

**COMMISSION IMPLEMENTING DECISION (EU) 2021/1886****of 27 October 2021****amending Implementing Decision (EU) 2019/570 as regards stockpiling rescEU capacities in the area of chemical, biological, radiological and nuclear incidents***(notified under document C(2021) 7570)***(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Decision No 1313/2013/EU of the European Parliament and of the Council of 17 December 2013 on a Union Civil Protection Mechanism <sup>(1)</sup>, and in particular point (g) of Article 32(1) thereof,

Whereas:

- (1) Decision No 1313/2013/EU sets out the legal framework of rescEU. rescEU is a reserve of capacities at Union level aiming to provide assistance in overwhelming situations where overall existing capacities at national level and those committed by Member States to the European Civil Protection Pool are not able to ensure an effective response to natural and man-made disasters.
- (2) In accordance with Article 12(2) of Decision No 1313/2013/EU, rescEU's capacities are to be determined by taking into account identified and emerging risks, overall capacities and gaps at Union level. That article also lays out the four areas on which rescEU should particularly focus, namely: aerial forest firefighting, emergency medical response and chemical, biological, radiological and nuclear ('CBRN') incidents, as well as transport and logistics.
- (3) Commission Implementing Decision (EU) 2019/570 <sup>(2)</sup> sets out the initial composition of rescEU in terms of capacities and quality requirements. The rescEU reserve so far consists of aerial forest firefighting capacities, medical aerial evacuation capacities, emergency medical team and stockpiling of medical equipment and/or personal protective equipment ('medical stockpiling capacities'), and chemical, biological, radiological and nuclear decontamination capacities.
- (4) An analysis of identified and emerging risks as well as of capacities and gaps at Union level reveals a need for rescEU stockpiling capacities in the area of chemical, biological, radiological and nuclear incidents ('CBRN stockpiling capacities').
- (5) The CBRN stockpiling capacities developed under rescEU should be able to respond to chemical, biological, radiological, and nuclear incidents. The full-board CBRN stockpiling capacities should provide the advantage of being able to respond to situations that involve a mix of agents and thus provide for an effective multi-faceted deployment.
- (6) The main task of the rescEU CBRN stockpiling capacities are to provide CBRN countermeasures such as personal protective equipment, devices, laboratory supplies and logistics elements that can be deployed to respond to chemical, biological, radiological and nuclear incidents. Those CBRN countermeasures could also be used in support of other rescEU capacities deployed in the event of any isolated or combined chemical, biological,

<sup>(1)</sup> OJ L 347, 20.12.2013, p. 924.

<sup>(2)</sup> Commission Implementing Decision (EU) 2019/570 of 8 April 2019 laying down rules for the implementation of Decision No 1313/2013/EU of the European Parliament and of the Council as regards rescEU capacities and amending Commission Implementing Decision 2014/762/EU (OJ L 99, 10.4.2019, p. 41).

radiological and nuclear agents with respect to infrastructure, buildings, vehicles, equipment and critical evidence, and could comprise therapeutics and other appropriate items necessary for first responders and the population at large. The CBRN stockpiling capacities should be implemented in complementarity with the medical stockpiling capacities.

- (7) Pursuant to Article 12(4) of Decision No 1313/2013/EU, quality requirements for the response capacities forming part of rescEU are to be laid down in consultation with Member States.
- (8) CBRN stockpiling capacities should be established to respond to low probability risks with a high impact, in accordance with the eligible cost categories referred to in Article 3e of Implementing Decision (EU) 2019/570 and after consultation with the Member States.
- (9) In order to provide Union financial assistance for developing such CBRN stockpiling capacities, in accordance with Article 21(3) of Decision No 1313/2013/EU, their eligible cost should be established by taking into account the categories laid down in Annex Ia to that Decision.
- (10) Implementing Decision (EU) 2019/570 should therefore be amended accordingly.
- (11) The measures provided for in this Decision are in accordance with the opinion of the committee referred to in Article 33(1) of Decision No 1313/2013/EU,

HAS ADOPTED THIS DECISION:

#### *Article 1*

Implementing Decision (EU) 2019/570 is amended as follows:

- (1) in Article 2, paragraph 2 is amended as follows:

- (a) point (g) is replaced by the following:

‘(g) chemical, biological, radiological, and nuclear (CBRN) decontamination capacities;’

- (b) the following point (h) is added:

‘(h) chemical, biological, radiological, and nuclear (CBRN) stockpiling capacities.’;

- (2) Article 3a is replaced by the following:

*‘Article 3a*

**Eligible costs of rescEU medical aerial evacuation capacities, emergency medical team type 3 capacities, medical stockpiling, CBRN decontamination and CBRN stockpiling capacities**

All cost categories referred to in Annex Ia to Decision No 1313/2013/EU shall be taken into account when calculating the total eligible cost of rescEU capacities.’;

- (3) Articles 3b, 3c and 3f are deleted;

- (4) in Article 3e, paragraphs 3 and 4 are replaced by the following:

‘3. rescEU capacities referred to in points (c) to (h) of Article 2(2) shall be established with the objective of managing low probability risks with a high impact.

4. Where rescEU capacities referred to in points (c) to (h) of Article 2(2) are deployed under the Union Mechanism, Union financial assistance shall cover 100 % of the operational costs, pursuant to Article 23(4b) of Decision No 1313/2013/EU.;

(5) the Annex is amended in accordance with the Annex to this Decision.

*Article 2*

This Decision is addressed to the Member States.

Done at Brussels, 27 October 2021.

*For the Commission*  
Janez LENARČIČ  
*Member of the Commission*

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## ANNEX

In the Annex to Implementing Decision (EU) 2019/570, the following Section 8 is added:

**8. Stockpiling of chemical, biological, radiological and nuclear countermeasures and/or personal protective equipment aimed at assistance in the area of CBRN**

Tasks	<ul style="list-style-type: none"> <li>— Stockpiling of CBRN countermeasures, comprising though not limited to, personal protective equipment, devices, laboratory supplies and logistics elements, as well as complementing and supporting other rescEU capacities, such as the CBRN decontamination and detection, surveillance and monitoring capacities for the purpose of preparedness and response to a CBRN event, including in response to cross-border threats to health <sup>(1)</sup>.</li> </ul>
Capacities	<ul style="list-style-type: none"> <li>— Materials and systems <sup>(2)</sup> for decontaminating persons, infrastructure, buildings, vehicles, sensitive equipment and/or critical evidence, including from potential contamination with toxic industrial chemicals, recognised warfare agents, biological infectious agents (pathogens), biotoxins and radionuclides;</li> <li>— materials and devices necessary for detection, sampling, identification, surveillance and monitoring in order to keep safe an environment potentially exposed to CBRN agents;</li> <li>— materials and systems necessary for the containment of contamination and the management of waste and harmful by-products, including for contaminated water and clothes;</li> <li>— materials and systems necessary for fire containment and suppression in a CBRN event;</li> <li>— medical first line treatments, vaccines <sup>(3)</sup>, relevant generic rapid diagnostic kits and antidotes against CBRN agents (e.g. atropine and iodine tablets);</li> <li>— support and disposable materials such as discharges and consumables that are complementary for CBRN response, tools needed for maintenance and stand-by (e.g. air bottle filler), containers for polluted or contaminated material of different agents;</li> <li>— CBRN related logistics support elements such as, but not limited to, tents, logistic containers, equipment for transporting victims, and decontamination tents at hospitals;</li> <li>— personal protective equipment <sup>(4)</sup> and their regeneration or refill systems, if applicable, for individuals considered to be at risk <sup>(5)</sup> both as front line workers and population;</li> <li>— laboratory supplies, including sampling material, laboratory reagents, equipment and consumables <sup>(6)</sup>, to ensure laboratory capacity for CBRN-related risks;</li> <li>— body bags for CBRN contaminated fatalities;</li> <li>— any other items as needed, according to the identified risk.</li> </ul>
Main components	<ul style="list-style-type: none"> <li>— Appropriate storage facilities in the Union <sup>(7)</sup> and adequate stockpiling monitoring system;</li> <li>— appropriate procedures ensuring the adequate packaging, transport and delivery of the products referred to under capacities, where needed;</li> <li>— appropriately trained personnel to oversee and handle the products referred to under capacities;</li> <li>— appropriate level of compliance with international standards and operation models, such as EU, WHO or NATO standards, including, where applicable, relevant Union legislation.</li> </ul>
Deployment	<ul style="list-style-type: none"> <li>— Availability for departure maximum 12 hours after the acceptance of the offer.</li> </ul>

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- (<sup>1</sup>) As defined in Decision No 1082/2013/EU.
- (<sup>2</sup>) Such as PPE regeneration and refill systems.
- (<sup>3</sup>) The quality requirements for vaccines should be those under point 6 above.
- (<sup>4</sup>) Covering the following categories: (i) eye protection; (ii) hand protection; (iii) respiratory protection; (iv) body protection; and (v) foot protection, in different sizes.
- (<sup>5</sup>) See footnote 2.
- (<sup>6</sup>) This may include, but is not limited to, RT-PCR reagents, such as enzymes, RNA extraction reagents, RNA extraction machine time, PCR machine time, primer and probe reagents, positive control reagents, PCR laboratory consumables (e.g. tubes and plates) and disinfectants.
- (<sup>7</sup>) For the purposes of the logistics of storage facilities, “in the Union” encompasses the territories of Member States and Participating States of the Union Civil Protection Mechanism.’
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