

EUROPEAN PARLIAMENT

2004



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Committee on Civil Liberties, Justice and Home Affairs

2005/0052(CNS)

23.1.2006

OPINION

of the Committee on Civil Liberties, Justice and Home Affairs

for the Committee on the Environment, Public Health and Food Safety

on the proposal for a Council regulation establishing a Rapid Response and Preparedness Instrument for major emergencies
(COM(2005)0113 – C6-0181/2005 – 2005/0052(CNS))

Draftsman: Stavros Lambrinidis

PA_Leg

AMENDMENTS

The Committee on Civil Liberties, Justice and Home Affairs calls on the Committee on the Environment, Public Health and Food Safety, as the committee responsible, to incorporate the following amendments in its report:

Text proposed by the Commission¹

Amendments by Parliament

Amendment 1

Title

Proposal for a **COUNCIL** REGULATION establishing a Rapid Response and Preparedness Instrument for major emergencies

Proposal for a REGULATION **OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL** establishing a **Prevention**, Rapid Response and Preparedness Instrument for major emergencies

(The addition of the word 'prevention' applies throughout the text wherever preparedness and rapid response are mentioned.)

Amendment 2

Citation 1

Having regard to the Treaty establishing the European Community, and in particular **Article 308** thereof,

Having regard to the Treaty establishing the European Community, and in particular **Article 175(1)** thereof,

Justification

The preponderant purpose of the Regulation is the protection of people's health and the environment as expressed clearly in its first article (subject-matter). All the actions eligible for financing under the proposal serve the ultimate purpose of protecting human health and the environment.

Amendment 3

Citation 2

¹ Not yet published in OJ.

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular Article 203 thereof, ***deleted***

Justification

Nuclear accidents should be dealt with in a separate legislative instrument.

Amendment 4
Recital 2 a (new)

(2a) The isolated and outermost regions of the Community have special characteristics and needs owing to their geography, terrain and social and economic circumstances. These adverse circumstances make it particularly difficult to deliver timely assistance and intervention resources, and to address particular needs in the event of major emergencies.

Justification

Outermost or isolated regions require more attention under the various Community mechanisms and instruments.

Amendment 5
Recital 4 a (new)

(4a) In order to facilitate and to ensure better prevention of, preparedness for and response to major emergencies, there is a need to conduct extensive information campaigns, as well as to embark on education and awareness-raising initiatives aimed at the public at large and in particular at young people, with the objective of increasing the degree of self-protection and the precautionary measures to be taken in the event of disasters.

Justification

Civil protection measures must be integrated in teaching schedules and awareness campaigns to raise conscience about the necessity of prevention, preparedness and response to major accidents and to ensure the participation of civil society in preventive and response action.

Amendment 6 Recital 6 a (new)

(6a) The expression of solidarity with third countries in the face of disasters and emergency situations has existed for many years as part of the Community's external actions and in accordance with the principle of solidarity. Community civil protection extended outside the Community would, in addition to addressing the Community's humanitarian and solidarity responsibilities, provide added value and increase the efficiency and effectiveness of the operation of the Instrument.

Justification

The EU should show its concrete solidarity, in the event of major emergencies with third countries, in particular with developing countries where the number and scale of natural disasters and their increasing impact within recent years, have resulted in massive loss of life and long-term negative social, economic and environmental consequences.

Amendment 7 Article 1

This Regulation establishes, for the period from 1 January 2007 to 31 December 2013, a Rapid Response and Preparedness Instrument, hereinafter “the Instrument”, to support and complement the efforts of the Member States for the protection of people, the environment and property in the event of a major emergency.

It lays down rules for the provision of

This Regulation establishes, for the period from 1 January 2007 to 31 December 2013, a ***Prevention***, Rapid Response and Preparedness Instrument, hereinafter “the Instrument”, to support and complement the efforts of the Member States for the protection of people, ***public health***, the environment and property and ***cultural heritage*** in the event of a major emergency.

It lays down rules for the provision of

financial assistance under the Instrument for actions designed to enhance the Community's state of preparedness for major emergencies.

It also makes special provision for financial assistance in the event of a major emergency, in order to facilitate a rapid and effective response thereto.

financial assistance under the Instrument for actions designed to enhance the Community's state of preparedness for major emergencies, ***and makes provision for pilot projects to develop sets of themes of general European interest and/or contribute to the strengthening or establishment of appropriate networks at European level.***

It also makes special provision for financial assistance in the event of a major emergency, in order to facilitate a rapid and effective response thereto.

It also provides for the carrying out of an exhaustive review and cataloguing of the sources of danger (e.g. with regard to storage material) and the means - in particular the scarce resources - which could be mobilised to address the various types of major emergency, and for facilitating the exchange of that information between the Member States.

Amendment 8
Article 2, paragraph 1

1. This Regulation shall apply to preparedness for major ***emergencies regardless of their nature.***

It shall also apply to the management of the immediate consequences of such a major emergency inside the Community ***and countries participating in the Community mechanism established by Decision 2001/792/EC, Euratom.***

It shall also apply to preparedness for and rapid response to public health effects of major emergencies.

1. This Regulation shall apply to ***the prevention of, preparedness for and rapid response to all forms of major emergency as defined in Article 3(a), inside and outside the Community, with special emphasis on public health aspects.***

It shall also apply to the management of the immediate consequences of such a major emergency inside ***and outside*** the Community.

Justification

The Community should be able to demonstrate solidarity with third countries by responding

to emergency situations on their territory. A rapid response to major emergencies outside the EU should therefore be included in the scope of the instrument.

Amendment 9
Article 2, paragraph 1 a (new)

1a. The modus operandi of the Instrument shall take due account of the relevant regional dimension. The Commission and the Member States shall interlink as closely as possible, where the legal provisions applying in Member States so allow, with local and regional authorities regarding the definition and management of the Instrument.

Amendment 10
Article 2 a (new)

Article 2a

Duration and budgetary resources

This Regulation shall be implemented for the period starting on 1 January 2007 and ending on 31 December 2013.

The financial framework for the implementation of the Instrument is set at EUR 278 million for the period from 1 January 2007 to 31 December 2013 (seven years).

Justification

Following the amendment to include external actions in the scope of this Regulation, the budget needs to be increased; an additional amount of EUR 105 million for the 7-year period seems appropriate.

Amendment 11
Article 5, paragraph 1 a (new)

The legal framework for the financed measures shall allow the sectors concerned to cope, when necessary, with new obligations and shall ensure that any

actions to be undertaken will be in strict compliance with fundamental rights.

Amendment 12
Article 9, paragraph 2

2. Synergies and complementarity shall be sought with other instruments of the European Union or the Community.

2. Synergies and complementarity shall be sought with other instruments of the European Union or the Community, ***in particular with the proposal for a Commission Decision on financing a pilot project containing a set of preparatory actions with a view to strengthening the fight against terrorism, which shall provide the financing for the secure general rapid alert system (ARGUS) and the European Programme for Critical Infrastructure Protection (EPCIP), and in order to guarantee coherence in the fields of critical infrastructure protection and civil protection.***

Justification

There is a risk that some of the activities involved in the above-mentioned funds and instruments are so similar as to risk confusion or duplication if there is ineffective coordination.

Amendment 13
Article 14, paragraph 2 a (new)

2a. The Commission shall undertake to follow up swiftly on this initial, principally financial initiative by submitting its proposed amendments to the Council Decision [on a Civil Protection Mechanism in the event of emergencies] as soon as possible to the European Parliament.

PROCEDURE

Title	Proposal for a Council regulation establishing a Rapid Response and Preparedness Instrument for major emergencies
References	COM(2005)0113 – C6-0181/2005 – 2005/0052(CNS)
Committee responsible	ENVI
Opinion by Date announced in plenary	LIBE 9.6.2005
Enhanced cooperation – date announced in plenary	
Drafts(wo)man Date appointed	Stavros Lambrinidis 4.7.2005
Previous drafts(wo)man	
Discussed in committee	16.1.2006 23.1.2006
Date adopted	23.1.2006
Result of final vote	+: 15 -: 1 0: 0
Members present for the final vote	Edit Bauer, Johannes Blokland, Carlos Coelho, Agustín Díaz de Mera García Consuegra, Antoine Duquesne, Patrick Gaubert, Elly de Groen-Kouwenhoven, Timothy Kirkhope, Wolfgang Kreissl-Dörfler, Stavros Lambrinidis, Henrik Lax, Martine Roure, Inger Segelström, Manfred Weber, Tatjana Ždanoka
Substitute(s) present for the final vote	Katalin Lévai, Herbert Reul, Marie-Line Reynaud
Substitute(s) under Rule 178(2) present for the final vote	
Comments (available in one language only)	