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INTRODUCTORY NOTE

from : Council Secretariat

to : Coreper

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ONU 65

Subject : Draft Council conclusions on **strengthening the overall Civil Protection
Capacity in the European Union**

1. Following the increasing frequency of natural disasters such as floods and forest fires and the growing terrorist threat, and in the light of the recent Communication from the Commission on reinforcing the Civil Protection Capacity of the European Union¹, the Working Party on Civil Protection drew up the draft Council conclusions on strengthening the overall Civil Protection capacity of the EU appearing in doc. 10349/04. Since this text had been accepted by all delegations with the exception of **DELETED**, the Presidency drew up the further compromise text in the Annex.
2. **The Presidency proposes that Coreper agree to the draft conclusions as they stand in the Annex, if possible under I-items of its agenda.** In such case, the text could be forwarded to Council for adoption as an "A"-item as soon as all parliamentary and other scrutiny reservations will have been lifted.

¹ Doc. 7840/04.

3. The draft Council conclusions basically aim at improving the operation of the Civil Protection Mechanism ² and further enhancing cooperation among Member States in civil protection.

They express the willingness of the Member States to quickly inform the Monitoring and Information Centre of the Civil Protection Mechanism (MIC) about major emergencies (paragraph 11).

They i.a. invite the Commission, in certain cases together with the Member States:

- to link CECIS to other emergency networks (6);
- to establish certain response scenarios in order to identify the need for further information about response capacities; **DELETED**;
- to develop high-visibility, well-equipped and well-trained rapid response teams with common insignia, drawn from the available resources of the Member States (8); this should be done in the light of the EU-FAST initiative proposed by a number of Member States (end of 2); In this respect, it was agreed to further examine this initiative after the adoption of the conclusions by the Council;
- to develop training and exercises for better cooperation and interoperability (9,10);
- to alert the Joint Research Centre for technical support in handling emergencies;
- to develop relations with international organisations (13).

The draft conclusions note that the Commission examines ways and means to increase the financial resources available for civil protection (14).

Finally, Coreper is asked to task the establishment of a terrorist threat assessment, which also concerns threats with CBRN weapons (end of 7).

Next steps could include a formal amendment of the Decision on the Mechanism and its implementing rules, to be submitted in the framework of the coming 3-annual review of the Mechanism and in the light of the Terrorism Action Plan.

² The Civil Protection Mechanism was established by Council Decision 2001/792/EC, Euratom and is the main instrument for civil protection in the EU. It was created following floods and other emergencies prior to 2000 and aims at facilitating the mobilisation of support from Member States such as intervention teams, assessment/coordination experts and other experts in the event of natural, technological, radiological and environmental emergencies occurring inside or outside the EU. The Mechanism uses, in particular, the Commission's Monitoring and Information Centre (MIC) and the Common Emergency Communication and Information System (CECIS). Implementation of the Decision was brought forward in response to the attacks of 9/11/2001 in the USA.

4. The questions outstanding are the following:

- (a) **DELETED** requested deleting the reference to EU-FAST in paragraph 2 due to a Parliamentary reservation. **DELETED** could not commit itself to EU-FAST without knowing what its contents would be. Other delegations, in particular **DELETED**, would oppose any deletion or weakening of the reference to EU-FAST.

Pres proposes maintaining the text which does not prejudge the Council's position on EU-FAST beyond what is already mentioned in paragraph 8 of the draft conclusions.

(b) **DELETED**

(c) **DELETED**

- (d) **DELETED** requested that the development of international relations be only with the UN and its specialized agencies. Several other delegations (**DELETED**) opposed any indication precluding relations with other international organisations. They noted that Recital 13 of the Decision on the Mechanism leaves open the development of relations with all international organisations.

Pres proposes maintaining the present text, which leaves open the option of relations with other international organisations.

- (e) Regarding finance, **DELETED** requested a text *noting* the Commission's intention to examine ways and means to increase the resources available for civil protection. Financial matters are to be discussed in the appropriate frameworks. This new text would replace another text which welcomes that the Commission's intention to examine such ways and means, and which had been agreed by the other delegations.

Pres suggests going along with the **DELETED** text, which seems to have become a standard formula in other Council formations.

5. Finally, DE/UK maintained a parliamentary scrutiny reservation. **DELETED** could lift its reservation if its requests for paragraphs 2 and 7 were accepted.

Pres understands that DE/UK will take the texts in the annex to their parliaments and notify the Council Secretariat in due time of their possible acceptance of the draft conclusions, in which case these conclusions could proceed to Council as an "A"-item.

DRAFT

COUNCIL CONCLUSIONS
ON STRENGTHENING THE OVERALL CIVIL PROTECTION CAPACITY
IN THE EUROPEAN UNION ³

*Compromise proposal by the Presidency
(Words between brackets are to be maintained)*

THE COUNCIL OF THE EUROPEAN UNION,

1. HAVING REGARD TO:

- Council Decision 2001/792/EC, Euratom of 23 October 2001 establishing a Community Mechanism to facilitate reinforced cooperation in civil protection assistance interventions and to the expected evaluation of that Mechanism, as foreseen in Article 10 of that Decision, the Communication from the Commission on reinforcing the Civil Protection Capacity of the European Union ⁴,
- the Council conclusions of 27 November 2003 on strengthening Community cooperation in the field of civil protection assistance ⁵,
- the resolution of the European Parliament of 4 September 2003 on the effects of the summer heat wave,
- the resolution of the European Parliament of 3 December 2003 on improving safety at sea in response to the Prestige accident,

³ Parliamentary scrutiny reservation by DE/UK.

⁴ Doc. 7890/04.

⁵ OJ C 317, 30.12.2003, p. 1.

- the experience of the activations of the Community Civil Protection Mechanism, in particular, in the cases of:
 - the floodings in Central Europe in August 2002,
 - the shipwreck of the Prestige off the Galician coast on 13 November 2002,
 - the earthquake in Algeria on 21 May 2003,
 - the heat wave and the forest fires in France, Spain and Portugal in summer 2003,
 - the floodings in the South of France in December 2003,
 - the earthquake in Bam (Iran) on 26 December 2003,
 - the earthquake in Al Hoceima (Morocco), on 24 February 2004;

2. HAVING REGARD TO:

- the conclusions of the European Council of Göteborg of 15-16 June 2001 on the establishment of civil protection capabilities for crisis management,
- the joint declaration of the Council and the Commission, of 29 September 2003, on the use of the Civil Protection Mechanism in crisis management referred to in Title V of the Treaty of the European Union ⁶,
- the conclusions of the Council of 17 May 2004 on modalities, procedures and criteria for making available to the Community Civil Protection Mechanism the content of the database of military assets and capabilities relevant to the protection of civilian populations against the effects of terrorist attacks, including chemical, biological, radiological and nuclear (CBRN) attacks ⁷,
- the elements of the EU-FAST initiative proposed by a number of Member States ^{8; 9}

⁶ Doc.10639/03.

⁷ Docs 6644/4/04.

⁸ Doc. 16026/03.

⁹ Deletion of the EU-FAST indent requested by **DELETED** for parliamentary reasons.

3. HAVING REGARD TO:

- the declaration of the European Council of Gent, of 9 October 2001, on follow-up to the September 11 attacks and the fight against terrorism,
- the Plan of Action to combat terrorism of the European Council of 21 September 2001¹⁰, revised under the conclusions of the European Council of 25 March 2004¹¹,
- the joint programme of the Council and the Commission, of 20 December 2002, to improve cooperation in the European Union for preventing and limiting the consequences of chemical, biological, radiological and nuclear terrorism (CBRN-programme)¹²,
- the first annual Presidency report (2003) to the Council on the implementation of the Joint CBRN Programme¹³,
- the Declaration of the European Council of 25 March 2004 on Combating Terrorism, including the Declaration on solidarity against terrorism¹⁴,
- **the Presidency conclusions of the European Council of 17-18 June 2004¹⁵, the Presidency report to the European Council on the implementation of the Declaration on combating Terrorism¹⁶ and the Revised Plan of Action/Road-Map on Combating Terrorism¹⁷;**

4. CONSIDERS, bearing in mind the primary responsibility of the Member States for Civil Protection, that there is a need for strengthening the overall civil protection capacity in the EU and welcomes in principle the Commission Communication on reinforcing the Civil Protection response capacity of the European Union and its proposals for improvement;

¹⁰ Doc. SN 140/01.

¹¹ Doc. 10586/04.

¹² Doc. 14627/02.

¹³ Doc. 16285/03.

¹⁴ Doc. 7906/04.

¹⁵ Doc. 10679/04 + ADD 1.

¹⁶ Doc. 10585/04 + ADD 1.

¹⁷ Doc. 10586/04.

5. **DELETED**
6. WELCOMES the intention of the Commission to make the secure Community Emergency Communication and Information System (CECIS) operational in 2004, and to interlink it with the other existing networks, in particular those for health and radiological emergencies such as Early Warning and Response System in the field of communicable diseases (EWRS), the Rapid Alert System for Biological and Chemical Attacks (RAS-BICHAT), the Medical Intelligence System (MedISys) and the EC Urgent Radiological Information Exchange (ECURIE);
7. INVITES the Commission, together with the Member States, to develop in the context of the Community Mechanism, a limited number of pre-determined response scenarios in order to identify the need for further information:
- on essential response capacities (teams, equipment and means of transport) that the Member States could make available for these scenarios, and
 - about the scope and terms of deploying these capacities so as to enable faster and more effective response.

DELETED

8. WELCOMES the Commission's intention to develop the Mechanism to facilitate the coordination of Civil Protection response teams drawn from available resources of the Member States, with additional common insignia and with appropriate logistics, equipment and means of transport, for visible EU rapid response to calls for assistance inside and outside the Community and INVITES the Commission to develop proposals to that end;
9. WELCOMES the Mechanism training commenced in 2004 and invites the Commission to revise the course types and contents, learning from experience - including experience from terrorism incidents -, to continue organising such training, and in particular to continue joint exercises so as to enable teams to work efficiently together, to create a Community culture and to form a good basis for future contacts; Calls for consideration of more organised training for chosen national intervention team members as well as team leaders, experts and co-ordinators; Calls on the Commission to develop further the organisation of training and exercises including facilitation of joint training and exercises with relevant international organisations;
10. INVITES the Commission to examine the issue of interoperability of, i.a., equipment in the context of training and exercises, building also on experience gained by Member States in this area to date, to undertake further research on interoperability, and to make proposals to enhance it if necessary;
11. INVITES the Member States to inform the Monitoring and Information Centre (MIC) of a major emergency at the earliest possible stage so as to allow the MIC to be prepared should a request for assistance be made; Where a major emergency or imminent threat thereof is notified to the MIC and the Mechanism call for assistance is activated, INVITES the Member States to inform the MIC of any call for bilateral or multilateral assistance and of any supply of assistance to another country so as to ensure full information via the MIC to all Member States and to avoid duplication of offers of assistance;
12. INVITES the Commission where necessary to alert the Joint Research Centre, inviting it to provide the MIC and where appropriate the affected country or countries with technical support through modelling, satellite applications, risk mapping and integrated analysis;

13. INVITES the Commission to further develop, together with the Member States, relations with [international organisations]¹⁸ with a view to ensuring that assistance provided through the Mechanism brings added value on the ground and takes place in close cooperation with all international organisations and other actors, in order to ensure full complementarity, while maintaining an appropriate visible EU presence on the ground;

In this regard, WELCOMES the Commission intention that complementarities at EU level between civil protection and humanitarian assistance operations will be pursued and reinforced and that co-ordination procedures at international level, including those with United Nations Office for the Coordination of Humanitarian Affairs (UN-OCHA) should be further clarified and agreed, drawing on the experience on the ground of Member States experts;

DELETED

14. NOTES the Commission's intention to examine ways and means to increase the resources available for civil protection, **without prejudice to the position of the Council on the Commission Communication on "Building our common Future: Policy challenges and Budgetary means of the Enlarged Union 2007-2013" and related legislative proposals.**¹⁹

¹⁸ **DELETED** requested reading "*the UN and its specialised agencies*".

¹⁹ Text requested by **DELETED** and recommended by Pres as it appears in other non-financial Council conclusions.

It is to be noted that the other delegations had previously accepted the following text, which had been opposed by **DELETED**:

"In noting that Commission proposals cannot anticipate the global outcome of the negotiations on the financial perspectives after 2007 and that the financial envelope will have to be compatible with the global multiannual framework to be finally adopted, WELCOMES the intention of the Commission to examine ways and means to increase the resources available for civil protection within the global financial envelope for the period 2007-2013."