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INFORMATION NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
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 - Outcome of the European Parliament's first reading (Strasbourg, 16 to 19 October 2023)

I. INTRODUCTION

On 16 June 2023, the Council reached a general approach on the text of the proposed Decision as submitted by the Commission.

On 14 September 2023, the rapporteur Sara CERDAS (S&D, PT) presented a report on behalf of the Committee on the Environment, Public Health and Food Safety (ENVI) aiming at taking over the Commission proposal.

II. VOTE

The Parliament adopted its first-reading position on 17 October 2023 by taking over the Commission proposal. This position is contained in its legislative resolution.

The Council should therefore be in a position to approve the European Parliament's position as set out in the Annex hereto, thus bringing to a close the first reading for both Institutions.

The legislative act would then be adopted in the wording which corresponds to the European Parliament's position.

P9_TA(2023)0360

Union Civil Protection Mechanism

European Parliament legislative resolution of 17 October 2023 on the proposal for a decision of the European Parliament and of the Council amending Decision No 1313/2013/EU on a Union Civil Protection Mechanism (COM(2023)0194 – C9-0132/2023 – 2023/0095(COD))

(Ordinary legislative procedure: first reading)

The European Parliament,

– having regard to the Commission proposal to Parliament and the Council (COM(2023)0194),

– having regard to Article 294(2) and Article 196(2) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C9-0132/2023),

– having regard to Article 294(3) of the Treaty on the Functioning of the European Union,

– having regard to Rules 59 of its Rules of Procedure,

– having regard to the report of the Committee on the Environment, Public Health and Food Safety (A9-0266/2023),

1. Adopts its position at first reading, hereinafter set out;

2. Calls on the Commission to refer the matter to Parliament again if it replaces, substantially amends or intends to substantially amend its proposal;

3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

P9_TC1-COD(2023)0095

Position of the European Parliament adopted at first reading on 17 October 2023 with a view to the adoption of Decision (EU) 2023/… of the European Parliament and of the Council amending Decision No 1313/2013/EU to extend the rescEU transitional period

(Text with EEA relevance)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the proposal from the European Commission,

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

Acting in accordance with the ordinary legislative procedure[1],

[1] Position of the European Parliament of 17 October 2023.

Whereas:

(1) Decision No 1313/2013/EU of the European Parliament and of the Council[2] defines the legal framework of rescEU. rescEU aims to provide assistance in overwhelming situations where overall existing capacities at national level and those pre-committed by Member States to the European Civil Protection Pool are not able to ensure an effective response.

(2) With rising temperatures and prolonged periods of drought, the risk of wildfires in the Union is increasing and the wildfires are becoming more frequent and more intense. The limited availability of specialised response capacities, including amphibious aerial forest firefighting capacities, remains a major concern and constitutes the Union's main operational challenge when confronting simultaneous wildfires.

(3) In view of the necessary flexibility that has been afforded by the transitional period provided for in Decision No 1313/2013/EU to ensure a smooth transition towards the full implementation of rescEU, it is critical to extend such transitional period until 31 December 2027 to ensure that the Union can secure additional aerial rescEU capacities under the Union Civil Protection Mechanism while the permanent European aerial forest firefighting fleet is gradually being established.

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

(4) Since the objective of this Decision, namely to ensure that the Union can continue to provide support to Member States in fighting wildfires until a permanent European aerial forest firefighting fleet is established, cannot be sufficiently achieved by the Member States, but can rather, by reason of its scale and effects, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Decision does not go beyond what is necessary in order to achieve that objective.

(5) Decision No 1313/2013/EU should therefore be amended accordingly,

HAVE ADOPTED THIS DECISION:

Article 1

Amendment of Decision No 1313/2013/EU

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

Article 2

Entry into force

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

Article 3

Addressees

This Decision is addressed to the Member States.

Done at ...,

For the European Parliament	*For the Council*
The President	*The President*