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PROPOSAL

From:	Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director
date of receipt:	25 October 2024
To:	Ms Thérèse BLANCHET, Secretary-General of the Council of the European Union
No. Cion doc.:	COM(2024) 480 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 and Italy relating to floods occurred in 2024

Delegations will find attached document COM(2024) 480 final.

Encl.: COM(2024) 480 final

EUROPEAN
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Brussels, 25.10.2024
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2024/0284 (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 and Italy relating to floods occurred in 2024

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 Reglation (EC) No 2012/2002[1] (hereinafter referred to as 'the EUSF Regulation') for an amount of EUR 116 031 553 to provide assistance to Germany and Italy in relation to the natural disaster (floods) that took place in 2024.

This mobilisation is accompanied by DEC No 14/2024 that proposes to transfer the amount of EUR 116 031 553 from the European Solidarity Reserve (hereinafter referred as 'the ESR') reserve line to the EUSF operational budget line, both in commitments and payments appropriations.

2. INFORMATION AND CONDITIONS

2.1 Germany – major disaster: floods in Southern Germany in May 2024

On 30 May 2024, Germany was hit by torrential rain causing extreme flooding in Southern Germany at the beginning of June.

Subsequently, Germany applied for financial assistance from the EUSF.

(1) On 20 August 2024, Germany submitted an application for a financial contribution from the EUSF to finance emergency and recovery operations following the floods in Southern Germany in May 2024.

(2) Germany applied for a contribution from the EUSF within the deadline of 12 weeks after the first damage caused by the disaster occurred on 30 May 2024. The application contains all the information required under Article 4 of the EUSF 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 4 139.9 million. The Commission accepted EUR 4 131.6 million as plausible total direct damage. This amount exceeds the 'major natural disaster' threshold for Germany of EUR 3 billion in 2011 prices, which is EUR 3.8 billion in 2024 prices. Therefore, the disaster qualifies as a 'major natural disaster' according to Article 2(2) of the EUSF Regulation.

(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 and recovery operations as defined in Article 3 of the EUSF Regulation.

[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, ELI: http://data.europa.eu/eli/reg/2002/2012/oj) 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, ELI: http://data.europa.eu/eli/reg/2014/661/oj) 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, ELI: http://data.europa.eu/eli/reg/2020/461/oj).

(6) Germany did not request the payment of an advance pursuant to Article 4a of the EUSF Regulation.

(7) On 30 May 2024, torrential rain hit the states of Bavaria and Baden-Württemberg causing extreme flooding in Southern Germany at the beginning of June. The water levels in many places exceeded historic highs and a state of emergency was declared in 18 Bavarian districts. The flood disaster led to 6 fatalities and the failure of several dams in the region, requiring the evacuation of several municipalities and rescue missions. Floodwaters and debris flow damaged bridges, rail networks and roads, impacting overland travel in the affected areas. Train services were severely affected and in one instance an express train carrying 185 passengers was derailed after a landslide.

(8) The German authorities did not request assistance through the European Union Civil Protection Mechanism (UCPM).

(9) Germany estimated the cost of operations eligible under Article 3(2) of the EUSF Regulation at EUR 235 million and presented the costs broken down by type of operation. The largest share of the cost of emergency operations concerns the restoration of the working order of infrastructure and plants in the fields of energy, water and wastewater, telecommunications, transport, health, and education amounting to EUR 132 million. The second largest share of cost concerns securing the preventive infrastructure and measures of protection of cultural heritage amounting to EUR 72.9 million. The third largest share of cost concerns temporary accommodation and rescue services and amounts to EUR 27.5 million. The costs concerning cleaning up of the disaster-stricken area amount to EUR 2.6 million.

(10) Directive 2007/60/EC[2] has been fully transposed in Germany by the Water Management Act. Implementation of the Act is monitored at the *Länder* level.

(11) At the date of submitting the application, Germany was not subject to infringement proceedings concerning Union legislation relating to the nature of the disaster.

(12) The German authorities indicated that insured damage is primarily for private households and businesses, and that public sector damage is not covered by insurance. Thus, the German authorities did not indicate any insurance coverage of eligible cost.

2.2 Italy – regional disaster: floods in the Valle d'Aosta region

On 29 June 2024, Italy suffered violent storms resulting in the overflow of rivers and streams in the Autonomous Region of Valle d'Aosta.

Subsequently, Italy applied for financial assistance from the EUSF.

(1) On 20 September 2024, Italy submitted an application for a financial contribution from the EUSF to finance emergency and recovery operations following the floods in the Autonomous Region of Valle d'Aosta of Italy on 29 June 2024.

[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, OJ L 288, 6.11.2007, p. 27.

(2) Italy applied for a contribution from the EUSF within the deadline of 12 weeks after the first damage caused by the disaster occurred on 29 June 2024. The application contains all the information required under Article 4 of the EUSF Regulation.

(3) The disaster 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 EUSF 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 Italian authorities estimate the total direct damage caused by the disaster at EUR 158.39 million. This amount exceeds the indicated applicable threshold for “regional disaster”, which is EUR 71.05 million for the Valle d’Aosta region in 2024[3].

(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 and recovery operations as defined in Article 3 of the EUSF Regulation.

(6) Italy did not request the payment of an advance pursuant to Article 4a of the EUSF Regulation.

(7) On 29 June 2024, violent storms brought significant rainfall resulting in the overflow of rivers and streams. The torrential flooding caused extensive damage to the infrastructure, disruption of services and isolation of communities in the autonomous region of Valle d’Aosta. 58% percent of the municipalities in Valle d'Aosta were affected by the flooding. The land area affected is about 66% of the total land area of the region. The most affected municipalities included Aymavilles, Cogne and Valtournenche. More than 52 000 inhabitants and 4 800 businesses were directly affected by the disaster.

(8) The Italian authorities did not request assistance through the European Union Civil Protection Mechanism (UCPM). However, the Italian Civil Protection Department has kept the Emergency Response Coordination Centre (ERCC) of the Directorate-General for European Civil Protection and Humanitarian Aid Operations of the European Commission updated on the progress of disaster management activities.

(9) Italy estimated the cost of operations eligible under Article 3(2) of the EUSF Regulation at EUR 39 million and presented it broken down by type of operation. The largest share of the cost of emergency operations concerns the restoration of the working order of infrastructure and plants in the fields of energy, water and wastewater, telecommunications, transport, health, and education amounting to EUR 26.3 million. The second largest share of cost concerns securing the preventive infrastructure and measures of protection of cultural heritage amounting to EUR 10 million. The third largest share of cost concerns the cleaning up of the disaster-stricken area amounting to EUR 1.7 million. The costs concerning temporary accommodation and rescue services amount to EUR 0.7 million.

(10) Italy transposed Directive 2007/60/EC through the Legislative Decree of 23 February 2010, n. 49, which states that flood hazard maps and flood risk maps need to be adopted for areas identified according to the same piece of legislation. In addition,

[3] The application was submitted in 2024 therefore the applicable threshold is 2024 threshold.

before 22 December 2015 a flood risk management plan divided into river basin districts was approved.

(11) At the date of submitting the application, Italy was not subject to infringement proceedings concerning Union legislation relating to the nature of the disaster.

(12) The Italian authorities did not indicate any insurance coverage of the eligible costs.

2.3 Conclusion

In light of the considerations set out above and following the assessment of the submitted information, the Commission concludes that the disasters referred to in the applications submitted by Germany and Italy meet the conditions set out in the EUSF Regulation for mobilising the EUSF.

3. FINANCING

Council Regulation (EU, Euratom) 2020/2093 of 17 December 2020 laying down the multiannual financial framework for the years 2021-2027[4] (hereafter the "MFF Regulation"), allows for the mobilisation of the EUSF in the context of the Solidarity and Emergency Aid Reserve (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 management[5] (IIA) as well as on the 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, cf. Article 2(2) EUSF Regulation) 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 remains below the national threshold, is 2.5% of total direct damage.

The methodology for calculating the aid was set out in the 2002-2003 Annual Report on the EUSF and accepted by the the European Parliament and the Council. The Commision therefore proposes to the budgetary authority to mobilise the following amounts for Germany's and Italy's applications.

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4 OJ L 433I, 22.12.2020, p. 11, ELI: http://data.europa.eu/eli/reg/2020/2093/oj.

5 OJ L 433I, 22.12.2020, p. 28, ELI: http://data.europa.eu/eli/agree_interinstit/2020/1222/oj.

Disaster	Total direct damage (EUR)	Applied disaster threshold (EUR)	2.5% of total direct damage up to the major disaster threshold (EUR)	6% of direct damage above the major disaster threshold (EUR)	2.5% of total direct damage (EUR)	Total amount of aid proposed (EUR)	Advance (EUR)	Balance to be paid (EUR)
Germany – flood *(major disaster)*	4 131 673 024	3 880 820 000	97 020 500	15 051 181	NA	112 071 681	NA	112 071 681
Italy (Valle d'Aosta)– flood *(regional disaster)*	158 394 907	71 054 400	NA	NA	3 959 872	3 959 872	NA	3 959 872
					TOTAL	**116 031 553**	**NA**	**116 031 553**

Council Regulation (EU, Euratom) 2024/765[6] of 29 February 2024 amending Regulation (EU, Euratom) 2020/2093 laying down the multiannual financial framework for the years 2021-2027 split the Solidarity and Emergency Aid Reserve (SEAR) in two separate instruments: the European Solidarity Reserve and the Emergency Aid Reserve. The European Solidarity Reserve with an annual amount of EUR 1 016 million (in 2018 prices, corresponding to EUR 1 144.2 million in 2024 prices) will be used for assistance to respond to emergency situations covered by the EUSF.

In line with Article 3(7) of the EUSF Regulation and Article 9(2), second subparagraph, of the MFF Regulation, 25% of the annual EUSF allocation (i.e. EUR 286 million for 2024) is made available on 1 October of each year.

Finally, in accordance with Article 4a(4) of the EUSF Regulation, the amount of EUR 50 million has been already inscribed in the EU general budget 2024 (in commitments and payments appropriations) for the payment of possible advances.

Therefore, the maximum amount that can be used by the EUSF from the 2024 European Solidarity Reserve allocation at this stage, advances excluded, is EUR 297 420 718 which allows covering the payment needs of this mobilisation.

Amount available under the EUSF in 2024:	
Total annual 2024 EUSF allocation (incl. 1 October tranche)	1 144 181 018
Credits reserved for advance payments (-)	50 000 000
Amount mobilised under 1st Mobilisation Decision[7] (-)	796 760 300
Amount available for Mobilisation (excl. advances)	297 420 718
Amount proposed for mobilisation under 2nd Mobilisation Decision	116 031 553
Amount still available for advance payments	12 926 996
Remaining amount for future applications (inc. for advances)	194 316 161

[6] Council Regulation (EU, Euratom) No 2024/765 of 29 February 2024 amending Regulation (EU, Euratom) 2020/2093 laying down the multiannual financial framework for the years 2021 to 2027 (OJ L, 2024/765, 29.2.2024, ELI: http://data.europa.eu/eli/reg/2024/765/oj).

[7] COM(2024) 325

For information purposes, in 2024, out of the EUR 50 million already inscribed in the 2024 EU general budget for advance payments, the Commission has already paid an advance to Greece regarding floods from cyclone “Daniel” in amount of EUR 25 382 237 and an advance to France regarding the floods in the former Nord-Pas-de-Calais region in amount of EUR 11 690 767. Accordingly, the remaining available amount for advances is EUR 12 926 996. In addition to this amount, the remaining availabilities are EUR 297 420 718, which makes the total remaining availabilities amount to EUR 310 347 714. After adoption of this Mobilisation Decision, remaining availabilities will amount to EUR 194 316 161. In accordance with Article 9(2) of the MFF Regulation, any portion of the annual amount not used in 2024 may be used in 2025.

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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 Fund[8] and in particular Article 4(3) thereof,

Having regard to Council Regulation 2020/2093 of 17 December 2020 laying down the multiannual financial framework for the years 2021 to 2027[9], and in particular Article 9 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 management[10] (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) 2020/2093, as amended by Regulation (EU, Euratom) 2024/765[11].

(3) On 20 August 2024, Germany submitted an application to mobilise the Fund following the floods in Southern Germany in May 2024.

(4) On 20 September 2024, Italy submitted an application to mobilise the Fund following the floods in the Autonomous Region of Valle d'Aosta of Italy on 29 June 2024.

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8 OJ L 311, 14.11.2002, p. 3, ELI: http://data.europa.eu/eli/reg/2002/2012/oj.

9 OJ L 433I, 22.12.2020, p. 11, ELI: http://data.europa.eu/eli/reg/2020/2093/oj.

10 OJ L 433I, 22.12.2020, p. 28 ELI: http://data.europa.eu/eli/agree_interinstit/2020/1222/oj.

11 Council Regulation (EU, Euratom) No 2024/765 of 29 February 2024 amending Regulation (EU, Euratom) 2020/2093 laying down the multiannual financial framework for the years 2021 to 2027 (OJ L, 2024/765, 29.2.2024, ELI: http://data.europa.eu/eli/reg/2024/765/oj).

(5) 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.

(6) The Fund should therefore be mobilised in order to provide a financial contribution to Germany and Italy.

(7) 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, 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 112 071 681 shall be provided to Germany in relation to floods in May and June 2024.

(b) the amount of EUR 3 959 872 shall be provided to Italy in relation to floods of 29 June 2024 in the Autonomous Region of Valle d'Aosta

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
The President

For the Council
The President

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