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PROCIV

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WORKING PAPER

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WORKING DOCUMENT

From: To:	General Secretariat of the Council Working Party on Civil Protection
N° prev. doc.: N° Cion doc.:	9552/20 + ADD 1 8330/20
Subject:	Proposal for a Decision of the European Parliament and of the Council amending Decision No 1313/2013/EU on a Union Civil Protection Mechanism - Presidency compromise and draft statement by the Council - delegations' comments

Delegations will find attached comments by AT, BG, CY, ES, FR, IE, IT, NL, PL, RO, SE, SK and SI delegations.

AUSTRIA

First of all Austria wants to thank the presidency for providing a presidency compromise text on the financial package of the Union Civil Protection Mechanism and a draft Statement by the Council.

Austria appreciates the efforts of the presidency in negotiating the legislative proposal and supports the presented approach.

On the draft statement of the Council:

Para 3:

The financial envelope for the period 2021-2027 will be based on the outcome of the negotiations on the Multiannual Financial Framework.

Noting the relevance of this para for the presidency, Austria would appreciate to delete "and thus to guarantee uninterrupted funding of the Union Mechanism" and to rephrase the respective sentence in the following manner:

"At the same time, the Council acknowledges the need to conclude negotiations quickly on those provisions of the proposal that relate to the financial envelope for the period 2021-2027, to ensure their entry into force by 1 January 2021 and to enable funding of the Union Mechanism after MFF agreement".

Furthermore Austria would appreciate a reference to the Opinion of the Council Legal Service (Doc 9062/20 COR 1) and kindly asks to add the following sentence to the council declaration:

"The Council acknowledges the need to closely align Next Generation EU funding to the findings in the Opinion by the Council Legal Service".

Comments on the remaining parts of the Commission proposal will be submitted after having received written answers from the Commission.

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BULGARIA

Firstly, we want to thank the German Presidency for providing the first compromise text ("financial package") and the draft Council statement (**9552/20 + ADD 1**).

We are pleased to express our support to the Presidency approach to prioritise those provisions of the proposal that relate to the financial envelope for the period 2021 - 2027, to ensure their entry into force by 1 January 2021 and thus to enable funding for the Union Mechanism.

In addition, we believe that the proposed prioritisation will enable Member States to complete their lessons learned process from the COVID-19 crisis, as well as to analyze and assess in more depth the other provisions outside the financial package.

CYPRUS

Cyprus agrees with the draft Council Statement and does not object to the Presidency compromise, as a means to ensure the necessary funding for the UCPM. At the same time, we look forward to examining the proposal tabled by the Commission and reaching an agreement as soon possible.

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SPAIN

Regarding the working documents of last informal VTC- the Council Statement and the Presidency compromise text (financial package), Spain agrees on their general content and thus supports both of them.

(2a) Decision No 1313/2013/EU was amended by Decision (EU) 2019/420[1] which inter alia strenghtened the Union's collective response to natural and man-made disasters by establishing a reserve of capacities known as ´rescEU´, reinforced the re-named European Civil Protection Pool and enhanced disaster prevention and preparedness. Adequate financial appropriations are required in order to establish, deploy and operate rescEU capacities, which are defined under implementing acts. The Union also needs 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.

Commented [s1]: ES: all capacities at EU level

(25) **Percentages for adaptation for allocation of financial envelope laid down in** Annex I to Decision No 1313/2013/EU ~~is~~ **are** not flexible enough to allow the Union to properly adjust investments in prevention, preparedness and response and thus it ~~is~~ **should be** deleted. Investment levels to be allocated to the different phases of the disaster risk management cycle **should** ~~need to~~ be determined in advance. This absence of flexibility prevents the Union from being able to react to the unpredictable nature of disasters. **The Commission should ensure a significant allocation of funds to prevention and preparedness actions in order to guarantee continued investments and long-term sustainability in these areas of the disaster management cycle.**

Commented [s2]: ES: and response

1 Decision (EU) 2019/420 of the European Parliament and of the Council of 13 March 2019 amending Decision No 1313/2013 on a Union Civil Protection Mechanism (OJ L 77, 20.3.2019, p. 1).

Draft Statement by the Council

(…)

In that context, it is important to ensure that past and current experiences with the management of the COVID-19 pandemic are taken into account in the review of the current Union Mechanism.

Commented [s3]: ES: Lessons learned from the COVID-19 response have to be objectively analyzed in the coming months.

(…)

Simultaneously, the Council is fully committed to continuing discussions on the remaining provisions of the proposal under the German Presidency, with a view to reaching an agreement on a strengthened and more robust Union Mechanism as soon as possible.

Commented [s4]: ES: The proposal should seek the reinforcement of national systems to ensure an effective response to large-scale emergencies.
A partial general approach on some provisions was reached in November 2019.

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FRANCE[2]

Following the meeting of the Prociv Working Party on 16 July 2020, the Council Presidency put together compromise proposals regarding the 'financial package'. The Member States were therefore consulted in order to share any proposed amendments to the draft statement by the Council (9552/20 + ADD 1) and comments on the compromise proposals.

I. Draft statement by the Council (9552/20 ADD 1):

The French authorities support this draft statement by the Council, which includes the priorities already set out and aims to allow for more effective action under the Union Civil Protection Mechanism.

II. Presidency compromise proposals regarding the 'financial package' of the Union Civil Protection Mechanism (9552/20):

The French authorities warmly welcome these Presidency compromises regarding the Commission proposal of 2 June. This is an ambitious financial proposal which also provides for the operational redefinition of rescEU capacities. We would however like to point out that since these two subjects are intrinsically linked, we must move forward without delay on these two dimensions.

We are in favour of the compromises proposed by the Presidency on the financial provisions of the proposed revision of Decision No 1313/2013. France shares the Presidency's point of view and agrees with the need to mobilise adequate financial resources to establish, deploy and operate rescEU capacities, as well as to develop the European Civil Protection Pool, covering in particular the additional costs of adapting and mobilising its capacities. In this regard, we believe that the 'financial package' of the UCPM is a priority and emphasise that this negotiation must be concluded by the end of 2020.

2 Translation from French provided by the Council Secretariat.

Moreover, we welcome the fact that the German Presidency has taken into account our request to delete Annex I. We are also satisfied with the proposed compromise on recital 18, which covers our request for future allocations to be discussed within the committee on civil protection (CPC) which assists the Commission. Finally, we would like to welcome the amendment to recital 25, which underlines the need for significant funds to be allocated to prevention and preparedness measures in order to guarantee continued investments and long-term sustainability in these areas of the disaster management cycle.

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IRELAND

Ireland welcomes and supports the Presidency's efforts to prioritise the financial provisions to ensure UCPM financing beyond 2021 and, in this regard, has no objections to the Presidency compromise ("financial package") and to the draft Council statement (9552/20 + ADD 1).

The full Commission proposal (COM 2020/220) is currently undergoing Parliamentary Scrutiny and Ireland reserves its position on the policy aspect of this proposal at this time.

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ITALY

With reference to the documents 9552/20 + ADD 1, Italy welcomes the Presidency approach that prioritizes the provisions of the Commission's proposal related to the financial envelope for the period 2021- 2027 in order to guarantee the funding of the Union Mechanism from 1 January 2021 while at the same time it aims to continue the negotiations on the remaining provisions.

With regard the compromise text - footnote 13, Italy reserves to analyze the additional language once it will be proposed.

As for the draft Council statement, Italy believes that text proposed is balanced and it explains in an objective way the ratio of the approach chosen.

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NETHERLANDS

- NL thanks the Presidency for its efforts in realising an approach that prioritises provisions of the proposal that relate to the financial envelope (2021 – 2027), to facilitate negotiations and ensure uninterrupted funding by 1 January 2021.

- NL attaches much value to a qualitatively thorough and broadly supported mandate and therefore supports the prioritisation chosen by the Presidency. It provides time for a thorough analysis of the UCPM proposal, allows room to incorporate lessons learned from a COVID-19 evaluation, while guaranteeing uninterrupted funding of the Union Mechanism.

- Our initial response to the presidency compromise is positive, as most of the articles have already been agreed on in previous negotiations. Since annex I is to be deleted, we appreciate the additional attention for the allocation of funds to prevention and preparedness (recital 25).

- We are looking forward to receiving a new version of the Presidency compromise, especially in relation to the wording in footnote 13.

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POLAND

Presidency compromise

Concerning the funding from the European Union Recovery Instrument, it is important to ensure proper financing for response (rescEU, ECPP) capacities as well as for other UCPM activities, which could be widely deemed as "COVID-related measures".

Poland reiterates multidimensional impact of the current pandemic, which can negatively impact the ability to invest in building resilience also to non-epidemic risks.

Draft Council statement

Proposed changes (in bold*):* *It is important to ensure that past and current experiences with the management of the COVID-19 pandemic* ***and other disasters*** *are taken into account in the review of the current Union Mechanism.*

Rationale: It is important to refer in the document also to experiences from other response operations than the pandemic response. The review stems from the pandemic but should ensure strengthening the whole Mechanism and not only health-related issues.

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ROMANIA

We would like to inform you that Romania agrees with the text of the Presidency compromise ("financial package") and we do not have any comments to it.

In reference to the draft Council statement (ADD 1), as we also requested during last PROCIV, we would like to suggest the replacement of the term “crisis” at the end of the first paragraph, in order to better reflect the area of responsibility of the UCPM (term crisis is not specific to UCPM legislation) and also to avoid any misperception due to the translation in national languages (as it is the case for Romania).

A suggestion would be “emergencies” or “large scale emergencies”.

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SWEDEN

Sweden appreciates the opportunity to submit comments and drafting suggestions on the Presidency compromise ("financial package") and to the draft Council statement (9552/20 + ADD 1). At this time, Sweden has no further comments to submit.

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SLOVENIA

With reference to your e-mail dated 17 July 2020 regarding the Slovenian comments on UCPM proposal and draft Council statement, the Administration of the Republic of Slovenia for Civil Protection and Disaster Relief hereby informs you that we do not have any additional comments or drafting suggestions to the Presidency compromise (financial package) and to draft Council statement (9552/20 + ADD 1).

SLOVAKIA

- Comments and drafting suggestions to the Presidency compromise ("financial package"): Slovak Republic will not make any substantial comments on the submitted compromise proposal to the financial envelope. During the legislative process, we will be cooperative with DE PRES and agree with the proposed solution, with the proviso that the principles of transparency and clarity of the next steps must be observed as standard. The proper functioning of the UCPM depends very much on a stable and approved budget, which then, of course, reflects its ability to respond promptly to disasters and also support prevention and preparedness actions of states.

- The draft Council statement (**9552/20 + ADD 1** : We would like to make a few suggestions (in the form of revision) on the proposed Council statement.

- Comments on the remaining parts of the Commission proposal (**WK 6703/20**) will be sent in due time.

Draft Statement by the Council

The Council welcomes the Commission's proposal of 2 June 2020 to amend Decision No 1313/2013/EU and supports its objective of enabling more efficient, ~~and~~ effective and timely action under the Union Civil Protection Mechanism ("Union Mechanism") to better prepare the EU and its Member States for future crises.

In that context, it is important to ensure that past and current experiences with the management of the COVID-19 pandemic and other high impact risks are taken into account in the review of the current Union Mechanism.

At the same time, the Council acknowledges the need to conclude negotiations quickly on those provisions of the proposal that relate to the financial envelope for the period 2021 – 2027, to ensure their entry into force by 1 January 2021 and thus to guarantee uninterrupted funding of the Union Mechanism.

Therefore, the Council has- identified the priority of its position~~prioritised its position~~ on these articles as set out in its partial general approach and is ready to start negotiations with the European Parliament on this basis.

Simultaneously, the Council is fully committed to continuing discussions on the remaining provisions of the proposal under the German Presidency, with a view to reaching an agreement on a strengthened and more robust Union Mechanism with improved flexibility as soon as possible.

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