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2004



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

2.2.2006

PE 368.042v01-00

## AMENDMENTS 9-25

### Draft opinion

(PE 367.798v01-00)

**Jutta D. Haug**

European Union Solidarity Fund

Proposal for a regulation (COM(2005)0108 – C6-0093/2005 – 2005/0033(COD))

Text proposed by the Commission

Amendments by Parliament

Amendment by Urszula Krupa

Amendment 9

Recital 3

(3) Major disasters or crisis situations may result from natural, industrial and technological events, including marine pollution and radiological threats, or from public health emergencies, in particular an officially declared influenza pandemic, or acts of terrorism. Existing economic and social cohesion instruments are able to finance risk-prevention measures and the repair of damaged infrastructure. The European Union Solidarity Fund established by Council Regulation (EC) No 1217/2002 enables the Community to help in mobilising emergency services to meet people's immediate needs and contribute to the short-term restoration of damaged key infrastructure so that economic activity can resume in the disaster-stricken regions. That Fund is however mainly limited to natural

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disasters. Provision should also be made to allow the Community to intervene in the event of crisis situations having a non-natural origin.

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Or. pl

*Justification*

*In the event of an exceptional disaster or terrorist act, a successful response by emergency services but without the mobilisation of medical services will not have the anticipated effect. Adequate medical facilities, such as hospitals and first aid points, and the availability of sufficient quantities of vaccines, dressing supplies and medicines form an integral part of the response to any major disaster.*

Amendment by Antonios Trakatellis

Amendment 10  
Recital 3 a (new)

***Recital 3a***

***(3a) The Fund should cover the granting of assistance in cases of imminent threats to public health which may have cross-border repercussions in the Member States.***

Or. el

Amendment by Urszula Krupa

Amendment 11  
Recital 5

(5) In line with the principle of subsidiarity, action under this Regulation should be confined to major disasters. These should be defined depending on the field; however, a certain degree of political appreciation should be allowed for in order to respond to events whose consequences are particularly serious but which, by their nature, cannot be assessed on the basis of physical damage alone as is the case, in particular, with major health crises and acts of terrorism.

(5) In line with the principle of subsidiarity, action under this Regulation should be confined to major disasters. These should be defined depending on the field; however, a certain degree of political appreciation should be allowed for in order to respond to ***extreme*** events whose consequences are particularly serious but which, by their nature, cannot be assessed on the basis of physical damage alone as is the case, in particular, with major health crises and acts

Consideration shall be given to the specific situation of remote and isolated regions, such as the insular and outermost regions.

of terrorism. Consideration shall be given to the specific situation of remote and isolated regions, such as the insular and outermost regions.

Or. pl

*Justification*

*Extreme events can constitute a major disaster.*

Amendment by Thomas Ulmer

Amendment 12  
Recital 6

(6) Major disasters, particularly those which are of a natural origin, often affect more than one country. Where a major disaster has struck an eligible State, assistance should also be granted to an eligible neighbouring country affected by the same disaster.

(6) Major disasters, particularly those which are of a natural origin, often affect more than one country. Where a major disaster has struck an eligible State, assistance should, ***after careful examination***, also be granted to an eligible neighbouring country affected by the same disaster.

Or. de

*Justification*

*There need to be certain hurdles with regard to assistance for third countries.*

Amendment by Urszula Krupa

Amendment 13  
Article 1, paragraph 2, point (b)

(b) industrial and technological disasters;

(b) industrial, ***transport-related*** and technological disasters;

Or. pl

*Justification*

*On 24 March 1989, the 'Exxon Valdez', a huge oil tanker, hit rocks in Alaskan waters. As a result, 50m litres of crude oil spilled into the sea. The spilt fuel created a slick covering 1 300*

*km<sup>2</sup>. Many fish, 30 000 birds and thousands of seals and other sea mammals died. More than 3 800 km of coastline was polluted and the clean-up operation lasted three years and cost USD 2bn.*

*In mid-July 1991, there was a rail accident involving a train carrying Vapam, a poisonous pesticide. The chemicals entered the Sacramento River killing 100 000 rainbow trout. The deadly spill also polluted the largest lake in California. Residents of towns along the shore were evacuated, but 200 people suffered poisoning as a result of the fumes.*

*These were disasters on a considerable scale, but they cannot be classed as industrial or technological as such. It is necessary, therefore, to include transport-related disasters.*

Amendment by Carl Schlyter

Amendment 14

Article 1, paragraph 2, point (b)

(b) industrial and technological disasters;

(b) industrial and technological disasters  
***when not covered by civil liability;***

Or. en

*Justification*

*In the case of industrial and technological disasters, it should be clarified that the party responsible is liable for the damages.*

Amendment by Carl Schlyter

Amendment 15

Article 1, paragraph 2, point (d)

***(d) acts of terrorism;***

***deleted***

Or. en

*Justification*

*Acts of terrorism cannot be compared to natural disasters, they have different reasons, follow a different logic and should be dealt with differently.*

Amendment by Urszula Krupa

Amendment 16

Article 2

For the purposes of this Regulation, a

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disaster shall be considered to be major where it results, in at least one eligible State, in direct damage, the amount of which is estimated as being in excess of EUR 1 billion in 2007 prices or in excess of 0,5 % of the gross national income of the State concerned.

However, even if those quantitative criteria are not met, the Commission may in exceptional and duly justified circumstances, recognise that a major disaster has occurred on the territory of an eligible State.

disaster shall be considered to be major where it results, in at least one eligible State **- in its territorial waters, its airspace or on its territory** - in direct damage, the amount of which is estimated as being in excess of EUR 1 billion in 2007 prices or in excess of 0,5 % of the gross national income of the State concerned.

However, even if those quantitative criteria are not met, the Commission may in exceptional and duly justified circumstances, recognise that a major disaster has occurred on the territory of an eligible State, **in its territorial waters or in its airspace**.

Or. pl

*Justification*

*See justification to Amendment 13.*

Amendment by Thomas Ulmer

Amendment 17  
Article 2, subparagraph 1

For the purposes of this Regulation, a disaster shall be considered to be major where it results, in at least one eligible State, in direct damage, the amount of which is estimated as being in excess of EUR **1** billion in 2007 prices or in excess of **0,5** % of the gross national income of the State concerned.

For the purposes of this Regulation, a disaster shall be considered to be major where it results, in at least one eligible State, in direct damage, the amount of which is estimated as being in excess of EUR **3** billion in 2007 prices or in excess of **0,6** % of the gross national income of the State concerned.

Or. de

*Justification*

*The old thresholds need to be maintained or claims for Solidarity Fund assistance will be made too frequently.*

Amendment by Dimitrios Papadimoulis

Amendment 18

Article 2, subparagraph 2 a (new)

***Particular focus shall be given to outermost, isolated, insular, remote and sparsely populated regions.***

Or. en

*Justification*

*Remote and insular regions suffer from unfavourable natural conditions and are more susceptible to natural risks. They therefore require more attention under the various Community Instruments.*

Amendment by Urszula Krupa

Amendment 19

Article 3, paragraph 1, subparagraph 1

1. At the request of an eligible State, the Commission may award financial assistance from the Fund in the form of a grant, if a major disaster occurs on the territory of that State.

1. At the request of an eligible State, the Commission may award financial assistance from the Fund in the form of a grant, if a major disaster occurs on the territory of that State, ***in its territorial waters or in its airspace.***

Or. pl

*Justification*

*See justification to Amendment 13.*

Amendment by Antonios Trakatellis

Amendment 20

Article 3, paragraph 1, subparagraph 2 a (new)

***At the request of an eligible State, the Commission may grant assistance from the Fund in the form of aid or relief, in the face of an imminent threat to public health on the territory of that State which may have cross-border repercussions in other***

***Member States.***

Or. el

*Justification*

*There should be specific provision for assistance and relief in cases concerning public health, such as epidemics or an influenza pandemic, which may have a cross-border impact in the Member States.*

Amendment by Urszula Krupa

Amendment 21  
Article 4, point (a)

(a) essential emergency operations necessary for the immediate restoration to working order of infrastructure and plant in the fields of energy, water and waste water, telecommunications, transport, health and education;

(a) essential emergency operations necessary for the immediate restoration to working order of infrastructure and plant in the fields of energy, water and waste water, telecommunications, transport, health, education ***and public administration;***

Or. pl

*Justification*

*The return to working order of public administration is essential in order to create stability during and immediately following a disaster. The local authorities are the first to take steps to limit the scope of a disaster. They also work with crisis response teams.*

Amendment by Antonios Trakatellis

Amendment 22  
Article 4, point (b)

(b) immediate medical assistance and measures to protect the population against imminent health threats, including the cost of vaccines, drugs, medical products, equipment and infrastructure used during an emergency;

(b) immediate ***and/or preventive*** medical assistance and measures to protect the population against imminent ***cross-border*** health threats, including the cost of vaccines, drugs, medical products, equipment and infrastructure used during an emergency;

Or. el

*Justification*

*Medical assistance may be immediate but also preventive, as in the case of epidemics or an influenza pandemic. The assistance and relief should also cover cases concerning public health which may have a cross-border impact in the Member States, thereby giving added value to Union measures and policies.*

Amendment by Urszula Krupa

Amendment 23

Article 5, paragraph 1, subparagraph 1, point (a)

(a) the damage caused by the disaster and its impact on the population and the economy concerned;

(a) the damage caused by the disaster and its impact on the population, ***the natural surroundings*** and the economy concerned, ***as well as objects of cultural heritage and ecosystems of particular value in terms of biodiversity***;

Or. pl

*Justification*

*Transport disasters do not only kill people, but also devastate the environment.*

*Terrorist attacks on buildings or monuments that play a cultural or artistic role in Europe, such as the Louvre, the Colosseum or the British Museum, and the resulting damage cannot, under the current provisions, be the subject of a reasoned request to the Commission for assistance from the Solidarity Fund. Exceptional disasters affecting a large area result in the destruction of many valuable ecosystems, in which humans live and farm. The droughts that affected Portugal and parts of Spain in summer 2005, for instance, were accompanied by forest fires that were difficult to extinguish. They resulted in losses not only for people and the economy but above all for European biodiversity. Large-scale flooding of the Danube Delta could also completely destroy protected areas (wetland bird habitats).*

Amendment by Thomas Ulmer

Amendment 24

Article 6, paragraph 2 a (new)

***2a. The repayment proviso should be explicitly mentioned.***

Or. de

*Justification*

*It should be made clear that if a subsequent assessment reveals ineligibility for assistance the*



*advance payment will have to be paid back.*

Amendment by Dimitrios Papadimoulis

Amendment 25

Article 17, paragraph 4

4. Any sum received unduly ***and to be*** recovered shall be repaid to the Commission. Default interest may be charged on sums not repaid in compliance with the Financial Regulation.

4. Any sum received unduly ***or*** recovered ***from a third party*** shall be repaid to the Commission. Default interest may be charged on sums not repaid in compliance with the Financial Regulation.

Or. en

*Justification*

*Where the cost of restoring the damage is subsequently met by a third party, the Commission shall require the beneficiary State to reimburse a corresponding amount of the grant. The polluter pays principle requires that an operator is held liable to the extent that he has caused the resulting damage.*