



Council of the
European Union

Brussels, 14 October 2022
(OR. en)

13627/22

Interinstitutional File:
2022/0337(BUD)

FIN 1085

PROPOSAL

From:	Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director
date of receipt:	14 October 2022
To:	General Secretariat of the Council
No. Cion doc.:	COM(2022) 665 final
Subject:	Proposal for a Decision of the European Parliament and of the Council on the mobilisation of the European Union Solidarity Fund to provide assistance to Germany, Belgium, the Netherlands, Austria, Luxembourg, Spain and Greece further to natural disasters that took place in these countries in the course of 2021

Delegations will find attached document COM(2022) 665 final.

Encl.: COM(2022) 665 final



EUROPEAN
COMMISSION

Brussels, 14.10.2022
COM(2022) 665 final

2022/0337 (BUD)

Proposal for a

DECISION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

on the mobilisation of the European Union Solidarity Fund to provide assistance to Germany, Belgium, the Netherlands, Austria, Luxembourg, Spain and Greece further to natural disasters that took place in these countries in the course of 2021

EXPLANATORY MEMORANDUM

1. CONTEXT OF THE PROPOSAL

This decision covers the mobilisation of the European Union Solidarity Fund (hereinafter referred to as ‘the EUSF’) in accordance with Council Regulation (EC) No 2012/2002¹ (hereinafter referred to as ‘the Regulation’) for an amount of EUR 718 482 761 to provide assistance to Germany, Belgium, the Netherlands, Austria, Luxembourg, Spain and Greece further to natural disasters that took place in these countries in the course of 2021.

This mobilisation is accompanied by DEC No 20/2022 that proposes to transfer the amount of EUR 668 482 761 from the Solidarity and Emergency Aid Reserve (hereinafter referred as ‘the SEAR’) reserve line to the EUSF operational budget line, both in commitments and payments. In addition to the transferred appropriations from the SEAR reserve line, this mobilisation will be financed through the use of the amount of EUR 50 000 000 in commitment and payment appropriations already inscribed in the General Budget 2022 in accordance with Article 4a (4) of the EUSF Regulation for covering advances. The already paid advances to Spain and Greece of the total amount of EUR 6 288 171 will be deducted before the payment of the balance.

2. INFORMATION AND CONDITIONS

2.1 Germany –major disaster: floods

Between 12 and 15 July 2021, a slow-moving low-pressure system named “Bernd” passed over the South-Western parts of Germany causing to heavy, long lasting rainfall events, with precipitation locally exceeding 150mm over 24 hours in the North Rhine-Westphalia and Rhineland-Palatinate regions in Germany. The exceptional rainfalls led to widespread flooding over several small and medium rivers and caused flash floods and mudflows with catastrophic consequences. In Germany, the floods ravaged tens of towns and villages, caused massive destruction of public and private infrastructure and damage to businesses. In addition, 196 people lost their lives.

Subsequently, Germany applied for financial assistance from the EUSF.

- (1) On 1 October 2021, Germany submitted an application for a financial contribution from the EUSF to finance emergency and recovery operations following the floods in July 2021.
- (2) Germany applied for a contribution from the EUSF within the deadline of 12 weeks after the first damage caused by the disaster on 13 July 2021. The application contains all the information required under Article 4 of the Regulation.
- (3) The disaster is of natural origin and therefore falls within the field of application of the EUSF.
- (4) The German authorities estimate the total direct damage caused by the disaster at EUR 29,21 billion. This amount represents 0,82% of German Gross National Income (GNI), and it exceeds the ‘major disaster’ threshold of

¹ Council Regulation (EC) No 2012/2002 of 11 November 2002 establishing the European Union Solidarity Fund (OJ L 311, 14.11.2002, p. 3) as amended by Regulation (EU) No 661/2014 of the European Parliament and the Council of 15 May 2014 (OJ L 189, 27.6.2014, p. 143) and by Regulation (EU) No 461/2020 of the European Parliament and the Council of 30 March 2020 (OJ L 99, 31.3.2020, p. 9).

EUR 3 656,983 million (EUR 3 billion in 2011 prices). Therefore, the disaster qualifies as a “major natural disaster” according to Article 2(2) of the Regulation.

- (5) Total direct damage is the basis for the calculation of the amount of the financial contribution from the EUSF. The financial contribution may only be used for essential emergency and recovery operations as defined in Article 3 of the Regulation.
- (6) Germany did not request the payment of an advance pursuant to Article 4a of the Regulation.
- (7) From 12 July 2021, heavy rainfall on an unprecedented scale affected large parts of the southern North Rhine-Westphalia. Some areas were exposed to 60 hours of rainfall. As a result, initially, small watercourses and flash floods were observed locally. With sustained precipitation, medium and larger rivers such as *Ahr*, *Emscher*, *Erft*, *Kyll*, *Lippe*, *Prüm*, *Ruhr*, *Rur*, *Sieg* and *Wupper* also overflowed across their banks. This resulted in an extensive flood situation from the areas in *Eifel* (*Rheinland-Pfalz*), through *Rheinland* and from *Ruhrgebiet* to *Südwestfalen* (*Nordrhein-Westfalen*). With the withdrawal of low-pressure system from *Nordrhein-Westfalen* and *Rheinland-Pfalz*, the *Osterzgebirge*, *Lausitz* and *Berchtesgadener Land* were also affected. Here too, heavy rainfall occurred, leading to regional flooding. Floods caused numerous road closures, disruptions in energy supply, public transport and rail transport, and some disruptions in the telecommunications sector. The majority of schools were closed in the affected areas. Dyke systems were seriously damaged. The supply of energy and drinking water was temporarily interrupted in the affected areas. Storm and floods destroyed or damaged public infrastructure, public buildings and businesses. The emergency measures undertaken by authorities were warning and evacuation of the population, rescue of people and search for missing persons. In the first days of flooding also providing the population with drinking water, food, hygiene materials, clothes and consumables.
- (8) Germany estimated the cost of operations eligible under Article 3(2) of the Regulation at EUR 4, 89 billion and presented it broken down by type of operation. The largest share of the cost of emergency operations (over EUR 3,9 billion) concerns restoring the working order of infrastructure and plants, in particular in the field of transport and telecommunications. The second largest share of cost concerns clearing up of disaster stricken areas amounting to EUR 764,9 million.
- (9) Directive 2007/60/EC² has been fully transposed in Germany by the Water Management Act. Implementation of the Act is monitored at the *Länder* level.
- (10) At the date of submitting the application Germany was not subject to infringement proceedings concerning Union legislation relating to the nature of the disaster.
- (11) The German authorities did not indicate any insurance coverage of eligible cost.

2.2 Belgium- major disaster: floods

Between 12 and 15 July 2021, a slow-moving low-pressure system named “Bernd” passed over Belgium and heavy rain fell across Belgium causing flash floods, fluvial (riverine) floods and groundwater floods, combined with mudflows and debris flows. This was followed by further flash floods and mud flows on 24 and 25 July 2021. 42 people lost their lives due to

² Directive 2007/60/EC of the European Parliament and of the Council of 23 October 2007 on the assessment and management of flood risks (the “Floods Directive”)

heavy flooding. The disaster caused massive destruction of public and private infrastructure, damage to businesses, as well as damage to hundreds of thousands of households.

Subsequently, Belgium applied for financial assistance from the EUSF.

- (1) On 1 October 2021, Belgium submitted an application for a financial contribution from the EUSF to finance emergency and recovery operations following the floods in July 2021. Upon the Commission's request, on 7 April 2022, Belgium submitted additional information regarding the flooding events of 24-25 July 2021 to complement their application.
- (2) Belgium applied for a contribution from the EUSF within the deadline of 12 weeks after the first damage caused by the disaster on 13 July 2021. The application contains all the information required under Article 4 of the Regulation.
- (3) The disaster is of natural origin and therefore falls within the field of application of the EUSF.
- (4) The Belgian authorities estimate the total direct damage caused by the disaster at EUR 5,56 billion. This amount represents 1,15% of Belgian Gross National Income (GNI), and it exceeds the 'major disaster' threshold of EUR 2 892,814 million; therefore, the disaster qualifies as a "major natural disaster" according to Article 2(2) of the Regulation.
- (5) Total direct damage is the basis for the calculation of the amount of the financial contribution from the EUSF. The financial contribution may only be used for essential emergency and recovery operations as defined in Article 3 of the Regulation.
- (6) Belgium did not request the payment of an advance pursuant to Article 4a of the Regulation.
- (7) Between 12 and 15 July 2021, heavy rain fell across Belgium and record level of rainfall were measured in the east of the country, with 271,5 millimetres of rain over 48 hours in Jalhay and 217 millimetres over 48 hours in Spa. Large parts of the Belgian province of Luxembourg saw between 150 mm and 200 mm over a period of 48 hours. On 14 July, the provincial emergency and intervention plans were activated in the Liège, Namur and Luxembourg provinces. Primarily the areas located on the banks of the river Meuse and her tributaries were heavily impacted, with multiple rivers (*Lesse, Vesder, Berwijn, Ourthe*) bursting their banks and flooding the surrounding areas. In the evening of 24 July 2021, heavy thunderstorms caused further flash floods and mudflows, primarily in the provinces of Namur and Brabant Wallon. This time, the towns of Namur, Dinant and Walhain were heavily impacted. The application states that the all affected municipalities had been previously impacted by the floods of 13-17 July, which exacerbated the events on 24-25 July. In practice and in the field, given the magnitude of the damages and the short timespan between both flooding events, it is impossible to distinguish between the damages caused by the first wave of floods and those caused by the second floods.
- (8) Out of 262 Walloon municipalities, 209 were impacted by the floods, resulting in 578 million square meter of damaged roads over a total length of 96,4 kilometres, 1342 kilometre of damaged river banks and dykes, 220 damaged bridges and 9 673 hectares of flooded lands (i.e. the equivalent of about 13 548 football fields). 23 920 buildings experienced flood damage, of which 357 were irreparably damaged. These include 58 government buildings, 185 sport facilities, 53 camping grounds and 21 hotels. Almost 2 700 businesses were impacted, of which 76 saw irreparable damage.

- (9) Belgium estimated the cost of operations eligible under Article 3(2) of the Regulation at EUR 1,88 billion and presented it broken down by type of operation. The largest share of the cost of emergency operations (over EUR 835,12 million) concerns restoring to working order of infrastructure and plant, in particularly in the field of transport and education. The second largest share of cost concerns ensuring temporary accommodation amounting to EUR 390,82 million.
- (10) There is no national approach to implementation of Directive 2007/60/EC in Belgium. Belgium has a regional setting for Flood Risk Directive implementation in Flanders (Flemish decree on integrated water policy) and Wallonia (Walloon decree on Water, Art.53). The two regions apply Article 13.1(b) (mapping and establishment of flood risk management plans) separately. Flood risk management plans (2015) are available for the Wallonia and Rhine regions.
- (11) At the date of submitting the application Belgium was not subject to infringement proceedings concerning Union legislation relating to the nature of the disaster.
- (12) The Belgian authorities did not indicate any insurance coverage of eligible cost.

2.3 The Netherlands- neighbouring country disaster: floods

Between 12 and 15 July 2021, a slow-moving low-pressure system named “Bernd” passed over the Netherlands that led to heavy rainfall causing flush flooding and surface runoff water. As a result, residents, businesses, farmers and foundations were confronted with severe damage to their properties, public and private infrastructure was damaged, roads were closed and train traffic stopped.

Subsequently, the Netherlands applied for financial assistance from the EUSF.

- (1) On 1 October 2021, the Netherlands submitted an application for a financial contribution from the EUSF to finance emergency and recovery operations following the floods in July 2021.
- (2) The Netherlands applied for a contribution from the EUSF within the deadline of 12 weeks after the first damage caused by the disaster on 13 July 2021. The application contains all the information required under Article 4 of the Regulation.
- (3) The disaster is of natural origin and therefore falls within the field of application of the EUSF.
- (4) The Netherlands authorities has submitted the application under “neighbouring country” disaster criterion as laid down in Article 2(4) of the Regulation, which stipulates that assistance from the EUSF may also be mobilised for any natural disaster in an eligible State that is also a major natural disaster in a neighbouring eligible State. The Netherlands estimate the total direct damage caused by the disaster at EUR 500 million. This amount represents 0,06% of the Netherlands Gross National Income (GNI). As the same natural disaster qualifies a “major natural disaster” in Belgium and in Germany, therefore the application from the Netherlands is eligible for a contribution from the EUSF without a specific threshold.
- (5) Total direct damage is the basis for the calculation of the amount of the financial contribution from the EUSF. The financial contribution may only be used for essential emergency and recovery operations as defined in Article 3 of the Regulation.
- (6) The Netherlands did not request the payment of an advance pursuant to Article 4a of the Regulation.

- (7) From 13 July until 20 July 2021, the passing low-pressure system brought heavy rainfall and flash flooding. The exceptional precipitation in parts of the Belgian, German and Dutch catchments of the *Meuse* and *Rhine* led to excessive water levels and flooding at many locations. Precipitation accumulated to 160 to 180 mm in two days over a large region. The rainfall caused extreme high water levels in the river Meuse and catchments. Moreover, streams and tributaries in the south of the province Limburg also overflowed due to the rainfall. Consequently, around 50 000 residents had to be evacuated. Emergency measures, such as the placement of sand bags, were coordinated by professionals but often executed by the local residents. Various main and secondary roads were closed off and the train traffic was temporarily out of service. The most prominent incidents were sand-boils (erosion of sand from underneath an embankment), overflow of an embankment at *Aasterberg* and damage to a weir at *Bosscheveld*, near Maastricht. Two local flood defences breached - an emergency embankment at *Horn* and an embankment close to *Roermond*.
- (8) The Netherlands estimated the cost of operations eligible under Article 3(2) of the Regulation at EUR 30 million and presented it broken down by type of operation. The largest share of the cost of emergency operations (over EUR 25 million) concerns restoring to working order of infrastructure and plant.
- (9) Directive 2007/60/EC has been transposed in the Netherlands. In general, flood risk management, including flood prevention, protection and mitigation in the Netherlands, is extremely strict.
- (10) At the date of submitting the application the Netherlands was not subject to infringement proceedings concerning Union legislation relating to the nature of the disaster.
- (11) The Netherlands authorities did not indicate any insurance coverage of eligible cost.

2.4 Austria- neighbouring country disaster: floods

Between 16 and 19 July 2021, a slow-moving low-pressure system named “Bernd” caused significant rainfall in Austria with the absolute maximum being measured on 17 July 2021 in Salzburg and Tyrol. The heavy rainfall events led to heavy floods and mudslides causing damage to public and private infrastructure. The population and the economy was severely affected.

Subsequently, Austria applied for financial assistance from the EUSF.

- (1) On 5 October 2021, Austria submitted an application for a financial contribution from the EUSF to finance emergency and recovery operations following the floods in July 2021.
- (2) Austria applied for a contribution from the EUSF within the deadline of 12 weeks after the first damage caused by the disaster on 16 July 2021. The application contains all the information required under Article 4 of the Regulation.
- (3) The disaster is of natural origin and therefore falls within the field of application of the EUSF.
- (4) Austrian authorities has submitted the application under “neighbouring country” disaster criterion as laid down in Article 2(4) of the Regulation, which stipulates that assistance from the EUSF may also be mobilised for any natural disaster in an eligible State that is also a major natural disaster in a neighbouring eligible State. Austria estimate the total direct damage caused by the disaster at EUR 84,6 million.

This amount represents 0,02% of Austrian Gross National Income (GNI). As the same natural disaster qualifies a “major natural disaster” in Belgium and in Germany, therefore the application from Austria is eligible for a contribution from the EUSF without a specific threshold.

- (5) Total direct damage is the basis for the calculation of the amount of the financial contribution from the EUSF. The financial contribution may only be used for essential emergency and recovery operations as defined in Article 3 of the Regulation.
- (6) Austria did not request the payment of an advance pursuant to Article 4a of the Regulation.
- (7) Within 4 days, a rainfall from 50 mm to 100 mm fell north of the main Alpine ridge. However, there were significant regional differences: amounts of precipitation recorded in parts of Tyrol and Lower Austria were that of once in 150 years. In Salzburg, local precipitation was more than once in 75 years, while in parts of Vienna the precipitation amounts that occurred corresponded to a 100-year event. The heavy rainfall led to mudslides and heavy floods that caused massive damage to public and private infrastructure in federal states of Salzburg and Tyrol. In addition, damage was recorded also in the federal states of Lower Austria, Upper Austria and Vienna, and minor damage in the federal state of Styria. The largest share of the sustained direct damage is attributed to physical damage to the network infrastructure (water and wastewater, transport, bridges, energy, telecommunications etc.)
- (8) Austria estimated the cost of operations eligible under Article 3(2) of the Regulation at EUR 35,83 million and presented it broken down by type of operation. The largest share of the cost of emergency operations (over EUR 24,47 million) concerns restoring to working order of infrastructure in the field of transport. The second largest share of cost concerns securing of preventive infrastructure amounting to EUR 7,99 million.
- (9) Directive 2007/60/EC was transposed into Austrian law by the 2011 amendment to the Water Law Act.
- (10) At the date of submitting the application Austria was not subject to infringement proceedings concerning Union legislation relating to the nature of the disaster.
- (11) Austrian authorities did not indicate any insurance coverage of eligible cost.

2.5 Luxembourg- neighbouring country disaster: floods

Starting from 14 July 2021, a slow-moving low-pressure system named “Bernd” caused heavy rainfall also in Luxembourg. The relatively high soil humidity facilitated the formation of flash floods, which ultimately resulted in fluvial floods. Additionally, high discharges of transboundary rivers *Nims* and *Prüm*, as well as transnational rivers *Our* and *Sure* aggravated the floods. As a result, Luxembourg registered a 100-year flood at ten gauging stations and measured the highest water levels at fifteen gauging stations since the beginning of recording.

Subsequently, Luxembourg applied for financial assistance from the EUSF.

- (1) On 6 October 2021, Luxembourg submitted an application for a financial contribution from the EUSF to finance emergency and recovery operations following the floods in July 2021.

- (2) Luxembourg applied for a contribution from the EUSF within the deadline of 12 weeks after the first damage caused by the disaster on 14 July 2021. The application contains all the information required under Article 4 of the Regulation.
- (3) The disaster is of natural origin and therefore falls within the field of application of the EUSF.
- (4) Luxembourg's authorities has submitted the application under “neighbouring country” disaster criterion as laid down in Article 2(4) of the Regulation, which stipulates that assistance from the EUSF may also be mobilised for any natural disaster in an eligible State that is also a major natural disaster in a neighbouring eligible State. Luxembourg estimate the total direct damage caused by the disaster at EUR 193,3 million. This amount represents 0,4% of Luxembourg's Gross National Income (GNI). As the same natural disaster qualifies a “major natural disaster” in Belgium and in Germany, therefore the application from Luxembourg is eligible for a contribution from the EUSF without a specific threshold.
- (5) Total direct damage is the basis for the calculation of the amount of the financial contribution from the EUSF. The financial contribution may only be used for essential emergency and recovery operations as defined in Article 3 of the Regulation.
- (6) Luxembourg did not request the payment of an advance pursuant to Article 4a of the Regulation.
- (7) The relatively high soil humidity facilitated the formation of flash floods, which ultimately resulted in fluvial floods. Police and the national emergency service CGDIS carried out 1200 interventions in the night from 14 July to 15 July 2021. Numerous houses were flooded and no longer inhabitable; around 400 people had to be evacuated and relocated. Numerous households lost access to electricity, with 250 households being without electricity for around one week. Furthermore, 180 roads had to be closed, numerous bus and train lines were affected across the country. In many municipalities, water systems were affected by the floods and citizens were asked to boil the water before use. Three water treatment plants, several pumping stations, the overall pipe network, and one hydroelectric facility have been affected by the floods. Businesses and agriculture sector also suffered damages.
- (8) Luxembourg estimated the cost of operations eligible under Article 3(2) of the Regulation at EUR 36,7 million and presented it broken down by type of operation. The largest share of the cost of emergency operations (over EUR 16,4 million) concerns restoring to working order of infrastructure and plant in the field of water and wastewater. The second largest share of cost concerns the transport sector amounting to EUR 10,8 million.
- (9) Directive 2007/60/EC of the European Parliament and of the Council of 23 October 2007 on the assessment and management of flood risks (the “Floods Directive”) was transposed to Luxembourg legislation by the modified water law of 19 December 2008.
- (10) At the date of submitting the application Luxembourg was not subject to infringement proceedings concerning Union legislation relating to the nature of the disaster.
- (11) Luxembourg's authorities did not indicate any insurance coverage of eligible cost.

2.6 Spain- regional natural disaster: volcanic eruption on the island of La Palma, Canary Islands

On 19 September 2021, the volcano *Cumbre Vieja* located on the island of La Palma (part of the Canary Islands) in Spain erupted creating massive damage on the island. The eruption was characterised by a Strombolian eruptive style, with large amounts of lava flowing out of several vents located along an eruptive fissure. Over the course of the eruption, an estimated 1241 ha of the island's surface was affected by westward lava flows, which reached the sea at two separate points, forming lava deltas.

Subsequently, Spain applied for financial assistance from the EUSF.

- (1) On 3 December 2021, Spain submitted an application for a contribution from the EUSF following the volcanic eruption on the island of La Palma on 19 September 2021. On 22 March 2022, Spain submitted an update to the application including more accurate estimations of the total direct damage as allowed by Art. 4(1a) of the Regulation.
- (2) Spain applied for a contribution from the EUSF within the deadline of 12 weeks after the first damage caused by the disaster on 19 September 2021. The application contains all the information required under Article 4 of the Regulation.
- (3) The volcanic eruption is of natural origin and therefore falls within the field of application of the EUSF.
- (4) The application presented the event as a 'regional natural disaster' as laid down in Article 2(3) of the Regulation, which is any natural disaster in a region at NUTS level 2 of an eligible State resulting in direct damage exceeding 1,5% of that region's gross domestic product (GDP) or 1% of regional GDP for the outermost regions. The Spanish authorities estimate the total direct damage at EUR 1 billion. This amount represents 2,19% of Canary Islands' GDP and it exceeds the applicable threshold for 'regional disaster', which for Canary Islands is EUR 457,2 million in 2021. In the light of the above, the disaster qualifies as a 'regional disaster' and the application from Spain is eligible for a contribution from the EUSF.
- (5) Total direct damage is the basis for the calculation of the amount of the financial contribution from the EUSF. The financial contribution may only be used for essential emergency and recovery operations as defined in Article 3 of the Regulation.
- (6) Spain requested the payment of an advance on the anticipated contribution pursuant to Article 4a of the Regulation. On the basis of the preliminary assessment, the Commission concluded that the conditions for paying an advance from the EUSF were met. Therefore, an advance of EUR 5 391 796 was awarded by Commission Implementing Decision C(2022) 1802 of 21 March 2022. The advance was paid to Spain on 2 May 2022.
- (7) The majority of damage concerns the agricultural sector, building stock and network infrastructure. The lava flow affected an estimated total of 984,85 hectares. 1 452 buildings were destroyed, of which 1 177 residential, 147 agricultural, 67 industrial, 33 for leisure and hospitality, 13 public and 15 others. A large number of plantations, including bananas, vineyards, avocados, and citrus fruits, as well as livestock farms were affected, determining a direct loss of assets. The consequences on the local economy, already hardly touched by pandemic, are dire and recovery will be long.

- (8) The Commission services have carried out a thorough examination of the application in accordance with the Regulation, in particular with Articles 2, 3 and 4 thereof. The assessment confirmed the extent of the affected area as well as the overall number of the exposed population declared in the application. A dedicated analysis of the effects on the agricultural sector, network infrastructure and residential buildings confirmed the extent of damage and the cost estimation presented by the Spanish authorities. In the light of the above, the disaster qualifies as a regional disaster and the application from Spain is eligible for a contribution from the EUSF.
- (9) Spain estimated the cost of emergency and recovery operations eligible under Article 3(2) of the Regulation at EUR 354,9 million and presented it broken down by type of operation. The largest share concerns the costs of repair of infrastructure and temporary accommodation.
- (10) By Decree 112/2018 of 30 July 2015, the Special Plan for Civil Protection and Emergency Care for volcanic risk in the Autonomous Community of the Canary Islands (PEVOLCA) was approved. The aim of PEVOLCA is to ensure a coordinated, agile, effective and efficient response from all public administrations to deal with seismo volcanic crises and the resulting emergencies originating in the territory of the the Canary Islands, and to ensure that the prevention measures provided for in the legislation in force are complied with.
- (11) At the date of submitting the application, Spain was not subject to infringement proceedings concerning Union legislation relating to the nature of the disaster.
- (12) The Spanish authorities confirmed that there is no insurance coverage of the eligible costs.

2.7 Greece- regional natural disaster: earthquake in Crete

On 27 September 2021, an earthquake of 6 M_L³ magnitude hit the island of Crete in Greece. The epi creating substantial damage. The Center of the earthquake was located southeast of Heraklion. The main earthquake was followed by a rich seismic sequence, with largest aftershock of 5,3 M_L magnitude on 28 September 2021 causing additional damages. The earthquake killed one person, injured 36 and created substantial damaged.

Subsequently, Greece applied for financial assistance from the EUSF.

- (1) On 16 December 2021, Greece submitted an application for a contribution from the European Union Solidarity Fund (hereinafter 'EUSF') to finance emergency and recovery operations following the earthquake in Crete on 27 September 2021.
- (2) Greece applied for a contribution from the EUSF within the deadline of 12 weeks after the first damage caused by the disaster on 27 September 2021. The application contains all the information required under Article 4 of the Regulation.
- (3) The earthquake is of natural origin and therefore falls within the field of application of the EUSF.
- (4) The application presented the event as a 'regional natural disaster' as laid down in Article 2(3) of the Regulation, which is any natural disaster in a region at NUTS level 2 of an eligible State resulting in direct damage exceeding 1,5% of that region's gross domestic product (GDP). The Greek authorities estimate the total direct damage at EUR 143,42 million. This amount represents 1,53% of GDP of Crete

³ M_L is "Richter" seismic magnitude scale or the Local magnitude scale.

region, and it exceeds the applicable ‘regional disaster’ threshold, which is EUR 140,79 million. In the light of the above, the disaster qualifies as a ‘regional disaster’ and the application from Greece is eligible for a contribution from the EUSF.

- (5) The total direct damage is the basis for the calculation of the amount of the financial contribution from the EUSF. The financial contribution may only be used for essential emergency operations as defined in Article 3 of the Regulation.
- (6) Greece requested the payment of an advance on the anticipated contribution pursuant to Article 4a of the Regulation. On the basis of the preliminary assessment, the Commission concluded that the conditions for paying an advance from the EUSF were met. Therefore, an advance of EUR 896 375 was awarded by Commission Implementing Decision C(2022) 2599 of 26 April 2022. The advance was paid to Greece on 19 May 2022.
- (7) The Commission services have carried out a thorough examination of the application in accordance with the Regulation, in particular with Articles 2, 3 and 4 thereof.
- (8) The application presents that as a result of the earthquake and its aftershocks a total of 6658 buildings suffered significant damage or were even completely destroyed, of which 4584 houses, 227 professional spaces, 318 holy temples/public buildings and 1029 warehouses. According the application the total cost of residential building damages is estimated at EUR 115,45 million and the cost of the damages to public assets at EUR 10,1 million. Greek authorities has put substantial efforts and public funds into emergency and rescue operations after the earthquake, as well as cleaning operations.
- (9) Greece estimated the cost of emergency and recovery operations eligible under Article 3(2) of the Regulation at EUR 12,49 million and presented it broken down by type of operation. The largest share concerns the restoration to working order of infrastructure and plants, in particular in the field of water and wastewater, as well as, education sector.
- (10) The Greek application provides a description of the implementation of Union legislation on disaster risk prevention and management related to the nature of the disaster. Based on the strong earthquakes that hit Greece between 1978-1981, the Greek government set up a natural disaster risk prevention and management policy with the aim of improving resilience in local communities through a framework for implementing policies to reduce known risks, managing the impact of earthquakes, and procedures/actions to prevent new risks. The Greek Anti-seismic Building Code contains the updated Seismic Hazard Map.
- (11) At the date of submitting the application, Greece was not subject to infringement proceedings concerning Union legislation relating to the nature of the disaster.
- (12) The Greek authorities confirmed that there is no insurance coverage of eligible costs.

2.8 Conclusion

For the reasons set out above, the disasters referred to in the applications submitted by Germany, Belgium, the Netherlands, Austria, Luxembourg, Spain and Greece meet the conditions set out in the Regulation.

3. FINANCING FROM THE EUSF ALLOCATION 2022

Council Regulation (EU, EURATOM) No 2020/2093 of 17 December 2020 laying down the multiannual financial framework for the years 2021-2027⁴ (hereafter "the MFF regulation"), and in particular Article 9 thereof allows for the mobilisation of the EUSF in the context of the SEAR. Point 10 of the Interinstitutional Agreement of 16 December 2020 between the European Parliament, the Council and the Commission on budgetary discipline, on cooperation on budgetary matters and on sound financial management⁵ (IIA) as well as on new own resources, including a roadmap towards the introduction of new own resources, lays down the modalities for the mobilisation of the EUSF in the context of the SEAR.

As solidarity was the main justification for the creation of the EUSF, the Commission takes the view that aid should be progressive. Consequently, the portion of the damage exceeding the **"major natural disaster"** threshold for mobilising the EUSF (i.e. 0,6 % of GNI or EUR 3 billion in 2011 prices, whichever is the lower amount) should give rise to higher aid intensity than the portion of the damage below the threshold. That means that the aid amount for a country affected by disaster complying with the conditions for a 'major natural disaster' is calculated by adding up two amounts: 2,5% of the total direct damage under the threshold and 6% for the part of the total direct damage above the threshold.

The rate applied for defining the aid amounts for **'regional natural disasters'**, which by definition remain below the national threshold, is 2,5% of total direct damage. In addition, according Article 2(4) of the Regulation assistance from the EUSF may also be mobilised for any natural disaster in an eligible State that is also a major natural disaster in a neighbouring eligible State. When applying for the EUSF assistance based on the **'neighbouring country'** criterion, there are no thresholds for the sustained total direct damage. The rate applied for defining an aid amount for a disaster under 'neighbouring country' criterion is the same as in case of a 'regional disaster', i. e. 2,5% of total direct damage. The contribution may not exceed the estimated total cost of eligible operations.

The methodology for calculating the aid was set out in the 2002-2003 Annual Report on the EUSF and accepted by the Council and the European Parliament. As this calculation led to a total amount for all countries exceeding the available budget resources, the amounts per country were reduced on a pro rata basis. The Commission therefore proposes to the budget authority to mobilise the following amounts:

⁴ OJ L 433I, 22.12.2020, p. 11.

⁵ OJ C 433I, 22.12.2020, p. 28.

Member States	Qualification of disaster	Total direct damage (EUR)	Applied regional disaster threshold (EUR)	Major disaster threshold (EUR)	2,5% of total direct damage (EUR)	6% of direct damage above threshold (EUR)	Potential aid amount (EUR)	Pro-rata aid amount to be mobilised (EUR)	Advances (EUR)
Germany floods	Major (Art. 2(2))	29 212 940 000	N/A	3 656 983 000	91 424 575	1 533 357 420	1 624 781 995	612 611 256	-
Belgium floods	Major (Art. 2(2))	5 565 796 000	N/A	2 892 814 000	72 320 350	160 378 920	232 699 270	87 737 427	-
Netherlands floods	Neighbouring (Art. 2(4))	500 000 000	N/A	N/A	12 500 000	N/A	12 500 000	4 713 027	-
Austria floods	Neighbouring (Art. 2(4))	84 608 089	N/A	N/A	2 115 202	N/A	2 115 202	797 520	-
Luxembourg floods	Neighbouring (Art. 2(4))	193 300 000	N/A	N/A	4 832 500	N/A	4 832 500	1 822 056	-
Spain La Palma-volcano	Regional (Art. 2(3))	1 002 496 862	457 200 400	N/A	25 062 422	N/A	25 062 422	9 449 589	5 391 796
Greece earthquake	Regional (Art. 2(3))	143 420 124	140 786 700	N/A	3 585 503	N/A	3 585 503	1 351 886	896 375
TOTAL							1 905 576 892	718 482 761	6 288 171

In accordance with Article 9(2) of the MFF Regulation, the overall annual ceiling of the SEAR is EUR 1 200 000 000 in 2018 prices or EUR 1 298 919 000 in current prices. Article 9(4) of the MFF Regulation stipulates that 25% of the overall annual SEAR allocation (EUR 324 729 750 in current prices for 2022) becomes available for all the components of SEAR as of 1 October. In accordance with the proposed DEC 18/2022, this amount will be used for humanitarian aid purposes. Also, in accordance with Article 9 (4) of the MFF Regulation, the maximum amount that can be mobilised by the EUSF is the 50% of the overall SEAR allocation after the deduction of the above mentioned 25%.

Therefore, the maximum amount that can be mobilised by the EUSF from the 2022 SEAR allocation is EUR 487 094 625, including EUR 50 000 000 that has already been inscribed in the General Budget 2022 in commitments and payments, in accordance with Article 4a (4) of the EUSF Regulation for the payment of advances. In addition, an amount of EUR 20 388 136 which corresponds to 50% of the unused SEAR amount from 2021 can also be used by the EUSF in accordance with Article 9 (2) of the MFF Regulation. Finally, in accordance with the Joint Statement by the European Parliament, the Council and the Commission on the intention to provide maximum resources for natural disasters under the EUSF strand of the SEAR in 2022, an amount of EUR 211 000 000 has not been used by the external emergencies strand of SEAR until 1 September and, therefore, in accordance with Article 9(4) of the MFF Regulation can be used for the mobilisation of the EUSF.

Therefore, the maximum amount available for this EUSF mobilisation is EUR 718 482 761, which will cover the needs under this Mobilisation Decision as outlined above.

Amount available under the EUSF:	
Annual 2022 SEAR allocation earmarked for EUSF	EUR 487 094 625
- Including amount introduced in budget 2022 for advances	EUR 50 000 000

50% of the unused 2021 SEAR allocation	EUR 20 388 136
Remaining part not used by external strand before 1 September	EUR 211 000 000
TOTAL	<i>718 482 761</i>

Proposal for a

DECISION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

on the mobilisation of the European Union Solidarity Fund to provide assistance to Germany, Belgium, the Netherlands, Austria, Luxembourg, Spain and Greece further to natural disasters that took place in these countries in the course of 2021

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 2012/2002 of 11 November 2002 establishing the European Union Solidarity Fund⁶ and in particular Article 4(3) thereof,

Having regard to the Interinstitutional Agreement of 16 December 2020 between the European Parliament, the Council and the Commission on budgetary discipline, on cooperation on budgetary matters and on sound financial management⁷ (IIA) as well as on new own resources, including a roadmap towards the introduction of new own resources, , and in particular point 10 thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The European Union Solidarity Fund ('the Fund') aims to enable the Union to respond in a rapid, efficient and flexible manner to emergency situations in order to show solidarity with the population of regions struck by major or regional natural disasters or major public health emergency.
- (2) The Fund is not to exceed the ceilings as laid down in Article 9 of Council Regulation (EU, Euratom) No 2020/2093⁸
- (3) On 1 October 2021, Germany submitted an application to mobilise the Fund, following the floods in July 2021.
- (4) On 1 October 2021, Belgium submitted an application to mobilise the Fund, following the floods in July 2021.
- (5) On 1 October 2021, the Netherlands submitted an application to mobilise the Fund, following the floods in July 2021.
- (6) On 5 October 2021, Austria submitted an application to mobilise the Fund, following the floods in July 2021
- (7) On 6 October 2021, Luxembourg submitted an application to mobilise the Fund, following the floods in July 2021.

⁶ OJ L 311, 14.11.2002, p. 3.

⁷ OJ C 373, 20.12.2013, p. 1.

⁸ Council Regulation (EU, Euratom) No 1311/2013 of 2 December 2013 laying down the multiannual financial framework for the years 2014-2020 (OJ L 347, 20.12.2013, p. 884).

- (8) On 3 December 2021, Spain submitted an application to mobilise the Fund, following the volcanic eruption on the island of La Palma on 19 September 2021. On 22 March 2022, Spain submitted an update to the application.
- (9) On 16 December 2021, Greece submitted an application to mobilise the Fund, following the earthquake in Crete on 27 September 2021.
- (10) The above mentioned applications meet the conditions for providing a financial contribution from the Fund, as laid down in Article 4 of Regulation (EC) No 2012/2002.
- (11) The Fund should therefore be mobilised in order to provide a financial contribution to Germany, Belgium, the Netherlands, Austria, Luxembourg, Spain and Greece.
- (12) In order to minimise the time taken to mobilise the Fund, this Decision should apply from the date of its adoption,

HAVE ADOPTED THIS DECISION:

Article 1

For the general budget of the Union for the financial year 2021, the European Union Solidarity Fund shall be mobilised as follows in commitment and payment appropriations in relation to natural disasters:

- (a) the amount of EUR 612 611 256 shall be provided to Germany in relation to the floods of 2021;
- (b) the amount of EUR 87 737 427 shall be provided to Belgium in relation to the floods of 2021;
- (c) the amount of EUR 4 713 027 shall be provided to the Netherlands in relation to the floods of 2021;
- (d) the amount of EUR 797 520 shall be provided to Austria in relation to the floods of 2021;
- (e) the amount of EUR 1 822 056 shall be provided to Luxembourg in relation to the floods of 2021;
- (f) the amount of EUR 9 449 589 shall be provided to Spain in relation to the volcano eruption in La Palma;
- (g) the amount of EUR 1 351 886 shall be provided to Greece in relation to the earthquake in Crete.

Article 2

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

It shall apply from ... [*the date of its adoption*]**.

Done at Brussels,

For the European Parliament

For the Council

** * Date to be inserted by the Parliament before the publication in OJ.