

Opinion of the European Economic and Social Committee on ‘Proposal for a Decision of the European Parliament and of the Council amending Decision No 1313/2013/EU on a Union Civil Protection Mechanism’

(COM(2017) 772 final — 2017/0309 (COD))

(2019/C 62/37)

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Referral	European Commission, 18.6.2018
Legal basis	Articles 196 and 304 of the Treaty on the Functioning of the European Union
Date of Bureau decision	26.6.2018
Section responsible	Section for Agriculture, Rural Development and the Environment
Adopted in section	5.10.2018
Adopted at plenary	18.10.2018
Plenary session No	538
Outcome of vote (for/against/abstentions)	205/2/1

1. Conclusions and recommendations

Conclusions

1.1. In the light of new and constantly changing circumstances arising as a result of the effects of climate change and dramatically affecting human activity and life, the EESC urges the European institutions to adopt new joint measures and policies.

1.2. Addressing these phenomena requires increased vigilance and solidarity-based development not only of projects, but also of practical solutions. The proposed revised Union Civil Protection Mechanism, rescEU, which for the first time includes European aerial forest fire-fighting instruments, urban search and rescue instruments, field hospitals and emergency medical teams, is a step in this direction.

1.3. Aside from the four capacities described, the EESC considers it essential to lay down provisions enabling the Commission to establish additional capacities for rescEU, thereby ensuring the necessary flexibility.

1.4. The EESC considers that the Communication takes into account the concept of European solidarity, but stresses that this does not alter the responsibilities and obligations of Member States.

1.5. With the new Civil Protection Mechanism, the EU as a whole and each individual Member State will benefit jointly from the capabilities of a mechanism that will have its own resources, as well as resources contributed by the Member States.

1.6. The EESC considers that with its current proposal the Commission has understood the need for coordinated sharing of information, as well as the fact that for full use to be made of this knowledge it should be made available to interested parties systematically.

1.7. Education of the general population and the resulting preparedness should serve as the focal point of a common European policy in cooperation both with Member States and with non-Member States participating in joint actions, with the active cooperation of local and regional authorities.

1.8. Civil protection is a matter for each and every one of us. However, our response to challenges will be improved not only through individual responsibility but also through collective effort and common understanding. In this context, civil society, non-governmental organisations (NGOs), volunteers and independent bodies need to be mobilised and participate both in devising emergency plans in the event of natural disasters and in implementing those plans.

1.9. Through collective actions, the business sector and its employees can help to us to adapt to or even reverse the adverse effects of climate change, as well as to minimise the impact of natural disasters or the causes of man-made disasters (for example, concerning gas and particulate emissions).

1.10. Modern innovative technologies and digital tools (IoT) must be made available to forces operating as part of the civil protection cycle, at every level. When used correctly, the tools of operators in this field developed in the area of prevention, control and guidance, and/or information make it possible to avoid risk.

1.11. The EESC considers that the rescEU mechanism proposed by the Commission has the potential to:

- (a) convey a strong message of European solidarity to European citizens at a time when the EU has a great need for this;
- (b) boost the cooperation of EU accession countries but also help create a corresponding solidarity mindset which should prevail in EU Member States;
- (c) introduce countries cooperating within the European institutions to sensitive and important matters, making them aware of what a union of states like the EU means in practice, over and above the normal areas that tend to be discussed;
- (d) strengthen regional cooperation through bilateral agreements and help reduce tensions in sensitive political areas, as has been demonstrated repeatedly in the past when major natural disasters were addressed collectively.

1.12. The EESC notes that, in addition to the information provided by the Commission on the intensity of natural phenomena and disasters up to 2017, this summer further demonstrates the need to revise and reinforce the current framework of the Union Civil Protection Mechanism. Fires, heat waves and floods, the intensity of which is unprecedented across the EU — even in areas not hitherto regarded as being vulnerable to such disasters — and linked to climate change, as well as unpredictable strong earthquakes with a high rate of recurrence, causing massive destruction and loss, demonstrate the need for initiatives similar to that proposed by the Commission in the form of rescEU.

1.13. The EESC believes that, in the coming years, the approach to civil protection issues will need to become increasingly holistic and include policies at all levels of human activity. The EESC points out the urgent need to adopt a wider political and regulatory framework within the EU for civil protection.

Recommendations

1.14. The EESC understands the problems and commitments that current EU legislation (mainly primary legislation) entails for the Commission, but believes that every effort should be made to get Member States to subscribe to the idea of a common approach to civil protection, especially in the areas of prevention, response and recovery.

1.15. The voluntary but funding-based development of national risk assessment studies and prevention and response action plans at local, regional and national level should serve as an incentive for Member States to maximise the benefits of rescEU.

1.16. The Commission, working together with the Member States, should develop general principles and guidelines to change national laws in order to achieve a common, modern and compatible European legislative framework on issues such as early warning, volunteering and institutionalised involvement at all levels of civil protection, commitments from Member State budgets for preventive measures, etc.

1.17. The EESC believes that creating common administrative procedures in the Member States would ensure the corresponding 'common language', maximise the benefits of the new rescEU mechanism and provide the flexibility and efficiency needed so as to take full advantage of them, particularly in emergency operations.

1.18. The EESC considers that tools such as the European Grouping of Territorial Cooperation (EGTC) should be used, so that joint Member State action in the area of civil protection can be ensured across borders.

1.19. The EESC believes that an initiative should be developed to incentivise innovative enterprises and start-ups to improve, develop and/or create new, high-tech tools in the areas of prevention and response, e.g. forecasting, warning and response systems.

1.20. Forest fires are one example requiring the development of such systems with the parallel use of European industry in the field of aviation, IT, automotive, fire-fighting systems and others.

1.21. The EESC believes that the Commission should actively include the scientific and research community in the dialogue on the appropriate action at the different phases of the civil protection cycle.

1.22. The initiative to create an annual European forum, potentially under the auspices of the EESC, involving the scientific community, political leaders and the authorities responsible for civil protection, would be useful for exchanging best practices, information on new technological capabilities, etc.

1.23. It is essential that the Commission recommend a series of best practices to the Member States, especially in the area of recovery and prevention, introducing models to ensure viability and sustainability.

1.24. The EESC views the voluntary movement, and therefore civil society, as one of the key drivers of civil protection mechanisms. Consequently, the Committee believes it is essential to bolster it through parallel measures and equipment at European level and to formally include it in the new rescEU mechanism.

1.25. Ensuring that workers can join voluntary groups, if they so wish, with similar provisions to guarantee their basic rights, such as insurance and entitlement to leave when participating in civil protection operations on the ground, should perhaps be a point for discussion in the EU institutions, with a view to creating a single resolution framework.

1.26. It would be useful to create a common European certification system for voluntary civil protection teams and the means they use, which would be accompanied by relevant training at local, regional, national and/or European level.

1.27. The EESC reminds the Commission that the European Structural and Investment Funds should without delay acquire the necessary flexibility to finance reconstruction and recovery projects following natural disasters, stressing that these should be accompanied by studies to support the sustainability of these efforts and also maintain everyday life in the affected areas, particularly in rural areas, in order to avoid depopulation.

1.28. If possible, it would be useful if the 'capacities' to be purchased or rented, as provided for under the new rescEU mechanism, could combine multiple possibilities so as to ensure the investment produces optimum returns. For example, aerial equipment could be used both for fighting forest fires and for search and rescue, border surveillance in cases of cross-border natural disasters and, of course, preventive measures.

1.29. Providing for combined capabilities covering areas of safety and security could be a solution that will not only save resources but will also help to develop integrated EU operational activities and contribute to the objective of complementary actions.

1.30. The distribution of capacities to be created within the framework of rescEU should be the subject of a separate study that takes into account not only geographical, geological and economic data, but also and above all the potential for direct response and coverage of EU regions for each risk, as a function of the risk.

1.31. The EESC proposes in any case, and at the very least when the European mechanism is activated and in operation, that the Member State or region responsible be required to compile a disaster file in order to build know-how and improve future operational practices, and that a pan-European database thus be created, for which a model could be produced by the Commission. It is also suggested that indicators be introduced to measure intervention time and the real impact of rescEU.

1.32. The EESC welcomes the possibility of making the application of planning provisions for risk assessments and risk management a conditionality under cohesion policy and the European Agricultural Fund for Rural Development. It notes, however, that this should be preceded by an extensive information campaign so as not to disrupt the production process.

1.33. The EESC deems it necessary to increase Member State participation in the European Civil Protection Pool. However, the envisaged preparatory measures to be taken by the Member States for this participation should also include their own investments in additional equipment in order to avoid weakening them as well as to enhance the overall operational capacity of the EU.

1.34. The EESC considers it necessary to point out that particular attention should be paid to small and medium-sized enterprises in relation to recovery after any type of disaster, as they are key drivers of everyday economic and social activity.

2. General comments (background)

2.1. The Union Civil Protection Mechanism provides a framework for cooperation and assistance in the event of major emergencies inside and outside the EU. The legislative framework was established by Council Decision 2001/792/EC, Euratom establishing a Community mechanism to facilitate reinforced cooperation in civil protection assistance interventions.

2.2. In the years that followed, the original Decision was amended successively by Council Decision 2007/779/EC, Euratom establishing a Community Civil Protection Mechanism (recast) and Decision No 1313/2013/EU of the European Parliament and of the Council on a Union Civil Protection Mechanism.

2.3. Participants in the mechanism are currently the 28 EU Member States, the EEA countries (Iceland and Norway), as well as Montenegro, Serbia, FYROM and Turkey. The EESC believes it would be very useful to include more countries in the mechanism, so as to improve its flexibility, response time and use of resources.

2.4. On 23 November 2017, the Commission adopted a proposal, accompanied by a communication, to amend the legislative framework of the EU Civil Protection Mechanism. The Commission proposal, which was based on knowledge acquired through cumulated experience, is essentially designed to:

(a) establish a dedicated reserve of EU civil protection capabilities (resources);

(b) deploy assistance more quickly and reduce bureaucracy;

(c) implement additional measures in the field of prevention and preparedness.

2.5. The main financial tool to date has been the European Union Solidarity Fund (EUSF) established in 2002 (Regulation (EC) No 2012/2002).

2.6. The EESC has also been consulted in the past and has adopted a number of opinions: see NAT/314 (2006) ⁽¹⁾ NAT/375 (2008) ⁽²⁾, NAT/438 (2009) ⁽³⁾, ECO/355 (2013) ⁽⁴⁾ and ECO/426 (2017) ⁽⁵⁾ on issues relating to civil protection, natural disasters and the European Union Solidarity Fund.

⁽¹⁾ OJ C 139, 11.5.2001, p. 27.

⁽²⁾ EESC opinion on *Improving the Community civil protection mechanism — a response to natural disasters* (OJ C 204, 9.8.2008, p. 66).

⁽³⁾ EESC opinion on *A Community approach on the prevention of natural and man made disasters* (OJ C 318, 23.12.2009, p. 97).

⁽⁴⁾ EESC opinion on the *European Union Solidarity Fund* (OJ C 170, 5.6.2014, p. 45).

⁽⁵⁾ EESC opinion on *Specific measures for Member States affected by natural disasters* (OJ C 173, 31.5.2017, p. 38).

2.7. The current functioning of the Civil Protection Mechanism is principally supported by: the Emergency Response Coordination Centre (ERCC) in Brussels, the Common Emergency Communication and Information System (CECIS), the emergency teams, civil protection modules and technical support teams, with the resources provided, as well as the training programme and the exchange of experts programme.

3. The mechanism in its current form

3.1. The Lisbon Treaty introduced new areas of competence in which the European Union may intervene. The new competences in the area of civil protection are mainly of a supportive nature.

3.2. Among other things, the Treaty of Lisbon aims to improve the EU's ability to deal with natural or man-made disasters. Thus its Article 196 enables the EU to take measures to prevent risks, to prepare civil protection personnel, to respond to natural or man-made disasters, to promote operational cooperation between national civil services, and to promote consistency of activities undertaken at international level.

3.3. Moreover, these civil protection provisions are linked to the solidarity clause in Article 222 of the Treaty. This clause allows the EU to assist a Member State if it has suffered a terrorist attack or has been hit by a natural or man-made disaster.

3.4. It is now a fact that the extreme weather events caused by climate change are spreading to Europe. The EESC agrees with the Commission and European Parliament that 2017 and 2018 have been critical years in terms of natural disasters in Europe. Losses have included human lives, vast areas of forest, property and infrastructure. Agriculture, forestry, and commercial and industrial activities were hit hard, while the occurrence of phenomena such as forest fires in parts of northern Europe previously considered safe, at least from this risk, was worrying.

3.5. The EESC considers that the existing European Civil Protection Mechanism — under the new conditions taking shape — has had its day, often proving to be powerless, slow and ineffective, especially in the event of natural disasters happening in different regions concurrently. The very limited resources, which cover only transport and not operational or other costs, which are much higher, also constitute a significant disadvantage.

3.6. At the same time, there is daily evidence that the Member States are unable to cope with major disasters on their own, that the cost of acquiring or renting all of the operational equipment is prohibitive for one country alone, and that intervention is needed at the European level.

3.7. An example is the cost of acquiring a modern and efficient Canadair-type fire-fighting aircraft (a type widely used by the Member States), estimated at approximately EUR 30 million: its production has been suspended and, even if new orders are placed, the manufacturer can only deliver one or two new aircraft per year.

3.8. In addition, despite the current possibility of activating the mechanism in order to find resources when a Member State is threatened by a major disaster, more often than not it proves impossible to provide any assistance from other Member States, either because of a manifest lack of resources or because the unfolding situation in the small number of countries that do have resources prohibits them from undertaking any operational activity in another Member State.

3.9. In many cases, the current capacity of the Civil Protection Mechanism renders the above-mentioned provision of Article 222 of the Lisbon Treaty ineffective **as resources are limited, a direct response and rapid intervention are impeded by bureaucracy, and any interconnectivity at the level of knowledge and best practice sharing remains theoretical.**

4. General comments on the Commission's proposal

4.1. The EESC reiterates the need to improve, modify and transform the Union Civil Protection Mechanism into an integrated European system that focuses on disaster management, with the aim of covering the civil protection cycle beginning with prevention and ending in recovery.

4.2. With the proposal to reinforce EU disaster management (rescEU), the EU and the Member States can display their human face both in theory and in practice, as well as unity and solidarity, key concepts of both the founding Treaties and associated agreements, at a time when Europe needs to return to its core values.

4.3. It should be emphasised that to date there have been no serious European incentives to create strong proposals and alliances in response to natural disasters, while voluntary efforts are regularly irrelevant and ineffective. There is now a crucial need to increase the frequency of joint exercises between countries with common risks and a shared border, including participation and training of volunteers, and also to provide incentives to communities (exemption from or reduction of other activities such as army reserve duties) to increase the number of volunteers.

4.4. The EESC agrees with strengthening disaster prevention and preparedness mechanisms in conjunction with increasing the resilience of infrastructure and ecosystems. Not only will this save lives and protect communities, but the direct economic benefits resulting from reduced response needs will improve protection of agricultural activities by lowering disaster risks from fires or floods, which cause major damage to the primary sector.

4.5. The Commission's recognition that risks of natural origin (floods, fires, earthquakes, etc.) and anthropogenic origin (technological accidents, terrorist attacks, etc.) are now changing or emerging is fully consistent with the nature of risks in the modern age and the role of climate change as a multiplier. The concept of 'resilience' introduced in relation to managing disaster risk reflects the way in which all economic activity, especially in the field of infrastructure, must be pursued. The most advanced digital tools and most innovative technologies should be used when assessing and enhancing the resilience of infrastructure.

4.6. The emergent concept for strengthening capacity in respect of disaster prevention, preparedness, response and recovery identifies the pillars that underpin the goal of sustainable development. The EESC agrees with the detailed mapping of the whole civil protection cycle, as this will highlight the need for social, economic and environmental vigilance. This holistic approach ensures the involvement of the whole range of responsible parties involved in the cycle and the dissemination/communication of expertise and practices. The success of this approach will be achieved through joint programmes and exercises/training by groups of countries with shared risk exposure.

4.7. The programme operates within the framework of the UN's 2020 Agenda and the Sendai Framework for Disaster Risk Reduction (UNISDR), and more specifically its Priority 1, understanding disaster risk.

4.8. The EESC also agrees with the general principle of establishing a knowledge and training network as described by the Commission. However, the Committee notes the need to formally involve the scientific community and universities and to commission research activities (projects and studies) to map out and assess potential dangers, associated vulnerability and risk to communities. The cooperation of private enterprise and businesses as well as of civil society is necessary in view of their existing knowledge and experience, but also as community systems can be mobilised more easily and rapidly at local level in the event of a disaster. Informing and educating citizens about the risks they face is considered to be a priority.

4.9. The EESC agrees with the development of the specific capabilities proposed by the Commission within the framework of rescEU, i.e. reserve fire-fighting aircraft resources, high-capacity pumping, urban search and rescue, and operational capacities to be developed for public health through the acquisition of field hospital units and emergency medical teams, as referred to in the second paragraph of point 3.1 of COM(2017) 773 final. The EESC recognises the need for interoperability between resources and for it to be possible to use them flexibly in order to achieve economies of scale with a view to sustainable development. For example, acquisition of aerial resources could be considered that would serve simultaneously for: (a) aerial fire-fighting, (b) aerial early warning patrols and surveillance, (c) search and rescue, and (d)

evacuation of casualties from hard to reach or remote island regions. In this way, use could be made of these aerial means throughout the year, so that costs, including financial costs, are recouped more quickly.

4.10. The EESC proposes establishing local structures in regions at a higher risk of requiring a more immediate response. Local communities must also be strengthened by providing them with first-response tools and trained local groups should be set up equipped with early-warning systems. It is also essential to draw up and distribute certified manuals with common guidelines.

4.11. The EESC agrees with expanding the areas of funding for Member States for civil protection activities such as adaptation and repair, as well as increasing the co-financing rate in the area of transport. For example, in the event of a major disaster caused by an earthquake, it is entirely legitimate to use EU-Member State co-financing for transporting and installing temporary container accommodation and for creating an appropriate site with the relevant infrastructure and facilities (electricity, water supply, sanitation, communications), in order to restore social and economic activity more quickly and ensure that social cohesion is maintained.

4.12. The EESC is not opposed to the inclusion of operational costs in co-financing but points out that provision should be made for an objective mechanism to estimate and, most importantly, evaluate these costs, in order to make appropriate use of resources. The Committee also considers it essential to use all alternative sources of funding, such as the Structural Funds and co-financing through the European Investment Bank.

4.13. The EESC has in a number of opinions consistently advocated making mechanisms less bureaucratic and ensuring the necessary flexibility in the use of EU funds, without waiving the requirement of transparency and independent auditing, in order to ensure that the use of funds is legal and that taxpayers' money is efficiently channelled.

4.14. The EESC welcomes the Commission's references to addressing the effects of terrorism and considers that there should be a clear framework for prevention, response (to consequences) and recovery actions. In this context, the Commission could, in the short term, develop a resource pool development plan for man-made natural disasters due to chemical, biological, radiological and nuclear (CBRN) incidents, without exonerating companies operating in these areas from their responsibility and obligations. The EESC notes that failure to address such incidents promptly can, among other things, severely impair primary production, with huge long-term consequences for food and the health of the general population.

4.15. The EESC believes that it is essential to mobilise civil society on a formal basis within the framework of rescEU at the levels of substantiating policy and prevention, as well as response wherever feasible. The European Solidarity Corps should also be included.

5. Specific comments

5.1. The EESC also considers it necessary to enhance the role of local and regional authorities in the area of civil protection and the new EU civil protection mechanism by:

- (a) including local and regional authorities in the prevention, planning and implementation stages of risk management measures and measures to deal with natural and man-made risks;
- (b) strengthening and integrating the specific capabilities of local and regional authorities, which are the first to be called upon to deal with a disaster;
- (c) using the available capabilities of local and regional authorities in all types of coordination and operational development activities, in order to minimise duplication and enhance interoperability;
- (d) strengthening their role in cases of cross-border cooperation by implementing joint projects and programmes and through joint training.

Brussels, 18 October 2018.

The President
of the European Economic and Social Committee
Luca JAHIER
