

Manual of European Environmental Policy

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Civil Protection from Disasters

Formal reference	
2001/792/EC , Euratom (OJ L297 15.11.2001)	Decision establishing a Community mechanism to facilitate reinforced cooperation in civil protection assistance interventions
Proposed 27.9 2000 – (COM(2000)593)	
Legal base	Article 352 TFEU (originally Article 308 EEC Treaty and 203 EEC Treaty, now repealed and replaced, in substance, by Article 16, paragraphs 2 and 9 TEU).
Binding dates	
Entry into force	1 January 2002
2007/779/EC (OJ L314/9 1.12.2007)	Council Decision establishing a Community Civil Protection Mechanism (recast)
Legal base	Article 352 TFEU (originally Article 308 EEC Treaty and 203 EEC Treaty, now repealed and replaced, in substance, by Article 16, paragraphs 2 and 9 TEU).
Binding dates Entry into force	13 November 2007
2004/277/EC , Euratom (OJ L87 25.3.2004)	Commission Decision laying down rules for the implementation of Council Decision 2001/792/EC, Euratom establishing a Community mechanism
2008/73/EC , Euratom (OJ L 20 24.1.2008)	Commission Decision amending Decision 2004/277/EC, Euratom as regards rules for the implementation of Council Decision 2007/779/EC, Euratom establishing a Community civil protection mechanism
2007/162/EC , Euratom (OJ L71 10.3.2007)	Decision establishing a Civil Protection Financial Instrument
Proposed 6.4.2005 – (COM(2005)113)	
Legal base	Article 352 TFEU (originally Article 308 EEC Treaty and 203 EEC Treaty, now repealed and replaced, in substance, by Article 16, paragraphs 2 and 9 TEU).
Binding dates	
Entry into force	9 March 2007
2007/606/EC , Euratom (OJ L 241 14.9.2007)	Commission Decision laying down rules for the implementation of the provisions on transport in Council Decision 2007/162/EC, Euratom establishing a Civil Protection Financial Instrument

Purpose of the Legislation

The Community Mechanism for civil protection aims to coordinate civil protection inside and outside the EU, in the event of a major disaster such as floods, earthquakes, landslides, forest fires and pollution-related incidents. The Civil Protection Financial Instrument provides funding for this Mechanism. The Community Mechanism for civil protection is set out in Decision 2007/779/EC (recast) and the Financial Instrument was established through Decision 2007/162/EC.

Summary of the Legislation

The Community Mechanism for Civil Protection

Decision 2001/792/EC, Euratom (2007/779/EC, Euratom)

The Community Mechanism for Civil Protection involves the participation of 30 European states, which pool their civil protection resources that can be made available to disaster-stricken countries. The mechanism does so by financially supporting Member States' own efforts, and by facilitating cooperation among Member States. The mechanism was originally established in 2001 (Decision 2001/792/EC, Euratom), but was recast in 2007 (Decision 2007/779/EC, Euratom). The mechanism aims to facilitate cooperation in civil protection assistance interventions in the event of major emergencies which may require urgent response actions. This applies also to situations where there may be an imminent threat of such major emergencies.

The mechanism has a number of tools intended to facilitate both adequate preparedness and effective response to disasters at a community level:

- The Monitoring and Information Centre (MIC) is operated by DG Environment and acts as a communication hub at headquarters level among participating states, the affected country and despatched field experts.
- The Common Emergency Communication and Information System (CECIS) is a web-based alert and notification application created with the intention of facilitating emergency communication among the participating states.
- A training programme has also been set up with a view to improving the coordination of civil protection assistance interventions by ensuring compatibility and complementarity between the intervention teams from the participating states.
- Civil protection modules are made of national resources from one or more Member States on a voluntary basis.

Decision 2004/277/EC

Decision 2004/277/EC, Euratom as amended by Decision 2008/73/EC, Euratom sets down the rules for the implementation of the mechanism. More specifically, they establish rules regarding the following:

- information on the relevant resources available for civil protection assistance intervention;
- the establishment of an MIC;
- the establishment of a CECIS;
- the assessment and/or coordination teams, including criteria for the selection of experts;
- establishment of a training programme;
- interventions inside and outside the Community.

The Civil Protection Financial Instrument

Decision 2007/162/EC, Euratom

Adopted in March 2007, Decision 2007/162/EC, Euratom establishes the Civil Protection Financial Instrument. It aims to support and complement the efforts of Member States for the protection, primarily of people, but also of the environment and property, including cultural heritage, in the event of natural and man-made disasters, acts of terrorism and technological, radiological or environmental accidents. Furthermore, it intends to facilitate reinforced cooperation among the Member States in the field of civil protection.

The Civil Protection Financial Instrument covers three main aspects of civil protection activities: prevention, preparedness and response:

- Response and preparedness actions covered by the EU's civil protection mechanism.
- Actions already covered by the 2000–2006 civil protection action programme (see below), such as prevention (study of the causes of disasters, forecasting, public information) and preparedness (detection, training, networking, exercises, mobilization of expertise) within the EU.
- New areas such as additional transport in response actions under the civil protection mechanism.

The financial envelope allocated to the Civil Protection Financial Instrument under the EU's 2007–2013 financial framework amounts to €189.8 million. Indicative annual amounts of €20 million are available for actions within the EU and €8 million for actions in third countries.

Decision 2007/606/EC, Euratom

Commission Decision 2007/606/EC, Euratom lays down the relevant implementing rules for the Civil Protection Financial Instrument. The Decision provides for detailed rules for implementing these provisions. The European Commission can give financial support, at the request of the participating states, either through direct grants or through the provision of a transport service which will be contracted through a broker. The Annex to the Decision sets out what practical information should be provided between the participating States and the Commission for a given transport request.

Under Article 110 of Council Decision 2007/162/EC, grants are subject to an annual work programme. Under Article 166 of Commission Decision 2007/606/EC Euratom, the annual work programme for grants is to be adopted by the Commission. It is to specify the basic act, the objectives, the schedule of calls for proposals with the indicative amounts and the results expected.

Development of the legislation

An informal meeting of ministers responsible for civil defence was held in Rome in May 1985. The aim was to improve Community-level cooperation to protect people against natural disasters and major accidents. At the end of the meeting, the Commission was asked to take appropriate steps to set up a data bank on specialized equipment and personnel so that it

would be in a position to coordinate action in case of need. It was also asked to undertake an analysis of national legislation and bilateral agreements in the civil defence field.

Between 1985 and 1994 six resolutions were adopted. These resolutions, and the Fifth Environmental Action Programme, provided the basis for a civil protection action programme. The first such programme was adopted in 1997 ([Decision 98/22/EC](#)) and provided ECU 3 million funding for the period 1998–1999. This widened the scope of Community action to encompass the prevention of disasters and placed a greater emphasis on public information. A further Decision in 1999 ([1999/847/EC](#)) established a Community Action Programme in the field of civil protection. This action programme was extended until 2006 through Council Decision [2005/12/EC](#). The year 2006 was the last year for the financing of actions within the framework of the Community action programme in the field of civil protection as this instrument expired on 31 December 2006.

A series of natural, technological and environmental disasters in the EU and neighbouring states between 1999 and 2000 resulted in damage from earthquakes, the Erika oil spill, storms and flooding, dam failures in the Danube catchment area and a fireworks explosion in the Netherlands. These events prompted repeated calls for improvements in Community-level action on civil protection. A proposal to establish a mechanism to coordinate civil protection intervention in the event of emergencies was subsequently forwarded by the Commission in September 2000 ([COM\(2000\)593](#)). The Decision was adopted by the Council on 23 October 2001 and at the time complemented the Community Action Programme.

In February 2003 the Commission published a working document on '[Civil Protection: improvement of public awareness and safety in the face of natural and man-made hazards](#)'. The principal aim of this document was to provide a basis for a stakeholder meeting in order to receive inputs, since the Commission was planning to adopt a Communication on the subject. This Communication, 'Reinforcing the Civil Protection Capacity of the European Union' ([COM\(2004\)200](#)), was published in 2004. In the light of the experience gained the Commission proposed several measures to reinforce civil protection capacity. Many of these measures are linked to better cooperation, increased coherence between instruments, upgrading of databases and a greater focus on financial constraints.

Following the tsunami that hit South Asia in December 2004, the Community Mechanism for Civil Protection established by Council Decision 2001/792/EC was in need of an overhaul. Both the Council and the European Parliament called on the Commission to explore areas of improvement. The Commission therefore proposed a set of structural reforms of the mechanism ([COM\(2005\)137](#)). This aimed at developing a more robust civil protection capability that enables the Union to react more rapidly and effectively to any type of disaster in future. As a result, the Commission tabled a recast of Council Decision 2001/792/EC in January 2006. The recast of the mechanism was adopted by the Council in June 2007 as Decision 2007/779/EC.

The Commission also adopted a Proposal for a Council Regulation establishing a Rapid Response and Preparedness Instrument for major emergencies in April 2005 ([COM\(2005\)113](#)). This proposal provides the future legal framework for the financing of civil protection operations. The Commission proposed a major increase in the future financing for European civil protection actions, with annual amounts ranging from €16 million in 2007 to €30 million in 2013. Renamed the Civil Protection Financial Instrument, this legislation was adopted in March 2007 (2007/162/EC).

Implementation of the legislation

In November 2009, the first ever Eurobarometer survey¹ on the issue of civil protection showed wide support among EU citizens for EU action on disaster prevention, preparedness and response; and assisting countries outside the EU when disaster strikes. EU citizens are mostly concerned with the risk of flooding (45 per cent), violent storms (40 per cent) and industrial accidents (29 per cent).

Major disasters for which assistance from the Civil Protection Mechanism was requested included the Prestige accident (autumn 2002); earthquakes in Algeria (spring 2003), Iran (spring 2003), Morocco (winter 2004); Pakistan (autumn 2005); the tsunami in South Asia (winter 2004/2005); forest fires in Portugal (summers 2003/2004/2005/2010); floods in Romania and Bulgaria (spring/summer 2005); and hurricanes Katrina and Rita in the USA (autumn 2005); floods in Central and Easter Europe (summer 2006); floods in Algeria (winter 2006); forest fires in Greece, Albania, Macedonia, Bulgaria, Italy and Cyprus (summer 2007); oil spill in the Black Sea (autumn 2007); floods in Ecuador (spring 2008); earthquake in China (spring 2008); floods, in Romania, Ukraine and Moldova (summer 2008); floods in Tajikistan and Namibia (spring 2009); earthquake in Italy (spring 2009); fight forest fires in Italy and France (summer 2009); tropical storm Ketsana and earthquakes in the Pacific (autumn 2009). In 2010, the European Civil Protection Mechanism was activated 12 times in order to respond to emergencies within the EU and 20 times for emergencies occurring outside EU borders.²

The Commission published a guidance paper on national risk assessment and mapping ([SEC\(2010\)1626](#)). Member States are supposed to develop national risk management processes by 2011, in conjunction with these guidelines. On the basis of this information, the Commission is envisioned that by 2012 it will develop an overview of the major risks faced by the EU. It has been acknowledged that further progress is needed on the knowledge base for disaster prevention particularly in relation to improving the use of EU funding instruments for disaster prevention, introducing conditionality to EU funding and the role of disaster insurance policies. The European Environment Agency has been requested to strengthen efforts in the area of data and comparability of data regarding disasters (and particularly with regards to their costs). Some of this information is intended to feed into the development of the Climate Change Clearing House Mechanism.² In 2010, the Civil Protection Financial Instrument co-financed three prevention projects which focused on the following areas: prevention of fires; linking civil protection and planning for preventing disasters in Europe; and the prevention of natural risks in the Mediterranean region, with a focus on seismic risks. On the basis of an annual call for proposals for prevention projects, nine prevention projects will be implemented in 2011 and 2012, with a total EU contribution of €2.8 million.²

Financial support was provided also to a number of preparedness cooperation projects. Several Early Warning Systems were supported in 2010, including the European Floods Alert System, the European Forest Fire Information System and the Global Disaster Alert and Coordination System, which provides a worldwide warning for earthquakes, tsunamis, hurricanes and volcanic eruptions. In addition, a number of training courses and exercises were completed in 2010. The Civil Protection Financial Instrument financed three preparedness projects in the following areas: water pollution on the boundary between Bulgaria and Greece; legal conditions for the provision of disaster assistance in the EU and selected Member States; and the improvement of the Meteoalarm early warning system for

30 European countries, by extending the forecast period to five days and including rain and flood warnings.²

Further developments

The Commission is currently discussing further EU and Member State activities and coordination which could increase the EU's capacity to respond in a coordinated manner to natural disasters. For example, the Commission published a communication in March 2008 concerning the reinforcement of the Union's disaster response capacity ([COM\(2008\)130](#)).

Further to this, on 23 February 2009, the Commission adopted two related Communications on disaster prevention and reduction. The first Communication discussed creating a Community approach to reducing the impact of natural and man-made disasters within the EU ([COM\(2009\)82](#)), whereas the second presented a strategy for supporting disaster risk reduction in developing countries ([COM\(2009\)84](#)).

In addition, the Treaty of Lisbon introduces several changes which strengthen the EU's involvement in civil protection. Article 6 of the Treaty on the Functioning of the European Union states that in the area of civil protection 'the Union shall have competence to carry out supporting, coordinating or complementary action'. Article 176c specifies that the ordinary legislative procedure applies to the adoption of civil protection legislation. This will fully involve the European Parliament as co-legislator and simplify decision-making in the Council as qualified majority voting would then apply. Furthermore, Article 176c will also set out 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'. Further legislation may be needed to establish the measures necessary to help achieve these objectives.

Related legislation

The Community Mechanism operates alongside the [EU Solidarity Fund](#), and an [action programme on control and reduction of pollution caused by hydrocarbons discharged at sea](#). It also supports the implementation of the [Major Accident Hazards Directive](#).

The [European Regional Development Fund](#) can also co-finance the preparation and implementation of measures to prevent and cope with natural risks, as well as reconstruction measures after natural disasters. The [European Agricultural Fund for Rural Development](#), and [LIFE+](#) can also be used by the Member States to finance disaster prevention measures.

References

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