2005)137 of 20.04.05.

The European Commission and UN OCHA exchanged letters on 28 October 2004. The agreement establishes the basic principles for further cooperation and coordination in an attempt to maximise the use of available resources and avoid any unnecessary duplication of effort. The operational cooperation with OCHA has been constantly improving, both during disasters as well as on preparedness.

During emergencies, the MIC maintains close contact with UNOCHA and exchanges information at headquarter level. Moreover, the Commission appoints assessment and co-ordination experts in order to ensure smooth co-operation with OCHA and other actors on site. During the response to the tsunami, for instance, a European Commission expert took part in the UNDAC assessment mission in Sri Lanka. In Pakistan, the civil protection coordination expert on site worked closely together with OCHA to ensure a smooth distribution of the European civil protection assistance. UN OCHA representatives are now routinely invited to lessons-learned meetings after emergencies to ensure that further fine-tuning can take place immediately, where necessary.

The operational cooperation in the field of training aims at developing a common methodology and mutual understanding. In 2005, UN OCHA representatives participated in simulation exercises and training courses organised by the Commission. In parallel, the Commission's Civil Protection Unit delivered a presentation on the Community mechanism during an UNDAC induction course. It is intended that this co-operation is reinforced during the next cycle of such courses. The Civil Protection Unit will also be working on a comparison of the training programmes organised by the two institutions in order to avoid unnecessary duplication. Finally, the civil protection unit was also represented at the INSARAG USAR classification workshop held in Geneva in March 2005. The Commission is both supportive of and interested in the work on updating and streamlining the classification of Search and Rescue teams.

4.3.2 The coordination of Member States' civil protection assistance

In order to maximise Europe's contribution to the overall relief effort, the coordination of which is entrusted to the UN, the mechanism needs to be in a position to ensure better coordination of the civil protection assistance provided by the Member States.

As demonstrated in section 4.3.1, the basic arrangements are in place to ensure cooperation and coordination between the mechanism and OCHA. What is lacking, however, is a sufficiently advanced coordination of the Member States' civil protection assistance. Today, some Member States consistently work through the mechanism to provide civil protection assistance to third countries. Some prefer to work directly with the UN. Others, finally, work with both the UN and the mechanism, or with neither of these, providing assistance bilaterally to the affected country.

This fragmentation stands in sharp contrast with the ambitious declarations made by the Council in the wake of the tsunami disaster. While recognising and supporting the overarching coordination role of the United Nations, the Council emphasised the need for a better coordination of the Union's collective response within the framework of an operation led by another organisation as well as the importance of developing an EU rapid response capability to better contribute to the global effort. The Council likewise reiterated the need for increased cooperation between the Member States in coming to the aid of European citizens affected by disasters in third countries, including in the field of evacuation, medical care and food.

A stronger coordination of the Member States' civil protection assistance is necessary to ensure that the Community can provide a comprehensive and coherent contribution to the global effort led by the UN. Improved EU coordination is not intended to compete with the UN; rather, it is a necessary prerequisite to supporting the UN and to reinforcing our collective contribution to the UN. It is, moreover, indispensable to enhance the efficiency of the Member States' assistance and to ensure that maximum use is made of available resources. Finally, it will enable the Community as a whole to be more visible in the response to a disaster and give a better demonstration to European citizens of the collective assistance provided by Member States.

Further legislative steps are needed to clarify the roles of the Presidency, the Member States providing civil protection assistance and the Commission.

5. POLICY ORIENTATIONS AND OBJECTIVES

5.1 Policy orientations

The proposal takes account of a series of declarations by the European Council and the European Parliament, setting out policy orientations for the further development of European civil protection cooperation.

The June 2004 European Council requested that “existing cooperation on civil protection [...] be enhanced, reflecting the will of Member States to act in solidarity”.¹⁷ Referring to the Commission's initiative to assess the civil protection capabilities available for mutual assistance in the event of major terrorist attacks in Europe, the December 2004 European Council affirmed the need for “further assessment and development of civil protection capabilities, including joint exercises and coordination of public information”.¹⁸

In the wake of the tsunami in South Asia, the Council decided to examine all possible improvements of the mechanism and to investigate the possibility of developing an EU rapid reaction capability to deal with disasters.¹⁹ Simultaneously, the European Parliament called for “the creation of a pool of specialised civilian civil protection units, with appropriate material, which should undertake joint training and be available in the event of [disasters] within the Union or in the rest of the world”.²⁰

In June 2005, the European Council requested priority action on “the strengthening of civil protection capabilities [...] and the development of a rapid reaction capability based on the civil protection modules of the Member States”.²¹ Following the various natural disasters in the summer, the European Parliament called on the Commission and the Member States to work towards closer cooperation on civil protection in the event of natural disasters, inter alia by making available additional civil protection resources and creating joint border civil protection corps.²²

¹⁷ European Council, 19.06.04, Doc. 10679/2/04, paragraph 19.

¹⁸ European Council, 01.12.04, Doc. 16238/1/04, paragraph 28.

¹⁹ General Affairs and External Relations Council, 07.01.2005, Doc. 5166/1/05, paragraph 20.

²⁰ European Parliament Resolution on the recent tsunami disaster in the Indian Ocean, 13.01.05.

²¹ European Council of 17.06.05, Doc. 10255/05, paragraph 19.

²² European Parliament Resolution on natural disasters (fires and floods) in Europe this summer, 07.09.05.

Together, these declarations set out a clear orientation for future civil protection cooperation at European level. To give expression to the Community's commitment to act in solidarity with those affected by major disasters, the Council Decision on the mechanism needs to be revised.

5.2 Policy objectives

The main aim of the proposal is to translate the above declarations into reality and to enable a more visible and effective demonstration of EU solidarity with those affected by disasters. The proposal will strengthen the mechanism and provide a legal basis for new supporting and complementary action at Community level. As such, it responds to several European Council, Council and European Parliament requests:

- It contributes to the development of a European rapid response capability, based upon civil protection resources of the Member States and support from the Community, as requested by the European Council and the European Parliament.
- It enables the Community to take further steps towards the development of civil protection capabilities, where necessary.
- It allows the Community to support and complement Member States' assistance and provides a safety net in case Member States' assistance is insufficient or unavailable.
- It ensures better coordination of civil protection interventions in third countries in order to enhance the effectiveness of the overall EU response to major emergencies outside the Union.
- It ensures that effective mutual assistance, based upon solidarity, can also be provided in the event of major terrorist attacks in the Union. It therefore contributes to enhancing the collective security of EU citizens and ensures effective cooperation between civil protection authorities, as an essential part of the EU's strategy against terrorism.

Moreover, it allows the Community to give a clear demonstration to its citizens of the value and benefits of close cooperation between the Member States, in particular in difficult times. It gives a visible expression to the values of solidarity and mutual assistance, upon which the European project is based.

6. POLICY OPTIONS

6.1 Option 1: No legislative initiative

The option of rejecting any legislative initiative implies that the mechanism continues operating on the basis of the existing Council Decision 2001/792/EC, Euratom.

In this hypothesis, the Community would continue providing civil protection assistance inside and outside the Union as it does today. Transport problems would continue to hamper the EU's civil protection response to major emergencies and undermine the effectiveness of the EU's rapid reaction capability. The Community would not be in a position to ensure an effective response to all emergencies: in particular when similar threats affect several Member States simultaneously, Member States' assistance is likely to be insufficient or unavailable.

In short, choosing this option could mean missing an opportunity to provide a more coherent and solid framework for civil protection cooperation at Community level. The above policy objectives could not be achieved and the European Council and European Parliament declarations could not be implemented in practice. The Commission would fail to respond to the requests formulated by the European Council, the Council and the European Parliament.

6.2 Option 2: The creation of a standing European civil protection force

The most proactive and ambitious option available to achieve the objectives set out by the European Council and the European Parliament is 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 to any request for assistance, either from Member States or third countries. A European command structure would be developed and the force would be equipped with sufficient transport and other means to ensure an effective European response to any request for assistance.

This option presents various advantages. It would maximise the speed and effectiveness of interventions and represent a major step forward in the development of the EU's rapid response capability. It would allow the Community to focus training efforts on those participating in the force. Investments could be made in strategic air lift capacity and in specialised equipment that is likely to be needed to manage the consequences of major emergencies in Europe. Coordination is likely to be more straightforward than when working with various Member States' teams. The force would also ensure maximum visibility for the Member States' commitment to ensure effective assistance in the event of major disasters, including terrorist attacks.

The option is nevertheless considered to be unrealistic at this stage of the mechanism's development. First, although there are currently no detailed estimates of the financial implications, it is clear that keeping a sufficiently large number of civil protection personnel on standby will require financial means above and beyond the budget currently allocated to civil protection. Investments in transport and other means would add to the financial burden. Second, it holds the risk of generating administrative and management challenges that cannot be satisfactorily supported by the existing civil protection structure in the European Commission. Unless additional resources are made available for Community civil protection cooperation, this option cannot be realistically pursued. Moreover, at the current stage of the political debate, option 2 is likely to be too ambitious for several Member States.

6.3 Option 3: The proposed recast

The third option would be to recast the Council Decision governing the operation of the mechanism, as presented in this proposal. While respecting the overall philosophy of the mechanism, as created in 2001, this option consists of introducing a limited number of improvements in the existing Council Decision in order to achieve the objectives set out by the European Council and the European Parliament. This approach allows the Community to pursue more ambition in civil protection cooperation, while remaining pragmatic and cost-effective.

It will allow the Community to continue to build upon Member States' civil protection resources, as the principal means through which EU civil protection assistance is implemented. The primary aim of Community action in this field is to support Member States' actions in order to ensure a more effective response, based on solidarity, to major

emergencies. The Commission therefore proposes to contribute to the development of early warning systems, to ensure improved coordination of interventions and to provide logistical support for both the experts and the teams operating at the scene of a disaster.

At the same time, the proposed approach allows the Community to provide additional support complementing the Member States' resources. This emerges most clearly from the proposals on transport and additional support, which provide for a Community contribution supplementing the Member States' actions, where this is necessary to provide an effective response.

In essence, the proposal seeks to guarantee 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. At the same time, it avoids the significant financial costs associated with the creation of a standing force by focusing on arrangements for more effective pooling of resources and for the temporary hiring of transport means or other equipment.

Further details on the costs and benefits of this approach are set out in section 7.

7. IMPACTS OF THE PROPOSED POLICY OPTION

7.1 Costs

The Commission Communication on the Financial Perspectives 2007-2013²³, adopted on 14 July 2004, provides for the financing of civil protection actions under heading 3, as far as preparedness and immediate response to crises within the EU are concerned, and under heading 4 as far as they relate to the response to external crises.

To this effect, the Commission presented in September 2004 a proposal for a Stability Instrument²⁴ relating to heading 4. Under heading 3, the Commission proposed in April 2005 a Rapid Response and Preparedness Instrument²⁵, which will provide the legal basis for the financing of all civil protection actions within the Community.

The present proposal does not entail any financial consequences other than those already covered by these two instruments. All of the proposed changes have already been anticipated in the financial impact statement prepared for the Rapid Response and Preparedness Instrument. The proposed innovations will be implemented from 2007 onwards to the extent that sufficient financial and other means are available through the appropriate financial instruments for civil protection. The proposal is therefore fully compatible with the Financial Perspectives framework.

The estimated costs of the present proposal have been set out in the financial statement attached to the Rapid Response and Preparedness Instrument as well as in other Commission documents²⁶. The main costs are as follows:

²³ COM(2004) 487 of 14.07.04.

²⁴ COM(2004) 630, 29.09.2004, Article 2.

²⁵ COM(2005) 113 of 06.04.05.

²⁶ See in particular the Communication on Reinforcing the Civil Protection Capacity of the EU, COM(2004) 200 of 24.03.05, section 3.4.

- 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.²⁷ The transport costs associated with major emergencies outside the EU have been estimated at EUR 3 million per emergency.²⁸
- 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.²⁹
- 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 period³⁰, 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.

7.2 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, as identified above, 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 contribute to the Commission’s overall policy of enhancing security of EU citizens and showing solidarity with those 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.

The concrete impacts of the proposed Community support will be as follows.

7.2.1 Benefits resulting from the proposals on transport

The enhanced pooling of transport resources in the event of disasters and the mobilisation of additional transport means, where deemed necessary, will result in more assistance being

²⁷ COM(2005) 113 of 06.04.05 (financial statement).

²⁸ See COM(2004) 200 of 24.03.05, section 3.4.

²⁹ Based upon information provided by the Member States on the costs of assistance.

³⁰ The financial statement attached to the proposed Rapid Response and Preparedness Instrument foresees gradual increases in the budget available for civil protection for the new financial perspectives period, from EUR 16 million in 2007 to EUR 30 million in 2013.

made available in the event of major emergencies and will enhance the speed of the Community response.

The budget for transport envisaged in the Commission proposal for a Rapid Response and Preparedness Instrument – a total of EUR 2,4 million for 2007 – would allow the Community to finance additional transport means for approximately four disasters. Gradual increases in the transport budget would eventually lead to EUR 6 million per year, which would allow financing in approximately 10 disasters.

7.2.2 Benefits resulting from the proposal on additional support at Community level

The hiring on a temporary basis of equipment or supplies that are necessary to ensure the effectiveness of the civil protection response will help enhance the effectiveness of the Community's response to major emergencies, in particular when similar threats affect several Member States simultaneously. As demonstrated above, Member States' assistance may not be sufficient in these cases and the Community should be able to come to the aid of the affected Member States with additional means.

Similarly, the logistical support for experts dispatched to the site of a disaster will enhance the effectiveness of the Commission's coordination and assessment teams and result in better coordination of the Member States' teams operating at the scene of a disaster.

The logistical support for the Member States' teams operating on site will allow these teams to concentrate on their core functions (e.g., disaster relief) and result in greater cost-effectiveness of the overall interventions.

While these benefits are difficult to quantify, the budget foreseen for this type of support in the Commission proposal for a Rapid Response and Preparedness Instrument has been calculated on the basis of an estimated need for additional support in four disasters per year.

7.2.3 Other elements

Community contributions to the development of early warning systems will help improve the effectiveness of these systems and reduce the lead time for the response to natural disasters. This will further enhance the rapid response capability of the Community.

Improved coordination of civil protection assistance interventions in third countries will benefit directly those dependent on the assistance. It will help the Community to ensure a comprehensive contribution to the overall relief effort and enable a more visible demonstration of the European contribution.