

European Committee of the Regions

NAT-VII/009

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OPINION

A reinforced Union civil protection mechanism

THE EUROPEAN COMMITTEE OF THE REGIONS

- notes that every crisis is a test of solidarity for the EU and its Member States, as most recently demonstrated by the current COVID-19 pandemic, and strongly believes in the need for a coordinated European response in the spirit of true solidarity between Member States, all levels of government and across borders;
- notes that while the COVID-19 outbreak put the current Union Civil Protection Mechanism to the test, the targeted changes must now aim to enhance and reinforce the Union Mechanism and enable both the EU and Member States to be better prepared and react quickly and effectively to future large-scale high-impact crises;
- reiterates its call for significant strengthening of the emergency and disaster response capacities of the EU, with the involvement of national, local and regional emergency response structures and respecting the subsidiarity principle under TFEU Article 196;
- supports the strengthening of the immediate and long-term capacity of the EU to react to emergencies while preserving local authorities' ultimate operational control, but emphasises that more flexibility is also needed for deployment of rescEU resources;
- welcomes the Next Generation EU instrument as one-off reinforcement but emphasises that longterm commitment and reinforcement is needed to further reinforce the EU Civil Protection Mechanism and its instruments, such as rescEU and the European Medical Corps;
- agrees that the Commission should be able to directly procure rescEU capacities to support Member States to alleviate the burden on Member States and enable the EU to intervene more rapidly to ensure the availability of strategic assets when the capacities of Member States are overwhelmed;
- agrees that in addition to the availability of strategic assets, sufficient transport and logistical capacity, including multi-purpose aircraft services, in case of emergency is needed to be able to react quickly and deliver emergency assistance.

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<u>Rapporteur:</u> Alberto Cirio (IT/EPP), President of the Piedmont Region

Reference document:

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(2020) 220 final

Opinion of the European Committee of the Regions – A reinforced Union civil protection mechanism

I. RECOMMENDATIONS FOR AMENDMENTS

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(2020) 220 final

Amendment 1

Recital 2

Text proposed by the European Commission	CoR amendment
(2) Whilst recognising the primary responsibility	(2) Whilst recognising the primary responsibility
of Member States for preventing, preparing for	for preventing, preparing for and responding to
and responding to natural and man-made	natural and man-made disasters <i>remains with the</i>
disasters, the Union Mechanism promotes	Member States and their regional authorities,
solidarity between Member States in accordance	the Union Mechanism, and in particular rescEU,
with Article 3(3) of the Treaty on European	promotes solidarity between Member States in
Union.	accordance with Article3(3) of the Treaty on
	European Union by complementing existing
	capacities of Members States and regions,
	enabling more effective preparedness and
	response, where capacities at national, regional
	and local levels are not sufficient.

Reason

It is essential to acknowledge that the capacities are different not only between the Member States but also between their regions. The complementary action of the EU should therefore develop a differentiated approach according to the different needs at regional level.

Amendment 2

Recital 6

Text proposed by the European Commission	CoR amendment
(6) To improve planning in prevention and	(6) To improve planning in prevention and
preparedness, the Union should continue	preparedness, the Union should continue
advocating for investment in prevention of	advocating for investment in prevention of
disasters across sectors, and for comprehensive	disasters across sectors, and for comprehensive
risk management approaches that underpin	risk management approaches that underpin
prevention and preparedness, taking into account	prevention and preparedness, taking into account
a multi-hazard approach, an ecosystem-based	a multi-hazard approach, an ecosystem-based
approach and the likely impacts of climate	approach and the likely impacts of climate
change, in close cooperation with the relevant	change, in close cooperation with the relevant
scientific communities and key economic	scientific communities and key economic
operators. To that effect, cross-sectoral and all-	operators. To that effect, cross-sectoral and all-

hazard approaches should be put at the forefront	hazard approaches should be put at the forefront
and be based on Union wide resilience goals	and be based on the differentiated needs of the
feeding into a baseline definition of capacities	EU Member States and regions in order to
and preparedness. The Commission is to work	strengthen their capacities and to improve the
together with Member States when defining	overall EU resilience and preparedness. The
Union wide resilience goals.	Commission is to work together with Member
	States and local and regional authorities when
	defining Union wide resilience goals.

The efforts of the EU must be differentiated to take into account the different capacities in the Member states and in the EU regions.

Amendment 3

Recital 8

Text proposed by the European Commission	CoR amendment
(8) As a 24/7 operational centre at Union level	(8) As a 24/7 operational centre at Union level
with capacity to follow and support operations in	with capacity to follow and support operations in
various types of emergencies, within and outside	various types of emergencies, within and outside
the Union, in real-time, the Emergency Response	the Union, in real-time, the Emergency Response
Coordination Centre ('ERCC') should be further	Coordination Centre ('ERCC') should be further
strengthened. This should include enhanced	strengthened. This should include enhanced
coordination of the ERCC with Member States'	coordination of the ERCC with Member States'
national crisis systems and civil protection	national and regional crisis systems and civil
authorities, as well as with other relevant Union	protection authorities, as well as with other
bodies. The work of the ERCC is supported by	relevant Union bodies. The work of the ERCC is
scientific expertise, including that provided by the	supported by scientific expertise, including that
European Commission's Joint Research Centre.	provided by the European Commission's Joint
	Research Centre.

Reason

Member States' governance structure and the nature of certain emergencies may also require coordination with regional crisis response systems, particularly as regards skills and training.

Amendment 4 Recital 9

Text proposed by the European Commission	CoR amendment
	(9bis) The Union Mechanism and rescEU
	should be developed in a way that enables the
	Union to effectively respond to a wide range of
	emergencies, besides health. For instance,
	climate change is leading to an increase of
	natural disasters such as fire or flooding. It is

therefore essential that the Union Mechanism
also includes sufficient capacities to act when
natural disasters occur.

Self-explanatory.

Amendment 5

Recital 11

Text proposed by the European Commission	CoR amendment
(11) rescEU capacities acquired, rented, leased or	(11) rescEU capacities acquired, rented, leased or
otherwise contracted by Member States could be	otherwise contracted by the Commission or
used for national purposes, but only when not	Member States could be used for national
used or needed for response operations under the	purposes, but only when not used or needed for
Union Mechanism.	response operations under the Union Mechanism.

Reason

Availability of rescEU capacities for national use should not depend on whether they are acquired, rented, leased or otherwise contracted by the Commission or the Member States.

Amendment 6

Article 1(2)

Text proposed by the European Commission	CoR amendment
(2) Article 6 is amended as follows:	(2) Article 6 is amended as follows:
(c) The following paragraph 5 is added:	(c) The following paragraph 5 is added:
'5. The Commission shall define Union disaster	'5. The Commission shall define Union disaster
resilience goals to support prevention and	resilience goals to support prevention and
preparedness actions. Disaster resilience goals	preparedness actions in consultation with the
shall ensure a common baseline for maintaining	Member States and local and regional
critical societal functions in the face of cascading	authorities. Disaster resilience goals shall ensure
effects of a high impact disaster and for ensuring	a common baseline for maintaining critical
the functioning of the internal market. The goals	societal functions in the face of cascading effects
shall be based on forward looking scenarios,	of a high impact disaster and for ensuring the
including the impacts of climate change on	functioning of the internal market. The goals shall
disaster risk, data on past events and cross-	be based on forward looking scenarios, including
sectoral impact analysis with a particular	the impacts of climate change on disaster risk,
attention to vulnerable people.	data on past events and cross-sectoral impact
The Commission shall be empowered to adopt,	analysis with a particular attention to vulnerable
where necessary, delegated acts in accordance	people.
with Article 30 to define Union disaster	The Commission shall propose a decision of the
resilience goals.';	European Parliament and of the Council
	adopting Union disaster resilience goals.';

It is essential to ensure that overarching goals and objectives at Union level are being developed and defined in consultation with the representatives of national and subnational levels.

In order to reflect ownership of goals, the legislation adopting them should have to be approved by the European Parliament and the Council.

Amendment 7

Article 1(3)

Text proposed by the European Commission	CoR amendment
(3) Article 7 is replaced by the following:	(3) Article 7 is replaced by the following:
'Article 7	'Article 7
Emergency Response Coordination Centre	Emergency Response Coordination Centre
1. An Emergency Response Coordination Centre	1. An Emergency Response Coordination Centre
('ERCC') is established. The ERCC shall ensure	('ERCC') is established. The ERCC shall ensure
24/7 operational capacity, and serve the Member	24/7 operational capacity, and serve the Member
States and the Commission in pursuit of the	States and the Commission in pursuit of the
objectives of the Union Mechanism.	objectives of the Union Mechanism.
The ERCC shall in particular coordinate, monitor	The ERCC shall in particular monitor and support
and support in real-time the response to	in real-time the response to emergencies at Union
emergencies at Union level. The ERCC shall	level. The ERCC shall support national and,
work in close contact with national crisis	where relevant, regional crisis systems, civil
systems, civil protection authorities and relevant	protection authorities and relevant Union bodies.
Union bodies.	2. The ERCC shall have access to logistical,
2. The ERCC shall have access to operational,	analytical, monitoring, information management
analytical, monitoring, information management	and communication capacities to support
and communication capacities to address a broad	national systems for managing crises within and
range of emergencies within and outside the	outside the Union.';
Union.';	

Reason

The ERCC must facilitate and support national - and regional, where appropriate - crisis response systems, avoiding overlaps which might create confusion in terms of which body is responsible for responding to the emergency.

Amendment 8

Article 1(6)

Text proposed by the European Commission	CoR amendment
(6) Article 10 is replaced by the following:	(6) Article 10 is replaced by the following:
'Article 10	'Article 10
Disaster resilience planning	Disaster resilience planning
"1. The Commission and the Member States shall	"1. The Commission and the Member States, in
work together to improve cross-sectoral resilience	consultation with local and regional authorities,
planning, both for natural and man-made disasters	shall work together to improve cross-sectorial
likely to have a trans-boundary effect, including	resilience planning, both for natural and man-
the adverse effects of climate change. The	made disasters likely to have a trans-boundary
resilience planning shall include scenario-building	effect, including the adverse effects of climate
at Union level for disaster prevention and	change. The resilience planning shall include
response based on the risk assessments referred to	scenario-building at Union level for disaster
in point (a) of Article 6(1) and the overview of	prevention and response based on the risk
risks referred to in point (c) of Article 5(1),	assessments referred to in point (a) of Article 6(1)
disaster risk management planning referred to in	and the overview of risks referred to in point (c)
point (c) of Article 6(1), disaster loss data referred	of Article 5(1), disaster risk management planning
to in point (f) of Article 6(1), asset mapping and	referred to in point (c) of Article 6(1), disaster
the development of plans for the deployment of	loss data referred to in point (f) of Article 6(1),
response capacities, taking into account the Union	asset mapping and the development of plans for
disaster resilience goals referred to Article 6(5).	the deployment of response capacities, taking into
2. []';	account the Union disaster resilience goals
	referred to Article 6(5).
	2. []';

Reason

It is essential to ensure that the work on disaster resilience planning and scenario-building also involves regional and local levels as the levels most directly affected.

Amendment 9

Article 1(8)

Text proposed by the European Commission	CoR amendment
(8) Article 12 is amended as follows:	(8) Article 12 is amended as follows:
(a) Paragraphs 2 and 3 are replaced by the	(a) Paragraphs 2 and 3 are replaced by the
following:	following:
'2. []	'2. []
3. rescEU capacities shall be acquired, rented,	3. rescEU capacities shall be acquired, rented,
leased, and/or otherwise contracted by the	leased, and/or otherwise contracted by the
Commission or Member States. The Commission	Commission or Member States. The Commission
may acquire, rent, lease or otherwise contract	may acquire, rent, lease or otherwise contract
rescEU capacities to stock and distribute supplies	rescEU capacities to stock and distribute supplies
or to provide services to Member States, through	or to provide services to Member States, through
procurement procedures in accordance with the	procurement procedures in accordance with the
Union's financial rules. Where rescEU capacities	Union's financial rules. Where the Commission
are acquired, rented, leased or otherwise	acquires rescEU capacities, it shall retain
contracted by Member States, direct grants may	ownership of such capacities even when they are
be awarded by the Commission to Member States	distributed to member States, except in case of
without a call for proposals.	non-reusable capacities. Where rescEU
The Commission and any Member States which	capacities are acquired, rented, leased or
so desire may engage in a joint procurement	otherwise contracted by Member States, direct
procedure conducted pursuant to Article 165 of	grants may be awarded by the Commission to
the Financial Regulation with a view of acquiring	Member States without a call for proposals.
rescEU capacities.	The Commission and any Member States which
rescEU capacities shall be hosted by the Member	so desire may engage in a joint procurement
States that acquire, rent, lease or otherwise	procedure conducted pursuant to Article 165 of
contract those capacities. As a way to enhance	the Financial Regulation with a view of acquiring
Union resilience, rescEU capacities acquired, rented, leased or otherwise contracted by the	rescEU capacities.
	rescEU capacities shall be hosted by the Member
Commission are to be strategically pre-positioned inside the Union. In consultation with Member	States that acquire, rent, lease or otherwise contract those capacities. As a way to enhance
States, rescEU capacities acquired, rented, leased	Union resilience, rescEU capacities acquired,
or otherwise contracted by the Commission could	rented, leased or otherwise contracted by the
also be located in third countries via trusted	Commission are to be strategically pre-positioned
networks managed by relevant international	inside the Union. In consultation with Member
organisations.';	States, rescEU capacities acquired, rented, leased
	or otherwise contracted by the Commission could
	also be located in third countries via trusted
	networks managed by relevant international
	organisations.';
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Reason

This will ensure that the capacities are given to the most needed regions in Europe, according to the EC assessment.

Amendment 10

Article 1(14)

Text proposed by the European Commission	CoR amendment
Article 20a is replaced by the following:	Article 20a is replaced by the following:
'Article 20a	'Article 20a
Visibility and awards	Visibility and awards
1. The recipients of Union funding, as well as the	1. The recipients of Union funding, as well as the
beneficiaries of the delivered assistance, shall	beneficiaries of the delivered assistance, shall
acknowledge the origin and ensure the visibility	acknowledge the origin and ensure the visibility
of the Union funding (in particular when	of the Union funding (in particular when
promoting the actions and their results) by	promoting the actions and their results) by
providing coherent, effective and proportionate	providing coherent, effective and proportionate
targeted information to multiple audiences,	targeted information to multiple audiences,
including the media and the public.	including the media and the public.
Any assistance or funding provided under this	Any assistance or funding provided under this
Decision shall be given appropriate visibility. In	Decision shall be given appropriate visibility. In
particular, Member States shall ensure that public	particular, Member States shall ensure that public
communication for operations funded under the	communication for operations funded under the
Union Mechanism:	Union Mechanism:
- include appropriate references to the Union	- include appropriate references to the Union
Mechanism;	Mechanism;
- provide visual branding on the capacities funded	- provide visual branding on the capacities funded
or co-funded by the Union Mechanism;	or co-funded by the Union Mechanism;
- deliver actions with the Union emblem;	- deliver actions with the Union emblem;
- proactively communicate the Union support to	- proactively communicate the Union support to
national media and stakeholders as well as on	national media and stakeholders as well as on
their own communication channels;	their own communication channels;
- support the Commission's communication	- support the Commission's communication
actions on the operations.	actions on the operations.
2. The Commission shall implement information	2. The Commission shall implement information
and communication actions relating to this	and communication actions relating to this
Decision, and its actions and results. Financial	Decision, and its actions and results. Financial
resources allocated to this Decision shall also	resources allocated to this Decision shall also
contribute to the corporate communication of the	contribute to the corporate communication of the
political priorities of the Union, as far as they are	political priorities of the Union, as far as they are
related to the objectives referred to in Article	related to the objectives referred to in
	Article 3(1).
3. The Commission shall award medals in order	3. The Commission shall award medals in order
to recognise and honour longstanding	to recognise and honour longstanding
commitments and extraordinary contributions to	commitments and extraordinary contributions to
Union Mechanism.';	Union Mechanism.'
	4. When rescEU capacities are used for national
	purposes as referred to in Article 12(5), Member States, regions and sities shall asknowledge the
	States, regions and cities shall acknowledge the
	origin of those capacities and ensure the

visibility of the Union funding used to acquire
those capacities.

It is important to promote the action of the EU in time of crisis. The COVID-19 crisis has shown that the crisis periods allow the broad diffusion of fake news.

Amendment 11

Article 1(15)

Text proposed by the European Commission	CoR amendment
Article 21 is amended as follows:	Article 21 is amended as follows:
(a) In paragraph 1, point (g) is replaced by the	(a) In paragraph 1, point (g) is replaced by the
following:	following:
'(g) developing resilience planning under the Union	'(g) developing resilience planning under the Union
Mechanism, as referred to in Article 10.';	Mechanism, as referred to in Article 10.';
(b) Paragraph 3 is replaced by the following:	(b) Paragraph 3 is replaced by the following:
'3. The financial assistance for the action referred	'3. The financial assistance for the action referred
to in point (j) of paragraph 1 shall cover all costs	to in point (j) of paragraph 1 shall cover all costs
necessary to ensure the availability and	necessary to ensure the availability and
deployability of rescEU capacities under the Union	deployability of rescEU capacities under the Union
Mechanism in accordance with the second	Mechanism in accordance with the second
subparagraph of this paragraph. The categories of	subparagraph of this paragraph. The categories of
eligible costs necessary to ensure the availability	eligible costs necessary to ensure the availability
and deployability of rescEU capacities shall be as	and deployability of rescEU capacities shall be as
set out in Annex Ia.	set out in Annex Ia.
The Commission is empowered to adopt delegated	The Commission is empowered to adopt delegated
acts in accordance with Article 30 to amend Annex	acts in accordance with Article 30 to amend Annex
Ia regarding the categories of eligible costs.	Ia regarding the categories of eligible costs.
The financial assistance referred to in this	The financial assistance referred to in this
paragraph may be implemented by multi-annual	paragraph may be implemented by multi-annual
work programmes. For actions extending beyond	work programmes. For actions extending beyond
one year, budgetary commitments may be broken	one year, budgetary commitments may be broken
down into annual instalments.';	down into annual instalments.'.
(c) paragraph 4 is deleted.	

Reason	
The costs incurred in facing this type of risk should continue to be covered by EU financial assistance.	

II. POLICY RECOMMENDATIONS

THE EUROPEAN COMMITTEE OF THE REGIONS

- 1. reiterates its call for significant strengthening of the emergency and disaster response capacities of the EU, with the involvement of national, local and regional emergency response structures and respecting the subsidiarity principle under TFEU Article 196;
- 2. calls for the full involvement of local and regional authorities in the EU decision-making process, as they are the first ones to be hit when a disaster strikes and the first level of governance to respond in case of an emergency;
- 3. welcomes the proposal to develop Union disaster resilience goals in support of prevention and preparedness actions; emphasises, however, that this needs to be done in cooperation with not only Member States but also local and regional authorities;
- 4. supports the strengthening of the immediate and long-term capacity of the EU to react to emergencies while preserving local authorities' ultimate operational control, but emphasises that more flexibility is also needed for deployment of rescEU resources to effectively respond to not only to health crises but to other large-scale emergencies;
- 5. welcomes the EUR 1.9 billion reinforcement of rescEU under the new recovery instrument Next Generation EU, bringing the total allocation to EUR 3 billion for the next multiannual financial framework (MFF) 2021-2027. Therefore, swift agreement on and adoption of the EU budget is of the essence if we want the EU to be better equipped to prepare for and respond to any future large-scale emergencies;
- 6. stresses that while the Next Generation EU is a welcome temporary one-off reinforcement, a long-term commitment and reinforcement is needed to further reinforce the EU Civil Protection Mechanism and its instruments, such as rescEU and the European Medical Corps;
- 7. agrees that the Commission should be able to directly procure rescEU capacities to support Member States in a large-scale emergency situation as this would both alleviate the financial and administrative burden on Member States and enable the EU to intervene more rapidly to ensure the sufficient availability of strategic assets when the capacities of Member States are overwhelmed;
- 8. agrees that in addition to the availability of strategic assets, sufficient transport and logistical capacity, including multi-purpose aircraft services, in case of emergency is needed to be able to react quickly and deliver emergency assistance;

Key messages

9. refers to its commitment, as expressed in the Resolution on the 2020-2025 priorities of the European Committee of the Regions, to "*advocate for coordinated EU action and support for*

national, regional and local disaster preparedness structures to respond to health threats and crisis situations in compliance with the subsidiarity principle";

- 10. highlights Article 196 of the Treaty on the Functioning of the European Union which states that "the Union shall encourage cooperation between Member States in order to improve the effectiveness of systems for preventing and protecting against natural or man-made disasters";
- 11. finds it regrettable that the COVID-19 outbreak has had large-scale consequences that could not have been foreseen, but believes that it can be overcome through strong cooperation and consolidated mechanisms;
- 12. notes that every crisis is a test of solidarity for the EU and its Member States, as most recently demonstrated by the current COVID-19 pandemic, and as the representative of local and regional authorities, strongly believes in the need for a coordinated European response in the spirit of true solidarity;
- 13. welcomes in this context that the European institutions have, within the scope of their competences, taken strong action in adopting initiatives for a targeted response to the COVID-19 crisis; reiterates, however, that beyond the first short-term crisis response, it is urgent to lay the ground for greater resilience from the European Union at all levels;
- 14. stresses that as demonstrated by the current crisis, it is of the utmost importance to strengthen coordination between Member States, between all levels of government and across borders;
- 15. notes that while the COVID-19 outbreak will necessarily also put the current Union Civil Protection Mechanism to the test, the targeted changes must now aim, on the basis of the experience gained here, to enhance and reinforce the Union Mechanism and enable both the EU and Member States to be better prepared and react quickly and effectively to future large-scale high-impact crises, and in so doing respect the division of powers, laid down in the TFEU, between the EU and Member States, in particular the local level;
- 16. reiterates the need to set up shared alert systems in cross border areas to achieve standardised communication on prevention and shared operational procedures in emergencies; and the need to create shared databases, shared between neighbouring countries in order to identify materials, resources, equipment, specialised volunteers and resource deployment and logistics¹;
- 17. understands that the main parties participating in the Union Civil Protection Mechanism are the Member States but finds that the Mechanism as a whole would benefit from a stronger focus on regional and local needs and circumstances;

¹ CDR 2018/6135

- 18. calls for more EU action to focus on providing technical training assistance so that the capacity of communities for self-help can be enhanced, leaving them better prepared to provide an initial response and to contain a disaster²;
- 19. reiterates the need to boost e-learning platforms along the lines of the Union Civil Protection Mechanism training programme, and to increase the availability of open online courses in the field of civil protection³.

Subsidiarity and proportionality analysis

Civil protection is an area of shared competence between the EU and Member States, where the Union acts to support, coordinate or supplement the actions of its Member States (Article 196 TFEU). The principle of subsidiarity is clearly applicable in the field.

The current proposal is intended to introduce some targeted changes to the decision based on which the European Union supports, coordinates and supplements the action of Member States in the field of civil protection to prevent, prepare for and respond to natural and man-made disasters within and outside the Union.

As shown by the COVID-19 outbreak, in case of serious emergencies where the European Union as a whole is concerned by the scale and the scope of the emergency, a collective, coordinated and urgent response is needed to avoid a fragmented approach which would limit the effectiveness of the Union response. The pressing demands to mobilise resources at sufficient scale and deploy them across the Member States require coordinated action at Union level in cooperation with Member States.

Brussels, 14 October 2020

The president of the European Committee of the Regions

Apostolos Tzitzikostas

The secretary-general of the European Committee of the Regions

Petr Blížkovský

² CDR 2018/617.

³ CDR 2018/6135.

III. PROCEDURE

Title	A reinforced Union civil protection mechanism
Reference(s)	COM(2020) 220 final
Legal basis	First paragraph of Article 307 of the TFEU
Procedural basis	Rule 41 a) RoP
Date of Council/EP referral/Date of	26 June 2020
Commission letter	
Date of Bureau/President's decision	-
Commission responsible	Commission for Natural Resources (NAT)
Rapporteur	Alberto Cirio (IT/EPP)
Analysis	10 July 2020
Discussed in commission	18 September 2020
Date adopted by commission	18 September 2020
Result of the vote in commission	Majority
(majority, unanimity)	
Date adopted in plenary	14 October 2020
Previous Committee opinions	CdR 617/2018 - Opinion on the Review of the EU Civil
	Protection Mechanism
Date of subsidiarity monitoring	
consultation	