



Council of the
European Union

Brussels, 20 February 2018
(OR. en)

14884/1/17
REV 1

Interinstitutional File:
2017/0309 (COD)

PROCIV 112
JAI 1105
COHAFA 98
FIN 755
CODEC 1909

PROPOSAL

| | |
|----------------|---|
| No. Cion doc.: | COM(2017) 772 final/2 |
| Subject: | Proposal for a DECISION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Decision No 1313/2013/EU on a Union Civil Protection Mechanism |

Delegations will find attached document COM(2017) 772 final/2.

Encl.: COM(2017) 772 final/2



Brussels, 19.2.2018
COM(2017) 772 final/2

2017/0309 (COD)

This document corrects document COM(2017) 772 final of 23/11/2017

Concerns all language versions

In Article 1, correction of the numbering as from point 4 (erroneously repeated on p. 12).

In point 4 of Article 1, point (b) is corrected and point (c) is integrated in point (b) as third subparagraph

The text shall read as follows

Proposal for a

DECISION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

amending Decision No 1313/2013/EU on a Union Civil Protection Mechanism

EXPLANATORY MEMORANDUM

1. CONTEXT OF THE PROPOSAL

- **Reasons for and objectives of the proposal**

The proposal is intended to introduce some targeted changes to Council Decision No 1313/2013/EU ('the Decision') on a Union Civil Protection Mechanism ('Union Mechanism'), under which the European Union supports, coordinates and supplements the action of Member States in the field of civil protection to prevent, prepare for and respond to natural and man-made disasters within and outside the Union. Building on the principles of solidarity and shared responsibility, the overall objective of this proposal is to ensure that the Union can provide a better crisis and emergency support to its citizens in Europe and beyond. The proposal acknowledges that disaster prevention efforts are crucial to limit the need for crisis and emergency support.

According to the recently conducted Interim Evaluation of the UCPM¹, foreseen in Article 34 of Decision No 1313/2013/EU and other performance assessments such as the 'European Court of Auditors review of the UCPM'², the Union Mechanism has proven to be a useful tool to mobilise and coordinate the assistance provided by the Participating States responding to crises inside and outside the Union, constituting a tangible proof of European solidarity. However, some conclusions extracted from these documents and additional evidence has led to the identification of certain areas where legislative change is warranted. In this regard, operational experience has been a key consideration, representing a major factor leading to this initiative, as it has underlined the limitations of the current framework.

Since 2013 the Union has faced a large number of disasters with tragic loss of lives and other damaging consequences for citizens, businesses, communities and the environment. More concretely, the response to a number of recent disasters, including the humanitarian impact of the refugee and migration crisis, the lack of available assets during the 2016 and 2017 forest fire seasons, the latter having been particularly long and intense resulting in over 100 deaths, as well as the severe impact of a series of hurricanes in the Caribbean and fierce storms and flooding in the EU, have constituted a real stress test for the UCPM. This has been particularly evident during large-scale emergencies affecting several Member States at the same time. In such circumstances, the voluntary nature of Member States' contributions to respond to disasters has too often been insufficient, and the existing gaps in certain critical response capacities, as outlined by the Capacity Gaps Report published in early 2017³, have become all too apparent. The most striking examples in this context are the inability of the EU's collective capacity to react to all 17 requests for forest fire assistance, of which only 10 could be granted, at times hampered by delays diminishing the timeliness of the response.

¹ ICF, 'Interim Evaluation of the Union Civil Protection Mechanism. 2014-2016', Final Report, August 2017 (hereafter: Interim Evaluation). The final report of the Interim Evaluation can be found here: <https://publications.europa.eu/en/publication-detail/-/publication/eb41bfec-78c3-11e7-b2f2-01aa75ed71a1/language-en/format-PDF>

² European Court of Auditors, Special Report (2016), Union Civil Protection Mechanism: the coordination of responses to disasters outside the EU has been broadly effective. Available at: http://www.eca.europa.eu/Lists/ECADocuments/SR16_33/SR_DISASTER_RESPONSE_EN.pdf

³ Report from the Commission to the European Parliament and the Council on progress made and gaps remaining in the European Emergency Response Capacity, 17.02.2017.

Given this context, there are solid reasons to undertake a targeted revision of the current UCPM legislation in order to address the main challenges that the Union Mechanism faces today. In concrete terms, the changes contained in this proposal are aimed at achieving the following objectives:

- a) Strengthening the effectiveness of prevention action as part of the disaster risk management cycle, as well as reinforcing links with other key EU policies acting in the field of disaster prevention and disaster response;
- b) Reinforcing the Union and Member States' collective ability to respond to disasters, and addressing recurrent and emerging capacity gaps, especially with the creation of a dedicated reserve of response capacities at Union level, with decisions on deployment taken by the Commission, which retains command and control (to be known as rescEU). rescEU will be equipped with selected emergency capacities to respond to wildfires, floods, earthquakes and health emergencies as appropriate. Following discussion with Member States, a field hospital that can rapidly be deployed inside or outside the Union as part of the European Medical Corps should also be foreseen for cases of epidemics such as Ebola and Zika. Also, Europe has been hit by numerous terrorist attacks. Making such capacities available at EU level will also help generate economies of scale and reduce costs of procuring the same capacities individually.
- c) Ensuring the Union Mechanism is agile and effective in its administrative procedures in support of emergency operations.

The need to strengthen European Civil Protection in the light of disaster trends, including extreme weather, and against the background of internal security concerns, has been widely recognised. This proposal is based on further recent analysis and close reflections on the identified gaps, jointly undertaken with the responsible Civil Protection Authorities.

- **Consistency with existing policy provisions in the policy area**

This proposal contributes to one of the ten political priorities set out by the Commission for the 2015-2019 period, namely the achievement of 'An Area of Justice and Fundamental Rights Based on Mutual Trust'. Mutual trust is enshrined in the principle of solidarity, which underpins Decision No 1313/2013/EU, and will be strengthened under this proposal, alongside the principles of shared responsibility and accountability.

The changes proposed are fully consistent with the broader objective of working towards a 'Europe that protects', which has guided the efforts of the Commission during the past years, and will continue to do so in the coming future. This proposal builds on the positive results the existing framework has delivered so far, and intends to correct its shortcomings with reinforced provisions so as to continue to support, coordinate and complement the action of the Member States in this area.

- **Consistency with other Union policies**

The actions envisaged under the revised UCPM are aligned with the overall objective of the Union to ensure that all relevant EU policies and instruments contribute to reinforcing the Union's capacities in terms of disaster risk management, from disaster prevention, to disaster preparedness, response and recovery. It also reflects the objective set out in Article 3(3) of the Treaty on the European Union to support solidarity among Member States.

In particular, special attention is being given to ensuring close coordination and consistency with actions carried out under other EU policies, such as on climate change adaptation, and instruments acting in the field of disaster prevention and disaster risk reduction, such as cohesion, rural development, research, health, as well as migration and security policies. Likewise, the proposal seeks to establish stronger synergies with humanitarian aid policy, particularly in the response to emergencies outside the Union.

No legislative act under other Union policies can currently achieve the objectives pursued by this proposal. There should therefore also be no overlap of actions in the field.

2. LEGAL BASIS, SUBSIDIARITY AND PROPORTIONALITY

- **Legal basis**

The legal basis for this proposal is Article 196 of the Treaty on the Functioning of the European Union.

- **Subsidiarity (for non-exclusive competence)**

The objectives of the proposal cannot be sufficiently achieved by the Member States acting on their own. The Union Civil Protection Mechanism was established because major disasters can overwhelm the response capacities of any Member State acting alone. The provision of well-coordinated and rapid mutual assistance amongst Member States is at its core.

Besides amendments to ensure coherence and simplification, this proposal also foresees additional possibilities to reinforce the collective ability to prepare for and respond to disasters. This is particularly significant when faced with a disaster, or several disasters, with wide-ranging impacts which overwhelm the capacities of a critical number of Member States at the same time and which may paralyse mutual assistance amongst them. It is also the case for capacities that would be needed in the case of a major low probability- but high impact disaster scenario. In such cases it is clear that Member States cannot ensure a sufficient response alone and, hence, EU support is required to support and complement Member State action in accordance with Article 196 of the Treaty on the Functioning of the European Union.

Taking into account the benefits in terms of reducing the loss of human life, environmental, economic and material damage, the proposal brings clear EU added value.

- **Proportionality**

The proposal does not go beyond what is necessary to achieve the objectives. It addresses gaps that have been identified during the interim evaluation and by other recent documents assessing UCPM performance (European Court of Auditors (ECA) special report on the UCPM⁴, Commission's Report on progress made and gaps remaining in the EERC⁵ - previously mentioned, and the EU Risk Overview⁶) and proposes solutions in line with the mandate given by the Council and the European Parliament.

⁴ See footnote no 2.

⁵ See footnote no 3.

⁶ Staff Working Document, Overview of Natural and Man-made Disaster Risks the European Union may face, 23.05.2017, SWD(2017)176 final.

The administrative burden for the Union and the Member States is limited and does not go beyond what is necessary to achieve the objectives of the proposal. In addition, the streamlining of certain EU co-financing rates and the abolition of co-financing in certain areas will reduce the administrative burden.

- **Choice of the instrument**

Proposal for a Decision Amending Decision No 1313/2013/EU of the European Parliament and of the Council on a Union Civil Protection Mechanism.

3. RESULTS OF EX-POST EVALUATIONS, STAKEHOLDER CONSULTATIONS AND IMPACT ASSESSMENTS

- **Stakeholder consultations**

The shortcomings this proposal aims to tackle were identified from operational experience, as well as from the results of the comprehensive stakeholder consultation recently conducted in the framework of the UCPM Interim Evaluation⁷. The general objective of the latter was to give all concerned stakeholders the opportunity to express their views on the performance of the UCPM during the first half of its implementation. The specific objectives were to:

- (a) Collect views and opinions of European citizens on the results achieved by the UCPM so far;
- (b) Determine the importance of different priorities for disaster risk management as they are perceived across the EU;
- (c) Obtain targeted feedback and technical advice from the primary stakeholders of the UCPM;
- (d) Gather evidence to support the interim evaluation of the UCPM for each of the main evaluation criteria.

Four main groups of stakeholders were addressed during the consultation activities:

- Entities implementing the UCPM: Member States civil protection authorities contributing with modules and/or experts to the European Emergency Response Capacity; other civil protection authorities of the Member States; the civil protection authorities of Participating States⁸.
- Entities affected by the UCPM: Host countries having received UCPM support (EU, Accession countries, European Neighbourhood countries and other third countries), European Parliament, Committee of Regions, local authorities.
- Entities with a stated interest in the UCPM: Other authorities of the Member States, other authorities of Participating States, UN agencies, World Bank, NGOs, Private Sector, Foundations, etc.

⁷ Report from the Commission to the European Parliament and the Council on the Interim Evaluation of the Union Civil Protection Mechanism for the period of 2014-2016, 30.08.2017, COM (2017) 460 final.

⁸ The former Yugoslav Republic of Macedonia, Iceland, Montenegro, Norway, Serbia and Turkey.

- Entities having expertise relevant to the UCPM (i.e. disaster risk management): Universities/centres of excellence and think tanks, mainly in PS.

- **Collection and use of expertise**

The Interim Evaluation underpinning this proposal was carried out by an external evaluator between September 2016 and June 2017. It was based on inputs received during discussions with Participating States (Civil Protection Committee, Civil Protection Council Working Party, and Directors-General meetings) and took into account the information obtained via an Open Public Consultation, the European Court of Auditors (ECA) special report on the UCPM and the Commission's Report on progress made and gaps remaining in the EERC.

The evaluation consisted of three phases:

- (i) *inception*, including a desk review of UCPM activities and scoping interviews with desk officers;
- (ii) *research*, including a targeted consultation of main UCPM stakeholders⁹ through online surveys, face-to-face and telephone interviews, and three case studies (Cyprus Forest Fires, Estonia Module Exercise, Migration crisis).
- (iii) *analysis and synthesis*, including data triangulation, elaboration of conclusions and recommendations, and drafting.

The above-mentioned Open Public Consultation (OPC) was carried out online for three months (November 2016 – February 2017), with 130 responders from all over Europe providing feedback on the UCPM. A report on the outcome of the OPC was published at the end of March 2017¹⁰.

Impact assessment

An Impact Assessment has not been carried out to accompany this proposal given that there is an extreme urgency for implementing the proposed changes due to gaps in critical capacities at European level, demonstrated in particular by the 2017 forest fire-fighting season. Such gaps have substantially affected the EU's response to disasters and resulted in a high number of casualties, heavy economic impacts and damage to the environment.

- **Regulatory fitness and simplification**

The proposed revision is limited in scope and nature, it balances Member States' interests, and is proportional to what is operationally required.

As this is a revision of an existing piece of legislation, the Commission has looked at opportunities to simplify and reduce burdens. While a number of simplification actions have been identified, as explained below, it has not been possible to quantify these, given the limited availability of data in the tight time frame.

⁹ Stakeholders that responded include: Civil Protection authorities from 26 Participating States (PS) (online surveys); Civil Protection authorities from 17 PS (interviews); National Training Coordinators from 21 PS (online surveys); 137 experts having participated in the Exchange of Expert Programme and 23 leads of projects funded via the UCPM from 13 PS (online surveys); 14 international partners including UN agencies, OECD, World Bank, Red Cross, etc.(interviews); 15 Directorates-General and services of the EU (interviews).

¹⁰ The report is available at: http://ec.europa.eu/echo/EUCPM-consult_en.

This proposal removes red tape by introducing a specific reference to the use of unit sums, lump sums and flat rates in relation to the co-financing of transport costs. Moreover, it simplifies existing administrative procedures by streamlining co-financing rules.

More generally, this proposal seeks to update operational procedures to ensure they are fit for purpose, agile and straightforward to understand and apply, therefore ensuring Member States are able to access support and facilitation from the Union Mechanism when needed. For example, recent disasters have highlighted that the Union might not be sufficiently equipped for emergencies with wide-ranging impact affecting several Member States at the same time (e.g. wildfires, extreme weather events, large-scale flooding, earthquakes, epidemics (such as Ebola), terrorist attacks). In such circumstances, Member States are not always able to offer assistance.

4. BUDGETARY IMPLICATIONS

As stated in Article 19 of Decision No 1313/2013/EU, the financial envelope for the implementation of the Union Mechanism during the 2014-2020 Multi-Annual Financial Framework period is of EUR 368.4 million. This amount is composed of a contribution of EUR 223.8 million from Heading 3 ‘Security and Citizenship’ and of EUR 144.6 million from Heading 4 ‘Global Europe’. In addition, administrative and human resources costs are covered by Heading 5 for an approximate total of EUR 52.5 million.

In order to be able to achieve the objectives set out in Section 1 above, namely:

- reinforcing the collective capacity of the Member States and the Union to respond to disasters with the creation of a dedicated reserve of response capacities, with command and control executed by the Commission (rescEU),
- higher co-financing rates (75%) of capacities that are put at the disposal of the European pool. This includes adaptation, repair, transport and operational costs;
- strengthening the focus on prevention and enhancing coherence with other key EU policies, and;
- strengthening cooperation with neighbourhood countries.

This proposal seeks a total overall increase in the UCPM financial envelope for the period 2018-2020 of EUR 280 additional million.

5. OTHER ELEMENTS

- **Implementation plans and monitoring, evaluation and reporting arrangements**

Article 34(2) of Decision No 1313/2013/EU on a Union Civil Protection Mechanism applies. It provides that actions receiving financial assistance shall be monitored regularly in order to follow their implementation. More general requirements for the Commission to evaluate the application of the Decision and submit interim and ex post evaluation reports, as well as a communication on implementation, are also provided therein. Such evaluations should be based on the indicators provided for in Article 3 of the Decision.

- **Detailed explanation of the specific provisions of the proposal**

This proposal amends a limited number of articles of Decision No 1313/2013/EU in order to achieve the objectives set out earlier.

In relation to the first objective, i.e. enhancing the collective capacity to respond to disaster and supporting Member States in addressing the disasters that have, over the past few years, more commonly affected the social fabric of Europe (aerial firefighting capacities, high capacity pumping, Urban search and rescue, field hospitals and emergency medical teams) is attained through the following means:

- Creation of a dedicated reserve of assets: rescEU. This proposal expressly allows the Commission to acquire its own operational capacities, and to set up arrangements for ensuring rapid access to those capacities in order to create a dedicated reserve of assets that will help cover existing gaps at national level. Capacities rented or leased via EU arrangements or acquired with full EU financing would become part of rescEU. All costs of these capacities would be fully covered by EU financing, which will retain the operational command and control of these assets and decide on their deployment, once the Mechanism has been activated. The identification of additional capacities will be undertaken in consultation with a rescEU expert group.
- Reinforcement of the European Emergency Response Capacity where Member States can pre-commit national response capacities (e.g. CBRN detection and sampling, water purification, ground forest fire fighting, flood rescue using boats or other capacities such as mobile laboratories), will continue to be a central piece of the UCPM and will now be known as the "European Civil Protection Pool". This proposal revises the system of incentives for committing assets into the European Civil Protection Pool by increasing the co-financing rates, as well as the types of eligible costs. In particular, under the new proposal, assets committed to the European Civil Protection Pool will benefit from a 75% coverage of all costs incurred during UCPM operations within the Union, including adaptation, repair, transportation and operational costs.

Capacities benefitting from any sort of EU co-financing will need to be included into the European Civil Protection Pool. In order to simplify the system and make availability of assets more predictable, financial assistance for assets outside the European Civil Protection Pool will no longer be granted. Finally, strengthened incentives for pooling of capacities (e.g. the Commission to cover the transport costs of 'to be pooled' assistance from one Member State to another and the payment of transit and warehousing costs of pooled assistance in third countries) have also been included.

In relation to the second objective, the links between prevention, preparedness and response have been reinforced by connecting risk assessments to risk management planning and requiring Member States to provide their risk management plans to the Commission at the latest by 31 January 2019. To ensure that all Member States have effective prevention measures in place and that rescEU will not be used as a substitute for national capacities, the Commission will be able to require specific prevention and preparedness plans from one or several Member States. The prevention plans need to include in addition to short-term prevention actions, also longer-term prevention efforts, looking at the overall adaptation to the increasing impacts of climate change. In addition, future scenario-planning should be based on risk assessments and capacity deployments, creating a stronger real link between prevention, preparedness and response.

Coherence with other Union instruments on disaster risk prevention and management is also strengthened by creating a link between this Mechanism and cohesion, rural development, health and research policies. Progress made by Member States in the field of prevention and preparedness will inform funding decisions in this area. Furthermore, regarding coherence with other EU policies intervening in disaster response, the complementarity and/or synchronicity of financial assistance made available under the Union Mechanism and other Union instruments (such as the Humanitarian Aid Regulation) is also improved. In this context, a derogation to Article 129(1) of Regulation (EU, Euratom) 966/2012¹¹ will ensure better use of existing funding possibilities and improve the effectiveness of Member State response operations. EU visibility is also strengthened via a dedicated Article.

Linked to the second objective, and in the pursuit of greater policy coherence, this proposal also includes provisions to ensure that the disbursement of EU funds through the Union Mechanism is accompanied by adequate visibility to the Union. On a related note, this proposal also opens the door to the development of a dedicated network-type structure, the Union Civil Protection Knowledge Network, which will reinforce the training component of the UCPM, in close cooperation with existing relevant national structures on the matter.

Finally, in relation to the third objective, the proposal seeks to streamline administrative procedures in order to reduce delays in the deployment of assistance. It simplifies the current system by introducing only one category of response assets its use requires co-financing by Member States and the EU budget, i.e. the European Civil Protection Pool. A specific reference to the use of unit sums, lump sums and flat rates is introduced in relation to the co-financing of transport costs to improve both consistency and efficiency. Moreover, specific provisions limiting activations of the Union Mechanism to a 90 day period (unless otherwise justified) have been included in order to clarify scope and incentivise use of assets in the immediate response phase.

¹¹ Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union and repealing Council Regulation (EC, Euratom) No 1605/2002 (OJ L 298, 26.10.2012, p. 1).

Proposal for a

DECISION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL
amending Decision No 1313/2013/EU on a Union Civil Protection Mechanism

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,

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

Acting in accordance with the ordinary legislative procedure,

Whereas:

- (1) The Union Civil Protection Mechanism ('the Union Mechanism') governed by Decision No 1313/2013/EU of the European Parliament and the Council¹² strengthens cooperation between the Union and the Member States and facilitates coordination in the field of civil protection in order to improve the Union's response to natural and man-made disasters.
- (2) Whilst recognising the primary responsibility of Member States for preventing, preparing and responding to natural and man-made disasters, the Union Mechanism promotes solidarity between Member States in accordance with Article 3(3) of the Treaty on European Union.
- (3) Natural and man-made disasters can strike anywhere across the globe, often without warning. Whether of natural or man-made origin, they are becoming increasingly frequent, extreme and complex, exacerbated by the impacts of climate change, and irrespective of national borders. The human, environmental, and economic consequences stemming from disasters can be enormous.
- (4) Recent experience has shown that reliance on voluntary offers of mutual assistance, coordinated and facilitated by the Union Mechanism, does not always ensure that sufficient capacities are made available to address the basic needs of people affected by disasters in a satisfactory manner, nor that the environment and property are

¹² 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).

properly safeguarded. This is particularly so where Member States are simultaneously affected by recurrent disasters and collective capacity is insufficient.

- (5) Prevention is of key importance for protection against disasters and requires further action. To that effect, Member States should share risk assessments on a regular basis as well as summaries of their disaster risk management planning in order to ensure an integrated approach to disaster management, linking risk prevention, preparedness and response actions. In addition, the Commission should be able to require Member States to provide specific prevention and preparedness plans in relation to specific disasters, notably with a view to maximising overall Union support to disaster risk management. Administrative burden should be reduced and prevention policies strengthened, including by ensuring necessary links to other key Union policies and instruments, notably the European Structural and Investment Funds as listed in recital 2 of Regulation (EU) No 1303/2013¹³.
- (6) There is a need to reinforce the collective ability to prepare and respond to disasters notably through mutual support in Europe. In addition to strengthening the possibilities already offered by the European Emergency Response Capacity ('EERC' or 'voluntary pool'), from now on referred to as "European Civil Protection Pool", the Commission should also establish rescEU. The composition of rescEU should include emergency response capacities to respond to wildfires, large-scale floods and earthquakes, as well as a field hospital and medical teams in line with World Health Organisation standards, that can be rapidly deployed.
- (7) The Union should be able to support Member States where available capacities are insufficient to allow for an effective response to disasters by contributing to the financing of leasing or rental arrangements for ensuring rapid access to such capacities or by financing their acquisition. This would substantially increase the effectiveness of the Union Mechanism, by ensuring availability of capacities in cases where an effective response to disasters would otherwise not be ensured, particularly for disasters with wide ranging impacts affecting a significant number of Member States. Union procurement of capacities should allow for economies of scale and better coordination when responding to disasters.
- (8) Reinforcing the European Civil Protection Pool requires enhanced Union financing in terms of adaptation and repair of capacities, as well as operational costs.
- (9) In order to strengthen efficiency and effectiveness of training and exercises and enhance co-operation between Member States' national civil protection authorities and services it is necessary to establish a Union Civil Protection Knowledge Network that is based on existing structures.
- (10) In order to achieve the functioning of the rescEU capacity, additional financial appropriations should be made available to finance actions under the Union Mechanism.

¹³ Regulation (EU) No 1303/2013 of the European Parliament and of the Council of 17 December 2013 laying down common provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund and laying down general provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund and the European Maritime and Fisheries Fund and repealing Council Regulation (EC) No 1083/2006 (OJ L 347, 20.12.2013, p. 320).

- (11) There is a need to simplify Union Mechanism procedures to ensure that Member States can access assistance and capacities needed in order to respond to natural or man-made disasters as rapidly as possible.
- (12) In order to maximise the use of existing funding instruments and support Member States in delivering assistance, particularly in response to disasters outside the Union, a derogation to Article 129(1) of Regulation (EU, Euratom) 966/2012 of the European Parliament and the Council¹⁴ should be provided for when financing is granted pursuant to Articles 21, 22 and 23 of Decision No 1313/2013/EU.
- (13) It is important to ensure that Member States take all the necessary actions in order to effectively prevent natural and man-made disasters and mitigate their effects. Provisions should reinforce links between prevention, preparedness and response actions under the Union Mechanism. Coherence should also be ensured with other relevant Union legislation on prevention and disaster risk management, including for cross-border prevention action and response to threats such as serious cross-border health threats¹⁵. Likewise, coherence should be ensured with international commitments such as the Sendai Framework for Disaster Risk Reduction 2015 – 2030, the Paris Agreement and Agenda 2030 for Sustainable Development.
- (14) The delegation of power conferred to the Commission by Decision No 1313/2013/EU should be amended, in order to allow for effective emergency support capacity for the European Union (rescEU). The power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission to define additional types of response capacities on the basis of identified risks and taking into account a multi-hazard approach.
- (15) Since the objectives of this Decision cannot be sufficiently achieved by the Member States acting alone but can rather, by reason of scale or 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 those objectives.
- (16) Decision No 1313/2013/EU should therefore be amended accordingly,

HAVE ADOPTED THIS DECISION:

Article 1

Decision No 1313/2013/EU is hereby amended as follows:

- (1) Article 3 is amended as follows:

¹⁴ Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union and repealing Council Regulation (EC, Euratom) No 1605/2002, (OJ L 298, 26.10.2012, p. 1).

¹⁵ Decision No 1082/2013/EU of the European Parliament and of the Council of 22 October 2013 on serious cross border threats to health and repealing Decision No 2119/98/EC (OJ L 293, 5.11.2013, p. 1).

(a) in paragraph 1 the following point (e) is added:

'(e) to increase the availability and use of scientific knowledge on disasters.'

(b) point (a) of paragraph 2 is replaced by the following:

'(a) progress in implementing the disaster prevention framework: measured by the number of Member States that have made available to the Commission their risk assessments, an assessment of their risk management capability and a summary of their disaster management planning as referred to in Article 6;'

(2) in Article 4, the following point 12 is added:

'(12) Participating State' means a third country participating in the Union Mechanism in accordance with Article 28(1);'

(3) in Article 5 (1), point (a) is replaced by the following:

'(a) take action to improve the knowledge base on disaster risks and facilitate the sharing of knowledge, the results of scientific research, best practices and information, including among Member States that share common risks.'

(4) Article 6 is amended as follows:

(a) points (a) and (b) are replaced by the following:

'(a) develop risk assessments at national or appropriate sub-national level and make them available to the Commission by 22 December 2018 and every three years thereafter;

(b) develop and refine their disaster risk management planning at national or appropriate sub-national level based on the risk assessments referred to in point (a) and taking into account the assessment of their risk management capability referred to in point (c) and the overview of risks referred to in point (c) of Article 5(1).'

(b) the following second and third subparagraphs are added:

'A summary of the relevant elements of the risk management planning shall be provided to the Commission, including information on the selected prevention and preparedness measures, by 31 January 2019 and every three years thereafter. In addition, the Commission may require Member States to provide specific prevention and preparedness plans, which shall cover both short- and long-term efforts. The Union shall duly consider the progress made by the Member States with respect to disaster prevention and preparedness as part of any future ex-ante conditionality mechanism under the European Structural and Investment Funds

The Commission may also establish specific consultation mechanisms to enhance appropriate prevention and preparedness planning and coordination among Member States prone to similar type disasters.'

(5) In Article 10, paragraph 1 is replaced by the following:

- '1. The Commission and the Member States shall work together to improve the planning of disaster response operations under the Union Mechanism, including through scenario-building for disaster response based on the risk assessments referred to in point (a) of Article 6 and the overview of risks referred to in point (c) of Article 5(1), asset mapping and the development of plans for the deployment of response capacities.'

(6) Article 11 is amended as follows:

(a) The title is replaced by the following:

'European Civil Protection Pool'

(b) paragraphs 1 and 2 are replaced by the following:

- '1. A European Civil Protection Pool shall be established. It shall consist of a pool of pre-committed response capacities of the Member States and include modules, other response capacities and experts.
2. On the basis of identified risks, the Commission shall define the types and the number of key response capacities required for the European Civil Protection Pool ("capacity goals"). The Commission shall monitor progress towards the capacity goals and remaining gaps and shall encourage Member States to address such gaps. The Commission may support Member States in accordance with Article 20, point (i) of Article 21(1) and Article 21(2).'

(c) paragraphs 7 and 8 are replaced by the following:

- '7. Response capacities that Member States make available for the European Civil Protection Pool shall be available for response operations under the Union Mechanism following a request for assistance through the ERCC, unless Member States are faced with an exceptional situation substantially affecting the discharge of national tasks.
8. In the event of deployment of such response they shall remain under the command and control of the Member States making them available and may be withdrawn when Member States are faced with an exceptional situation substantially affecting the discharge of national tasks preventing them from keeping those response capacities available. In such cases, the Commission shall be consulted.

The coordination of different response capacities shall be facilitated where appropriate by the Commission through the ERCC in accordance with Articles 15 and 16.'

(d) the following paragraph 10 is added:

- '10. The references to the European Emergency Response Capacity, EERC and the voluntary pool shall be understood as a reference to the European Civil Protection Pool.'

(7) Article 12 is replaced by the following:

'rescEU'

1. rescEU shall be established to provide relief where existing capacities do not allow responding effectively to disasters.
2. The composition of rescEU shall consist of the following capacities:
 - (a) aerial forest firefighting;
 - (b) high capacity pumping;
 - (c) urban search and rescue;
 - (d) field hospital and emergency medical teams.
3. The Commission may acquire, rent, lease and/or otherwise contract capacities to be deployed in cases referred to in paragraph 1, in accordance with the Union's financial rules.
4. On the basis of identified risks and taking into account a multi-hazard approach, the Commission shall be empowered to adopt delegated acts in accordance with Article 30 to define the types of response capacities required in addition to those identified in paragraph 2 of this Article and revise the composition of rescEU accordingly. Consistency shall be ensured with other Union policies.

Where, in the case of a disaster or imminent disaster, imperative grounds of urgency so require, the procedure provided for in Article 31 shall apply to delegated acts adopted pursuant to this Article.

5. The Commission shall define quality requirements for the response capacities forming part of rescEU. The quality requirements shall be based on established international standards, where such standards already exist.
6. The Commission shall ensure the availability and deployability of the capacities referred to in paragraph 2 under the Union Mechanism.
7. rescEU capacities shall be available for response operations under the Union Mechanism following a request for assistance through the ERCC. The decision on their deployment shall be taken by the Commission, which shall retain command and control of rescEU capacities.
8. In case of deployment, the Commission shall agree with the requesting Member State on the operational deployment of rescEU capacities. The requesting Member State shall facilitate operational co-ordination of its own capacities and rescEU activities during operations.
9. The coordination among the different response capacities shall be facilitated where appropriate by the Commission through the ERCC in accordance with Articles 15 and 16.

10. Where the Commission procures equipment such as aerial forest firefighting equipment, by means of acquisition, leasing or rental, the following shall be ensured:
 - (a) in case of acquisition of equipment, an agreement between the Commission and a Member State provides for the registration thereof in that Member State.
 - (b) in case of leasing and rental, the registration of the equipment in a Member State.
 11. Member States shall be informed of the operational status of rescEU capacities through CECIS.'
- (8) the following Article 12a is inserted:

'Article 12a
Information to the European Parliament and the Council

The Commission shall inform the European Parliament and the Council of operations and progress made under Articles 11 and 12 every two years.'

- (9) in Article 13, the title and the first sentence of paragraph 1 are replaced by the following:

'Union Civil Protection Knowledge Network

1. The Commission shall establish a network of relevant civil protection and disaster management actors and institutions, forming together with the Commission a Union Civil Protection Knowledge Network.

The Network shall carry out the following tasks in the field of training, exercises, lessons learnt and knowledge dissemination, in close coordination with relevant knowledge centres, where appropriate:'

- (10) in Article 15, paragraph 1 is replaced by the following:

'1. When a disaster occurs within the Union, or is imminent, the affected Member State may request assistance through the ERCC. The request shall be as specific as possible. A request for assistance shall lapse after a maximum period of 90 days, unless new elements justifying the need for continued or additional assistance are provided to the ERCC.'

- (11) in Article 16, paragraph 1 is replaced by the following:

'1. When a disaster occurs outside the Union, or is imminent, the affected country may request assistance through the ERCC. The assistance may also be requested through or by the United Nations and its agencies, or a relevant international organisation. A request for assistance shall lapse after a maximum period of 90 days, unless new elements justifying the need for continued or additional assistance are provided to the ERCC.'

(12) in Article 19, paragraph 1 is replaced by the following:

'1. The financial envelope for the implementation of the Union Mechanism for the period 2014 to 2020 shall be EUR 631 566 000 in current prices.

EUR 480 630 000 in current prices shall derive from Heading 3 "Security and Citizenship" of the multiannual financial framework and EUR 150 936 000 in current prices from Heading 4 "Global Europe".'

(13) the following Article 20a is inserted:

'Article 20a
Visibility

Any assistance or funding provided under this Decision shall give appropriate visibility to the Union, including prominence to the Union emblem for those capacities referred to under Article 11, 12 and 21(2)(c).'

(14) Article 21 is amended as follows:

(a) point (j) of paragraph 1 is replaced by the following:

'(j) establishing, managing and maintaining rescEU in accordance with Article 12;'

(b) paragraph 2 is amended as follows:

(i) point (c) is replaced by the following:

'(c) costs necessary to upgrade or repair response capacities to a state of readiness and availability that makes them deployable as part of the European Civil Protection Pool, in accordance with the quality requirements of the European Civil Protection Pool and, where relevant, recommendations formulated in the certification process ('adaptation costs'). Those costs may include costs related to operability, interoperability of modules and other response capacities, autonomy, self-sufficiency, transportability, packaging, and other necessary costs, provided that they specifically relate to the capacities' participation in the European Civil Protection Pool.

Adaptation costs may cover:

i) 75% of the eligible costs in the event of an upgrade, provided this does not exceed 50 % of the average cost of developing the capacity;

ii) 75% of the eligible costs in the event of a repair.

Response capacities benefitting from funding under points (i) and (ii) shall be made available as part of the European Civil Protection Pool for a minimum period of 5 and 10 years respectively, except where their economic lifespan is shorter.

Adaptation costs may consist of unit costs or lump sums determined per type of capacity.'

(ii) point (d) is deleted.

(c) the following paragraphs are added:

3. The financial assistance for the action referred to in point (j) of paragraph 1 shall cover all costs required to ensure the availability and deployability of rescEU capacities under the Union Mechanism when deployed in the event of a disaster or imminent disaster within the Union or a Participating State.

The costs referred to in the first subparagraph shall include, as appropriate:

- (a) the costs related to acquiring, renting and/or leasing the rescEU capacity;
 - (b) the costs related to the operation of the rescEU capacity, including transport;
 - (c) the costs related to procuring the services of public or private entities necessary for operating rescEU capacities.
4. The costs referred to in point (a) of paragraph 3 may consist of unit costs, lump sums or flat rates determined per category or type of capacity, as appropriate.'

(15) Article 23 is amended as follows:

(a) the title is replaced by the following:

'Eligible actions linked to equipment and operations'

(b) paragraphs 2, 3 and 4 are replaced by the following:

2. The amount of Union financial assistance for assets committed to the European Civil Protection Pool shall be limited to a maximum of 75% of the costs of operating the capacities, including transport, in the event of a disaster or imminent disaster within the Union or a Participating State.
3. The Union financial support for transport may cover a maximum of 75 % of the total eligible cost related to the transport of the capacities pre-committed to the European Civil Protection Pool when deployed in the event of a disaster or imminent disaster outside the Union as referred to in Article 16.
4. The Union financial support for transport resources related to the capacities pre-committed to the European Civil Protection Pool in accordance with Article 11 may, in addition, cover a maximum of 100 % of the total eligible cost described under points (a), (b), (c) and (d) if this is necessary to make the pooling of Member States' assistance operationally effective and if the costs relate to one of the following:
- (a) short-term rental of warehousing capacity to temporarily store the assistance from Member States with a view to facilitating their coordinated transport;
 - (b) transport from the Member State offering the assistance to the Member State facilitating its coordinated transport;

- (c) repackaging of Member States' assistance to make maximum use of available transport capacities or to meet specific operational requirements; or
- (e) local transport, transit and warehousing of pooled assistance with a view to ensuring a coordinated delivery at the final destination in the requesting country.'

(e) the following paragraph is added:

'8. Transport costs may consist of unit costs, lump sums or flat rates determined per category of cost.'

(16) in Article 26 , paragraphs 1 and 2 are replaced by the following:

'1. Actions receiving financial assistance under this Decision shall not receive assistance from other Union financial instruments. By way of derogation, financial assistance granted pursuant to Articles 21, 22 and 23 of this Decision shall not prevent financing from other Union instruments in accordance with the conditions established therein.

The Commission shall ensure that the applicants for financial assistance under this Decision and beneficiaries of such assistance provide it with information about financial assistance received from other sources, including the general budget of the Union, and about on-going applications for such assistance.

2. Synergies and complementarity shall be sought with other instruments of the Union such as those supporting cohesion, rural development, research, health, as well as migration and security policies. In the case of a response to humanitarian crises in third countries the Commission shall ensure the complementarity and coherence of actions financed under this Decision and actions financed under Regulation (EC) No 1257/96.'

(17) in Article 28, paragraph 3 is replaced by the following:

'3. International organisations, regional organisations or countries that are part of the European Neighbourhood Policy may cooperate in activities under the Union Mechanism where relevant bilateral or multilateral agreements so allow.'

(18) in Article 32, points (g) and (h) of paragraph 1 are replaced by the following:

'(g) the establishment, management and maintaining of rescEU, as provided for in Article 12, including criteria for deployment decisions and operating procedures;

(h) the establishment and organisation of the Union Civil Protection Knowledge Network, as provided for in Article 13;'

Article 2

This Decision is addressed to the Member States.

Done at Brussels,

For the European Parliament
The President

For the Council
The President

LEGISLATIVE FINANCIAL STATEMENT

1. FRAMEWORK OF THE PROPOSAL/INITIATIVE

- 1.1. Title of the proposal/initiative
- 1.2. Policy area(s) concerned in the ABM/ABB structure
- 1.3. Nature of the proposal/initiative
- 1.4. Objective(s)
- 1.5. Grounds for the proposal/initiative
- 1.6. Duration and financial impact
- 1.7. Management mode(s) planned

2. MANAGEMENT MEASURES

- 2.1. Monitoring and reporting rules
- 2.2. Management and control system
- 2.3. Measures to prevent fraud and irregularities

3. ESTIMATED FINANCIAL IMPACT OF THE PROPOSAL/INITIATIVE

- 3.1. Heading(s) of the multiannual financial framework and expenditure budget line(s) affected
- 3.2. Estimated impact on expenditure
 - 3.2.1. *Summary of estimated impact on expenditure*
 - 3.2.2. *Estimated impact on operational appropriations*
 - 3.2.3. *Estimated impact on appropriations of an administrative nature*
 - 3.2.4. *Compatibility with the current multiannual financial framework*
 - 3.2.5. *Third-party contributions*
- 3.3. Estimated impact on revenue

LEGISLATIVE FINANCIAL STATEMENT

1. FRAMEWORK OF THE PROPOSAL/INITIATIVE

1.1. Title of the proposal/initiative

Proposal for a revision of Decision No 1313/2013/EU of the European Parliament and of the Council on a Union Civil Protection Mechanism

1.2. Policy area(s) concerned in the ABM/ABB structure¹⁶

23 01 – ADMINISTRATIVE EXPENDITURE OF THE ‘HUMANITARIAN AID AND CIVIL PROTECTION’ POLICY AREA

23 03 - THE UNION CIVIL PROTECTION MECHANISM

1.3. Nature of the proposal/initiative

☐ The proposal/initiative relates to **a new action**

☐ The proposal/initiative relates to **a new action following a pilot project/preparatory action**¹⁷

☒ The proposal/initiative relates to **the extension of an existing action**

☐ The proposal/initiative relates to **an action redirected towards a new action**

1.4. Objective(s)

1.4.1. The Commission's multiannual strategic objective(s) targeted by the proposal/initiative

This Decision has the overall objective of strengthening the cooperation between the Union and the Member States and of facilitating coordination in the field of civil protection when preventing, preparing for and responding to natural and man-made disasters

1.4.2. Specific objective(s) and ABM/ABB activity(ies) concerned

Specific objective No. 1

To achieve a high level of protection against disasters by preventing or reducing their potential effects, by fostering a culture of prevention and by improving cooperation between the civil protection and other relevant services;

Specific objective No. 2

¹⁶ ABM: activity-based management; ABB: activity-based budgeting.

¹⁷ As referred to in Article 54(2)(a) or (b) of the Financial Regulation.

To enhance preparedness at Member State and Union level to respond to disasters;

Specific objective No. 3

To facilitate rapid and efficient response in the event of disasters or imminent disasters;

Specific objective No. 4

To increase public awareness and preparedness for disasters.

ABM/ABB activity(ies) concerned

23 01 – ADMINISTRATIVE EXPENDITURE OF THE ‘HUMANITARIAN AID AND CIVIL PROTECTION’ POLICY AREA

23 03 - THE UNION CIVIL PROTECTION MECHANISM

1.4.3. Expected result(s) and impact

Specify the effects which the proposal/initiative should have on the beneficiaries/groups targeted.

The proposal will:

Enable the Union to support, coordinate and supplement the actions of the Member States in the field of civil protection through the Union Civil Protection Mechanism (UCPM or "the Mechanism") during 2014-2020 MFF, including in particular:

- a) measures to prevent or reduce the effects of disaster; and
- b) actions designed to enhance the EU's state of preparedness for response to disasters, including actions enhancing EU citizens' awareness.
- c) actions in the field of disaster assistance interventions under the Mechanism;

The current Mechanism has proved to be a good tool to mobilise and coordinate the assistance provided by the Participating States to respond to disasters inside and outside the Union. Building on these strengths, this proposal will reinforce some of the provisions of the current framework to enhance the collective capacity of Member States to respond to disasters by creating a stronger European civil protection capacity, which should be known as rescEU. This new reserve capacity, as well as higher co-financing rates for the European Civil Protection Pool (previously known as European Emergency Response Capacity, EERC) will address structural and emerging gaps in critical response gaps. This initiative will also help to reinforce the internal coherence of the Mechanism, as well as to gain in efficiency by pursuing administrative simplification and streamlining of procedures.

1.4.4. Indicators of results and impact

Specify the indicators for monitoring implementation of the proposal/initiative.

Specific objective: To achieve a high level of protection against disasters by preventing or reducing their effects and by fostering a culture of prevention:

- 1. Number of Member States that have submitted national risk assessments and disaster risk management capability;
- 2. Number of Member States that have submitted a summary of their disaster management planning;

Specific objective: To Enhance the Union's state of preparedness to respond to disasters:

- 1. Number of experts trained by the UCPM who are deployed in a UCPM response mission;
- 2. Number of Exchanges of Experts within EU and with Neighbours;
- 3. Number and type of assets acquired to be part of rescEU;
- 4. Number and type of assets certified to join the European Civil Protection Pool;
- 5. Number of Member States committing assets to European Civil Protection Pool;

6. Number of rescEU missions vs. total number of European Civil Protection Pool response missions.

Specific objective: To facilitate rapid and efficient emergency response interventions in the event of major disasters or their imminence:

1. Speed of operations: time between the request for assistance and deployment on site of assistance, as well as the full operability of assessment/coordination teams;
2. Ratio between assets deployed from rescEU and assets deployed from the European Civil Protection Pool;
3. Number of the transport grants and services;
4. Amounts of EU financing for rescEU operations inside Europe and outside Europe (operational and transport costs in exceptional circumstances);
5. Amounts of EU co-financing for European Civil Protection Pool operations inside Europe and outside Europe (transport operations);
6. Overall amount of the EU co-financing provided to MS
7. Number of occurrences pooling was used vs. overall number of UCPM missions

Specific Objective 4: "To increase public awareness and preparedness for disasters"

1. Number of participants/website visitors to risk awareness PPPs financed by the UCPM
2. EU citizens' awareness of UCPM (survey of EU citizens)

1.5. Grounds for the proposal/initiative

1.5.1. Requirement(s) to be met in the short or long term

European civil protection has developed rapidly in recent years. Since the creation of the first mechanism in 2001 (Community Civil Protection Mechanism) to the current state of play, civil protection at a EU level has seen its legal foundations reinforced (specific treaty reference since the Lisbon treaty in 2009), and its operational capacity enhanced (creation of the EERC/EMC, the Emergency Response Coordination Centre - ERCC, etc.). The current UCPM has provided assistance to emergencies over 80 times both in Europe and beyond, contributed to develop and disseminate know-how and expertise on disaster management, and fostered a culture of prevention among Participating States.

However, the recently conducted Interim Evaluation, as well as other key reports and documents have identified several areas where improvements could be achieved. In the light of this, this proposal aims at amending the current legislation with the purpose of achieving the following objectives:

- a) Reinforcing the Union and Member States' collective ability to respond to disasters, and addressing recurrent and emerging capacity gaps, especially with the creation of a dedicated reserve of response capacities that should be known as rescEU.
- b) Strengthening the focus on prevention action as part of the disaster risk management cycle, as well as reinforcing coherence with other key EU policies acting in the field of disaster prevention and disaster response;

c) Ensuring the Union Mechanism is agile and effective in its administrative procedures in support of emergency operations.

1.5.2. Added value of EU involvement

The EU's added value comes in the form of:

- Reducing the loss of human life, environmental, economic and material damage.
- Better coordination of civil protection activities since all offers of assistance are communicated through the ERCC for acceptance by the authorities of the affected State.
- Cost-effectiveness since the assistance accepted by the affected State can be pooled with the assistance of other countries through the transport procedure.
- Improved efficiency through an increased level of preparedness and a more coherent disaster risk management policy;
- Coherent and effective response through the creation of rescEU ready to help everywhere in the EU and in Participating States when needed;
- Better visibility of the EU's response to disasters;
- Better use of scarce resources by sharing the EU funded assets;
- Enhance regional coordination and knowledge-sharing through the development of a network of EU civil protection hubs.

1.5.3. Lessons learned from similar experiences in the past

These proposals build upon:

- Interim Evaluation of the UCPM (2014-2016), conducted by an external consultant. August 2017.
- European Court of Auditors, 'Union Civil Protection Mechanism: the coordination of responses to disasters outside the EU has been broadly effective', Special Report no. 33, 2016;
- Staff Working Document, 'Overview of Natural and Man-made Disaster Risks the European Union may face', SWD(2017)176 final, 23.05.2017;
- Report from the Commission to the European Parliament and the Council on progress made and gaps remaining in the European Emergency Response Capacity, COM(2017)78 final, 17.02.2017.experience gained in emergencies handled by the Mechanism since its creation in 2001;
- Experience gained as a result of the projects financed within the framework of the calls launched since 2013 in the field of preparedness and prevention;
- Experience gained as a result of the pilot project financed within the framework of the call launched in 2008 "Call for proposal for a pilot project to step up cooperation between Member States on combating forest fires";

1.5.4. Compatibility and possible synergy with other appropriate instruments

Consistency with:

- Council Regulation (EC) No 1257/96 of 20 June 1996 concerning humanitarian aid;

- Regulation (EC) No 1406/2002 of the European Parliament and of the Council of 27 June 2002 establishing a European Maritime Safety Agency;
- Council Regulation (EC) No 2012/2002 of 11 November 2002 establishing the European Union Solidarity Fund;
- Regulation (EC) No 1717/2006 of the European Parliament and of the Council of 15 November 2006 establishing an Instrument for Stability;
- Decision No 1313/2013/EU of the European Parliament and of the Council of 17 December 2013 on a Union Civil Protection Mechanism
- Regulation (EU) No 375/2014 of the European Parliament and of the Council of 3 April 2014 establishing the European Voluntary Humanitarian Aid Corps ('EU Aid Volunteers initiative');
- Council Regulation (EU) 2016/369 of 15 March 2016 on the provision of emergency support within the Union

1.6. Duration and financial impact

☐ Proposal/initiative of **limited duration**

☐ Proposal/initiative in effect from [DD/MM]YYYY to [DD/MM]YYYY

☐ Financial impact from [DD/MM]YYYY to [DD/MM]YYYY

X Proposal/initiative of **unlimited duration**

X Implementation with a start-up period from 1/01/2018 to 31/12/2020,
followed by full-scale operation.

1.7. Management mode(s) planned¹⁸

X **Direct management** by the Commission

X by its departments, including by its staff in the Union delegations;

☐ by the executive agencies

☐ **Shared management** with the Member States

X **Indirect management** by entrusting budget implementation tasks to:

☐ third countries or the bodies they have designated;

X international organisations and their agencies (to be specified);

☐ the EIB and the European Investment Fund;

☐ bodies referred to in Articles 208 and 209 of the Financial Regulation;

☐ public law bodies;

☐ bodies governed by private law with a public service mission to the extent that they provide adequate financial guarantees;

☐ bodies governed by the private law of a Member State that are entrusted with the implementation of a public-private partnership and that provide adequate financial guarantees;

☐ persons entrusted with the implementation of specific actions in the CFSP pursuant to Title V of the TEU, and identified in the relevant basic act.

If more than one management mode is indicated, please provide details in the 'Comments' section.

Comments

¹⁸ Details of management modes and references to the Financial Regulation may be found on the BudgWeb site: http://www.cc.cec/budg/man/budgmanag/budgmanag_en.html

[...]

[...]

2. MANAGEMENT MEASURES

2.1. Monitoring and reporting rules

Specify frequency and conditions.

Actions and measures receiving financial assistance under these Decisions shall be monitored regularly.

The Commission shall prepare and submit to the European Parliament and to the Council:

- an interim evaluation report no later than 30 June 2017, (already completed);
- a Communication on the continued implementation of this Decision no later than 31 December 2018;
- an ex post evaluation report no later than 31 December 2021.

2.2. Management and control system

2.2.1. Risk(s) identified

In the light of the broader role assigned to the Emergency Response Coordination Centre, if no sufficient posts are provided, understaffing may lead to the risk of not being able to

- respond to all challenges arising from the increase in the number of civil protection operations, and to all political exigencies under the Integrated Political Crisis Reporting (IPCR) and the Solidarity Clause;
- develop/add activities;
- benefit/develop new technological systems ensuring uninterrupted availability;
- react appropriately to imminent Civil Protection emergencies;
- adequately implement the internal control system as described in 2.2.2.

2.2.2. Information concerning the internal control system set up

The existing internal control system of DG ECHO is foreseen to be used for guaranteeing that funds available under new Instrument are used properly and in line with appropriate legislation.

Current system is setup as follows:

1. Internal Control team within DG ECHO, focused on the compliance with valid administrative procedures and legislation in force in the area of civil protection. The Internal Control Framework of the Commission is used for this purpose.
2. Regular audit of grants and contracts, awarded under the Instrument, by external auditors of DG ECHO, fully incorporated in the DG ECHO's Annual Audit Plan;
3. Evaluation of activities by external partners

The actions can also be audited by OLAF (fraud cases) and Court of Auditors.

2.2.3. Estimate of the costs and benefits of the controls and assessment of the expected level of risk of error

The estimated cost of DG ECHO's control strategy represents 1.9% of budget 2016. The main components of this indicator are:

- The total staff costs of DG ECHO experts in the field, plus those of the financial and operational units multiplied by the estimated portion of time (50%) dedicated to quality assurance, control and monitoring activities;
- the total resources in DG ECHO's external audit sector devoted to audits and verifications

Taking into account the very limited cost of such controls together with the quantifiable (corrections and recoveries) and unquantifiable (deterrent effect and quality insurance effect of controls) benefits linked to these, the Commission is able to conclude that the quantifiable and unquantifiable benefits from controls largely outweigh the limited cost of these.

This is confirmed by the 1.02% multi-annual residual error rate reported by the Commission in 2016 for its humanitarian aid and civil protection department.

2.3. Measures to prevent fraud and irregularities

Specify existing or envisaged prevention and protection measures.

DG ECHO's anti-fraud strategy, in line with the Commission's anti-fraud strategy (CAFS), is used in order to ensure inter alia that:

- DG ECHO's internal anti-fraud related controls are fully aligned with the CAFS;
- DG ECHO's fraud risk management approach is geared to identify fraud risk areas and adequate responses.

The systems used for spending EU funds in third countries enable relevant data to be retrieved with a view to feeding this data into fraud risk management (e.g. detection of double funding).

Where necessary, networking groups and adequate IT tools dedicated to analysing fraud cases related to the sector may be set up.

3. ESTIMATED FINANCIAL IMPACT OF THE PROPOSAL/INITIATIVE

3.1. Heading(s) of the multiannual financial framework and expenditure budget line(s) affected

Existing budget lines

In order of multiannual financial framework headings and budget lines.

| Heading of multiannual financial framework | Budget line | Type of expenditure | Contribution | | | |
|--|---|-------------------------------|-----------------------------------|--|----------------------|--|
| | Number and Title | Diff./Non-diff. ¹⁹ | from EFTA countries ²⁰ | from candidate countries ²¹ | from third countries | within the meaning of Article 21(2)(b) of the Financial Regulation |
| 3 | 23 03 01 01 - Disaster prevention and preparedness within the Union | Diff. | YES | YES | NO | NO |
| 4 | 23 03 01 01 - Disaster prevention and preparedness in third countries | Diff. | YES | YES | NO | NO |
| 3 | 23 03 02 01 Rapid and efficient emergency response interventions in the event of major disasters within the Union | Diff. | YES | YES | NO | NO |
| 4 | 23 03 02 02 - Rapid and efficient emergency response interventions in the event of major disasters in third countries | Diff. | YES | YES | NO | NO |
| 4 | 23 01 04 - Support expenditure for operations and programmes in the 'Humanitarian aid and civil protection' policy area | Non – Diff. | NO | NO | NO | NO |

¹⁹ Diff. = Differentiated appropriations / Non-diff. = Non-differentiated appropriations.

²⁰ EFTA: European Free Trade Association.

²¹ Candidate countries and, where applicable, potential candidate countries from the Western Balkans.

3.2. Estimated impact on expenditure

3.2.1. Summary of estimated impact on expenditure

EUR million (to three decimal places)

| Heading of multiannual financial framework | Number | Heading 3 Security and Citizenship |
|--|--------|------------------------------------|
|--|--------|------------------------------------|

| DG ECHO – European Civil Protection and Humanitarian Aid Operations | | | 2018 | 2019 | 2020 | TOTAL |
|--|-------------|----------|--------|---------|---------|----------------|
| • Operational appropriations | | | | | | |
| 23 03 01 01 | Commitments | (1) | 14,000 | 105,900 | 109,279 | 229,179 |
| | Payments | (2) | 7,000 | 46,560 | 104,395 | 157,955 |
| 23 03 02 01 | Commitments | (1a) | 5,157 | 9,300 | 13,218 | 27,675 |
| | Payments | (2a) | 4,000 | 10,000 | 11,000 | 25,000 |
| Appropriations of an administrative nature financed from the envelope of specific programmes ²² | | | | | | |
| Number of budget line | | (3) | 2018 | 2019 | 2020 | TOTAL |
| TOTAL appropriations for DG ECHO | Commitments | =1+1a +3 | 19,157 | 115,200 | 122,497 | 256,854 |
| | Payments | =2+2a +3 | 11,000 | 56,560 | 115,395 | 182,955 |

²² Technical and/or administrative assistance and expenditure in support of the implementation of EU programmes and/or actions (former ‘BA’ lines), indirect research, direct research.

| | | | | | | |
|---|-------------|-------|--------|---------|---------|----------------|
| • TOTAL operational appropriations | Commitments | (4) | 19,157 | 115,200 | 122,497 | 256,854 |
| | Payments | (5) | 11,000 | 56,560 | 115,395 | 182,955 |
| • TOTAL appropriations of an administrative nature financed from the envelope for specific programmes | | (6) | 0 | 0 | 0 | TOTAL |
| TOTAL appropriations under HEADING 3 of the multiannual financial framework | Commitments | =4+ 6 | 19,157 | 115,200 | 122,497 | 256,854 |
| | Payments | =5+ 6 | 11,000 | 56,560 | 115,395 | 182,955 |

EUR million (to three decimal places)

| | | |
|---|--------|-------------------------|
| Heading of multiannual financial framework | Number | Heading 4 Global Europe |
|---|--------|-------------------------|

| DG ECHO – European Civil Protection and Humanitarian Aid Operations | | | 2018 | 2019 | 2020 | TOTAL |
|--|-------------|------|------|------|-------|--------------|
| • Operational appropriations | | | | | | |
| 23 03 01 02 | Commitments | (1) | - | - | - | - |
| | Payments | (2) | - | - | - | - |
| 23 03 02 02 | Commitments | (1a) | 2 | 2 | 2,284 | 6,284 |
| | Payments | (2a) | 0,8 | 1,8 | 2,014 | 4,614 |

| | | | | | | |
|--|-------------|-------------|------|------|-------|--------------|
| Appropriations of an administrative nature financed from the envelope of specific programmes ²³ | | | | | | |
| Number of budget line | | (3) | 2018 | 2019 | 2020 | TOTAL |
| TOTAL appropriations for DG ECHO | Commitments | =1+1a +3 | 2 | 2 | 2,284 | 6,284 |
| | Payments | =2+2a +3 | 0,8 | 1,8 | 2,014 | 4,614 |

| | | | | | | |
|---|-------------|-------|-----|-----|-------|--------------|
| • TOTAL operational appropriations | Commitments | (4) | 2 | 2 | 2,284 | 6,284 |
| | Payments | (5) | 0,8 | 1,8 | 2,014 | 4,614 |
| • TOTAL appropriations of an administrative nature financed from the envelope for specific programmes | | (6) | 0 | 0 | 0 | TOTAL |
| TOTAL appropriations under HEADING 4 of the multiannual financial framework | Commitments | =4+ 6 | 2 | 2 | 2,284 | 6,284 |
| | Payments | =5+ 6 | 0,8 | 1,8 | 2,014 | 4,614 |

²³ Technical and/or administrative assistance and expenditure in support of the implementation of EU programmes and/or actions (former 'BA' lines), indirect research, direct research.

| | | |
|---|----------|------------------------------|
| Heading of multiannual financial framework | 5 | ‘Administrative expenditure’ |
|---|----------|------------------------------|

EUR million (to three decimal places)

| | | 2018 | 2019 | 2020 | TOTAL |
|--|----------------|--------|-------|-------|---------------|
| DG ECHO – European Civil Protection and Humanitarian Aid Operations | | | | | |
| • Human resources | | 1,682 | 5,034 | 9,436 | 16,152 |
| • Other administrative expenditure | | 0,1500 | 0,230 | 0,330 | 0,710 |
| TOTAL DG ECHO | Appropriations | 1,832 | 5,264 | 9,766 | 16,862 |

| | | | | | |
|--|--------------------------------------|-------|-------|-------|---------------|
| TOTAL appropriations under HEADING 5 of the multiannual financial framework | (Total commitments = Total payments) | 1,832 | 5,264 | 9,766 | 16,862 |
|--|--------------------------------------|-------|-------|-------|---------------|

EUR million (to three decimal places)

| | | 2018 | 2019 | 2020 | TOTAL |
|--|-------------|--------|---------|---------|----------------|
| TOTAL appropriations under HEADINGS 1 to 5 of the multiannual financial framework | Commitments | 22,989 | 122,464 | 134,547 | 280,000 |
| | Payments | 13,632 | 63,624 | 127,174 | 204,430 |

3.2.2. Estimated impact on operational appropriations

- ☐ The proposal/initiative does not require the use of operational appropriations
- ☐ The proposal/initiative requires the use of operational appropriations, as explained below:

Commitment appropriations in EUR million (to three decimal places)

| Indicate objectives and outputs ↓ | | | Year 2018 | | Year 2019 | | Year 2020 | | TOTAL | |
|--|---------------------------|----------------------------|-------------------|------|-------------------|------|-------------------|------|-------------------------|------------|
| | OUTPUTS | | | | | | | | | |
| | Type output ²⁴ | Average cost of the output | Number of outputs | Cost | Number of outputs | Cost | Number of outputs | Cost | Total number of outputs | Total cost |
| SPECIFIC OBJECTIVE No 1 - Prevention ²⁵ ... | | | | | | | | | | |
| Number of projects financed for prevention | Grant agreements | 0.3 | 15 | 3 | 15 | 3 | 15 | 3 | 45 | 9 |
| Studies | Number of contracts | 0.1 | 5 | 0.5 | 5 | 0.5 | 5 | 0.5 | 15 | 1.5 |
| Sub-total for specific objective N°1 | | | 20 | 3.5 | 20 | 3.5 | 20 | 3.5 | 60 | 10.5 |

²⁴ Outputs are products and services to be supplied (e.g.: number of student exchanges financed, number of km of roads built, etc.).

²⁵ As described in Section 1.4.2. "Specific objective(s)..."

| | | | | | | | | | | |
|---|---------------------------------------|-------|-----|------|-----|------|-----|------|-----|------|
| SPECIFIC OBJECTIVE No 2 - Preparedness | | | | | | | | | | |
| Number of projects financed for preparedness (incl. training and exercises) | Grant agreements and contracts | 0.5 | 100 | 5 | 100 | 5 | 100 | 5 | 300 | 15 |
| Early warning systems | Number of adm. Arrang. | 1.25 | 2 | 2.5 | 2 | 2.5 | 2 | 2.5 | 6 | 7.5 |
| Emergency Response Capacity | Number of grant agreements +contracts | 1 | 7 | 7 | 13 | 13 | 20 | 20 | 40 | 40 |
| Sub-total for specific objective N°2 | | | 109 | 14.5 | 115 | 20.5 | 122 | 27.5 | 346 | 62.5 |
| SPECIFIC OBJECTIVE No 3 – Response ²⁶ | | | | | | | | | | |
| Deployment of experts | Number of contracts | 0.005 | 200 | 1 | 200 | 1 | 200 | 1 | 600 | 3 |
| Number of operations inside the EU | Grant agreement/ service contract | 0.1 | 80 | 8 | 80 | 8 | 80 | 8 | 240 | 24 |

²⁶

As described in Section 1.4.2. "Specific objective(s)..."

| | | | | | | | | | | |
|---|-----------------------------------|------|-----|------|-----|------|-----|------|------|-------|
| Number of transport operations outside the EU | Grant agreement/ service contract | 0.13 | 40 | 5.2 | 40 | 5.2 | 40 | 5.2 | 120 | 15.6 |
| Sub-total for specific objective N°3 | | | 320 | 14.2 | 320 | 14.2 | 320 | 14.2 | 960 | 42.6 |
| TOTAL COST | | | 449 | 32.2 | 455 | 38.2 | 462 | 45.2 | 1366 | 115.6 |
| | | | | | | | | | | |

3.2.3. Estimated impact on appropriations of an administrative nature

3.2.3.1. Summary

☐ The proposal/initiative does not require the use of appropriations of an administrative nature

☒ The proposal/initiative requires the use of appropriations of an administrative nature, as explained below:

EUR million (to three decimal places)

| | 2018 | 2019 | 2020 | TOTAL |
|--|------|------|------|-------|
|--|------|------|------|-------|

| HEADING 5 of the multiannual financial framework | | | | |
|--|-------|-------|-------|---------------|
| Human resources | 1,682 | 5,034 | 9,436 | 16,152 |
| Other administrative expenditure | 0,15 | 0,23 | 0,33 | 0,710 |
| Subtotal HEADING 5 of the multiannual financial framework | 1,832 | 5,264 | 9,766 | 16,862 |

| Outside HEADING 5²⁷ of the multiannual financial framework | | | | |
|--|---|---|---|---|
| Human resources | | | | |
| Other expenditure of an administrative nature | | | | |
| Subtotal outside HEADING 5 of the multiannual financial framework | 0 | 0 | 0 | 0 |

| | | | | |
|--------------|-------|-------|-------|---------------|
| TOTAL | 1,832 | 5,264 | 9,766 | 16,862 |
|--------------|-------|-------|-------|---------------|

The appropriations required for human resources and other expenditure of an administrative nature will be met by appropriations from the DG that are already assigned to management of the action and/or have been redeployed within the DG, together if necessary with any additional allocation which may be granted to the managing DG under the annual allocation procedure and in the light of budgetary constraints.

²⁷ Technical and/or administrative assistance and expenditure in support of the implementation of EU programmes and/or actions (former 'BA' lines), indirect research, direct research.

3.2.3.2. Estimated requirements of human resources

☐ The proposal/initiative does not require the use of human resources.

☒ The proposal/initiative requires the use of human resources, as explained below:*

Estimate to be expressed in full time equivalent units

| | Year N | Year N+1 | Year N+2 |
|--|---------------------------------|-------------|-------------|
| | 2018 | 2019 | 2020 |
| • Establishment plan posts (officials and temporary agents) | | | |
| 23 01 01 01 (Headquarters and Commission's Representation Offices) | 7 | 12 | 16 |
| XX 01 01 02 (Delegations) | | | |
| XX 01 05 01 (Indirect research) | | | |
| 10 01 05 01 (Direct research) | | | |
| • External personnel (in Full Time Equivalent unit: FTE)²⁸ | | | |
| 23 01 02 01 (CA, INT, SNE from the "global envelope") | 10 | 24 | 31 |
| XX 01 02 02 (CA, INT, JED, LA and SNE in the delegations) | | | |
| XX 01 04 yy 29 | - at Headquarters ³⁰ | | |
| | - in delegations | | |
| XX 01 05 02 (CA, INT, SNE - Indirect research) | | | |
| 10 01 05 02 (CA, INT, SNE - Direct research) | | | |
| Other budget lines (specify) | | | |
| TOTAL | 17 | 36 | 47 |

* These figures might be complemented by additional 15 FTEs to be provided by redeployment from other DGs through a call for interest.

XX is the policy area or budget title concerned.

The human resources required will be met by staff from the DG who are already assigned to management of the action and/or have been redeployed within the DG, together if necessary with any additional allocation which may be granted to the managing DG under the annual allocation procedure and in the light of budgetary constraints.

²⁸ CA= Contract Agent; INT= agency staff ("Intérimaire"); JED= "Jeune Expert en Délégation" (Young Experts in Delegations); LA= Local Agent; SNE= Seconded National Expert;

²⁹ Under the ceiling for external personnel from operational appropriations (former "BA" lines).

³⁰ Essentially for Structural Funds, European Agricultural Fund for Rural Development (EAFRD) and European Fisheries Fund (EFF).

Description of tasks to be carried out:

| | |
|-------------------------------|--|
| Officials and temporary staff | <p>The additional staff requested for the period 2018-2020 is needed to perform the following tasks: a) developing and managing the newly created capacity RescEU; b) reinforcing the Voluntary Pool; c) supporting the policy units, including prevention activities; d) developing the concept of the European civil protection academy; and e) ensuring management and support activities.</p> <p>The bulk of the increase in personnel will be dedicated to the development of RescEU, performing tasks such as managing the acquisition and/or leasing of assets (contracts), managing the assets, monitoring and coordination tasks, as well as communication tasks.</p> |
| External staff | Ensuring the running of the 24/7 Emergency Response Centre; necessary work on the field; administrative support. |

3.2.4. Compatibility with the current multiannual financial framework

☐ The proposal/initiative is compatible the current multiannual financial framework.

☒ The proposal/initiative will entail reprogramming of the relevant heading in the multiannual financial framework. The following amounts will be redeployed:

| heading 3 | | 2018 | 2019 | 2020 | total |
|----------------------------------|--|-------------|--------------|--------------|--------------|
| Rights, equality and citizenship | | | | | |
| 33.0201 | Ensuring the protection of rights and empowering citizens | | 1,34 | 1,55 | 2,89 |
| 33.0202 | Promoting non-discrimination and equality | | 0,98 | 1,22 | 2,2 |
| Justice | | | | | |
| 33.0301 | Supporting and promoting judicial training | | 4,93 | 5,25 | 10,18 |
| 33.0302 | Facilitating and supporting judicial cooperation in civil and criminal matters | | 4,77 | 5,02 | 9,79 |
| total heading 3 | | | 12,02 | 13,04 | 25,06 |
| heading 4 | | 2018 | 2019 | 2020 | total |
| 21.020703 | Human development (DCI) | 2,00 | | | 2,00 |
| 22.020302 | Support to Turkey -Economic, social and territorial development and related progressive alignment with the Union acquis(IPA II - Turkey) | | 2,00 | 2,28 | 4,284 |
| total heading 4 | | 2,00 | 2,00 | 2,28 | 6,284 |

☒ The proposal/initiative requires application of the flexibility instrument.

| Use of the flexibility instrument | 2018 | 2019 | 2020 |
|-----------------------------------|--------|--------|---------|
| | 19,157 | 103,18 | 109,457 |

3.2.5. Third-party contributions

The proposal/initiative does not provide for co-financing by third parties.

The proposal/initiative provides for the co-financing estimated below:

Appropriations in EUR million (to three decimal places)

| | Year N | Year N+1 | Year N+2 | Year N+3 | Enter as many years as necessary to show the duration of the impact (see point 1.6) | | | Total |
|-------------------------------|--------|----------|----------|----------|---|--|--|-------|
| Specify the co-financing body | | | | | | | | |

| | | | | | | | | |
|-------------------------------------|--|--|--|--|--|--|--|--|
| TOTAL appropriations co-financed | | | | | | | | |
|-------------------------------------|--|--|--|--|--|--|--|--|

3.3. Estimated impact on revenue

☒ The proposal/initiative has no financial impact on revenue.

☐ The proposal/initiative has the following financial impact:

☐ on own resources

☐ on miscellaneous revenue

EUR million (to three decimal places)

| Budget revenue line: | Appropriations available for the current financial year | Impact of the proposal/initiative ³¹ | | | | | | |
|----------------------|---|---|----------|----------|----------|---|--|--|
| | | Year N | Year N+1 | Year N+2 | Year N+3 | Enter as many years as necessary to show the duration of the impact (see point 1.6) | | |
| Article | | | | | | | | |

For miscellaneous 'assigned' revenue, specify the budget expenditure line(s) affected.

[...]

Specify the method for calculating the impact on revenue.

[...]

³¹ As regards traditional own resources (customs duties, sugar levies), the amounts indicated must be net amounts, i.e. gross amounts after deduction of 25 % for collection costs.