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PROPOSAL

From:	Secretary-General of the European Commission, signed by Mr Jordi AYET PUIGARNAU, Director
date of receipt:	7 March 2019
To:	Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of the European Union
No. Cion doc.:	COM(2019) 125 final
Subject:	Proposal for a DECISION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Decision No 1313/2013/EU of the European Parliament and of the Council on a Union Civil Protection Mechanism

Delegations will find attached document COM(2019) 125 final.

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2019/0070 (COD)

Proposal for a

DECISION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

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

(Text with EEA relevance)

EXPLANATORY MEMORANDUM

1. CONTEXT OF THE PROPOSAL

• Reasons for and objectives of the proposal

Article 19 of Decision No 1313/2013/EU on a Union Civil Protection Mechanism[1] ('Union Mechanism') as well as related provisions, refer to the financial envelope available in support of civil protection under the current multiannual financial framework (2014- 2020). Given that the current multiannual financial framework period is drawing to an end, these provisions need to be amended to ensure continued financing for the Union Mechanism.

The scope of this amendment is strictly limited to the budgetary provisions of Decision No 1313/2013/EU and should not modify the substance. The proposed amendment is in line with the Commission proposal for the 2021-2027 multiannual financial framework of 2 May 2018[2]. The amount indicated in this proposal also mirrors the level of ambition set by the Commission in its proposed revision of Decision No 1313/2013/EU of 23 November 2017 (rescEU proposal)[3].

This proposal provides for a date of entry into force as of 1 January 2021 and is adapted to a Union of 27 Member States, in line with the UK's intention to withdraw from the EU and Euratom.

• Consistency with existing policy provisions in the policy area

This proposal provides the necessary budgetary resources to support a strengthened Union Mechanism. The latter contributes to the overarching objective of working towards a 'Europe that Protects' set by the Commission in its Communication on the 2021-2027 multiannual financial framework[4].

Under the new proposal, funding related to civil protection has been subsumed into one heading (Heading 5 'Security and Defence'), alongside other protection-related programmes. This heading will encompass both the internal and external dimensions of civil protection.

• Consistency with other Union policies

The proposed amendment will provide the necessary resources to foster synergies and to enhance existing relations between the Union Mechanism and other EU policies.

This amendment will ensure that the Union Mechanism helps to strengthen the EU's capacities in terms of disaster risk management (from disaster prevention, to disaster preparedness, response and recovery).

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1 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)

2 COM(2018)321 final.

3 COM(2017)772 final.

4 The Communication's title is 'A Modern Budget for a Union that Protects, Empowers and Defends'.

2. LEGAL BASIS, SUBSIDIARITY AND PROPORTIONALITY

• Legal basis

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

• Subsidiarity (for non-exclusive competence)

The Commission has a supporting competence in the area of civil protection. Member States still bear the primary responsibility when it comes to preventing, preparing for and responding to disasters. The Union Mechanism was established because major disasters can overwhelm the response capacities of any Member State acting alone. The provision of well-coordinated and rapid mutual assistance amongst Member States is at its core.

This amendment intends to align the budgetary provisions of the programme with the Commission proposal for the 2021-2027 multiannual financial framework. Given the technical/financial nature of this amendment, there are no implications for or changes to the principle of subsidiarity.

• Proportionality

This proposal does not go beyond what is necessary to achieve the stated objectives. It has been tabled to ensure that the stated objectives can be achieved.

The figures proposed in this amendment correspond to the figures announced by the Commission proposal for the 2021-2027 multiannual financial framework. These are in line with the principle of proportionality.

• Choice of the instrument

This proposal aims to amend an existing Decision. The most relevant and simple instrument for this is a Proposal for a Decision.

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

This proposal is of a technical nature as it seeks to align the budgetary provisions of the Decision with the Commission proposal for the 2021-2027 multiannual financial framework adopted on 2 May 2018. Its substance is based on the proposed revision of Decision No 1313/2013/EU of 23 November 2017 (rescEU proposal). No impact assessment has therefore been carried out.

However, the Better Regulation principles were applied to both the original Commission proposal that outlines the overall 2021-2027 multiannual financial framework and to the proposed revision of Decision No 1313/2013/EU of 23 November 2017 (rescEU proposal).

• Ex-post evaluations/fitness checks of existing legislation

N/A (see above)

- **Stakeholder consultations**

N/A (see above)

- **Collection and use of expertise**

N/A (see above)

- **Impact assessment**

N/A (see above)

- **Regulatory fitness and simplification**

N/A (see above)

- **Fundamental rights**

N/A (see above)

4. BUDGETARY IMPLICATIONS

In line with the Commission's proposal for the 2021-2027 multiannual financial framework, EUR 1 400 000 000[5] (in current prices) has been allocated for implementing the Union Mechanism for that period. The proposed budgetary allocation mirrors the level of ambition set by the proposed revision of Decision No 1313/2013/EU of 23 November 2017 (rescEU proposal). The additional budget will allow the following actions to be carried out:

- reinforce the collective capacity of the Member States and the EU to respond to disasters by creating a dedicated reserve of response capacities (rescEU);
- higher (or new) EU co-financing to adapt, repair, transport and/or operate capacities that are committed to the European Civil Protection Pool;
- greater focus on prevention and on improving coherence with other key EU policies;
- set up a civil protection knowledge network; and
- strengthen cooperation with neighbourhood countries.

The legislative and financial statement that accompanies this proposal provides further details on the budgetary implications and the human and administrative resources required.

5. OTHER ELEMENTS

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

Article 34(2) of Decision No 1313/2013/EU on a Union Civil Protection Mechanism applies. It states that 'actions receiving financial assistance shall be monitored regularly in order to follow their implementation'. It also contains more general requirements for the Commission

[5] COM(2018)321 final, p. 29.

to submit a report every two years to the European Parliament and to the Council on the 'progress towards the capacity goals and remaining gaps' regarding the European Civil Protection Pool, taking into account the establishment of rescEU capacities. Moreover, the Commission should also evaluate the application of the Decision by submitting a communication every five years to the European Parliament and Council on the effectiveness, cost efficiency and continued implementation of the Decision Such evaluation should be based on the indicators provided for in Article 3 of the Decision No 1313/2013/EU.

- **Explanatory documents (for directives)**

N/A

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

This proposal only amends the budgetary provisions of Decision No 1313/2012/EU.

The financial envelope mentioned in Article 19 of Decision No 1313/2013/EU needs to be updated and replaced by the new figures provided for in the Commission's proposal for the 2021-2027 multiannual financial framework. In addition, given that the Union Mechanism/rescEU will be placed under a single heading (Heading 5: 'Security and Defence'), as opposed to the current split between headings 3 and 4, the text should be amended accordingly.

This proposal also envisages the deletion of Annex I, which currently establishes the relative percentages that each pillar of the Union Mechanism (prevention, preparedness and response) should receive in terms of funding from the overall financial envelope. Given the changes put forward in the proposed revision of Decision No 1313/2013/EU of 23 November 2017 (rescEU proposal), the percentages outlined in Annex I do not appear to ensure sufficient flexibility so that the EU can achieve the objectives it has set. During an emergency, the percentages in Annex I lead to undue administrative burden and may limit the flexibility needed to adapt to the disaster needs in any given year. The need to invest in all phases of the disaster risk management cycle, prevention, preparedness and response is, in any case, embedded in the Union Mechanism.

As a result of the deletion of Annex I, paragraphs 4, 5 and 6 of Article 19 should also be deleted since they refer directly to the percentages mentioned in Annex I.

As a result, the proposal also amends Article 30 on the exercise of the delegation of powers conferred on the Commission. While the substance of the Article remains unchanged, the cross-references to Article 19 are removed. Article 30 has not been deleted in order to cater for the possibility to adopt delegated acts, as provided for in the proposed revision of Decision No 1313/2013/EU of 23 November 2017 (rescEU proposal)[6].

[6] COM(2017)772 final.

2019/0070 (COD)

Proposal for a

DECISION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

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

(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,

Having regard to the opinion of the European Economic and Social Committee[7],

Having regard to the opinion of the Committee of the Regions[8],

Acting in accordance with the ordinary legislative procedure,

Whereas:

(1) The Commission adopted a proposal[9] for a Decision of the European Parliament and of the Council amending Decision No 1313/2013/EU on a Union Civil Protection Mechanism on 23 November 2017[10].

(2) The Commission proposal for a Decision of the European Parliament and of the Council amending Decision No 1313/2013/EU seeks to enhance the collective ability to prepare and respond to disasters by bolstering the possibilities offered by the European Civil Protection Pool. This involves establishing a reserve of civil protection capacities for use in Union operations ('rescEU') and strengthening the measures applicable in the field of prevention.

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7 OJ C , , p. .

8 OJ C , , p. .

9 Proposal for a Decision of the European Parliament and of the Council amending Decision No 1313/2013/EU on a Union Civil Protection Mechanism on 23 November 2017 (COM(2017)772 final)

10 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).

(3) Enhanced Union financing is necessary to be able to further develop the European Civil Protection Pool and cover additional costs stemming from adaptation grants and the operation of capacities committed to the European Civil Protection Pool.

(4) Adequate financial appropriations are required in order to establish, deploy and operate rescEU capacities.

(5) Decision No 1313/2013/EU sets out a financial envelope for the Union Mechanism that constitutes the prime reference amount intended to cover programme expenditure until the end of the 2014-2020 budgetary period.

(6) The financial envelope set out in Article 19 of Decision No 1313/2013/EU needs to be updated and replaced by the new figures provided for in the Commission's proposal for the 2021-2027 multiannual financial framework[11].

(7) Pursuant to the 2021-2027 multiannual financial framework, financial appropriations for the Union Civil Protection Mechanism are under a new Heading 5 'Security and Defence'.

(8) Annex I to Decision No 1313/2013/EU is not flexible enough to allow the Union to properly adjust investments in prevention, preparedness and response. Investment levels to be allocated to the different phases of the disaster risk management cycle need to be determined in advance. This prevents the Union from being able to react to the unpredictable nature of disaster management.

(9) A new financial provision should replace the financial provisions of Decision No 1313/2013/EU which refer to the financial envelope of the Union Civil Protection Mechanism in accordance with the current multiannual financial framework (2014-2020). To align the financial envelope of the Union Civil Protection Mechanism with the figures proposed for the 2021-2027 multiannual financial framework , point (a) of Article 1(1) should apply from 1 January 2021.

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

HAVE ADOPTED THIS DECISION:

Article 1

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

(1) Article 19 is amended as follows:

(a) paragraph 1 is replaced by the following:

"1. The financial envelope for the implementation of the Union Mechanism for the period 2021 to 2027 shall be EUR 1 400 000 000 in current prices".

(b) paragraphs 4, 5 and 6 are deleted.

[11] COM(2018)321 final.

(2) Article 20a[12] is amended as follows:

(a) paragraph 1 is replaced by the following:

"1. The recipients of Union funding shall acknowledge the origin and ensure the visibility of the Union funding (in particular when promoting the actions and their results) by providing coherent, effective and proportionate targeted information to multiple audiences, including the media and the public. Any assistance or funding provided under this Decision shall also give appropriate visibility to the Union, including prominence to the Union emblem for those capacities referred to under Article 11, 12 and point (c) of Article 21(2).

2. The Commission shall implement information and communication actions relating to this Decision, and its actions and results. Financial resources allocated to this Decision shall also contribute to the corporate communication of the political priorities of the Union, as far as they are related to the objectives referred to in Article 3(1).

A communication strategy shall be developed by the Commission in order to make the tangible results of the actions taken under the Union Mechanism visible to citizens.

3. The Commission shall award medals in order to recognise and honour long-standing commitments and extraordinary contributions to Union Civil Protection."

(3) Article 30[13] is amended as follows:

(a) paragraph 2 is deleted;

(b) paragraph 4 is replaced by the following:

"4. The delegation of power referred to in Article 21(3) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the Decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force".

(c) paragraph 7 is replaced by the following:

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12 By the time of the likely adoption of this proposal, the proposed revision of Decision No 1313/2013/EU of 23 November 2017 (rescEU proposal), where a new article on visibility (Article 20a) has been added, should be already in force (foreseen entry into force is 21 March 2019). Given the need to streamline the language on corporate communication for all new multiannual financial framework proposals following SG guidelines (ARES (2018)4555072), Article 20a is amended to comply with the internal rules on the matter.

13 By the time of the likely adoption of this proposal, the proposed revision of Decision No 1313/2013/EU of 23 November 2017 (rescEU proposal) should be already in force (foreseen entry into force is 21 March 2019). The amendment presented in this document refers then to Article 30 as it stands in the revised Decision No 1313/2013/EU.

"A delegated act adopted pursuant to Article 21(3) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council".

(4) Annex I is deleted.

Article 2

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

However, point (a) of Article 1(1) of this Decision shall apply from 1 January 2021.

Article 3

This Decision is addressed to the Member States.

Done at Brussels,

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

LEGISLATIVE FINANCIAL STATEMENT

1. FRAMEWORK OF THE PROPOSAL/INITIATIVE

1.1. Title of the proposal/initiative

1.2. Policy area(s) concerned

1.3. The proposal/initiative relates to

1.4. Objective(s)

1.4.1. Requirement(s) to be met in the short or long term including a detailed timeline for roll-out of the implementation of the initiative

1.4.2. Added value of Union involvement (it may result from different factors, e.g. coordination gains, legal certainty, greater effectiveness or complementarities). For the purposes of this point 'added value of Union involvement' is the value resulting from Union intervention which is additional to the value that would have been otherwise created by Member States alone.

1.4.3. Lessons learned from similar experiences in the past

1.4.4. Compatibility and possible synergy with other appropriate instruments

1.5. Duration and financial impact

1.6. Management mode(s) planned

2. MANAGEMENT MEASURES

2.1. Monitoring and reporting rules

2.2. Management and control system(s)

2.2.1. Justification of the management mode(s), the funding implementation mechanism(s), the payment modalities and the control strategy proposed

2.2.2. Information concerning the risks identified and the internal control system(s) set up to mitigate them

2.2.3. Estimation and justification of the cost-effectiveness of the controls (ratio of "control costs ÷ value of the related funds managed"), and assessment of the expected levels of risk of error (at payment & at closure)

2.3. Measures to prevent fraud and irregularities

3. ESTIMATED FINANCIAL IMPACT OF THE PROPOSAL/INITIATIVE

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

3.2. Estimated financial impact of the proposal on appropriations

3.2.1. Summary of estimated impact on operational appropriations

3.2.2. Summary of estimated impact on appropriations of an administrative nature

3.2.3. Third-party contributions

3.3. Estimated impact on revenue

LEGISLATIVE FINANCIAL STATEMENT

1. FRAMEWORK OF THE PROPOSAL/INITIATIVE

1.1. Title of the proposal/initiative

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

1.2. Policy area(s) concerned *(Programme cluster)*

This proposal provides the necessary budgetary resources to support EU actions in the field of civil protection, notably via a strengthened Union Mechanism. The latter contributes to the overarching objective of a 'Europe that Protects' as referred to in the Communication from the Commission to the European Parliament, the European Council and the Council on 'a new, modern multiannual financial framework for a European Union that delivers efficiently on its priorities post-2020'[14].

Under the new multiannual financial framework proposal, funding related to civil protection has been subsumed into one single heading: Heading 5 'Security and Defence'. The specific cluster is 'Crisis Response', Title 14, Chapter 02. This cluster will encompass both the internal and external dimensions of civil protection.

1.3. The proposal/initiative relates to:

☐ a new action

☐ a new action following a pilot project/preparatory action[15]

X the extension of an existing action

☐ a merger or redirection of one or more actions towards another/a new action

1.4. Grounds for the proposal/initiative

1.4.1. Requirement(s) to be met in the short or long term including a detailed timeline for roll-out of the implementation of the initiative

This Decision amends the financial envelope of an existing action to allow the continuation of this action in the next multiannual financial framework period. The overall objective of existing legislation is to continue strengthening cooperation between the EU and the Member States and facilitate coordination in the field of civil protection when preventing, preparing for and responding to natural and man-made disasters.

Financial assistance on prevention and preparedness under the Union Mechanism is spent in accordance with an annual work programme adopted by the Civil Protection

[14] COM(2018)98 final.
[15] As referred to in Article 58(2)(a) or (b) of the Financial Regulation.

Committee. This committee sets out the requirements and criteria for spending the funds earmarked.

This initiative refers to the financial envelope available to the Union Mechanism in the 2021-2027 multiannual financial framework. As such, it will be implemented annually as from 2021.

A separate financial decision on response to disasters is also adopted. Given the unpredictable nature of disasters, there is no specific timeline for implementation. All aspects of the Decision will be implemented swiftly and/or whenever needs arise.

1.4.2. Added value of Union involvement (it may result from different factors, e.g. coordination gains, legal certainty, greater effectiveness or complementarities). For the purposes of this point 'added value of Union involvement' is the value resulting from Union intervention which is additional to the value that would have been otherwise created by Member States alone.

Reasons for action at EU level (ex-ante):

Recent emergencies and experiences have highlighted the existence of certain gaps in civil protection across Europe. Such gaps are becoming ever more apparent as a result of climate change and the increase in frequency and intensity of disasters. This was particularly evident during the 2017 forest fire season. The proposed revision of Decision No 1313/2013/EU of 23 November 2017 (rescEU proposal)[16] was therefore deemed necessary in order to strengthen the Union Mechanism.

The proposed budgetary allocation mirrors the level of ambition set by the Commission's proposal to amend the Union Civil Protection Mechanism. The additional budget will allow the following actions to be carried out:

- reinforce the collective capacity of the Member States and the Union to respond to disasters by creating a dedicated reserve of response capacities (rescEU);
- higher (or new) EU co-financing to adapt, repair, transport and/or operate capacities that are committed to the European Civil Protection Pool;
- focus more on prevention and on improving coherence with other key EU policies,
- set up a civil protection knowledge network, and;
- strengthen cooperation with neighbourhood countries.

Expected generated EU added value (ex-post)

The financing provided for in this proposal should result in:

[16] COM(2017)772 final.

1) less of a gap between the needs of disaster-stricken populations and available assistance thanks to the (probable) inclusion of more capacities in the European Civil Protection Pool and a reserve of capacities at EU level;

2) economies of scale stemming from a 'minimum' reserve of capacities at EU level rather than investing in extreme preparedness levels in all Member States;

3) greater coherence and stronger links between different policy areas, making best use of existing EU instruments;

4) increased efficiency, particularly on the swiftness of the Union Mechanism support in response to disasters, also due to the simplification of administrative procedures.

1.4.3. Lessons learned from similar experiences in the past

The Union Mechanism has showed encouraging results in terms of performance in each of the three pillars (prevention/preparedness/response) so far. It is viewed positively in general by the Participating States and by the main stakeholders. This was the overall conclusion from the interim evaluation of the Union Mechanism (2014-2016), which was conducted by an external consultant and published in August 2017.

Another lesson from the interim evaluation, as well as from the report of the European Court of Auditors[17], was the need to improve the Union Mechanism's results monitoring framework. This includes better measurability in the form of possible quantitative indicators and baselines to help focus more on the impact over time. The Commission has introduced measurable output indicators for all actions. This is the first step in a longer-term process of ensuring financial assistance under the Mechanism is framed by a more results-focused approach.

Another relevant source on which the Commission has based its proposal to improve the current functioning of the Union Mechanism is the EU overview of risks[18]. National risk assessments submitted by Member States were used to produce this overview based on the existing legislation.

The Commission also builds upon the experience gained:

- in emergencies handled by the Union Mechanism since its creation in 2001;
- as a result of the projects financed within the framework of the calls launched since 2013 on preparedness and prevention; and
- as a result of the pilot project financed within the framework of the call launched in 2008 to step up cooperation between Member States on combating forest fires.

[17] European Court of Auditors, 'Union Civil Protection Mechanism: the coordination of responses to disasters outside the EU has been broadly effective', Special Report no. 33, 2016.

[18] Staff Working Document, 'Overview of Natural and Man-made Disaster Risks the European Union may face', SWD (2017)176 final, 23.5.2017.

1.4.4. Compatibility and possible synergy with other appropriate instruments

Consistency with:

- Council Regulation (EC) No 1257/96 of 20 June 1996 concerning humanitarian aid;
- Regulation (EC) No 1406/2002 of the European Parliament and of the Council of 27 June 2002 establishing a European Maritime Safety Agency;
- Council Regulation (EC) No 2012/2002 of 11 November 2002 establishing the European Union Solidarity Fund;
- Regulation (EC) No 1717/2006 of the European Parliament and of the Council of 15 November 2006 establishing an Instrument for Stability;
- Decision No 1313/2013/EU of the European Parliament and of the Council of 17 December 2013 on a Union Civil Protection Mechanism;
- Regulation (EU) No 375/2014 of the European Parliament and of the Council of 3 April 2014 establishing the European Voluntary Humanitarian Aid Corps ('EU Aid Volunteers initiative');
- Council Regulation (EU) 2016/369 of 15 March 2016 on the provision of emergency support within the Union
- Regulation (EU) No 1303/2013 of the European Parliament and of the Council of 17 December 2013 laying down common provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund and laying down general provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund and the European Maritime and Fisheries Fund and repealing Council Regulation (EC) No 1083/2006 (OJ L 347, 20.12.2013, p. 320).

1.5. Duration and financial impact

X **limited duration**

– X in effect from 01/01/2021 to 31/12/2027

– X Financial impact from 2021 to 2027 for commitment appropriations and from 2020 to 2032 for payment appropriations.

☐ **unlimited duration**

– Implementation with a start-up period from YYYY to YYYY,

– followed by full-scale operation.

1.6. Management mode(s) planned[19]

X **Direct management** by the Commission

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

– ☐ by the executive agencies

☐ **Shared management** with the Member States

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

– ☐ third countries or the bodies they have designated;

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

– ☐the EIB and the European Investment Fund;

– ☐ bodies referred to in Articles 70 and 71 of the Financial Regulation;

– ☐ public law bodies;

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

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

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

[19] The BudgWeb site contains details on management modes and references to the Financial Regulation:: https://myintracomm.ec.europa.eu/budgweb/EN/man/budgmanag/Pages/budgmanag.aspx

2. MANAGEMENT MEASURES

2.1. Monitoring and reporting rules

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

The Commission is required to evaluate the Union Mechanism in accordance with Article 34 of Decision No 1313/2013/EU.

2.2. Management and control system(s)

2.2.1. Justification of the management mode(s), the funding implementation mechanism(s), the payment modalities and the control strategy proposed

Financial assistance on prevention and preparedness under the Union Mechanism is spent in accordance with an annual work programme adopted by the Civil Protection Committee. The Commission regularly informs the Committee on the implementation of the work programme. A separate financial decision on response is also adopted.

Based on the lessons learned from the implementation of the Union Mechanism in the past, the Commission does not envisage substantive changes to the management measures currently in place.

2.2.2. Information concerning the risks identified and the internal control system(s) set up to mitigate them

The European Commission's existing internal control system applies to ensure that funds available under the Union Mechanism are used properly and in line with appropriate legislation.

The current system is setup as follows:

1. The internal control team within the lead service (Directorate-General for European Civil Protection and Humanitarian Aid Operations /DG ECHO) focuses on compliance with administrative procedures and legislation in force in the area of civil protection. The Internal Control Framework of the Commission is used for this purpose.

2. Regular audit of grants and contracts by external auditors, which are awarded under the civil protection budget are fully incorporated in DG ECHO annual audit plan.

3. Evaluation of overall activities by external evaluators.

Actions performed may be audited by the European fraud office OLAF and the Court of Auditors.

On supervision and monitoring, the extensive experience acquired by implementing the humanitarian aid instrument will be applied, with the necessary changes, to implementing the Union Mechanism under indirect management.

2.2.3. Estimation and justification of the cost-effectiveness of the controls (ratio of "control costs ÷ value of the related funds managed"), and assessment of the expected levels of risk of error (at payment & at closure)

The estimated cost of DG ECHO's control strategy represents 1.1% of indirect management of the 2017 budget and 0.6 % of direct management of the 2017 budget. The main components of this indicator are:

– the total staff costs of DG ECHO experts in the field, plus those of the financial and operational units multiplied by the estimated portion of time (50%) dedicated to quality assurance, control and monitoring activities;

– the total resources in DG ECHO's external audit sector devoted to audits and verifications.

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

With regard to the entrusted entities implementing EU funding under indirect management mode, the Commission contributes up to 7% of their direct eligible costs to ensure supervision and management of the EU funding.

This is confirmed by the 1.08% multi-annual residual error rate reported by the Commission in 2017 for its humanitarian aid and civil protection department.

2.3. Measures to prevent fraud and irregularities

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

– DG ECHO's internal anti-fraud related controls are fully aligned with the Commission's anti-fraud strategy;AFS;

– DG ECHO's fraud risk management approach is geared to identify fraud risk areas and adequate responses.

The systems used for spending EU funds in third countries enable relevant data to be retrieved so that this data can be fed into fraud risk management (e.g. to detect double funding).

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

3. ESTIMATED FINANCIAL IMPACT OF THE PROPOSAL/INITIATIVE

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

Heading of multiannual financial framework	Budget line	Type of expenditure	Contribution			
	Number and Heading	Diff./Non-diff.[20]	from EFTA countries[21]	from candidate countries[22]	from third countries[23]	within the meaning of Article [21(2)(e)] of the Financial Regulation
5	14 02 01 – Union civil protection mechanism: Prevention and Preparedness	Diff	YES	YES	YES	NO
5	14 02 02 – Union civil protection mechanism Response	Diff.	YES	YES	YES	NO

[20] Diff. = differentiated appropriations / Non-diff. = non-differentiated appropriations.

[21] EFTA: European Free Trade Association. EFTA countries that are part of the EEA can join the Union Civil Protection Mechanism as 'Participating States' as provided for in Article 28(1)a of Decision No 1313/2013/EU.

[22] Candidate countries and, where applicable, potential candidates from the Western Balkans. These countries can join the Union Civil Protection Mechanism as 'Participating States' as provided for in Article 28(1)b of Decision No 1313/2013/EU.

[23] For the purpose of this table, the reference to third countries should be understood as 'other European countries' that are not yet part of the Union Civil Protection Mechanism, but that might join in the future as provided for in Article 28(1)a of Decision No 1313/2013/EU. No contributions are expected from third countries other than the ones specified above.

3.2. Estimated impact on expenditure

3.2.1. Summary of estimated impact on expenditure[24]

EUR million (to three decimal places)

Heading of multiannual financial framework	**5**	Security & Defence

			2021	**2022**	**2023**	**2024**	**2025**	**2026**	**2027**	***Post 2027***	**TOTAL**
14 02 01 Union Civil Protection Mechanism Prevention and Preparedness	Commitments	1	165.464	169.794	173.189	176.653	180.186	183.790	187.368		**1 236.446**
	Payments	2	50.000	92.272	138.419	164.867	169.103	172.994	176.793	271.998	1 236.446
14 02 02 Union Civil Protection Mechanism Response	Commitments	3	22.000	22.440	22.889	23.347	23.814	24.290	24.776		**163.554**
	Payments	4	8.965	17.000	19.455	19.845	21.432	21.861	22.298	32.698	163.554
TOTAL appropriations for the envelope of the programme	Commitments	=1+3	**187.464**	**192.234**	**196.078**	**200.000**	**204.000**	**208.080**	**212.144**		**1 400.000**
	Payments	=2+4	58.965	109.272	157.874	184.712	190.535	194.855	199.091	**304.696**	**1 400.000**

[24] "Totals may not tally due to rounding."

Heading of multiannual financial framework	7	'Administrative expenditure'

EUR million (to three decimal places)

	2021	**2022**	**2023**	**2024**	**2025**	**2026**	**2027**	***Post 2027***	**TOTAL**
Human resources	21.448	21.665	21.882	22.099	22.099	22.099	22.099		**153.391**
Other administrative expenditure	1.098	1.107	1.115	1.124	1.124	1.124	1.124		**7.817**
TOTAL appropriations under HEADING 7 of the multiannual financial framework	**22.546**	**22.772**	**22.997**	**23.223**	**23.223**	**23.223**	**23.223**		**161.208**

EUR million (to three decimal places)

		2021	**2022**	**2023**	**2024**	**2025**	**2026**	**2027**	***Post 2027***	**TOTAL**
TOTAL appropriations across HEADINGS of the multiannual financial framework	Commitments	210.010	215.006	219.075	223.223	227.223	231.303	235.367		1 561.208
	Payments	81.511	132.044	180.871	207.935	213.758	218.078	222.314	304.696	1 561.208

3.2.2. Summary of estimated impact on appropriations of an administrative nature

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

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

EUR million (to three decimal places)

Years	2021	2022	2023	2024	2025	2026	2027	TOTAL
HEADING 7 of the multiannual financial framework								
Human resources	21.448	21.665	21.882	22.099	22.099	22.099	22.099	**153.391**
Other administrative expenditure	1.098	1.107	1.115	1.124	1.124	1.124	1.124	**7.817**
Subtotal HEADING 7 of the multiannual financial framework	**22.546**	**22.772**	**22.997**	**23.223**	**23.223**	**23.223**	**23.223**	**161.208**
Outside HEADING 7[25] of the multiannual financial framework								
Human resources								
Other expenditure of an administrative nature								
Subtotal outside HEADING 7 of the multiannual financial framework								
TOTAL	**22.546**	**22.772**	**22.997**	**23.223**	**23.223**	**23.223**	**23.223**	**161.208**

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

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

3.2.2.1. Estimated requirements of human resources

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

– X The proposal/initiative requires the use of human resources, as explained below:

Estimate to be expressed in full time equivalent units (FTEs)

Years		2021	2022	2023	2024	2025	2026	2027
• Establishment plan posts (officials and temporary staff)								
Headquarters and Commission's Representation Offices		102	103	104	105	105	105	105
Delegations								
Research								
• External staff (in Full Time Equivalent unit: FTE) - AC, AL, END, INT and JED [26] Heading 7								
Financed from HEADING 7 of the multiannual financial framework	- at Headquarters	91	92	93	94	94	94	94
	- in Delegations							
Financed from the envelope of the programme [27]	- at Headquarters							
	- in Delegations							
Research								
Other (specify)								
TOTAL		**193**	**195**	**197**	**199**	**199**	**199**	**199**

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

Description of tasks to be carried out:

Officials and temporary staff	This table shows indicative figures of the total staffing needs for the overall period 2021-2027. The baseline figure upon which the additional staff has been requested is 189 FTEs (i.e. staff working in civil protection as of 31 December 2020). This figure already includes the staff requested in 2017 to support the Commission proposal to strengthen the Union Civil Protection Mechanism (rescEU proposal). The total number of additional staff requested for 2021-27 is of 10 FTEs. This request is justified by the fact that the emerging compromise on the revision of the Union Civil Protection Mechanism will lead to a system that will be much more complex to set up and to manage than the proposal tabled by the Commission in November 2017. This is due to the increasing administrative complexities the Council agreed to introduce, notably the joint development of assets co-financed by the Commission. In addition, elements that the Commission originally put forward as part of the legislative proposal will now need to be determined by means of implementing acts, such as the capacities that the rescEU reserve will comprise (e.g. aerial firefighting, emergency medical team), along with how it will be managed operationally (such as defining the decision-making procedure for ther deployment).

[26] AC= Contract Staff; AL = Local Staff; END = Seconded National Expert; INT = agency staff; JPD= Junior Professionals in Delegations.

[27] Sub-ceiling for external staff covered by operational appropriations (former 'BA' lines).

	In general, legal profiles, including experts on procurement, and interinstitutional profiles will be sought to cover these tasks. The request for additional staff is staggered over the next multiannual financial framework period to allow this iterative process to be repeated for various new capacities, while also maintaining staff to manage existing capacities. Accordingly, additional staff will first be needed to prepare the implementing acts and follow up the legislative process to define the type of capacities rescEU will include (e.g. aerial firefighting capacities, emergency medical teams, capacities to face chemical, biological, radiological and nuclear risks), and then draw up the conditions of use. There is general political agreement that the first implementing act to define rescEU capacities will be focused on aerial firefighting capacities. Once the implementing acts for aerial firefighting capacities are in place, the development phase of the rescEU firefighting capacities will start. As noted above, this is likely to be a complex process, given that several Member States may participate in the development of one capacity through joint procurement agreement, as opposed to the Commission's original proposal to simplify co-financing and empower the Commission to acquire or lease assets on its own. The preparation and management of joint procurement agreements will create additional complexities that were not initially envisaged. This process (defining capacities and conditions of use, developing capacities, using capacities, etc.) will have to be repeated with other types of capacities, such as emergency medical capacities or capacities to face chemical, biological radiological or nuclear risks. This is due to the fact that the emerging compromise opens the door to include a much wider range of capacities as part of the rescEU reserve, as opposed to the original Commission proposal, where only four capacities were listed. As such, additional staff will be needed over the multiannual financial framework period to be able to respond to these emerging needs, while continuing to manage established rescEU capacities. As such, profiles with relevant expertise in key areas of civil protection will be needed to support the development of other type of capacities.
External staff	External staff will also be sought to cover the abovementioned roles. In addition, external staff can also provide expertise on certain technical issues related to the development of capacities.

3.2.3. Third-party contributions

The proposal/initiative:

– ☐ does not provide for co-financing by third parties

– X provides for the co-financing by third parties

Financial contributions from third parties[28] cannot be calculated at this stage as amounts have not yet been decided.

3.3. Estimated impact on revenue

– X The proposal/initiative has no financial impact on revenue.

– ☐ The proposal/initiative has the following financial impact:

– ☐ on own resources

– ☐ on other revenue

please indicate, if the revenue is assigned to expenditure lines ☐

EUR million (to three decimal places)

Budget revenue line:	Impact of the proposal/initiative[29]						
	2021	**2022**	**2023**	**2024**	**2025**	**2026**	**2027**
Article …….							

[28] Third-party contributions refer to the contributions of the 'Participating States' to the Union Civil Protection Mechanism as specified in Table 3.1 (above) and in line with the explanations provided in footnotes 21, 22 and 23.

[29] As regards traditional own resources (customs duties, sugar levies), the amounts indicated must be net amounts, i.e. gross amounts after deduction of 20 % for collection costs.