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**COMMUNICATION FROM THE COMMISSION
TO THE EUROPEAN PARLIAMENT, THE COUNCIL,
THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND
THE COMMITTEE OF THE REGIONS**

Reinforcing the Civil Protection Capacity of the European Union

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Reinforcing the Civil Protection Capacity of the European Union

(Text with EEA relevance)

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1. INTRODUCTION

The European continent has recently been experiencing more extreme weather conditions. Floods in Central and Eastern Europe in the summer of 2002 were followed by a heat wave and extensive forest fires in southern Europe in the summer of 2003. In December 2003, France was hit by severe flooding. All these events have resulted in difficult social, economic, and environmental consequences. They have led to loss of life and major costs for national budgets. During the same period, there have been a number of earthquakes and several manmade disasters¹, some of them at sea such as the Prestige oil spill.

In addition the most recent devastating terrorist attack in Spain reinforces the need to improve the European capacities in order to offer immediate assistance in case of disaster and thereby giving a tangible sign of European solidarity.

Outside Europe, similar patterns can be observed. Data on major natural disasters at international level show an increase both in the number of disasters and in their economic repercussions. Several factors, such as increased population density in areas prone to hazards or negative effects of adverse weather conditions, have contributed to this. These trends call for action by governments to strengthen preventive measures and enhance response capacities.

The Community responds with different mechanisms according to the type of emergency. When a disaster strikes a country inside or outside the EU, the Community Mechanism provides immediate assistance through the civil protection teams of the participating states. At the same time, during emergencies in third countries, the European Community Humanitarian Office (ECHO) provides relief to the victims of both natural disasters and man-made crises in cooperation with its implementing partners (UN Agencies, Red Cross family and NGOs)².

Moreover, when an emergency occurs outside the European Union within the context of crisis management referred to in the second pillar of the EU Treaty (EU crisis management), recital 12 of the Council Decision 2001/792 provides that the Community Mechanism can be a facilitating and supporting tool. Further to the conclusions of the Seville European Council, the Council and the Commission agreed on the modalities under which the Mechanism can be used in third countries in those circumstances³. Increasing the coherence between the different instruments the Union disposes of in the area of external relations will allow the EU to better address the challenges and threats as set out, inter alia, in the European Security Strategy that was endorsed by the European Council in December. It will allow the establishment of appropriate crisis management capacity combining civilian and military means, while ensuring that the humanitarian aid remains independent from political considerations.

Governments around the world are also increasingly facing new and emerging threats such as chemical, biological, radiological and nuclear (CBRN) and terrorist attacks which also call for new preventive and response capacities to complement the existing instruments. With this in

¹ In this Communication, manmade hazards are all hazards linked to human activities such as technological hazards or terrorists' threats, for example.

² See also Council Regulation (EC) 1257/96 of 20 June 1996 concerning humanitarian aid (OJ L 163, p. 1).

³ Joint Declaration by the Council and the Commission on the use of the Community Civil Protection Mechanism in Crisis Management referred to in Title V of the Treaty on European Union of 29 September 2003

mind, in 2002 the Commission set up a new programme to help cooperation between Member States on preparation, detection and measures to reduce the consequences of CBRN or terrorist attacks inside the EU.

People rely on governments to respond rapidly when large disasters strike. Civil protection services operate in most countries to provide immediate relief and there is also a long standing tradition of solidarity in the international community, with countries dispatching relief teams⁴ as soon as a catastrophe occurs. In recent years the EU has been working to strengthen its own civil protection co-operation in order to provide a more effective response to challenges inside the EU and as part of its growing international role.

Moreover, in 2002 the European Union created a Solidarity Fund⁵. This Fund provides financial assistance to help people, regions and countries hit by major disasters to return to living conditions that are as normal as possible.

While the prevention of natural and man made accidents remains a high priority, the purpose of this Communication is to review the civil protection response capacity of the EU and to propose improvements where necessary. The Communication deals with both the internal and third-country dimensions of civil protection – the needs are often similar but different procedures come into play when EU civil protection assistance is called upon to provide assistance outside the Union.

A conference on “The Solidarity Fund and the EU immediate response to disasters” will be held in mid – June 2004 and will allow an exchange of views on some of the issues raised in this Communication.

2. BACKGROUND

While the primary responsibility for dealing with the immediate effects of a disaster lies with the country where the disaster occurs, the role of the Commission in the field of civil protection has increased since early 1990s. The Member States agreed on the need to strengthen cooperation in civil protection and created a framework for it through the first Council Resolution which was adopted in 1987. Subsequently, the First Community Action Programme in the field of Civil Protection was agreed in 1997.

⁴ In addition to the relief provided by humanitarian agencies.

⁵ Council Regulation (EC) No 2012/2002 of 11 November 2002 establishing the European Union Solidarity Fund (OJ L 311, p. 3).

The Commission made a first step towards defining an EU Civil Protection strategy in 2000 when it proposed a strengthened Community Mechanism for Civil Protection to supplement the existing Community Action Programme in the field of Civil Protection (2000-2004)⁶. This proposal led to the adoption of Council Decision 2001/792⁷. Acceding and candidate countries as well as EEA countries participate in the Community Mechanism to facilitate reinforced cooperation in civil protection assistance interventions, hereinafter called the “Community Mechanism”. At the end of 2003 the Commission adopted the implementing instrument for the Council Decision 2001/792.

Operating on a permanent basis 24 hours a day the Monitoring and Information Centre is at the heart of the Community Civil Protection Mechanism, supported by a database, training and workshop programmes and a Common Emergency Communication and Information System.

2.1. The development of a legal co-operation framework in civil protection

When the scale of a disaster overwhelms national response capacities, vital additional assistance can be provided at short notice if other countries are willing to share their expertise and equipment. In order to do this effectively, a co-ordination mechanism is essential.

Experience of several major disasters in recent years has prompted calls for improved civil protection response at Community level. The European Parliament has recently adopted a resolution and a report inviting the Commission to review its response capacity⁸. The main common element in these calls is the need for more effective co-ordination of assistance. In addition, the European Parliament has also called for the creation of a European Civil Protection Force⁹.

⁶ Council Decision 1999/847/EC of 9 December 1999 establishing a Community action programme in the field of civil protection (2000-2004) OJ L 327, 21/12/1999 page 53.

⁷ Council Decision 2001/792/EC, Euratom of 23 October 2001 establishing a Community Mechanism to facilitate reinforced cooperation in civil protection assistance OJ L 297, p. 7

⁸ European Parliament resolution on the effects of the summer heat wave of 4 September 2003 (P5_TA-PROV (2003) 0373); European Parliament Report on improving safety at sea in response to Prestige accident (2003/2066 (INI)).

⁹ European Parliament resolution on the effects of the summer heat wave in its paragraph 11 reads as follows:

“The European Parliament appreciates the efforts of many Member States which have made available to the Mediterranean countries affected additional resources, both human and material, and calls on the Commission and the Council to address the question of establishing a European Civil Protection Force as a matter of urgency”.

European Parliament Report on improving safety at sea in response to Prestige accident in its paragraph 22 reads as follows:

“The European Parliament calls on the European Union to establish, through the offices of the Commission, a coordination and intervention structure that enables it to respond to emergencies by channelling European assistance as soon as they arise”.

The Draft Treaty establishing a Constitution for Europe reinforces the case for co-operation between Member States in the field of prevention and protection against natural or manmade disasters by proposing to introduce an article on civil protection (Article III-184)¹⁰. Furthermore, Article I-42 of the Draft Treaty calls for solidarity between Member States in the case of terrorist attacks and natural disasters¹¹. This so-called solidarity clause provides for access to the complete array of civil protection instruments in order to protect citizens and democratic institutions, in particular in the case of terrorist attacks. In particular, it allows for common deployment of civil, military and legal means in the spirit of solidarity on the territory of the Union.

2.2. How the Community Mechanism works today

When hit by a major disaster, Member States or third countries can send an assistance request to the European Monitoring and Information Centre at the Commission. The request is then immediately forwarded to all participating countries and the Centre compiles the responses. The work of the Centre is based on a permanent network of contacts set up by the Commission to ensure uninterrupted links with the civil protection centres of the participating states and to foster information sharing.

The country affected by a disaster can call on the network to get access to a ‘one-stop shop’ of specialised personnel and other resources both in the public and private sectors. Within a few hours, this requesting country has an overview of the help available. In addition, the Monitoring and Information Centre is assisted by the EU Joint Research Centre (JRC), which provides technical support through advance modelling, satellite applications and integrated analysis. The Monitoring and Information Centre also provides all participating countries with information updates as the situation evolves. It can also send on-the-spot experts and liaison officers to facilitate cooperation between intervention teams and can help with logistical, linguistic or other issues.

¹⁰ The Article III – 184 reads as follows :

“1. The Union shall encourage cooperation between Member States in order to improve the effectiveness of systems for preventing and protecting against natural and man madder disasters within the Union.

Union action shall aim to:

(a) support and complement Member States’ action at national, regional and local level in risk prevention, in preparing their civil-protection personnel and in responding to natural or man-made disasters;

(b) promote swift, effective operational cooperation between national civil-protection services;

(c) promote consistency in international civil –protection work.

2. The measures necessary to help achieve the objectives referred to in paragraph 1 shall be enacted in European laws or framework laws, excluding any harmonisation of the laws and regulations of the Member States.”

¹¹ Article I-42 reads as follows:

“1. The Union and its Member States shall act jointly in the sprit of solidarity if a Member State is a victim of a terrorist attack or natural or man-made disaster. The Union shall mobilise all instruments at its disposal, including the military resources made available by the Member States, to:

(a) – prevent the terrorist threat in the territory of the Member States;

– protect democratic institutions and the civilian population from any terrorist attack;

– assist a Member State in its territory at the request of its political authorities in the event of a terrorist attack;

(b) – assist a Member State in its territory at the request of its political authorities in the event of a disaster;

2. The detailed arrangements for implementing this provision are at Article III-231.”

The Prestige case

The Prestige accident is a clear example of where the scale of a disaster calls for resources on a scale which go beyond national response capacities and where co-ordinated action at EU level can be effective:

- The Monitoring and Information Centre launched eight different requests for assistance which resulted in ships, aircraft, equipment and experts from different participating countries being put at the disposal of the Spanish, Portuguese and French authorities.
- The Monitoring and Information Centre and the Joint Research Centre, in coordination with the Spanish authorities, acquired satellite images of the area in the framework of the Charter “Space & Major Disasters”. All the images were analysed by the Joint Research Centre.
- Following the “Prestige” accident, the Commission proposed to widen the scope of the European Maritime Safety Agency, which will act in support of the Community Mechanism¹². The Commission organised also a “lessons learnt” meeting in Catania, Sicily one year after the accident.
- At the request of the Spanish authorities the EU Solidarity Fund contributed €8,626 million to the cost of the emergency measures and two loans from the EIB were approved for a total of € 500 million to assist the economic recovery of the area.

Forest fires in Portugal

The 2003 summer fires in Portugal showed the limits of voluntary assistance at a time when several neighbouring countries were dealing simultaneously with large-scale emergencies. Although 21 participating countries expressed a clear political will to help, Portugal finally only received assistance from Italy (2 Canadairs) and Germany (3 helicopters) because most available capacity was already being used to fight fires elsewhere in the Mediterranean region.

One of the “lessons learnt” was that when many countries were affected simultaneously by the same type of disaster they had difficulties in offering assistance to their neighbours.

The Monitoring and Information Centre was supported by the Joint Research Centre, which provided daily information on fire risks and provided a rapid estimate of the damage.

Floods in France

During the floods in the south of France in December 2003, a request was made for high capacity pumps. Within less than three hours, two countries with resources meeting the technical needs were identified and a further five possible sources were subsequently found. Ultimately, four countries provided assistance (pumps of daily pumping capacity of 1 872 000 m³/day) which facilitated the handling of the emergency and a more rapid return to normal living conditions in the affected areas.

¹² Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 1406/2002 establishing a European Maritime Safety Agency

The experience of this emergency has once again confirmed the insufficiency of the database and the need to ensure the compatibility of equipment. It is important to know where the equipment is located in order to be able to ensure its immediate relocation/transfer.

Earthquake in Morocco

On 24 February 2004 Morocco was hit by a serious earthquake. The Monitoring and Information Centre, in coordination with the presidency, established rapidly contacts with the EU delegation in Morocco and with the Moroccan Mission to the EU with a view to better assess the seriousness of the situation and the needs.

In the evening of the same day the Moroccan authorities requested European assistance. The Monitoring and Information Centre then sent out to all participating countries a request for immediate assistance concerning in particular search and rescue teams and power generating plants. At the same time, in close consultation with the Presidency, a Franco-Spanish coordination team was appointed. Immediate contacts with UN-OCHA were also established in order to coordinate effectively the assistance on site.

The Commission, through ECHO, adopted a € 975.000 primary emergency Decision with 6 partners in order to assist the victims of the earthquake. The funding provided by ECHO aimed to meet initial basic needs for medical assistance, drinking water, household utensils, hygiene products and shelter. ECHO's partners for this operation were the French, German and Spanish Red Cross Societies and three European NGOs – Asamblea de Cooperacion Por la Paz (Spain), CESVI-Cooperazione e Sviluppo (Italy) and Movimiento para la Paz el Desarrollo y la Libertad (Spain).

The civil protection operation lasted three days engaging more than 17 European countries.

3. REVIEW OF THE RESPONSE CAPACITIES

The operation of the current system requires relatively few human and budgetary resources because of the inherent characteristics of its structure. Two years after its entry into force, the Community Mechanism has shown that it can work to the benefit of participating countries and has already become established as an increasingly important part of the civil protection response capacity at EU level. However, there are topics that may become an issue in the future and experience has also shown the limits of the current system and revealed a number of issues which require special attention. The points that need to be reviewed include:

- information gaps;
- a need for more training and focus on inter-operability;
- a need for better communication and improved co-ordination;
- financial issues, both inside and outside the EU.

3.1. Information gaps

When assistance is requested under the Community Mechanism, personnel and equipment are provided by participating countries on a voluntary basis. In order to be aware of what

response capabilities exist so that a rapid response can be made, the Commission has set up a database which identifies potentially available assistance. At present, this database is fairly basic and mainly contains information on intervention teams. For example, when France recently needed high capacity pumps, only one country had registered teams equipped with pumps in the database and the capacity of these pumps was not specified. The reply to the call for assistance revealed that six participating countries had equipment that fulfilled the technical specifications.

Therefore, early experience with the Community Mechanism has shown that the database needs to be completed so that it contains the necessary information on the response capacities. On the basis of some pre-defined scenarios for natural disasters, CBRN or terrorist attacks, the database should give an immediate overview of the teams and equipment which could be called upon in case of need. Even if the availability of equipment and/or personnel will always need to be confirmed in real time, participating countries have recognised that the availability of such information in the database would encourage them to use the Community Mechanism more often and would help them to identify the persisting shortcomings.

Usually, Member States have the necessary equipment to deal with the main recurring disasters that they are likely to face in their national contexts. However, large scale disasters can overwhelm national response capacities and with the likelihood of some hazards increasing while new threats, such as CBRN or terrorism are emerging, heavy pressure is being put on national civil protection services. Highly specialised equipment is needed to deal with a series of threats and hazards but it is neither feasible nor practicable for individual Member States to be prepared for each and every eventuality.

Member States have already agreed to extend their own response capacities through a co-ordinated mechanism for pooling expertise and resources in response to disasters. This co-ordinated approach will only work if the system can provide all necessary information so that all participating countries are aware of what is available. This can best be done through the Community Mechanism.

In addition to supplementing and upgrading the database, two further issues need to be addressed – the possible use of military assets and the cost of the assistance provided:

- When major disasters occur, military or dual purpose equipment, such as helicopters, is frequently used to provide civil protection assistance. Moreover, in case of CBRN or terrorist attacks they often constitute core equipment. Therefore it will be important to include such equipment in the database.
- When an emergency is developing, valuable time cannot be spent on financial issues. Determining what could be the cost of providing assistance and accepting it have proved to be time consuming issues. This problem could be solved if the database contains the standard cost for supplying the relevant equipment etc.

The database will be reviewed and participating states will be asked to provide more complete information to enable faster and more effective responses to be given to requests for assistance. Where necessary the Commission intends to propose a modification of the Council Decision 2001/792.

3.2. Training and focus on inter-operability

Training

Effective use of the Community Mechanism requires the availability of highly qualified personnel with appropriate experience and of teams which are used to working together in a European context. At the end of 2003, the database contained information on a total of 6737 persons specialised in very different fields such as search and rescue, CBRN, terrorism, clean up, logistical support etc. To be efficient when called to work together, the operational teams should know each other well and know the techniques used by their colleagues in other Member States.

Regular training courses and exercises are organised by the Commission. Recently, three exercises and two workshops on CBRN issues were organised (EU finance of € 1,5 million). Five exercises on natural disasters and technological accidents will take place in 2004 and 2005 (EU finance of € 1,56million). Ten training courses for 220 experts will be organised and evaluated in the first half of 2004 (EU finance of €1,1million). Another 14 courses for 330 participants have recently been identified and will take place in 2004/5 (EU finance of €1,7million). The Commission has also set up an Exchange of Experts Programme to share experience and enhance cooperation between experts from participating countries (EU finance €0,8million).

Training, exercises and other forms of co-operation which are being developed under existing policy decisions contribute to a more visible expression of EU solidarity in response to crisis and to more effective cooperation than in the past. Common equipment and insignia, such as coats and tents, will help to identify members of the EU coordinated teams on site as part of an ad hoc European Union Civil Protection Force drawn from existing specialised national units.

Inter-operability

At present, the civil protection teams operating abroad are usually self-sufficient and come with their own equipment. In the future, provided that sufficient training is given, such teams should be able to use specific foreign equipment. The exercises and training courses which are planned under the Community Mechanism will be particularly useful in highlighting practical difficulties such as communication and compatibility of technical equipment which is essential to ensure a rapid response. In addition, technological research is necessary to further improve the inter-operability of technical equipment, hence the efficiency and co-ordination among the users.

In view of recent developments, particularly in the context of the European Security and Defence Policy (ESDP), civilian – military inter-operability has also been addressed. To that effect, it was decided that the content of the military database will be made available to the Community Mechanism. This will be very relevant in case of CBRN or terrorist attacks.

The Commission will further develop a programme of training and joint exercises in order to ensure that teams and experts from different participating countries can work together efficiently using foreign equipment.

Common insignia for the intervention teams will contribute to identifying the ad-hoc EU Civil Protection Force and enhance the visibility of European Solidarity.

3.3. Better communication and improved co-ordination

The role of the Member States

Participating countries often activate the Community Mechanism at a very late stage when the emergency has already reached major proportions. Under the current Decision, Member States are not required to inform the Monitoring and Information Centre when a major disaster occurs, even if it may have transboundary effects. However, experience has shown that sending information to all participating countries at the earliest possible stage allows them to be prepared to respond should a request for assistance be made.

Since the use of the Monitoring and Information Centre is purely voluntary at present, participating countries do not always inform the Centre when assistance has been offered on a bilateral or multilateral basis. However, they recognise that it is important to have information on assistance being supplied by other countries in order to maximise the efficiency of any assistance they may be able to provide.

Improving the link with other networks

The Council Decision foresees the development of a Common Emergency Communication and Information System between the Civil Protection administrations of the Member States and the relevant services of the Commission. The system will be operational in 2004 and will guarantee the authenticity, integrity and confidentiality of information exchanged among Member States under routine conditions and in emergencies. Some of these features will be of particular importance towards improving the preparedness and response to CBRN and terrorist threats. Provision has been made for interlinking this communication system with the other existing networks, in particular for radiological and health emergencies. The interconnections will be tested and validated through exercises.

The Civil Protection Monitoring and Information Centre also serves as an interface with other networks likely to be involved in dealing with an emergency such as:

- the European Community Urgent Radiological Information Exchange system (ECURIE) that ensures an immediate alert and information exchange in the event of a major radiological or nuclear emergency, not only to the Member States but also to the Accession States and Candidate Countries. Under this system the participating countries are required to notify major radiological emergencies to the Commission;

- the Early Warning and Response System (EWRS) which is a monitoring and response information system in the field of communicable diseases as laid down under Decision 2119/98/EC¹³ and Decision 2000/57EC¹⁴. It links the Commission and the national health and response surveillance authorities of each Member State and can use specialised databases located in some Member States;
- the Rapid Alert System for Biological and Chemical Attacks and Threats (RAS-BICHAT) that was set up to allow prompt transmission of alerts and exchange of information between the representatives of the Member States in the Health Security Committee and the competent services of the Commission concerning deliberate releases of biological and chemical agents to cause harm. The system complements the EWRS as regards the requirement of Decision 2119/98 on mechanisms and procedures for the prevention and control of communicable diseases and on counter-measures to be implemented.
- The two latter systems have recently extended their coverage to include the acceding states, the candidate countries and the EEA countries. They will be reinforced by the development of a Medical Intelligence System (MedISys) which rapidly detects tracks and assesses threats.

Co-ordination of operations in third countries

Where disaster and crises occur outside the European Union, there is often a need for humanitarian aid as well as for civil protection assistance:

- Civil protection assistance typically includes activities such as search and rescue, evacuation, fire fighting, medical expertise/equipment, field hospitals, and other specialised activities, such as detection, analysis, measurement, safety and security/decontamination in case of nuclear, bacteriological, radiological or chemical incidents. Civil protection assistance is only provided in response to a request from the relevant state and the response is decided in agreement with the EU presidency.
- Humanitarian aid aims at saving lives and alleviating suffering during and in the aftermath of man-made crises and natural disasters and must be guided by the humanitarian principles of humanity, impartiality, neutrality and independence. All humanitarian organisations are linked to the respect of these basic humanitarian principles, which are key elements for their unhindered access to victims as well as for the physical security of their staff. Thus ECHO, as a humanitarian actor, provides apolitical, non-discriminatory humanitarian emergency assistance, based on the needs of the beneficiaries, and works through professional aid agencies including UN bodies, the Red Cross family and NGOs. ECHO's intervention through its implementing partners, consists of basic humanitarian support (food, relief shelter, water, sanitation, medicines, etc.).

¹³ Decision No 2119/98/EC of the European Parliament and of the Council of 24 September 1998 setting up a network for the epidemiological surveillance and control of communicable diseases in the Community (OJ L 268, p. 1).

¹⁴ Commission Decision of 22 December 1999 on the early warning and response system for the prevention and control of communicable diseases under Decision No 2119/98/EC of the European Parliament and of the Council (OJ L 21, p. 32).

ECHO's humanitarian assistance is directly provided regardless of any request or agreement from the affected country.

- A civil protection intervention in the context of EU crisis management operations in third countries requires yet another approach. The link with crisis management under the Union Common Foreign and Security Policy was established in the Decision establishing the Community Mechanism, where recital 12 states specifically that it “could, under conditions to be determined, also be a tool for facilitating and supporting crisis management referred to in Title V (Common Foreign and Security Policy) of the Treaty on European Union”. The question as to how the Community Mechanism can play a part in a coherent EU approach to crisis management is addressed in the Joint Council-Commission Declaration of 29 September 2003, which lays down modalities for the use of the Community Mechanism as an integrated tool for crisis management without undermining its integrity, or its autonomous capacity in other situations. So far, the Community Mechanism has not been used in this context.

In order to ensure smooth co-ordination, a number of emergency scenarios, involving both types of assistance, have been identified¹⁵. An improved EU system could enhance EU contribution to UN-led operations.

EU Member States are already well used to co-operating internationally in responding to calls for civil protection assistance. Many Member States also contribute with both human resources and physical assets to the UN Disaster Assessment and Coordination (UNDAC) system for sudden on-set emergencies.

Civil protection operations rarely take place in isolation. Complementary humanitarian operations under the specific mandates of international humanitarian organisation (e.g. UN OCHA for international aid coordination, UNHCR for refugees, UNICEF for children, ICRC for the protection of civilians and prisoners) and under the umbrella of the IFRC, the National Red Cross or Crescent societies on the spot, will also be underway in a given emergency. In such circumstances, the assistance provided through the Community Mechanism will take place in close cooperation with all other international actors in order to ensure full complementarity.

The EU should be able to respond effectively as a Union to calls for assistance from third countries and have a visible, distinctive EU presence on the ground, complementing other Community policies. In the most recent emergency in Iran, the EU coordination on site proved to be an essential element of the international assistance. However, recent experience has also shown that there is a need for better co-ordination procedures which need to be decided in advance of responding to an emergency as there is little time or possibility to agree these on the ground in the middle of the emergency.

¹⁵ See: “Responding to Goteborg targets: civil protection capabilities in EU civilian crisis management”. Commission non paper on the interplay between civil protection and humanitarian assistance in crisis situations – 3 May 2002.

Earthquake in Iran

On 26 December 2003 Iran was hit by the most disastrous earthquake in recent years. The city of Bam was devastated, over 30 000 people died. In the afternoon of that day, the EU Community Mechanism had already issued a request for assistance, appointed an EU coordinator on site and made contacts with both Iranian authorities and international organisations. Eighteen participating countries responded and the EU coordination site was operational at very short notice. The assistance consisted of search and rescue teams, establishment of field hospitals as well as tents, equipment and food.

At the same time ECHO contacted its major partners, notably the IFRC, to help assess the immediate needs following the earthquake. On 28 December ECHO adopted a “primary emergency aid” decision to allocate humanitarian aid worth € 2,3 million to help meet the urgent needs of the victims. On 29-31 December and again on 5-8 January ECHO sent experts teams to Bam to assess the situation and co-ordinate with the relevant relief agencies on the spot.

A “lessons learnt” meeting was organised on 11 February with the EU civil protection coordinators as well as the representatives of intervention teams in order to increase effectiveness and coordination for future actions. A further “lessons learnt” meeting will be organised by OCHA on 14-15 April.

When Member States call for bilateral or multilateral assistance or when they supply assistance to another country, the Monitoring and Information Centre should be informed. In order to ensure that the necessary information is provided, the Commission will propose to amend the Council Decision.

Complementarities at international and EU level between civil protection and humanitarian assistance operations will be pursued and reinforced. Co-ordination procedures with UN-OCHA and UNDAC should be further clarified and agreed to ensure a swift, on the spot co-ordination especially in the early stages of responding to an emergency, in particular to avoid duplication of effort.

3.4. Financial issues

The rules and budgetary possibilities for providing EU financial support as part of civil protection operations are different for operations inside and outside the EU.

Inside the EU

The implementing rules of the Community Mechanism provide that, in the absence of a specific agreement between the relevant countries, the country affected by a disaster bears the cost for receiving assistance. For example, combating the forest fires during the summer of 2003 cost an estimated €3,2 million (in the context of an estimated total cost of €2,1 billion in damages) and first estimations of assistance costs during the floods in southern France are €1million. Inside the EU (and in acceding countries) the bulk of this cost is for transport of equipment and of rescue teams since Member States usually provide equipment (or use local equipment, hence the importance of inter-operability) and rescue teams for free.

The Solidarity Fund provides financial assistance to assist people, regions and countries

concerned to return to living conditions that are as normal as possible. It is available to “beneficiary States”, defined as Member States or countries involved in accession negotiations. The main purpose of the Fund is to grant assistance in the event of major disasters (mainly natural) with serious repercussions on living conditions, the natural environment or the economy in one or more regions of the affected country.

Under the Solidarity Fund, public expenditure incurred for essential emergency operations such as combating the disaster, restoring infrastructure to working order and rescue services to meet immediate needs are eligible for assistance. Therefore, the cost for transporting rescue teams and equipment to the place of disaster or paying for the intervention of rescue teams and/or equipment is in principle eligible for compensation under the Solidarity Fund Regulation.

The total amount that can be mobilised in a given year is €1 billion. Since entry into force of the Regulation 14 requests for assistance have been submitted and a total of €832,8 million has been granted.

Given the increasing number of emergencies on the one hand and budgetary constraints in the Member States on the other, the cost of providing assistance under the Community Mechanism may likely become an issue in the future, in particular if the support from the EU Solidarity Fund proves insufficient. Transport costs are estimated to vary between € 0,2 – 1 million depending on the location and type of emergency. Assuming an average of 10 disasters at a cost of €0,6 million each the annual cost would be around €6 m. If Community funding is made available, a procedure for rapid decision making would be necessary.

Experience with the forest fires of the summer of 2003 showed the limits of purely voluntary action and highlighted the need for a source of rapid financing. Consideration should be given to the question to what extent such a facility, which could be deemed repayable at a later stage should also be introduced for disasters inside the EU. Such a facility should help Member States whose national response capacities are overwhelmed by the scale of a disaster to buy in assistance from outside in order to bring the disaster under control as soon as possible.

Outside the EU

The issue of paying for transport costs also arises externally. In certain, limited circumstances, it may be possible to use funds for humanitarian assistance to defray the transport costs associated with civil protection assistance. However, as pointed out above, the rationale and the rules for humanitarian assistance are different and there have already been cases, as in Algeria, where the Community was unable to provide support for transport costs because of the current unavailability of a suitable, rapid source of finance.

During the earthquake in Iran, some participating states (Slovenia, Malta and Hungary) were able to offer material and equipment but asked the Community Mechanism to provide transportation. Provision of transportation through the Mechanism would have ensured that all assistance was delivered rapidly to the site.

The estimation of transportation cost for third countries are based on previous experiences (earthquakes in Algeria and Iran). On the basis of three cases par year the likely annual costs would be about € 9 million.

The Commission intends to make proposals aimed at ensuring that funding is available for transport and other costs incurred in the early stages of crises, inside and outside the Union. These will be part of the detailed proposals which will be presented following the Commission Communication “Building our common Future Policy challenges and Budgetary means of the Enlarged Union 2007-2013” adopted on 10 February 2004.

4. NEXT STEPS

In the light of the experience gained to date and of the analysis set out above, the Commission considers that the time has come to complement the functioning of the Community Mechanism by proposing ways of dealing with the main problems encountered to date. These proposals would enable the EU to reinforce its civil protection capacity so that it can respond more effectively to disasters and CBRN or terrorist attacks inside the EU and in third countries, including in the context of crisis management operations under the Common Foreign and Security Policy. In particular the Commission proposes the following steps.

- To overcome information gaps and upgrade the database by working with participating countries to define the available response capabilities in terms of personnel and equipment. This will be done by defining the types of emergencies which are most likely to trigger the Community Mechanism. This information should include details on the associated costs, the possible use of military assets, etc.
- To continue to develop a programme of training and joint exercises in order to ensure that teams and experts from different participating countries can work together efficiently when intervening. In this context, the issue of inter-operability of equipment will also be examined and, if necessary, proposals to enhance inter-operability will be made.
- With regard to assistance provided outside the EU, procedures for coordination between teams from different participating countries will be examined in order to ensure that they are clear, known in advance to all participants and can be activated rapidly when a crisis occurs. The establishment of effective relationships with all actors involved in an emergency and in particular with the lead UN agencies having an international coordination mandate (e.g. UN OCHA) will also be addressed;
- As far as for the use of the Community Mechanism in EU crisis management operations under the Common Security Policy is concerned, the Commission will work with the Council to ensure the effective implementation of the Joint Declaration of 29 September 2003 so as to increase the coherence between the different instruments the Union disposes in the area of external relations. This is part of a wider effort to allow the EU to better address the challenges and threats as set out, inter alia, in the European Security Strategy that was endorsed by the European Council in December 2003. The Commission is committed to the establishment of appropriate crisis-management capacity combining civilian and military means, while ensuring that humanitarian aid remains independent from political considerations. The future European Foreign Affairs Minister will have a crucial role to play here.

- To provide EU coordinated rescue teams with common insignia and equipment in order to allow for easy identification on site of members of EU coordinated teams as part of an ad hoc European Civil Protection Force drawn from existing national units;
- To provide better information, communication and co-ordination by requiring Member States to inform the Monitoring and Information Centre when a major disaster occurs and/or whether they call for assistance on a bilateral or multilateral basis or respond to such calls for assistance. The Commission intends to make a formal proposal to modify Council Decision 2001/792 to introduce this requirement;
- To address current financial constraints by:
 - reviewing and possibly extending the possibility of Community funding for transport costs linked to providing assistance inside the EU. This possibility could be created in the post-2006 financial perspectives by increasing the current allocation of the Community Mechanism if an additional instrument to supplement the Solidarity Fund proves necessary. On the basis of between 5-10 of such cases per year the likely annual cost would be in the order of €6 million;
 - examining the feasibility of providing immediate funding (e.g. “fonds de trésorerie”) in certain cases so as to allow Member States to pay for additional measures to deal with emergencies which overwhelm their immediate financial capacities. Funding would have to be repaid. Granting assistance would be independent from any later decision on eligibility for the Solidarity Fund. This is estimated at €10 million a year.
 - creating the possibility of funding transport costs for assistance provided to third countries. This possibility could be included in the post-2006 financial perspectives. In the intervening period, in cases where funding from the ECHO budget is not possible, the use of other financial instruments as appropriate could be explored. On the basis of three cases par year at a cost of €3 million each, the annual cost would be at €9million.
- A Conference on “The Solidarity Fund and the EU immediate response to disasters” will be held mid – June 2004 and will allow an exchange of views on some of the issues raised in this Communication.

5. CONCLUSIONS

The Commission invites the Council and the European Parliament to endorse the orientations generated by the review and to give their support to the proposals outlined in this Communication.

FINANCIAL AND HUMAN IMPLICATIONS

1. Financial resources

- The Commission bears the transport costs when a Member State sends assistance or means to another Member State – if the need for this becomes an issue and coverage from the EU Solidarity Fund proves insufficient - or to a third country in the frame of the Mechanism. Such transport costs are estimated to vary depending on the location and type of emergency.
 - Inside the EU, assuming an average of 10 disasters at a cost of €0.6 million each the annual cost would be around €6 million.
 - Outside the EU, assuming an average of 3 disasters at a cost of 3 millions each, the annual cost would be around €9 million.
- The Commission bears the assistance costs for disasters inside the EU so to allow Member States to pay for additional measures to deal with emergencies which overwhelm their immediate financial capacities. Experience from the previous years shows that such costs could vary between €50,000- €2 million. Assuming an average of 10 disasters at a cost of €1 million each, the annual cost would be around €10 million. Funding would have to be repaid (or to be offset against any Solidarity Funding support the country may receive at later stage).

2. Human resources

To meet the objective of a more proactive response implies that the Commission will need additional human resources to deal with the additional tasks involved. The table below describes the additional staff that would need to be allocated to Civil Protection for 2005 and 2006.

Types of post		Staff		Total	Description of tasks
		2005	2006		
Officials or Temporary staff	A	4	1	5	<p>- to ensure a timely response to disasters:</p> <ul style="list-style-type: none"> - to inform immediately all countries when a disaster has occurred; - to pool the offers for assistance and other information coming from the different participating countries and send it to the affected country; - to help the affected countries to make best use of the European assistance by liaising with the authorities of the affected country; <p>- to prepare for the emergencies:</p> <ul style="list-style-type: none"> - to implement a rapid, modern and reliable Communication System between the participating countries Emergency Centres; - to create and maintain the data base of available resources and draw up intervention scenarios; - to ensure training and exercises of the intervention teams and to further develop specific training requirements in particular to improve the interoperability of civilian and military means;
	B	1	1	2	
	C	1	1	2	

				<ul style="list-style-type: none"> - to create and maintain a database of means and equipment available in third countries; - to programme, manage and control the required additional financial expenditures; - to reinforce the link with other actors (also international) and institutions and bodies; - to refine the information and communication strategy.
Total	6	3	9	