



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 27 November 2009

16696/09

**CAB 61
PROCIV 189
JAI 881
RELEX 1137
COCON 40
DEVGEN 345
AGRI 530
SAN 342**

"I/A" ITEM NOTE

From : Presidency
To : Permanent Representatives Committee/Council
Subject : Presidency Report on Reinforcing the European Union's capacities to prevent and respond to disasters

1. Delegations will find attached a Presidency Report on Reinforcing the European Union's capacities to prevent and respond to disasters, including a Roadmap on future action.
2. COREPER is asked to take note of the report with a view to forwarding it to the Council for endorsement.

Presidency Report on Reinforcing the European Union's capacities to prevent and respond to disasters

INTRODUCTION

1. Over the past ten years we have seen an increase in frequency as well as extent of major emergencies, both inside and outside the European Union. Globalisation as well as EU integration have led to closely linked and interconnected societies. European populations are exposed to manifold threats: increasing number and scale of natural disasters caused by climate change, terrorist attacks, hostile as well as unintentional releases of disease agents and pathogens, unpredictable flu outbreaks or rapidly escalating infrastructure failures. The transboundary nature of these threats and disasters create new challenges to long-standing disaster management practices.
2. The European Union has a key role in responding to these challenges. To this end, the Union is gradually building a disaster management system. The basic principle is an all-hazard approach covering natural and man-made disasters, including terrorist attacks, and an integrated approach, covering the whole disaster cycle encompassing prevention, preparedness, response and recovery for actions both inside and outside the Union.
3. In order to build a more comprehensive and resilient system, the Union needs to pay further attention to the multi-sectoral aspects of disaster management. It is therefore important to continue to improve horizontal coordination in and between the Council, the Commission and the Member States.
4. In 2009 the EU has taken significant steps in improving its disaster management capability.

5. A strong political signal will be given by the entry-into-force of the Lisbon Treaty. The Treaty will enable the step-change in EU disaster management and solidarity amongst Member States for which the ground has been laid over the last decade.
6. Another important contribution to the development of disaster management is the adoption of the Stockholm Programme. It defines the priorities and parameters for further development of an area of freedom, security and justice for the period 2010-2014 and reflects central concerns of the European citizens. The Stockholm Programme calls for the establishment of an EU Internal Security Strategy, of which the further improvement of the EU's capacities to prevent and respond to all kind of disasters will form an important part. The need for a horizontal and cross-cutting approach in order to deal with complex crisis or man-made disasters is mentioned explicitly as one of the main principles underlying the Strategy.
7. The Presidency report summarises the progress achieved in 2009 to improve the Union's ability to prevent and respond to disasters and proposes a roadmap with an overview of the work for 2010.

EU EMERGENCY AND CRISIS COORDINATION ARRANGEMENTS (CCA)

8. The fourth exercise in the framework of the EU Emergency and Crisis Coordination Arrangements (CCAEX09) took place from 25-29 September 2009. Besides exercising the required political coordination at EU level in the context of a complex situation, CCAEX09 had as specific aim to exercise information-sharing between involved actors and how to deal with media aspects of crisis. The scenario combined a hostage-taking situation of EU- and national officials in a simulated African country with an alleged anthrax terror attack on EU business companies and a major cyber-attack on a number of Member States. Some Member States took the exercise as opportunity to conduct exercises at a national level. Unlike previous exercises, CCAEX09 was conceived as an “event-driven” exercise where participants had to respond to events as these unfolded.

9. To follow-up on the lessons learned from gathered experience over the years since the establishment of the CCA, a review process was initiated aimed at turning the CCA into a more flexible instrument for large scale crisis. A workshop on the theme CCA, Challenges for the future, identified key areas such as a more developed system for information-sharing and exercises as well as more stringent steering documents as important improvements for the future functioning of the CCA.

CIVIL PROTECTION

10. Cooperation at EU level in civil protection has developed in accordance with the decisions on establishing a civil protection mechanism in 2001, which was recasted in 2007, and in the creation of a financial instrument. This has happened against a background of more than 100 activations of the Community Civil Protection Mechanism and its Monitoring and Information centre ("MIC"), with a sharp increase over the years.
11. In 2009, the MIC received more than 20 requests for assistance and interventions covered three continents: Europe, Africa and Asia-Middle East. The main emergencies handled were floods in Namibia (March) and in Tajikistan (May), the earthquake in Italy (April), Typhoon Morakot in Taiwan (August) and the forest fires in Southern Europe over the summer.
12. Experiences gained and lessons learnt from these interventions as well as from numerous exercises have allowed for good progress in the area of the civil protection cooperation.
13. The entry-into-force of the Treaty will have an important impact on the further development of this policy area: the Treaty provides for a specific legal base for cooperation in civil protection, thereby recognizing its role in future EU disaster management. An important change is that qualified majority voting and co-decision with the European Parliament will apply to future legislation.

14. The Lisbon Treaty will open the door to further progress. New legislative proposals are expected following the Commission evaluations on the Civil Protection Mechanism and certain aspects of the Civil Protection Financial Instrument to be submitted before the end of 2010.
15. The main civil protection actions undertaken in 2009 on the three major objectives - prevention, preparedness and response - are presented below.

Prevention

16. Prevention is an essential element of the full disaster management cycle. The prevention of disasters and the mitigation of their social, economic and environmental impact requires that the different policies, instruments and services available to the Community and the Member States are brought together, whilst balancing national responsibility and European solidarity.
17. In February 2009, the Commission submitted to the Council a Communication on "A Community Approach on the prevention of natural and man-made disasters"¹ in order to initiate a comprehensive and integrated approach to the EU's prevention policy within the EU. Action in this field has become particularly important in view of the increasing number of forest fires, floods and droughts, within the Union and related damage and cost.
18. In July 2009, a Workshop on disaster prevention² confirmed the added value of action at EU level, identified three main elements for action: developing a comprehensive knowledge base with a view to providing policy-relevant information at all levels of government, the mobilisation of all relevant players and inter-linkages between them and the need for a consistent prevention framework at EU level. Furthermore, it was acknowledged that a Community disaster prevention framework should build on existing knowledge and systems in order to avoid duplication.

¹ 7075/1/09

² 27-29 July 2009, Stockholm, Sweden. (12775/09)

19. On 30 November 2009, the Council adopted Conclusions on a Community framework on disaster prevention within the EU³. The conclusions call on the Commission and Member States to take initial actions, within the existing legal structure for civil protection, towards a Community framework by focusing on developing knowledge-based prevention policies; linking actors and policies throughout the disaster management cycle and improving the effectiveness of existing financial and legislative instruments.

Preparedness

20. In June 2009 the Council adopted conclusions on civil protection awareness raising⁴, following a seminar arranged on this subject in February. The conclusions calls on the Member States and the Commission to continue to develop their work aimed at providing targeted public information and/or education on what to do before, during and after an emergency. This will contribute to enhance the security of rescue personnel in the EU, as well to enhancing the knowledge and skills of diplomatic personnel *inter alia* by means of training and information activities with regard to civil protection.
21. As regards Early Warning Systems, the key priority remains to identify possible gaps in the availability of EWS for all types of hazards. So far gaps have been identified in the areas of tsunami warning systems for the Eastern Atlantic and Mediterranean Region as well as for coastal and inland flooding.
22. On 11 February 2009 a Tripartite Declaration (Commission, Council and European Parliament) established the "112 day"; with the aim to enhance the knowledge about the 112 number, e.g. by exchanging best practices and lessons learned.

³ 15394/09

⁴ 9976/09

Enhancing the civil protection response to major disasters

23. Civil Protection modules are made of national resources from one or more Member States on a voluntary basis. They constitute a new concept of organising assets in accordance with the Council Decision on a Community Civil Protection Mechanism (recast).⁵ The implementing rules for the modules describe them as task-and needs-driven pre-defined arrangements of resources, available for a wide range of emergencies; they have to be flexible, mobile, independent, self-sufficient and interoperable with international organisations within and outside of the EU and be operational in the shortest possible time period. By October 2009, 85 civil protection modules have been registered with the Commission and this work continues.
24. In 2009, civil protection modules and other assets have been deployed, in particular in the area of forest fire. Also, more than 30 experts and MIC liaison officers have been deployed in 2009 to emergencies inside and outside the EU, with two main roles: to assist in the assessment of the needs and to facilitate coordination with the affected country and other actors present on the ground.
25. This increased focus on needs assessment and coordination has contributed to an improved needs based approach, thereby helping the Member States to better identify the assistance required.
26. A Commission pilot project on the initiative and financing of the European Parliament to step up cooperation between the Member States on combating forest fires has been implemented.

⁵ OJ L 314, 1.12.2007, p.9

Further strengthened cooperation and coordination with the United Nations

27. Coordination with the UN, which has an overall coordinating role in disaster response outside the EU, has developed significantly over the past years. In November 2008, the Council invited the Commission to enhance its cooperation with the United Nations by measures leading to increased synergy of action through, *inter alia*, mutual knowledge of practice and developing the coordination of relevant EU and UN training activities. In accordance with the agreed approach, different models of cooperation with the UNDAC system have since then been tried and tested. In some cases UNDAC and EU Civil protection teams on the ground have performed fully joint assessment missions and produced joint reports (Namibia). In other cases, UN OCHA has requested the MIC to provide an associated expert to work within the UNDAC team on a very specific segment of expertise (Benin floods, Burkina Faso). Two exercises were held with UN in 2009: INSARAG exercise in Armenia, 23-26 March 2009, and EU-SweNor Ex in May 2009 in Sweden.

DISASTER RISK REDUCTION

28. On 18 May 2009 the Council adopted Conclusions on an EU Strategy for Supporting Disaster Risk Reduction in Developing Countries. These Conclusions endorse the overall objective and the main areas for interventions proposed by the Commission in its Communication⁶ and request the European Commission to prepare, in close cooperation with Member States, an Implementation Plan clarifying key actions, responsibilities, main instruments and sequencing of implementation. To this effect an EU Disaster Risk Reduction Steering Group has been set up and is currently preparing the requested draft Implementation Plan.

⁶ Communication from the Commission - "EU Strategy for supporting Disaster Risk Reduction in Developing Countries ", doc. 6891/1/09 REV 1 + 6891/09 ADD 1 + ADD 2 + ADD 3 - COM(2009) 84 final.

29. The Strategy promotes a shift from support for isolated disaster risk reduction activities to a more comprehensive approach in which disaster risk reduction will be addressed as an integral part of EU development cooperation and humanitarian assistance. The Strategy identifies objectives, priority areas for intervention and ways for the EU Member States and the European Commission to work better together. This should also lead to more effective cooperation between humanitarian and development actors and will eventually contribute to the overall implementation of the Hyogo Framework for Action.

HUMANITARIAN AID

30. With the adoption of the European Consensus on Humanitarian Aid⁷ in 2008, there emerged a need for regular discussion on policy and implementation issues. To this effect, COREPER extended and adapted the mandate of the Working Party on Food Aid, henceforth to be referred to as the "Working Party on Humanitarian Aid and Food Aid.
31. The newly established Working Party has effectively started working in January 2009. Apart from setting up the organisational framework and making the Working Party operational and actively involved in Council work, various substantial humanitarian issues and on-going humanitarian crises have been discussed in the Working Party.
32. The Commission provides humanitarian assistance to the victims of natural or man-made disasters in third countries. So far in 2009 the Commission has provided needs-based response to humanitarian crises in 56 countries, totalling €920 million. This funding includes the DIPECHO programme - i.e. funding to prepare for and reduce risks faced by the most vulnerable communities, and those most exposed to natural disasters."

⁷ OJ C 25 of 30 January 2008, p. 1.

CONSULAR ASSISTANCE

33. Besides further refining the Lead State Concept, two papers have been studied and adopted by the Consular Affairs working group, as part of the consular guidelines already approved by the Council: an "Internal Information Strategy", aimed at ensuring proper training of consular staff on issues derived from obligations under the treaties; and a paper on "Consular Crisis Coordination", aimed at strengthening cooperation during consular crises affecting several Member States. The Commission will assist in the development of a "training kit" on EU-related obligations, to be used by Member States in their national training of staff to be posted abroad. Work has also been initiated to develop the next generation of European emergency travel documents (ETDs) containing new security features. A Troika meeting has been held with the US to discuss issues of common concern and possibilities for strengthened cooperation in third countries. Training sessions for Member State's consular staff have been organised, facilitating the exchange of information and best practise between actors in the field of consular protection.

CHEMICAL, BIOLOGICAL, RADIOLOGICAL AND NUCLEAR THREATS AND RISKS (CBRN)

34. A CBRN conference held in Prague in January 2009 welcomed the final report of the CBRN Task Force, which had been set up by the Commission in early 2008 with the aim to help to develop its policy on CBRN. Based on an all-hazard approach, the Task Force had considered ways of preventing/lowering the risks posed by C, B, R and N materials, and enhancing the capacity of the Union to prevent, detect and respond to CBRN terrorist attacks.

35. In June 2009, the Commission submitted a Communication on Strengthening Chemical, Biological, Radiological and Nuclear (CBRN) Security in the European Union including an EU CBRN Action Plan acting across all concerned sectors. On 30 November 2009, the JHA Council adopted the EU CBRN Action Plan and Council conclusions⁸ calling on the Commission and the Member States to undertake its implementation in order to enhance preventive, detection and response measures in the field of CBRN threats and risks, giving special attention to the implementation of key actions identified in the Action Plan.

PROTECTION OF CRITICAL INFRASTRUCTURE (EPCIP)

36. The disruption or destruction of essential critical infrastructure could have significant cross-border impacts. The entry into force of Council Directive 2008/114/EC on the identification and designation of European critical infrastructures (ECIs) and assessment of the need to improve their protection⁹ in January 2009, constituted a first step in a gradual approach to reducing the vulnerability of such infrastructure focusing on the areas of transport and energy. The work on European Programme for Critical Infrastructure Protection¹⁰ is on-going, including its external dimension, and the development of Critical Infrastructure Warning Information Network (CIWIN).
37. Furthermore, on 30 March 2009, the Commission presented a Communication "Protecting Europe from large scale cyber-attacks and disruptions: enhancing preparedness, security and resilience". Council conclusions related to this Communication are expected to be adopted by the Council in December 2009.

⁸ 15505/09

⁹ 23.12.2008, OJ L 345, p.75.

¹⁰ 16932/06

COUNTER TERRORISM

38. The European Council requested a regular reporting on the implementation of the Action Plan to combat terrorism the EU, summarising progress and state of play regarding ratification of the Conventions and implementation of the legislative acts regarded as having priority¹¹. The latest report on the implementation of the EU Action Plan is combined with an overall update of the EU Action Plan on combating terrorism.
39. The EU Action Plan on preventing radicalisation and recruitment, first adopted in 2007, complemented by an implementation plan, was approved by the Council in June 2009. It shows a mixed picture as to how much has been achieved. Since then important work has been set in motion: a number of seminars, conferences and studies were organised by Member states, the presidency and the Commission, i.a. concerning the role of local or community police and of local professionals with regard to countering polarisation and radicalisation, the radicalisation in prisons and the non-legislative measures to prevent the distribution of violent radical content on the Internet.
40. Further progress has also been made in the work on enhancing the security of precursors to explosives. In June 2009 the Commission presented an interim report on the implementation of the Action Plan on Enhancing the Security of Explosives. The creation of the European Explosive Ordnance Disposal Network (EEODN) is one of the achievements in implementing the Plan. In October, the Commission and the Presidency organised in Stockholm a conference on "Enhancing the security of explosives". The Early Warning System (EWS) is currently being developed by a Member State in partnership with Europol. Its presentation implementation and deployment to all Member States is foreseen for the first half of 2010.

¹¹ The latest version of the Action Plan to Combat Terrorism covering the first 6 month of 2009, is contained in documents 9715/1/09.

41. The response to terrorism has to include solidarity, assistance and compensation of the victims of terrorism and their families. By November 2009 all the Member States will have been evaluated in the framework of the second round of the peer evaluation of national counter-terrorism arrangements focusing on preparedness and consequence management. The final report is due in the beginning of 2010.

HEALTH SECURITY

42. Threats to public health are a permanent cause of concern for health authorities all over the world. In order to be prepared to face threats likely to affect public health in the EU, the Member States and the Commission collaborate to develop preparedness and response activities.

Pandemic (H1N1)

43. On 30 April 2009, the Council adopted conclusions on Influenza A/H1N1 Infection, inviting the Member States to take all appropriate measures to ensure the most efficient protection to citizens in accordance with the World Health Organisation, to continuously share information on the evolution of the pandemic, to work together in providing consistent information and guidance to citizens and to cooperate in facilitating the development of vaccines. The Council expressed also its solidarity with the most affected countries and declared its readiness to examine the possible ways assist them in the response to the pandemic.
44. On 11 June 2009 the World Health Organisation raised the level of influenza pandemic alert from phase 5 to phase 6, which corresponds to the worldwide spread of the virus Influenza A/H1N1.

45. On 15 September 2009, the Commission presented a Communication on Pandemic (H1N1) 2009 accompanied by five Commission staff working documents which focus on vaccine development, vaccination strategies, joint procurement of vaccines, communication to the public and support for the third countries.
46. Within the Council structures the Presidency decided to reactivate of the Friends of the Presidency group that was set up for Avian flue. The Council adopted conclusions on Pandemic (H1N1) 2009 on 12 October 2009. These conclusions concentrate on a strategic approach to the pandemic covering key issues such as: availability of vaccines, vaccination strategy, regulatory process for vaccine authorisation and post-market monitoring, information and communication to the public and cooperation with third countries. The Council also emphasised the need for Member States to work together on multi-sectoral issues, notably transport, energy and information and telecommunications sectors, in order to mitigate the possible economic and social impact of this and future pandemics and other similar health threats.

Animal Disease-related crisis

47. In order to place prevention at the top of the agenda, the Commission prepared a new EU Animal Health Strategy (2007-2013) which includes i.a. the prioritisation of EU intervention; better prevention, surveillance and crisis preparedness; especially biosecurity measures at farm level and improvement of the bio-preparedness of the EU.
48. Following the Council conclusions of December 2007 on the new EU Animal Health Strategy, the Commission has presented an action plan and has engaged in a broad stakeholder consultation in view of presenting a proposal for a renewed EU framework for animal health legislation ("Animal health Law") by the end of 2010.

49. In the interest of a rapid and coordinated response to crisis, Member States have to draw up contingency plans for notifiable diseases. These rules provide in certain cases for the establishment of control or crisis centres with associated experts to coordinate the fight, in relation with the Commission.

1. On overview of the work for 2010, detailed in the report, will be found in the roadmap annexed herewith as annex 2.
2. The Council will be informed about progress achieved by December 2010.

ROADMAP - Non-exhaustive overview of work for 2010**LISBON TREATY**

- The Lisbon Treaty contains new provisions concerning the policy areas covered by this report, such as consular protection, public health, civil protection , humanitarian aid, and in particular the "Solidarity Clause" in Article 222 TFEU.

Swift implementation of the Treaty provisions is the overarching task for the coming year.

Member States and Commission to make full use of Lisbon Treaty in order to bring about improvement of the EU's emergency management capacity as quickly as possible.

- As regards EU emergency management, the Solidarity Clause can be seen as an " umbrella provision", reflecting the call for solidarity amongst Member States incorporated in the Treaty.

As such, its implementation will be crucial for the necessary improvement of EU action to prevent and respond to disasters.

According to Article 222 paragraph 3 of the Lisbon Treaty, "the arrangements for the implementation by the Union of the solidarity clause shall be defined by a decision adopted by the Council acting on a joint proposal by the Commission and the High Representative of the Union for Foreign Affairs and Security Policy".

Commission and High Representative of the Union for Foreign Affairs and Security Policy to submit the proposal on the implementing decision for the Solidarity Clause.

STOCKHOLM PROGRAMME

- The Stockholm Programme calls for the establishment of an EU Internal Security Strategy, of which EU emergency management policies will form an important part.
- Council and Commission to start considerations on the Strategy as early as possible.
- The Stockholm Programme contains specific mandates for a comprehensive and effective EU disaster management. The processes for the implementation of these mandates are ongoing or planned to start in the year 2010, with the main aspects listed in the following parts of this Roadmap.

EU EMERGENCY AND CRISIS COORDINATION ARRANGEMENTS (CCA)

Drawing on lessons learned from previous exercises and experiences, key areas for improvement of the CCA were identified at a workshop on the CCA in October 2009. The review process will continue during 2010, in parallel with the work on preparing CCAEX10.

CIVIL PROTECTION

Prevention within the EU

- a) Before the end of 2010, the European Commission to:
 - develop, together with Member States, Community guidelines, taking into account work at national level on methods of hazard and risk mapping, assessments and analyses
 - present relevant initiatives for disaster prevention in the EU

- b) Before the end of 2012, the European Commission to:
- develop together with the Member States guidelines on minimum standards for hazard-specific disaster prevention, in particular for types of risks that are shared by Member States or regions in different Member States
 - prepare, on the basis of national risk analysis, a cross-sectoral overview of the major natural and man-made risks that the Community may face in the future
- c) Before the end of 2011, Member States to:
- further develop national approaches and procedures to risk management including risk analyses
 - make available to the Commission information on risks of relevance for the development of an overview of the major risks the Community may face in the future

Enhancing the civil protection response to major disasters

- Member States to continue to develop and/or identify civil protection modules on a voluntary basis and to register them as soon as possible, paying particular attention to those modules that are not yet or only partially covered
- Member States, supported by the Commission, to continue work for interoperability of module
- Commission to report on the pilot project to step up cooperation between Member States on combating forest fires

Further strengthened cooperation and coordination with the United Nations

- Commission to evaluate and report on the measures mentioned no later than by the end of 2009, and to submit proposals where appropriate

Review of the civil protection legal framework

- The Council Decision establishing a Civil Protection Financial Instrument foresees the presentation by the Commission of an interim evaluation report on the results obtained and the qualitative and quantitative implementation of the Decision and
- the Council Decision establishing a Community Civil Protection Mechanism foresees the presentation by the Commission of a three-yearly report on the evaluation of the Decision before the end of 2010

HUMANITARIAN AID

- A **mid-term review** of the Action Plan and of the implementation of the European Consensus on Humanitarian Aid is foreseen for 2010.

CHEMICAL, BIOLOGICAL, RADIOLOGICAL AND NUCLEAR THREATS AND RISKS (CBRN)

- Member States and the Commission to implement the CBRN Action Plan, in particular, the implementation of the key actions identified in the Action Plan should be initiated in 2010. The Commission will report back to the Council on a regular basis on the implementation of the EU CBRN Action Plan and submit a comprehensive progress report for the first time by the end of 2011.

PROTECTION OF CRITICAL INFRASTRUCTURE (EPCIP)

Following the end of the pilot phase of CIWIN in 2010, discussions on the future of the network are foreseen.

COUNTER TERRORISM

In early 2010, a report will be presented that concludes the second round of counter-terrorism peer evaluation, which started in 2007, focusing on preparedness and consequence management. The country reports resulting from the evaluation visits and the final evaluation report will collect best practices in this field from all Member States and present recommendations, specific and general, for the MS and EU.

On security of explosives:

- January 2010: presentation of the impact assessment report
- First half of 2010: presentation implementation and deployment of the Early Warning System to all Member States

HEALTH SECURITY

Multisectoral issues

Taking into account that pandemics may have an impact on productivity and the ability to maintain the continuity of essential services in the Member States, the Council invited the Member States to cooperate in the exchange of strategic and operational information, and it invited the Commission to:

- report on the national planning assumptions used by the Member States for the pandemic
- provide overview on the existing Community provisions and Member States' capacities for managing cross-border, intersectoral and transboundary disruptions resulting from pandemics
- update its communication on "preparedness and response planning in the European Community" of November 2005

The Commission to present in 2010 a communication proposing a long-term solution for the Community framework for health security accompanied by a legislative proposal and adapt the status of the Health Security Committee.

Animal Disease-related crisis

Following the Council conclusions of December 2007 on the new EU Animal Health Strategy, the Commission has presented an action plan and has engaged in a broad stakeholder consultation in view of presenting a proposal for a renewed EU framework for animal health legislation ("Animal health Law") by the end of 2010.
