



**EUROPEAN UNION**

**THE EUROPEAN PARLIAMENT**

**THE COUNCIL**

---

**Brussels, 23 October 2023  
(OR. en)**

**2023/0095 (COD)**

**PE-CONS 55/23**

**PROCIV 63  
JAI 1155  
COHAFA 94  
FIN 924  
CADREFIN 120  
CODEC 1603**

**LEGISLATIVE ACTS AND OTHER INSTRUMENTS**

---

**Subject:** **DECISION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL  
amending Decision No 1313/2013/EU to extend the rescEU transitional  
period**

---

**DECISION (EU) 2023/...**  
**OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL**

**of ...**

**amending Decision No 1313/2013/EU to extend the rescEU transitional period**

**(Text with EEA relevance)**

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 196 thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

Acting in accordance with the ordinary legislative procedure<sup>1</sup>,

---

<sup>1</sup> Position of the European Parliament of 17 October 2023 (not yet published in the Official Journal) and decision of the Council of ....

Whereas:

- (1) Decision No 1313/2013/EU of the European Parliament and of the Council<sup>1</sup> defines the legal framework of rescEU. rescEU aims to provide assistance in overwhelming situations where overall existing capacities at national level and those pre-committed by Member States to the European Civil Protection Pool are not able to ensure an effective response.
- (2) With rising temperatures and prolonged periods of drought, the risk of wildfires in the Union is increasing and the wildfires are becoming more frequent and more intense. The limited availability of specialised response capacities, including amphibious aerial forest firefighting capacities, remains a major concern and constitutes the Union's main operational challenge when confronting simultaneous wildfires.
- (3) In view of the necessary flexibility that has been afforded by the transitional period provided for in Decision No 1313/2013/EU to ensure a smooth transition towards the full implementation of rescEU, it is critical to extend such transitional period until 31 December 2027 to ensure that the Union can secure additional aerial rescEU capacities under the Union Civil Protection Mechanism while the permanent European aerial forest firefighting fleet is gradually being established.

---

<sup>1</sup> Decision No 1313/2013/EU of the European Parliament and of the Council of 17 December 2013 on a Union Civil Protection Mechanism (OJ L 347, 20.12.2013, p. 924).

- (4) Since the objective of this Decision, namely to ensure that the Union can continue to provide support to Member States in fighting wildfires until a permanent European aerial forest firefighting fleet is established, cannot be sufficiently achieved by the Member States, but can rather, by reason of its scale and effects, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Decision does not go beyond what is necessary in order to achieve that objective.
- (5) Decision No 1313/2013/EU should therefore be amended accordingly,

HAVE ADOPTED THIS DECISION:

*Article 1*  
*Amendment of Decision No 1313/2013/EU*

In Article 35 of Decision No 1313/2013/EU, in the first paragraph, the date ‘1 January 2025’ is replaced by ‘31 December 2027’.

*Article 2*  
*Entry into force*

This Decision shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

*Article 3*  
*Addressees*

This Decision is addressed to the Member States.

Done at ...,

*For the European Parliament*  
*The President*

*For the Council*  
*The President*