



Brussels, 19 May 2005

INFORMATION NOTE

*for the seminar of the
Commission for Sustainable Development on*

Civil Protection and Cross-border Cooperation

27 May 2005. Udine (IT)

This note was drawn up with the **aim of proposing some elements of appraisal on** the content of this Seminar to the members of the Commission for Sustainable Development, **in order to set the position of** the Committee of the Regions for inter-institutional purposes.

Since civil protection is included in the Committee of the Region's priorities for 2005, the Commission for Sustainable Development proposes evaluating, **taking a regional and local approach**, the three new documents on civil protection presented by the European Commission.

The Seminar will take place on 27 May 2005 in Udine, in the Friuli Venezia Giulia Region. The region was hit by a powerful earthquake in 1976 and could share that experience and also **elaborate on** the reconstruction that followed in the wake of the earthquake.

The Commission for Sustainable Development (DEVE) in the Committee of the Regions has been invited by Mr Isidoro Gottardo, member of the Friuli Venezia Giulia Regional Council, to hold this Seminar in order to debate the role of regional and local authorities and particularly to examine examples of good practice.

The Seminar **will consist** of three sessions: Session 1 **will deal with** the EU policy framework in the field of civil protection and cross-border cooperation; Session 2 will focus on cross-border cooperation in the border regions between Italy, Austria and Slovenia; Session 3 will present experiences on civil protection from other regions through case studies on cross-border cooperation. Every session will be followed by a debate, and a declaration must be adopted at the end of the Seminar.

The members of the Commission for Sustainable Development will be joined by representatives from the European Parliament, the EU Presidency, the European Commission, the Italian Civil Protection Department, the East-West Institute (NGO), the Friuli Venezia Giulia Region and other European regions.

The Seminar falls within the scope of the Committee's recent opinions on civil protection, **and will provide** a solid basis for discussion:

- Opinion on the *Communication on reinforcing the civil protection capacity of the European Union* (CdR 241/2003 fin) adopted on 30 September 2004.
- Opinion on the *Management and consequences of natural disasters: the role of European structural policy*. (CdR 104/2003 fn) adopted on 3 July 2003.

➤ **Community action in the field of Civil Protection:**

Civil protection is high on the EU agenda as a consequence of recent natural and man-made disasters (e.g. floods, forest fires, tsunamis, terrorist attacks) that resulted in serious social, economic, and environmental consequences for national, regional and local authorities. The European Commission

recently adopted a new comprehensive instrument¹ in the field of civil protection (along with a number of other proposals foreseen in the financial perspectives). This instrument would combine the three current instruments related to Civil Protection (prevention against marine pollution, action programme in the field of civil protection and the reinforcing of civil protection capacity).

The purpose of Community cooperation in the field of Civil Protection is to help ensure better protection for people, the environment and property in the event of natural and man-made disasters. More specifically, it has the following objectives:

- to support and supplement efforts at national, regional and local level with regard to disaster prevention, the preparedness of those responsible for civil protection and intervention in the event of disaster;
- **to contribute by informing the public with a view to increasing the level of self-protection for European citizens;**
- to establish a framework for effective and rapid cooperation between national civil protection services when mutual assistance is needed;
- to enhance the coherence of actions undertaken at international level in the field of Civil Protection especially in the context of cooperation with the candidate Central and Eastern European countries in view of enlargement and with the partners in the Mediterranean region.

➤ **The European Commission documents**

The three more recent documents on civil protection are:

- Proposal for a Regulation of the European Parliament and of the Council establishing the European Union Solidarity Fund. COM(2005) 108 final.
- Proposal for a Council Regulation establishing a Rapid Response and Preparedness Instrument for major emergencies. COM(2005) 113 final.
- Communication from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions. Improving the Community Civil Protection Mechanism. COM(2005) 137 final.

These three documents have different inter-institutional calendars due to the fact that the first one is linked to the Financial Perspectives negotiation and follows a co-decision procedure; DG REGIO is primarily responsible **for** the Solidarity Fund paper, while DG ENVI is primarily responsible for the

¹ Proposal for a Rapid Response and Preparedness Instrument for major emergencies. COM(2005) 113 final.

other two. The Committee of the Regions has the opportunity to produce a consistent and global answer to all three documents, reinforcing the position of local and regional authorities.

In its Communication on the Financial Perspectives adopted on 14 July 2004², the Commission called for action at European level to provide a common response to emergency situations of different origin in an efficient and coordinated way. Action would cover both solidarity and rapid reaction, with measures allowing for immediate response and providing assistance in the aftermath of a major crisis. The **“Proposal for a Council Regulation establishing a Rapid Response and Preparedness Instruments for major emergencies”** was presented by the Commission on April 6.

The objective of the present proposal is to develop the rapid reaction strand of the Commission’s integrated approach, in order to provide for Community financial assistance to support and complement the efforts of Member States for the protection of people, the environment and property by contributing to the effectiveness of systems for the preparedness for and response to major emergencies regardless of their origin as well as to prepare for and respond to public health effects arising from major emergencies.

The solidarity strand is developed through a complementary proposal of a **“European Union Solidarity Fund”³ (EUSF)**. This new proposal is based on the current EUSF Regulation, which will be repealed with effect from the moment the proposed new Regulations applies, i.e. 1 January 2007. The main features and differences of substance are the following:

- a) The geographical scope remains unchanged; it is limited to Member States and countries negotiating their accession to the EU.
- b) The thematic scope is enlarged to cover not only major crisis situations resulting from natural disasters but also to include industrial/technological disasters, public health threats and acts of terrorism.
- c) The Fund remains limited to "major" disasters, but the thresholds are lowered.

The Commission has also adopted the Communication **“Improving the Community Civil Protection Mechanism”⁴** as a consequence of the request of the Council, the European Parliament and several member states.

² (COM(2004) 487 final, page 22).

³ Proposal for a Regulation of the European Parliament and of the Council establishing the European Union Solidarity Fund. COM(2005) 108 final.

⁴ Communication from the Commission to the Council, the European Parliament, the Economic and Social Committee and the Committee of the Regions. Improving the Community Civil Protection Mechanism. COM(2005)137 final.

The Community Civil Protection Mechanism⁵, established in October 2001, is an operational instrument designed to enhance preparedness and to mobilise immediate civil protection assistance in the event of disasters. It can be activated in case of natural and man-made disasters, including nuclear incidents. Today, 30 States – the EU-25, Bulgaria, Romania, Liechtenstein, Norway and Iceland – participate in the Mechanism. It receives a financial allocation on a year-by-year basis.

The Civil Protection Action Programme⁶ provides funding for activities aimed at preventive action, preparedness and an effective response. It expires at the end of 2006. For 2007 onwards, the Commission has adopted a proposal for a Council Regulation Establishing a Rapid Response and Preparedness Instrument for Major Emergencies, mentioned above.

The operational heart of the Mechanism is the Monitoring and Information Centre (MIC), which is based in the European Commission in Brussels. Through the MIC, which is accessible 24 hours a day, the Commission can facilitate the mobilisation of civil protection resources from the Member States in the event of an emergency.

In its extraordinary meeting of 7 January 2005, the General Affairs and External Relations Council decided to examine possible improvements of the Mechanism, including its analytical capacity, and to investigate the possibility of developing an EU rapid response capability to deal with disasters. Moreover, the EU Action Plan, adopted on 31 January 2005 following the Indian Ocean tsunami, outlines several key areas for action relating directly to civil protection.

The Council's requests coincide with calls from the European Parliament for "the creation of a pool of specialised civilian civil protection units, with appropriate material, which should undertake joint training and be available in the event of natural, humanitarian or environmental disasters, or those associated with industrial risks, within the Union or in the rest of the world"⁷.

The Action Plan identifies four areas for possible improvement of the Mechanism: better preparation of civil protection interventions, reinforcing the analytical and assessment capacity, enhancing coordination and improving the assistance to EU citizens affected by disasters outside the Union.

➤ **The principle of solidarity and the Constitutional Treaty**

The principle of solidarity and mutual assistance between Member States in cases of natural or man-made disaster on the territory of the European Union is a fundamental moral obligation and a founding and defining principle of an international community; article I-43 of the constitutional treaty calls **for** solidarity between the Member States in the event of terrorist attack and in the event

⁵ Council Decision 2001/792/EC, Euratom.

⁶ Council Decision of 9 December 1999 establishing a Community action programme in the field of civil protection (1999/847/EC).

⁷ European Parliament Resolution on the recent tsunami disaster in the Indian Ocean, 13 January 2005.

of natural disaster. The same principle should apply to third countries affected by the above-mentioned events, within an international cooperation framework.

Since the constitutional treaty stresses the principle of subsidiarity (articles I-11; III-284 on civil protection; Protocol 2 on the application of the principles of subsidiarity and proportionality) the major role that regions will play should be recognised in institutional, organisational and budgetary terms. That also includes Community financing necessary for the civil protection and rapid response capability in the event of disaster.

Once the European Union's civil protection capacity has been reinforced, the Community should address prevention issues with commitment and determination in order to restrict, in so far as this is possible, the incidence of disasters and mitigate the negative effects of those disasters that defy prevention.

➤ **The European Parliament and the Civil Protection**

The European Parliament considers that catastrophes disrupt the economies of the countries or regions affected, hitting the most vulnerable layers of the population and act as a major obstacle to sustainable development. It has proposed to strengthen preventive measures and reinforce the response capacities, including the creation of an European Civil Protection Force⁸. It called on the Commission to simplify administrative procedures, especially in relation to reprogramming of the Structural Funds.

The European Parliament has identified various areas in which improved action is needed, like training, co-ordination, sharing of information on available resources, financing, the implementation of the subsidiarity principle and a more active involvement of the civil society and local authorities. Also, civil protection plans at the various territorial levels (local, regional, national, Community) are considered as essential instruments to be adopted by those responsible⁹. Special attention **should be given to** the isolated and outermost regions.

In its 2002 resolution on the Solidarity Fund, the European Parliament definition of a major disaster refers not only to states but also to regions; the thresholds proposed were 1 billion euros or 0.5% of the GDP, the figures proposed by the Committee of the Regions, and eventually included in the proposal establishing the new Solidarity Fund (COM(2005)108 final).

➤ **The regional and local dimension of the Civil Protection.**

This dimension is underlined in the opinion of the Committee of the Regions CdR 241/2003 "Reinforcing the civil protection capacity of the European Union".

⁸ Resolution "Effects of the summer heat wave" P5_TA (2003) 0373

⁹ European Parliament Legislative resolution A5-0180/2001 on the proposal for a Council decision establishing a Community mechanism for the coordination of civil protection intervention in the event of emergencies (COM(2000) 593).

The Committee of the Regions considers that local and regional governments constitute an important structural and organisational model framework for modern and effective civil protection in Europe, due to their legislative and administrative powers and their direct contact with and responsibility for their citizens' security and regional heritage.

They can provide immediate response not only within the European Union, but also beyond its borders; regions in particular must have a high rapid alert and coordination capacity, i.e. immediate access to widespread emergency resources deployed throughout the territory, prompt mobilisation of their own human and material resources to the disaster area, and the ability to coordinate the arrival of external human and material resources.

For the above-mentioned reasons, the Committee of the Regions is of the opinion that the European monitoring centre should be linked with national and regional civil protection operations through one fixed emergency communication network system; to ensure an efficient and rapid emergency response, regional and national civil protection centres should be the primary source of information on human and material resources and experience in emergency response situations. Also, it should be compulsory to notify the European monitoring centre of an emergency situation whenever a regional civil protection centre calls external resources to a disaster area. The regional centre should also notify the European centre once the crisis is at an end.

Swift procedures must be developed to implement mitigation and protection measures, especially for densely populated or high-risk areas. Once the degree of danger of a potential incident and its consequent risk is determined, a table of decisions must be drawn up and, once the decisions have been taken, the plan must go ahead, otherwise decades pass **before it is possible to proceed with the measures.**

The Committee underlines that the process of creating and finalising a European rapid emergency response force should provide as much scope as possible for cross-border cooperation and, in particular, for joint civil protection exercises between neighbouring or border regions. Therefore, the Committee has urged the Commission to commit itself to the planning and development of cross-border operations that involve the active participation of border regions. This would enable regions to pool their experience in civil protection and provide a solid operational base on which to build a European emergency response force.

In the framework of its political priorities for 2005, the Committee "advocates that the proposal for a Solidarity and Rapid Reaction Instrument **follow** a holistic approach covering all aspects of civil disaster protection, such as preventive measures, rescue services and follow-up measures and that it **provide** the means to facilitate **the** integration and coordination of highly specialised forces from different Member States and regions".

The Committee of the Regions affirms its conviction that the total integration of local and regional authorities in the instruments and networks of civil protection will help to anticipate serious crises and will mitigate the importance of **their** consequences. Such a capillary structure, suitable coordinated

and with harmonised working methods can reduce the impact of major crises by detecting them at an early stage and providing the closest attenuating instruments.
