

Brussels, 16 July 2003

OPINION

of the Committee of the Regions

of 3 July 2003

on the

Management and consequences of natural disasters:

the role of European structural policy

The Committee of the Regions,

Having regard to the decision of its Bureau on 19 November 2002, in accordance with the fifth paragraph of Article 265 of the Treaty establishing the European Community, to draw up an opinion on the *Management and consequences of natural disasters: the role of European structural policy*, and to instruct the Commission for Territorial Cohesion Policy (as lead Commission) and the Commission for Sustainable Development to undertake the preparatory work;

Having regard to the supplementary opinion of the Commission for Sustainable Development (rapporteur: **Mr Gottardo** (IT/EPP), Member of the Friuli Venezia Giulia Regional Council), DI CdR 12/2003;

Having regard to its opinion of 14 January 1999 on the *European Spatial Development Perspective* (ESDP) (CdR 266/98 fin)¹;

Having regard to its opinion of 14 November 2001 on the *Second report on economic and social cohesion* (CdR 74/2001 fin)²;

Having regard to its opinion of 15 February 2001 on *The structure and goals of European*

regional policy in the context of enlargement and globalisation: opening of the debate (CdR 157/2000 fin)³;

Having regard to Council Regulation (EC) No. 1260/1999 of 21 June 1999⁴ laying down general provisions on the Structural Funds;

Having regard to the *Second report on economic and social cohesion* of 31 January 2001 (COM(2001) 24 final) and its opinion thereon (CdR 74/2001 fin)⁵;

Having regard to the *First progress report on economic and social cohesion* (COM(2002) 46 final) and its opinion thereon (CdR 101/2002 fin)⁶;

Having regard to the opinion (CdR 388/2002 fin) of 9 April 2003 on *Territorial Cohesion* (rapporteur: **Mr Ramón Luis Valcárcel Siso**, President of the Autonomous Community of Murcia (ES/EPP));

Having regard to the open partial agreement on the prevention of, protection against, and organisation of relief in major disasters (EUR-OPA programme, run by the Council of Europe), with particular reference to the protection of cultural assets in earthquake zones;

Having regard to the Council Decision of 23 October 2001⁷ establishing a Community mechanism to facilitate reinforced cooperation in civil protection assistance interventions;

Having regard to Council Regulation (EC) No. 2012/2002⁸ establishing the European Union Solidarity Fund;

Having regard to the Environment DG's documents relating to the consultation process launched by the European Commission on *civil protection: improvement of public awareness and safety in the face of natural and man-made hazards*, with a view to the future adoption of a communication on the subject;

Having regard to the draft opinion adopted by the Commission for Territorial Cohesion Policy on 30 April 2003 (CdR 104/2003 rev. 1), rapporteurs: **Ms Maria Rita Lorenzetti** (IT/PES), President of the Umbria Region, and **Mr Stanislaw Tillich** (DE/EPP), Minister of State for Federal and European Affairs and Head of the Chancellery Office, Free State of Saxony.

Whereas:

1. the preamble to the Treaty on European Union includes the express desire to strengthen solidarity between peoples and to promote economic and social progress for the people of the Member States;

2. exceptional natural occurrences and technological accidents often have very serious consequences in terms of material damage and personal injury, and the European regions where they occur are often densely populated and include urban centres of great cultural and productive value;
3. the production and transport processes used by modern European industrial society carry a high accident risk, particularly in the event of exceptional natural occurrences;
4. the risk of exceptional natural phenomena occurring is higher in some regions than in others, and this makes solidarity between regions especially important;
5. the serious damage caused in this way often results in a significant deterioration in the economic and social situation and a consequent slowdown in development;
6. experience suggests that exceptional occurrences caused by climate factors are increasingly frequent and intense, causing large-scale injury to individuals and serious damage to property and the environment;
7. preventive measures designed to reduce the damage caused by exceptional natural phenomena and technological accidents are in principle less costly than the necessary outlay on subsequent rebuilding work;
8. Council Regulation No. 2012/2002 establishing the European Union Solidarity Fund as the emergency instrument for intervention in the event of disasters, states that "Community action should not relieve third parties of their responsibility who, under the 'polluter-pays' principle, are liable in the first instance for the damage caused by them, or discourage preventive measures at both Member State and Community level";
9. it is extremely difficult to distinguish between major damage caused by exceptional natural occurrences and major environmental damage caused by other events,

adopted the following opinion unanimously at its 50th plenary session on 2 and 3 July 2003 (meeting of 3 July).

1. Views of the Committee of the Regions

The Committee of the Regions

1. **considers** it essential to deal with preventive measures, disaster management and assistance separately, and to assess the role of the European funds in this context;
2. in the context of the present opinion, **defines** disasters as major injury to individuals and serious damage to property and the environment caused by exceptional natural occurrences or technological accidents; this opinion will not consider disasters caused by deliberate intent;
3. **notes** with interest the scientific work carried out by the Community research centre on forecasting natural disasters;
4. **welcomes** the establishment of the Solidarity Fund; nevertheless notes the insufficient degree of coordination between that fund and the Structural Funds and the consequent loss of synergy;
5. **notes and regrets** in particular the fact that, to date, the European Commission's main approach to managing the Solidarity Fund allows only for the temporary restoration of infrastructure rather than measures for definitive rebuilding;
6. in principle, **welcomes** the Council decision establishing a Community mechanism to facilitate reinforced cooperation in civil protection assistance interventions⁹;
7. nevertheless **stresses** that the regions and municipalities, as the regional and local authorities responsible in the context of decentralised coordination, should play a central role in disaster prevention and management;
8. **welcomes** the many bilateral agreements offering assistance, as they enable emergency services and volunteers on both sides of borders to become acquainted and to overcome language barriers, further promoting the European integration process. The various strands of the Community INTERREG initiative make an invaluable contribution in this respect;
9. **welcomes** the fact that the Structural Funds include measures for disaster prevention and for the management of natural disasters, while regretting that it is impossible to redistribute resources between the funds; furthermore, cofinancing often hinders the necessary transfers, owing to the diverse sources of funding;
10. **notes with concern** that during the current period of support, only areas eligible under Objectives 1 and 2 can benefit from the Community support earmarked for disaster management under the Structural Funds;
11. **notes**, in addition, that under the current Structural Fund set-up, areas at risk are obliged to divert large sums from other potential investments in economic

development to preventive measures; this inequality weakens the objective of territorial cohesion and fair and balanced development;

12. **stresses** that the public and the business world have a vital contribution to make to prevention and emergency measures and that it is therefore necessary to work constantly to raise awareness.

2. Recommendations of the Committee of the Regions

Disaster prevention

The Committee of the Regions

1. **calls** for a risk analysis applying Community standards, to outline all the types and combinations of risk for the various areas. More specifically, risk assessments should be conducted for earthquakes, volcanic activity, floods, torrential rainfall, landslides or mudflows, forest fires, industrial and mining plants and land and shipping accidents that occur during the authorised transport of hazardous materials. The analysis should be conducted in conjunction with the municipalities, regions and competent national bodies, and the results should then be made available to the Member States. It is up to the Commission to propose harmonised procedures to ensure the comparability of the analysis results. The risk analysis must take into account factors such as *risk* (probability of an event occurring on a certain scale; this is calculated by studying the area concerned and conducting a risk analysis); *vulnerability* (the susceptibility of a system to damage; a vulnerability study is needed to assess the potential danger to buildings, infrastructure, industrial plant and urban neighbourhoods, especially historic town centres, in the event of an emergency); and *exposure* (the quantity of objects, buildings, infrastructure, enterprises and people at risk);
2. **calls** for Europe-wide risk categories to be introduced for the areas that have undergone a risk analysis in order to define disaster prevention measures that are tailor-made and graded;
3. **calls** for the risk analysis to be translated into the following measures:
 - establishing a network of tools to identify potential risks, in conjunction with the national civil protection network;
 - extending the scientific assessment to all areas deemed to be at risk;
 - introducing coordination procedures for all competent bodies;
 - developing partnerships between regions with similar disaster risks in order to exchange know-how on emergency management that may be of long-term benefit to countless people;
4. **calls** for risk analysis to be considered binding in regional management. Risk analysis should be followed up with a list of measures designed to reduce risk.

Countries with vulnerable cross-border areas have a duty to take steps to coordinate regional management;

5. **considers** it important to step up and promote cooperation in general between areas that are subject to similar risks (such as vulnerability to earthquakes) and in particular between neighbouring areas with similar geographical risks (such as river flooding or hydrogeological instability). This also applies to cross-border cooperation in the context of risk analysis and prevention;
6. **calls on** the Commission, the European Parliament and the Council to assess the need to evaluate the safety of public buildings, cultural assets, industrial plants and other buildings of a given size. To this end, a codified procedure for safety evaluation (SE) may be useful. The use of Community resources should in principle be subject to a prior evaluation of this kind;
7. **calls** for the introduction of joint warning and communication systems, especially for weather forecasts, for monitoring earthquake and volcanic activity and for communications in the event of an emergency; as individual regions or Member States may not be in a position to manage such systems on their own, structured cooperation between national and European authorities should be encouraged, to enable a standardised exchange of data and, whenever possible, effective advance warning of natural disasters, giving time to react. The Committee would recommend setting up a European agency for this purpose;
8. **calls** for regional civil protection centres to be set up in every area or region at risk. These centres would collect and process data from monitoring networks, conduct training, studies and research, and carry out emergency activities. Responsibility would remain with the regions. As regards studies and research, documentary and photographic material should be compiled regarding similar events that occurred in past years or centuries, and contacts and relations should be fostered between European universities and specialist institutes;
9. **calls** for greater coherence between efforts made in the sphere of civil protection and those made in the military environment;
10. **urges** the Commission to assess the interoperability of the communication facilities and systems available in the Member States in the event of a disaster and to put forward proposals for their harmonisation;
11. **calls** for more to be done to promote language skills for all levels of management;
12. **calls** for more to be done in the context of the innovative measures to promote the exchange of good practice and networking among managers responsible for civil protection;
13. **calls** for an exchange of good practice and a proper division of civil protection responsibilities between local, regional and national levels, drawing on the scientific expertise of European universities and specialist research institutes;.

In the event of a disaster

The Committee of the Regions

14. **calls** for the minimum threshold for damages provided by the EU Solidarity Fund to be reduced to €1 billion, as the European Commission originally proposed. Furthermore, appropriations earmarked under the fund should be subject to the additionality principle. The decision-making process and payment procedures must be speeded up so that the funds can be paid as soon as a disaster occurs and can be used effectively to deal with it;
15. **calls** for the regions to be actively and properly involved in measures provided for under the "Community mechanism to facilitate reinforced cooperation in civil protection assistance interventions"¹⁰.

Reconstruction

The Committee of the Regions

16. **calls** for greater flexibility, for a limited period, in the award of public contracts, in order to avoid the risk of delays and the cost of European calls for tender. This is the only way to speed up reconstruction;
17. **welcomes** the EIB lending facility which provides an opportunity for optimum-condition loans, and calls in that context for a high degree of flexibility;
18. **urges** that it be made obligatory to take risk analysis into account in reconstruction work, to avoid repeating past mistakes. The measures implemented should apply the sustainability principle and therefore temporary work should be done only when technically essential;
19. **believes** that cultural assets deserve a special approach, both for monuments of significant architectural value and groups of minor historical buildings. Generally speaking, but more so for minor historical buildings, reconstruction projects should be geared towards getting structural safety up to scratch or at least improving it, preventing environmental pollution, using alternative energy sources and respecting contemporary standards of living. Repair work or rebuilding should be mindful of the historical, architectural and typological features of the damaged buildings, with a view to preserving our rich architectural heritage.

Financing

The Committee of the Regions

20. **calls** for the more flexible deployment of the Structural Funds for the above-mentioned measures, including the facility to move resources between the Funds;
21. **proposes** allowing a greater proportion of the Solidarity Fund to be used for reconstruction work;
22. **believes** that compliance with the risk analysis should be a condition for eligibility for reconstruction financing. Reconstruction measures should take account of natural conditions (for instance the restoration of areas that are prone to flooding) and aim to prevent or lessen the chances of further damage from a natural or technological disasters. This may require changes to insurance law, so as to ensure that compensation for damages is not necessarily tied to restoring original conditions when that would mean rebuilding without reducing the original risk;
23. **believes** that the regions should be more involved in choosing the instruments to use;
24. **believes**, in the context of the forthcoming mid-term evaluation of the Structural Funds, that the Commission's guidelines for Structural Fund measures in the 2004-2006 period should give strong priority to risk prevention;
25. in conclusion, **calls** for the establishment of a Community initiative in the field of civil protection for preventing and dealing with disasters, as part of the new Structural Fund system rules for the post-2007 period, given that the EU Solidarity Fund encourages "preventive measures at both Member State and Community level", and given that disasters can hit rich and poor geographical areas alike, irrespective of whether they come under a specific structural policy objective; requests, moreover that this aid should come hand in hand with enhanced flexibility in the application of the provisions governing state aid to rebuild dependent economies in the affected areas.

This initiative would facilitate the coordination of Community action in this field, giving a clearer and more coherent framework to the various existing instruments (national programmes, innovative measures, research framework programme and civil protection) and complementing the immediate assistance objective set by the Solidarity Fund.

The new Community initiative should be independent of the Structural Fund objectives and should have funding on a par with the Community's INTERREG initiative. It should encourage regional cooperation measures, in accordance with the principle that prevention is better than a cure.

Brussels, 3 July 2003.

The President

The Secretary-General

of the Committee of the Regions

Albert Bore

¹ OJ C 93 of 6.4. 1999, p. 36.

² OJ C 107 of 3.5.2002, p. 27.

³ OJ C 148 of 18.5.2001, p. 25.

⁴ OJ L 161 of 26.6.1999, p. 7.

⁵ OJ C 107 of 3.5.2002, p. 27.

⁶ OJ C 66 of 9.3.2003, p. 11.

⁷ OJ L 297 of 15.11.2001, p. 7.

⁸ OJ L311 of 14.11.2002, p. 3.

⁹ Decision No. 2001/792/EC

¹⁰ Council Decision No. 2001/792/EC

of the Committee of the Regions

Vincenzo Falcone

CdR 104/2003 fin FR/SG/CAT/ht

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