COMMISSION OF THE EUROPEAN COMMUNITIES

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Annex to the

Proposal for a Regulation Establishing a Rapid Response and Preparedness Instrument for Major Emergencies

Impact assessment

{COM(2005) 113 final}

IMPACT ASSESSMENT

PROPOSAL FOR A REGULATION ESTABLISHING A RAPID RESPONSE AND PREPAREDNESS INSTRUMENT FOR MAJOR EMERGENCIES

1. Introduction

Since its establishment in 2001, the Community Civil Protection Mechanism has responded rapidly and efficiently to a broad range of disasters both inside and outside the EU, including floods in Central Europe (2002) and France (2003), the Prestige accident (2002), the earthquakes in Algeria (2003), Iran (2003) and Morocco (2004), the forest fires in France and Portugal (2003, 2004), the explosion in Asunción (2004) and the tsunami disaster in South Asia (2004). Most recently, Sweden and Albania called upon the Mechanism for assistance in dealing with the consequences of respectively a major storm and snowstorms.

These interventions have shown that the Mechanism is capable of providing immediate assistance in various situations. Simultaneously, they have revealed facets of Europe's civil protection assistance that require further strengthening.

2. What are the main problems identified?

The main needs addressed in the proposal can be summarised as follows:

- Enhancing preparedness: Preparedness is a cornerstone of emergency response. Within the framework of the Community Mechanism, a training programme has been developed consisting of three components: courses, simulation exercises and an exchange of experts system. Other ongoing activities aimed at enhancing preparedness include: the development of a database with information on the national intervention teams and means available for assistance in the event of a major disaster; the development of predetermined scenarios for the response to certain types of disasters (e.g., terrorist attacks); the implementation of a Common Emergency Communication and Information System interlinking the contact points in the Member States and the Monitoring and Information Centre in Brussels. These efforts need to be reinforced to ensure that the civil protection teams and experts of the Member States are prepared to participate effectively in European civil protection interventions.
- Strengthening the analytical and assessment capacity of the Mechanism: One of the key lessons emerging from recent disasters is the need to reinforce the assessment capacity at the scene of a disaster and to ensure close coordination and liaison with the competent authorities of the affected country. Depending on the magnitude of the disaster, the MIC should in future be capable of sending out small liaison teams of 3 to 10 members rather than individual experts. The response to disasters needs to be enhanced by strengthening the analytical capacity of the Mechanism. Incoming alerts and reports should be analysed immediately with a view to determining the possible civil protection needs. Building on existing information sources, the MIC should continuously monitor developments inside and outside the EU in order to guarantee an immediate response to all disasters.
- Enhancing transportation of civil protection assistance: Experience during recent emergencies demonstrated the need to enhance the transportation capacity for European civil protection assistance. Several Member States were able to provide the assistance requested by the affected countries, but were unable to transport the equipment or supplies to the affected region. In some cases, the MIC succeeded in arranging transportation through other Member States. In most cases, however, the assistance was significantly delayed or simply not sent. The MIC should therefore be in a position to finance and organise the transportation of assistance in the event of a disaster.
- Reinforcing the logistical basis of the Mechanism: The Mechanism should be provided with the appropriate logistical means. Financing needs to be made available, enabling the MIC to hire quickly any equipment that is necessary to ensure a rapid European response and which cannot be obtained

from the Member States. Typical examples could be fire fighting aircraft during the summer months, when forest fires are frequent disasters in Southern Europe.

- Other needs relate to: better visibility of European civil protection assistance, i.a. through common insignia for on site personnel; ensuring a more solid, effective and well-coordinated European civil protection response to major disasters; improving the interoperability of means and systems, including civil-military interoperability, i.a. through simulations exercises and by developing strategies for improved interoperability; the need to ensure greater availability of civil protection resources for European assistance by working with Member States on establishing scenarios, developing assistance modules and filling gaps in resources availability (e.g., standby arrangements).

3. What are the main policy objectives?

The Regulation establishes a Rapid Response and Preparedness Instrument for major emergencies 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 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.

The specific objectives include contributing to the following:

- Promoting effective operational cooperation between national civil protection authorities;
- Ensuring the availability of adequate means and equipment to protection against the effects of major emergencies;
- The development of strategies, procedures and systems for assessing the need for and the promotion of the establishment of adequate means and equipment that can be deployed rapidly in the event of major emergencies;
- Setting-up mechanisms and procedures for transferring adequate means and equipment to requesting states;
- Ensuring real-time input of specific expertise;
- Enhancing the availability and transportation of teams and equipment;
- Stimulating, promoting and supporting exchange of know-how and experience;
- Facilitating public health assistance and response as well as the development of drugs and vaccines to combat major health threats.

In pursuing these objectives, the proposal aims at maximising the added value of European cooperation in the field of civil protection:

- The pooling of resources and efforts on a larger European scale constitutes a collective effort to maximise the protection of people, property and the environment in the event of major disasters.
- When disaster strikes within the EU, the authorities of the affected Member States can benefit from immediate, well-coordinated and tangible civil protection assistance through the reinforced Community Mechanism.
- Improving the Mechanism and building a more robust rapid reaction capability allows the Union to express its solidarity with those affected by major disasters.

In this respect, the proposal takes account of – and builds upon – the objectives established for the Community Civil Protection Mechanism, the Civil Protection Action Programme and the Marine Pollution Community

Framework.

4. What are the main policy options available to reach the objective?

Different options have been considered for achieving the overall objective.

(1) No policy change: If no action is taken at EU level, no Community financing will be available for civil protection from 2007 onwards. The Commission will not be able to continue to operate the existing instruments in the field of civil protection and the above goals cannot be achieved.

(2) Promote cooperation between Member States with no financial incentive: In this case, the EU would not be capable of expressing its solidarity with those affected by major disasters. It would not be able to ensure timely transportation of vital assistance, better preparedness or the availability of assistance and equipment necessary to alleviate the immediate consequences of disasters. This would have negative consequences for the image of the Union and our citizens' perception of European solidarity. Moreover, Member States are likely to revert to purely national interventions, carried out in a bilateral framework with the country affected by a disaster. This would mean that the progress made to date will be lost. The Union will not be capable of ensuring coherence and effectiveness of the overall assistance and will not be able to live up to its commitment to ensure solidarity with countries affected by major disasters.

(3) Legislative instrument ensuring funding for civil protection: A legislative instrument is needed to strengthen cooperation and to enhance preparedness. Moreover, from the above it is evident that financial support is necessary at EU level to achieve both the general and specific objectives in this area.

In conclusion, it is necessary to establish a Rapid Response and Preparedness Instrument under which financial assistance may be given, as a contribution to improving the effectiveness of systems for preparing for and responding to major emergencies, in particular in the context of the Community Civil Protection Mechanism.

5. Impact from the specific action proposed

The specific action proposed will allow the Commission and the Member States to pursue an integrated approach that will provide the optimal level of support to Member States affected by major disasters. It will allow the Commission to address the main weaknesses of existing work on civil protection, as identified above, and ensure that effective assistance is provided immediately to those affected by major disasters. The proposal will allow recent events, new technologies and the lessons learned from disasters to be taken into account and reflected in the future work of the Mechanism. They contribute to the Commission's overall policy of enhancing security of EU citizens and showing solidarity with those affected by disasters.

Response to disasters

The specific objectives of civil protection actions in this area are to mobilise expertise, to facilitate transportation and associated logistical support and to mobilise equipment and means. The actions will result in

- The sending of experts in case of disasters to assist the affected country in the assessment of the needs on site and to liaise with the competent authorities of the affected country (estimated number of 10 disasters per year and 10 experts per disaster);
- Transportation of European civil protection assistance in the event of disasters as well as associated logistical support (estimated number of 10 disasters per year and 6 flights per disaster);
- The mobilisation of equipment and means (estimated number of 10 disasters).

Relevant indicators are the delivery of European assistance in case of disasters, its positive impact on the immediate consequences, its timeliness and effectiveness.

Preparedness

Preparedness actions encompass all activities and measures taken in advance, within the EU and the participating countries, to ensure effective rapid response and to mitigate the adverse consequences of disasters.

They will ensure the following concrete results (per year):

- training courses (including general training courses in the context of the Mechanism as well as training courses focusing on specific issues or for a specialised audience) to provide experts and team leaders with the knowledge and tools needed to participate effectively in Community interventions and to develop a common European intervention culture;
- command post exercises and full-scale exercises to test interoperability, train civil protection officials and create a common intervention culture;
- the exchange of experts to enhance understanding of European civil protection and to share information and experience;
- workshops to enhance information sharing and promote a common understanding of civil protection issues;

projects, studies, surveys, modelling, scenario-building and contingency planning, capacity building assistance; demonstration projects; technology transfer; awareness and dissemination actions; communication actions; provision of adequate means and equipment and monitoring assessment and evaluation.

6. What information and data is already available? Which stakeholders & experts have been consulted?

The proposal builds on the results of the three existing instruments, i.e., the Community Civil Protection Mechanism, the Civil Protection Action Programme and the Marine Pollution Framework. The three instruments are currently being evaluated by an external evaluator.

In addition, the proposal builds on the experience gained in emergencies handled by the Mechanism in the past three years. Information is available on all of the emergencies handled so far. This includes in particular the evaluation made of the Community intervention following the floods in Central Europe (2002) and France (2003), the Prestige accident (2002), the earthquakes in Algeria (2003), Iran (2003) and Morocco (2004) and the forest fires in France and Portugal (2003, 2004).

Following the tsunami emergency in South Asia, the Council adopted on 31 January 2005 an EU Action Plan, in which it draws lessons from experience in South Asia for the future. This Action Plan covers both disaster response within the EU and outside the Union. The proposal takes into account these lessons.

A range of mechanisms are in place to ascertain Member States views and to ensure the quality of measures. These include in particular the meetings of the Civil Protection and Marine Pollution Committees as well as the informal meetings of the Directors-General for civil protection.

The development of the proposal has benefited from a consultation process launched for a different – though related – instrument, which will be proposed towards the end of 2005. In January 2005, a consultation paper has been distributed to members of the civil protection and marine pollution committees, national contact points, Commission services, NGOs and civil society (Red Cross, marine pollution organisations, environmental NGOs, THW, relief partners, professional associations, etc.) to seek their views on future cooperation in the field of civil protection. A first stakeholders meeting was organised in early February. Feedback received during this consultation process has been integrated also in this financial instrument.

7. How will the proposal be implemented, monitored and evaluated?

The proposal will be implemented by the Commission. A comprehensive monitoring system is provided by Article 11 of the proposal. This includes: on-the-spot checks, including sample checks, on actions financed under this Regulation; supervision and financial control of grants and contracts by the Commission and audits by the Court of Auditors, including on-the-spot, in accordance with the provisions of the Financial Regulation; obligations on the beneficiary of financial assistance to keep available for the Commission all the supporting documents regarding expenditure on the action; etc.

In addition, the Commission shall submit to the EP and the Council:

(a) and interim evaluation report no later than 31 December 2010;

(b) a communication on the continuation of this Regulation no later than 31 December 2011;

(c) an ex-post evaluation no later than 31 March 2015.