COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 26.1.2006
COM(2006)29 final

2006/0009(CNS)

Proposal for a

COUNCIL DECISION

Establishing a Community civil protection mechanism (recast)

{SEC(2006)113}

(presented by the Commission)

EXPLANATORY MEMORANDUM

1) CONTEXT OF THE PROPOSAL

• Grounds for and objectives of the proposal

The Community civil protection mechanism [hereinafter: the mechanism] was established in 2001 to support and facilitate the mobilisation and coordination of civil protection assistance in the event of major emergencies occurring inside or outside the Union. Since its establishment, it has proven to be a simple but effective tool enabling closer cooperation and better coordination in civil protection assistance interventions.

Recent experience highlights the need to develop the mechanism beyond its current mandate. The main objectives of the present proposal are to strengthen the mechanism, based upon the lessons learned in past emergencies, and to provide a legal basis for additional Community actions that are necessary to meet today's challenges in civil protection interventions. The proposal builds upon the ideas set out in the Commission Communication "Improving the Community Civil Protection Mechanism", adopted on 20 April 2005[1] and takes account of the conclusions adopted by the Council on 18 July 2005. It is also based upon the EU Restricted Communication "Building solidarity through mutual assistance" of 8 November 2005.[2]

Moreover, the proposal takes account of a series of declarations by the European Council and the European Parliament, setting out policy orientations for the further development of European civil protection cooperation. The June 2004 European Council requested that "existing cooperation on civil protection […] be enhanced, reflecting the will of Member States to act in solidarity". The December 2004 European Council reaffirmed the need for "further assessment and development of civil protection capabilities, including joint exercises and coordination of public information". In the wake of the tsunami in South Asia, the Council adopted an Action Plan encompassing all the initiatives taken, or to be taken, by the Union and the Member States, including possible improvements of the Mechanism and the development of an EU rapid reaction capability to deal with disasters.[3] Simultaneously, the European Parliament called 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 [disasters] within the Union or in the rest of the world". In June 2005, the European Council requested priority action on "the strengthening of civil protection capabilities […] and the development of a rapid reaction capability based on the civil protection modules of the Member States".

Together, these declarations set out a clear orientation for future civil protection cooperation at European level.

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1 COM(2005) 137 of 20.4.2005.

2 SEC(2005) 1406 of 8.11.2005.

3 In response, the Commission adopted on 20 April 2005 a Communication on "Reinforcing EU Disaster and Crisis Response in third countries", COM(2005) 153, and a Communication on "Improving the Community Civil Protection Mechanism", COM(2005) 137.

- **General context**

Recent years have witnessed a significant increase in the occurrence, severity and intensity of natural disasters, resulting in the loss of human lives, the destruction of economic and social infrastructure and the degradation of already fragile ecosystems. New technological risks are making civil protection increasingly complex. Terrorist attacks across the EU have highlighted the importance of effective consequence management.

The past three years have seen a considerable growth in the number of countries calling upon the mechanism for immediate civil protection assistance. In the first ten months of 2005, more than ten countries requested assistance through the mechanism. The mechanism has been utilised by Member States, candidate countries, partners in the developing world and some of the world's most affluent nations to help them respond to disasters that were beyond the capacity of their national authorities.

- **Existing provisions in the area of the proposal**

At present, two legal instruments govern civil protection cooperation at Community level:

i) Council Decision 1999/847/EC of 9 December 1999 established a Community action programme in the field of civil protection[4], which was to expire by the end of 2004, but which was extended until the end of 2006. It is accompanied by multi-annual specific budgets.

ii) Council Decision 2001/792/EC, Euratom of 23 October 2001 establishing a Community mechanism to facilitate reinforced cooperation in civil protection assistance interventions.[5] This instrument has no financial nature; it focuses on the operational obligations of the Member States and the Commission.

The present proposal relates to Council Decision 2001/792/EC, Euratom. It amends this Decision to allow improved cooperation and coordination.

- **Consistency with the other policies and objectives of the Union**

Particular attention has been given to avoid duplication with actions carried out under other Community instruments and policies, in particular EC humanitarian aid.

2) CONSULTATION OF INTERESTED PARTIES AND IMPACT ASSESSMENT

- **Consultation of interested parties**

Consultation methods, main sectors targeted and general profile of respondents

In preparing this proposal, the Commission consulted the Member States, the five additional countries participating in the mechanism[6] and other stakeholders through a

4 OJ L 327, 21.12.1999, p. 53.
5 OJ L 297, 15.11.2001, p. 7.
6 These are: Bulgaria, Romania, Iceland, Liechtenstein and Norway.

public consultation process. A discussion paper and a questionnaire were posted on the internet and a consultation meeting convened.

Summary of responses and how they have been taken into account

The consultation process revealed widespread support for the overall policy objective to strengthen the existing instruments in the field of civil protection. The respondents expressed general agreement with the objectives identified in the consultation paper and supported the Commission's approach to build upon the existing instrument rather than to create new tools. Others expressed doubts as to the appropriateness of the proposed format of a Directive and emphasised the need to respect the overall financial perspectives and to base future developments on a thorough deficit analysis.

Some respondents remarked on the need to improve the visibility of European civil protection assistance. Others focused on the need to respect the principles of subsidiarity and to maximise added value at EU level. Some Member States also emphasised the need to ensure coordination and complementarity between humanitarian aid and civil protection in third countries. Several stakeholders underlined the importance of early warning. All of these responses were taken into account.

An open consultation was conducted over the internet from 20/01/2005 to 01/06/2005. The results are available on http://europa.eu.int/comm/environment/civil/consult_new_instrument.htm.

- **Collection and use of expertise**

There was no need for external expertise. The proposal benefited from experience gained in responding to past disaster in the context of the mechanism.

- **Impact assessment**

Three main options have been considered in the preparation of this proposal.

The first option is to reject any legislative initiative. This option would not allow the Community to achieve the policy objectives set by the European Council and the European Parliament

The most ambitious option available to achieve these objectives is to create a permanent European civil protection force. While drawing on Member States' civil protection teams, the force would be kept on standby at European level to respond rapidly to emergencies. Although this option presents various advantages, in particular relating to speed, effectiveness, visibility and coordination, it is nevertheless considered to be unrealistic at this stage of the mechanism's development because of the financial implications and the administrative and management challenges it entails.

The third option is to introduce a limited number of improvements in the Council Decision governing the mechanism. This approach enables the Community to pursue more ambition in civil protection cooperation, while remaining pragmatic and cost-effective. It allows the Community to continue to build upon Member States' civil protection resources, as the principal means through which EU civil protection

assistance is implemented, and to provide additional support to complement the Member States' resources. While avoiding the financial costs associated with option 2, the proposal guarantees an appropriate balance between supporting and complementing actions that will allow the Community as a whole to come to the aid of those affected by major emergencies.

3) LEGAL ELEMENTS OF THE PROPOSAL

- **Summary of the proposed action**

This proposal is a recasting of Council Decision 2001/792/EC, Euratom in line with the Interinstitutional Agreement on the recasting technique for legal acts. It incorporates in a single text both the substantive amendments it makes to Council Decision 2001/792/EC, Euratom and the unchanged provisions thereof. The proposal will replace and repeal this Decision. This will help make Community legislation more accessible and transparent.

- **Legal basis**

According to Article 3(1)(u) of the Treaty establishing the European Community, the activities of the Community are to include measures in the sphere of civil protection. Since civil protection assistance can also be needed in the event of radiological emergencies, this proposal needs to be based also on the Treaty establishing the European Atomic Energy Community.

In the absence of a specific civil protection legal basis, this proposal is based on Article 308 of the Treaty establishing the European Community and Article 203 of the Euratom Treaty. These two legal bases provide for the same decision-making procedure, i.e., the Council shall take the appropriate measures, acting unanimously on a proposal from the Commission and after consulting the European Parliament.

- **Subsidiarity principle**

The subsidiarity principle applies insofar as the proposal does not fall under the exclusive competence of the Community.

The objectives of the proposal cannot be sufficiently achieved by the Member States for the following reason(s).

The mechanism was established because major disasters can overwhelm the response capacities of any individual Member State. When this is the case, mutual civil protection assistance is a necessary complement to the national response capacities.

Community action will better achieve the objectives of the proposal for the following reason(s).

Reinforcing the Community's ability to provide effective civil protection assistance in the event of major emergencies is both a political imperative and a practical necessity. The European Council and the European Parliament have recognised the need for stronger civil protection cooperation at EU level. The proposal will allow Member States to contribute more effectively to Community civil protection assistance and to

benefit from improved coordination and cooperation in a stronger legal framework. Simultaneously, it provides Member States with the reassurance of effective and well-coordinated civil protection assistance from the other Member States in times of need.

The proposal also allows Member States to pursue economies of scale in certain areas, such as logistics and transport, and allows for a better use of scarce resources.

In short, the proposal envisages improved cooperation at Community level to support and complement Member States' efforts when responding to major emergencies that overwhelm national response capacities.

The proposal therefore complies with the subsidiarity principle.

- **Proportionality principle**

The proposal complies with the proportionality principle for the following reason(s).

The proposal does not go beyond what is necessary to achieve the objectives. It addresses shortfalls that have been identified in past interventions and builds upon the successive mandates given by the European Council and the European Parliament.

The administrative burden falling upon the Community and national authorities is limited and does not go beyond what is required to allow the Community to ensure an effective civil protection response to requests for assistance.

- **Choice of instruments**

Proposed instruments: Council Decision.

Other means would not be adequate for the following reason(s).

A recasting of Council Decision 2001/792/EC, Euratom can only be achieved through a Council Decision.

4) BUDGETARY IMPLICATION

The proposal has no implication for the Community budget.

5) ADDITIONAL INFORMATION

- **Simplification**

The proposal provides for simplification of legislation.

The use of the recasting technique allows the Community to combine in a single text both the substantive amendments proposed to the Council Decision and the unchanged provisions thereof. Moreover, the original text of the Decision has been improved and clarified in the interests of better regulation. This has resulted in deletions and modifications, which do not affect the substance of the Decision.

- **Repeal of existing legislation**

The adoption of the proposal will lead to the repeal of existing legislation**.**

- **Review/revision/sunset clause**

The proposal includes a review clause**.**

- **Recasting**

The proposal involves recasting.

- **European Economic Area**

The proposed act concerns an EEA matter and should therefore extend to the European Economic Area.

- **Detailed explanation of the proposal**

The following is a summary of the main proposals.

1. Transport

(a) Present situation

Each Member State is currently responsible for arranging the transport of its civil protection assistance. The lack of available transport means has been the single most important problem undermining the effectiveness of European civil protection assistance interventions. In each recent intervention, several Member States reported that they were in a position to provide the requested assistance, but that they were unable to arrange transport.

The reasons are many and varied. Not all civil protection authorities of the Member States own aerial transport means on which they can rely at all times. In some cases, no procedures exist to use national military means for the transport of civil protection assistance. Arranging commercial aircraft is often cumbersome and time-consuming. Member States may be competing for the same means. Moreover, the transport costs are in some cases disproportionate to the financial value of the assistance.

As illustrated in the impact assessment, these problems often result in much needed assistance being delayed or not being sent. Even when Member States decide to bear the financial burden of the transport, these costs tend to have a negative impact on the size or the duration of the intervention, thus minimising the positive impact of Community civil protection assistance.

(b) Proposals

The Community should pursue closer cooperation in this field. Community support - both financial and practical - for the transport of civil protection assistance will result in more assistance being made available. It will boost cooperation and allow for a more visible demonstration of our collective solidarity with countries in need of assistance. It

will reassure each Member State that it can count on Community civil protection assistance, even if the transport means of the other Member States are exhausted, insufficient or unavailable. Most importantly, it will enable the Community to save more lives and to ensure tangible and timely support to those suffering from disasters.

The Council Decision should therefore include a new approach to the transport of civil protection assistance in the framework of the mechanism. The key principles are as follows:

i) The transport of national civil protection assistance remains the primary responsibility of each country providing assistance through the mechanism. The present proposal spells out this responsibility by requesting Member States to take measures to ensure the timely transport of civil protection assistance.

ii) Where possible, the Member States should attempt to share their transport resources in a collective effort to maximise the assistance and to ensure its rapid delivery.

iii) Community financing[7] should be used as a safety net when national transport is not available, insufficient or not able to deliver effectively. It will allow the Commission to mobilise additional transport means that are necessary for ensuring a rapid response to major emergencies and that are not otherwise available. Detailed rules on the mobilisation of additional transport means will be established in accordance with the procedures laid down in Article 13.

2. Towards a European rapid reaction capability

(a) Present situation

Community civil protection assistance interventions are implemented through teams, experts and equipment made available by the Member States on a voluntary basis. To this end, Article 3 of the Decision requires Member States to identify in advance teams and experts which might be available for interventions in the framework of the Community mechanism. Article 4(d) tasks the Commission to implement a training programme, consisting of courses, exercises and the exchange of experts, to improve the preparedness of the intervention personnel.

These elements, however valuable, are insufficient to develop a European rapid reaction capability, as requested by the European Council. This is confirmed by the capability assessment, which focused on the civil protection assistance available in the event of major terrorist attacks in the Union. The assessment demonstrates capability shortfalls in several areas in which mutual assistance is likely to be required.[8] These must be addressed to ensure that the Community can collectively provide assistance when needed.

Moreover, past experience has demonstrated that there are limits to any voluntary system of mutual assistance, in particular when similar risks affect various countries simultaneously (e.g., simultaneous terrorist attacks across the Union, forest fires,

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[7] See also COM(2005)113 of 06.04.2005, COM(2005)137 of 20.04.2005 and COM(2005)153 of 20.04.2005.

[8] SEC(2005)1406 final of 08.11.2005, section 5.

floods). In short, Member States' assistance may not be sufficient to ensure a rapid civil protection response in all emergencies.

(b) Proposals

The present proposal introduces four innovations to give expression to the Union's ambition to develop an EU rapid reaction capability based on Member States' civil protection modules.

First, it confirms the arrangements already agreed by the Council on 18 May 2004, when adopting the modalities for making available to the mechanism the content of the military database. In accordance with these modalities, the proposal invites Member States to include information on the availability of military means in their response to requests for assistance.

Second, as requested by the European Council, it calls upon Member States to work towards the development of civil protection modules. These modules are specific, pre-defined arrangements of Member States' civil protection resources capable of responding effectively to requests for assistance distributed through the mechanism. They can consist of equipment, personnel or a combination thereof. They need to be fully interoperable, rapidly deployable and equipped to either perform support functions or to meet priority needs arising from emergencies. In the development of these modules, possible synergies could be explored with other types of expertise relevant to the response to major emergencies. Most importantly, modules can be developed by one Member State or by different Member States working together. The latter would create additional opportunities for cooperation, in particular for smaller countries, and allow all Member States to contribute, individually or collectively, to Community civil protection interventions. Once the modules become an important element in the database of available assistance, the MIC will be in a position, upon receipt of a request for assistance, to identify rapidly the most needed modules and seek their immediate mobilisation through the competent Member State(s).

Third, the capability assessment has demonstrated the need for further action in the field of logistics. The Community should exploit economies of scale in this area and ensure that central support functions (communications, light vehicle fleet on site, supplies, technical workshop facilities, etc.) can be met by dedicated units serving all Member States' intervention teams. This will allow the latter to concentrate on their core tasks, thus enhancing their effectiveness and maximising the impact of European civil protection assistance. The support modules will consist of Member States' resources, to be dispatched by the relevant Member States in consultation with the Commission.

Finally, while Community civil protection assistance should continue to rely primarily on voluntary contributions from the Member States, the present proposal provides the framework for a new policy enabling the Community to complement Member States' assistance with additional support and means in a cost-efficient way. This support shall aim at providing assistance that cannot be obtained from the countries participating in

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[9] On the differences between Community civil protection assistance and EC humanitarian aid, see the Commission Communication COM(2005)137 of 20.4.2005, section 1.4.

the Mechanism. It could consist in the hiring on a temporary basis of specific equipment (medevac aircraft, high capacity pumps for floods, fire fighting aircraft for forest fires, etc.).

The latter proposal will require the elaboration of strict criteria or thresholds, to be established in accordance with the procedure set out in Article 13. It is not intended to replace national preparedness measures or to provide Community financing for the acquisition of civil protection equipment at Member State level. It is simply aimed at providing an additional safety net that can be relied upon in exceptional circumstances to supplement the assistance available from the Member States. When Member States' assistance is insufficient, unavailable or ineffective, it will allow the Community to meet specific humanitarian needs or to avoid irreparable environmental harm.

Aimed at enhancing the collective security of European citizens through an additional safety net, this proposal meets the tests of necessity and subsidiarity. It is a necessary prerequisite to enable the Community to respond at all times to a request for assistance from one of its Member States, even if the requested assistance is not existent in any of the other Member States or if national assistance from the other Member States is insufficient or unavailable. It provides an additional layer of protection and security that cannot be guaranteed by the Member States acting individually.

3. Early warning

The Community's ability to respond rapidly to natural disasters is dependent on the availability of early warning systems enabling the Member States and the monitoring and information centre to take the necessary action within the shortest delays possible. These systems should take into account existing information sources, such as the Global Disaster Alert and Coordination System (GDACS) and the UNDAC alert system. By contributing to the development of these systems, the Community should assist Member States in minimising the lead time to respond to natural disasters and enhance the EU's collective ability to react rapidly. The Council has expressed a strong interest in pursuing further work in this field. An appropriate legal basis needs to be created in the Council Decision to pursue this work within the mechanism.

The principal objective of the proposed Community action on early warning is to better protect European citizens from the effects of major natural disasters. Examples of relevant actions in this field include: assessing and where necessary upgrading existing early warning systems, better linking detection systems to alert mechanisms, identifying synergies between different systems and linking them for easy access by decision-makers.

4. Coordination of interventions in third countries

(a) Present situation

Assistance interventions outside the Community can either be conducted autonomously or as a contribution to an operation led by an international organisation.

In some disaster situations, civil protection intervenes in response to humanitarian needs and contributes to a wider humanitarian effort. Both civil protection assistance and humanitarian aid address the immediate needs arising from major disasters. While

civil protection assistance interventions are typically of a short term nature, however, humanitarian operations usually continue beyond the acute phase of an emergency.[9] Arrangements have been developed within the Commission to ensure close cooperation between the Mechanism and ECHO and to enable a comprehensive emergency response to disasters. Commission operating procedures will continue to reinforce synergies between EC humanitarian aid and civil protection, building on their specific roles and comparative advantages. This should also allow a more accurate reporting of humanitarian contributions made by the Community and the Member States.

Particular efforts have also been made to ensure proper coordination with the United Nations. An agreement has been signed by the Commission and the UN Office for the Coordination of Humanitarian Affairs (OCHA) in October 2004 to establish the basic principles for further cooperation and coordination and to avoid unnecessary duplication of effort. The Commission will continue to pursue coordination with the UN and other international actors to maximise the use of available resources.

(b) Proposals

Improved coordination at Community level is a prerequisite to supporting the overall coordination effort and ensuring a comprehensive European contribution to the global relief effort. Article 6 of the Council Decision should therefore clarify the roles and responsibilities - as they have developed in practice - of the Member State holding the Presidency of the Council of the European Union, the civil protection coordination team on site and the Commission.

The Presidency coordinates the political response in close consultation with the Commission. Most importantly, it liaises with the affected country, in particular at the early stages of a major emergency, to facilitate the early deployment of a Community assistance intervention. The present proposal also creates the possibility for the country holding the Presidency to request another Member State to take responsibility, in whole or in part, for the political coordination. This may prove useful, for instance, when an emergency starts during one country's Presidency and spills over into the next country's term, when multiple emergencies occur at the same time or when the Presidency does not have bilateral relations with the affected country. Similarly, it should be possible for the Presidency to request assistance from the Commission in these circumstances.

Through the MIC, the Commission coordinates the European civil protection response at operational level, in close consultation with the Member States providing assistance, the affected country and, where present, the UN. Once a request for assistance has been distributed through the mechanism, all Member States providing civil protection assistance should liaise with the MIC to enable the Commission to ensure a comprehensive and coherent European civil protection contribution to the global relief effort. Where appropriate, the Commission decides, in consultation with the Presidency, to mobilise and dispatch an assessment and/or coordination team consisting of Member States' experts. The assessment and/or coordination team should be given a clear mandate and the formal authority to coordinate the civil protection teams operating in the context of the Community mechanism. The team should be provided with basic logistical support, in particular communications equipment to enable it to effectively coordinate the European civil protection assistance.

↓ 2001/792 (adapted)

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⌦ Proposal for a⌫

COUNCIL DECISION

~~**of 23 October 2001**~~

establishing a Community ~~mechanism to facilitate reinforced cooperation in~~ civil protection ~~assistance interventions~~ ⌦ mechanism ⌫

~~**(2001/792/EC, Euratom)**~~
⌦(recast)
(Text with EEA relevance) ⌫

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 308 thereof,

~~and~~ ⌦ Having regard ⌫ to the Treaty establishing the European Atomic Energy Community, and in particular Article 203 thereof,

Having regard to the proposal from the Commission[10],

Having regard to the opinion of the European Parliament[11],

Having regard to the opinion of the ⌦ European ⌫ Economic and Social Committee[12],

Having regard to the opinion of the Committee of the Regions[13],

Whereas:

⇩ new

(1) A number of substantial changes are to be made to Council Decision 2001/792/EC, Euratom of 23 October 2001 establishing a Community mechanism to facilitate

10 OJ C […], […], p. […].
11 OJ C […], […], p. […].
12 OJ C […], […], p. […].
13 OJ C […], […], p. […].

reinforced cooperation in civil protection assistance interventions.[14] In the interests of clarity, that Decision should be recast.

(2) Recent years have witnessed a significant increase in the occurrence and severity of natural and man-made disasters, resulting in the loss of human lives, the destruction of economic and social infrastructure and damage to the environment.

↓ 2001/792 recital 1 (adapted)
⇨ new

(3) ~~While a~~Action by the Community to implement the resolution of the Council and of the representatives of the Governments of the Member States, meeting within the Council, of 8 July 1991 on improving mutual aid between Member States in the event of natural or technological disaster[15] has helped protect people, the environment and property~~, the need is now to ensure even better protection in the event of natural, technological, radiological and environmental emergencies, including accidental marine pollution, occurring both inside and outside the European Union, and to strengthen the provisions of the resolution~~. ⇨ The United Nations Economic Commission for Europe (UN/ECE) Convention on the Transboundary Effects of Industrial Accidents, approved by the Community by Council Decision 98/685/EC[16], has helped to further improve the prevention and management of industrial disasters. ⇦

↓ 2001/792 recital 2 (adapted)

~~(2) The United Nations Economic Commission for Europe (UN/ECE) Convention on the Transboundary Effects of Industrial Accidents, which contains provisions on matters such as prevention, emergency preparedness, public information and participation, industrial accident notification systems, response and mutual assistance, entered into force on 19 April 2000. The Convention was approved by the Community by Council Decision 98/685/EC[17].~~

⇩ new

(4) By Decision 2001/792/EC, Euratom, a Community mechanism to facilitate reinforced cooperation in civil protection assistance interventions (hereinafter: the mechanism) was established, which also takes into account the special needs of the isolated, outermost and other regions or islands of the Community. Recent years have seen a considerable growth in the number of countries calling upon the mechanism for civil protection assistance. The mechanism should be strengthened to ensure a more effective and visible demonstration of European solidarity and to allow for the development of a European rapid response capability, as called for by the European Council in the Conclusions of its meeting of 16 and 17 June 2005 and by the European Parliament in its Resolution of 13 January 2005 on the tsunami disaster.

↓ 2001/792 recital 3 (adapted)

~~(3) A mechanism to facilitate reinforced cooperation in civil protection assistance interventions could supplement the current Community action programme in the field~~

[14] OJ L 297, 15.11.2001, p. 7.
[15] OJ C 198, 27.7.1991, p. 1.
[16] OJ L 326, 3.12.1998, p. 1.
[17] ~~OJ L 326, 3.12.1998, p. 1.~~

~~of civil protection[18] by making support available in the event of major emergencies which may require urgent response action. It would facilitate the mobilisation of intervention teams, experts and other resources, as required, through a reinforced Community civil protection structure consisting of a monitoring and information centre and a common emergency communication and information system. It would also provide an opportunity for collecting validated emergency information, for disseminating that information to the Member States and for sharing lessons learnt from interventions.~~

↓ 2001/792 recital 4 (adapted)

(5) ~~Such a~~ ⌦ The ⌫ mechanism would take due account of ~~the~~ relevant Community legislation and international commitments. This Decision should therefore not affect the reciprocal rights and obligations of the Member States under bilateral or multilateral treaties, which relate to the matters covered by this Decision.

⇩ new

(6) The mechanism should facilitate the civil protection response to all types of major emergencies, including natural and man-made disasters, technological, radiological and environmental accidents, acts of terrorism and accidental marine pollution as provided for in Decision No 2850/2000/EC of the European Parliament and of the Council of 20 December 2000 setting up a Community framework for cooperation in the field of accidental or deliberate marine pollution[19]. Civil protection assistance can be required in all of these emergencies to complement the response capacities of the affected country.

↓ 2001/792 recital 5
⇨ new

(7) Prevention is of significant importance for the protection against natural, technological and environmental disasters and would require further action to be considered. ⇨ By contributing to the further development of early warning systems, the Community should assist Member States in minimising the lead time to respond to natural disasters. These systems should take into account existing information sources.⇦

↓ 2001/792 recital 7 (adapted)
⇨ new

(8) Preparatory measures need to be taken at Member State and Community level to enable assistance intervention teams in emergencies to be mobilised rapidly and coordinated with the requisite flexibility and to ensure, through a training programme, the effective response capability and complementarity of assessment and/or coordination teams, intervention teams and other resources, as appropriate. Other preparatory measures ~~would~~ include pooling of information related to necessary medical resources and stimulation of the use of new technologies. ⇨ The development of additional civil protection assistance intervention modules, consisting of resources of one or more Member States, should be considered in order to contribute to the development of a civil protection rapid response capability. ⇦

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[18] ~~Council Decision 1999/847/EC of 9 December 1999 establishing a Community action programme in the field of civil protection (OJ L 327, 21.12.1999, p. 53).~~

[19] OJ L 332, 28.12.2000, p. 1.

↓ 2001/792 recital 6

(9) In the event of a major emergency within the Community, or imminent threat thereof, which causes, or is capable of causing, transboundary effects or which may result in a call for assistance from one or more Member States, there is a need for relevant notification to be made as appropriate through an established reliable common emergency communication and information system.

↓ 2001/792 recital 8 (adapted)

~~(8) In accordance with the principle of subsidiarity, a Community mechanism would provide added value in supporting and supplementing national policies in the field of mutual civil protection assistance. If the preparedness of the requesting Member State is not sufficient for an adequate response to a major emergency in terms of available resources, that State would be able to supplement its preparedness by making an appeal to such a Community mechanism.~~

↓ 2001/792 recital 9 (adapted)
⇨ new

(10) ~~A~~ ⌦ The ⌫ mechanism should make it possible to mobilise, and facilitate coordination of, assistance interventions in order to help ensure better protection primarily of people but also of the environment and property, including cultural heritage, thereby reducing loss of human life, injury, material damage, economic and environmental damage, and making achievement of the objectives of social cohesion and solidarity more tangible. ⇨The reinforced cooperation in civil protection assistance interventions should be based on a Community civil protection structure consisting of a monitoring and information centre and a common emergency communication and information system managed by the Commission and operational contact points in the Member States. It should provide a framework for collecting validated emergency information, for disseminating that information to the Member States and for sharing lessons learnt from interventions. ⇦

⇩ new

(11) The operational contact points in the Member States should be in a position to provide information on the availability of the civil protection assistance requested by the affected country, including information on the availability of military assets and capabilities.

(12) The availability of adequate transport means needs to be improved to support the development of a rapid response capability at Community level. The Community should support and complement the efforts of Member States by facilitating the pooling of transport resources of Member States and by mobilising, where necessary, additional transport means.

(13) The logistical needs of the intervention teams of the Member States operating on the scene of an emergency can be met more efficiently and cost-effectively by the mobilisation of support modules at Community level. The Community should ensure that such modules can be deployed rapidly to enhance the effectiveness of civil protection assistance interventions in the framework of the mechanism.

(14) The possibility of mobilising additional assistance at Community level, complementing the civil protection assistance provided by the Member States, is

needed as a safety net, in particular in the event of similar threats affecting several Member States.

↓ 2001/792 recital 10 (adapted)

~~(10) The isolated and outermost regions and some other areas of the Community often have special characteristics and needs owing to their geography, terrain and social and economic circumstances. These have an adverse effect, hamper the deployment of assistance and intervention resources making it difficult to deliver aid and means of assistance, and create particular needs for assistance in the event of serious danger of major emergency. Such a Community mechanism would also allow better response to be made to these situations and needs.~~

↓ 2001/792 recitals 11 and 13 (adapted)
⇨ new

(15) With respect to civil protection assistance intervention outside the Community, ~~a~~ ⌦ the ⌫ mechanism ~~could~~ ⌦ should ⌫ ~~be made use of as a tool for facilitating~~ ⌦ facilitate ⌫ and ~~supporting~~ ⌦ support the ⌫ actions undertaken~~,~~ ~~within their respective competences,~~ by the Community and the Member States. Assistance interventions ⌦ outside the Community can ⌫ ~~would~~ either be conducted autonomously or as a contribution to an operation led by an international organisation, for which case the Community should develop its relations with ~~the~~ relevant ~~global and regional~~ international organisations. ⇨ The United Nations, where present, have an overall coordinating role for relief operations in third countries. The civil protection assistance provided under this mechanism should be coordinated with the United Nations and other relevant international actors to maximise the use of available resources and avoid any unnecessary duplication of effort. Enhanced coordination of civil protection assistance through the mechanism is a prerequisite to supporting the overall coordination effort and ensuring a comprehensive European contribution to the overall relief effort. In major emergencies where assistance is provided under both the mechanism and Council Regulation (EC) No 1257/96 of 20 June 1996 concerning humanitarian aid[20], the Commission should ensure the effectiveness, coherence and complementarity of the overall Community response.⇦

↓ 2001/792 recital 12 (adapted)
⇨ new

(16) ~~Such a~~ ⌦ The ⌫ Community mechanism could, ~~under conditions to be determined,~~ also be a tool for facilitating and supporting crisis management ⌦ in accordance with the Joint Declaration by the Council and the Commission of 29 September 2003 on the use of the Community Civil Protection Mechanism in crisis management ⌫ referred to in Title V of the Treaty on the European Union ⇨ as well as for facilitating and supporting consular cooperation during emergencies in third countries ⇦.

[20] OJ L 163, 2.7. 1996, p. 1;Regulation as amended by Regulation (EC) No 1882/2003 of the European Parliament and of the Council (OJ L 284, 31.10.2003, p. 1).

↓ 2001/792 recital 14 (adapted)
⇨ new

~~(14) Participation in such a mechanism would be open to the~~ ⌦ of ⌫ candidate countries ⇨ and cooperation with other third countries ⇦ ⌦ should be possible ⌫ ⇨ as this would increase the efficiency and effectiveness of the mechanism ⇦.

↓ 2001/792 recital 15 (adapted)

~~(15) There is a need to improve transparency and to consolidate and strengthen the various existing civil protection actions in continued pursuit of the objectives of the Treaty.~~

↓ 2001/792 recital 16

(17) The measures necessary for the implementation of this Decision should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission[21].

↓ 2001/792 recital 17

~~(17) The use of the same Committee for the present mechanism as for the existing Community action programme in the field of civil protection should ensure consistency and complementarity for the implementation of the mechanism.~~

⇩ new

(18) The objectives of the mechanism, including the benefits resulting from the operation of the mechanism in terms of reducing the loss of human life and damage, cannot be sufficiently achieved by the Member States, and can therefore, by reason of the scale or effects of the proposed action, be better achieved at Community level. If a major emergency overwhelms the response capacities of an affected Member State, this State should be able to appeal to the Community mechanism to supplement its own civil protection resources. The Community may therefore adopt measures in accordance with the principle of subsidiarity as set out in Article 5 of the EC Treaty. In accordance with the principle of proportionality as set out in that Article, this Decision does not go beyond what is necessary in order to achieve these objectives.

↓ 2001/792 recital 18

(19) The Treaty establishing the European Community and the Treaty establishing the European Atomic Energy Community do not provide powers for adopting this Decision other than those of Articles 308 and 203, respectively,

[21] OJ L 184, 17.7.1999, p. 23.

↓ 2001/792

HAS ADOPTED THIS DECISION:

↓ 2001/792 (adapted)
⇨ new

⌦ Chapter I
Subject matter and Scope ⌫

Article 1

~~1.~~ A Community mechanism to facilitate reinforced cooperation between the Community and the Member States in civil protection assistance intervention in the event of major emergencies, or the imminent threat thereof, ~~which may require urgent response action~~ is hereby established (hereinafter «the mechanism»).

~~2.~~ The ⌦ protection to be ensured by the ⌫ mechanism ~~is intended to help ensure better protection,~~ ⌦ shall cover ⌫ primarily ~~of~~ ⌦ the ⌫ people but also ~~of~~ the environment and property, including cultural heritage, in the event of ~~major emergencies, i.e.~~ natural ⇨ and man-made disasters, acts of terrorism and ⇦, technological, radiological or environmental accidents ⌦ including accidental marine pollution (hereinafter "major emergencies"), ⌫ occurring inside or outside the Community, ⌦ taking also into account the special needs of the isolated, outermost and other regions or islands of the Community. ⌫~~, including accidental marine pollution, as provided for in Decision No 2850/2000/EC of the European Parliament and of the Council of 20 December 2000 setting up a Community framework for cooperation in the field of accidental or deliberate marine pollution[22].~~

The mechanism ~~does~~ ⌦ must ⌫ not affect obligations under existing relevant legislation of the European Community or the European Atomic Energy Community or existing international agreements

~~The general purpose of the mechanism is to provide, on request, support in the event of such emergencies and to facilitate improved coordination of assistance intervention provided by the Member States and the Community, taking into account the special needs of the isolated, outermost and other regions or islands of the Community.~~

⌦ *Article 2* ⌫

~~3.~~ The mechanism ⌦ shall ⌫ consist~~s~~ of ~~a series of~~ ⌦at least the following ⌫ elements and actions including:

22 ~~OJ L 332, 28.12.2000, p. 1.~~

↓ 2001/792
⇨ new

(1) the identification of intervention teams and other intervention support available in Member States for assistance intervention in the event of emergencies, ⇨ including military assets and capabilities available to support civil protection ⇦ ~~.~~ ;

↓ 2001/792 (adapted)

(2) the setting-up and implementation of a training programme for intervention teams and other intervention support, and for experts for the ⌦ teams responsible for ⌫ assessment ~~and/~~or coordination ~~teams,~~;

↓ 2001/792

(3) workshops, seminars and pilot projects on major aspects of interventions~~.~~ ;

↓ 2001/792 (adapted)

(4) the establishment and~~, as needed,~~ dispatch of ⌦ teams responsible for ⌫ assessment ~~and/~~or coordination ~~teams,~~;

(5) the establishment and management of a monitoring and information centre ⌦ (MIC) ⌫ , ⌦ which is accessible and able to react immediately 24 hours a day and serving the Member States and the Commission for the purposes of the mechanism; ⌫

(6) the establishment and management of a common emergency communication and information system~~,~~ ⌦ (CECIS) to enable communication and sharing of information between the MIC and the operational contact points of the Member States; ⌫

⇩ new

(7) the development of early warning systems, taking into account existing information sources, to enable a rapid response by the Member States and the MIC;

(8) the establishment of arrangements for transport, logistics and other support at Community level;

↓ 2001/792 (adapted)

(9) other ~~support~~ ⌦ supporting and complementary ⌫ action~~, such as measures to facilitate transport of resources for assistance intervention~~ ⌦ necessary in the framework of the mechanism ⌫.

~~*Article 2*~~

~~1. In the event of a major emergency within the Community, or imminent threat thereof, which causes or is capable of causing transboundary effects or which may result in a call for assistance from one or more Member States, the Member State in which the emergency has occurred shall, without delay, notify:~~

~~(a) those Member States which may be affected by the emergency, unless this obligation of notification has already been addressed under relevant legislation of the European~~

~~Community or the European Atomic Energy Community or existing international agreements, and~~

~~(b) the Commission, when a possible request for assistance through the monitoring and information centre can be anticipated, in order that the Commission may, as appropriate, inform the other Member States and activate its competent services.~~

~~2. Such notification shall, as appropriate, be made through the communication and information system.~~

⌦ Chapter II
Preparedness ⌫

Article 3

~~To ensure their capability for effective intervention response in the event of a major emergency, Member States shall:~~

~~(a)~~1. ~~within their competent services and, in particular, their civil protection services or other emergency services,~~ ⌦ Member States shall ⌫ identify in advance intervention teams ⌦ within their competent services and, in particular, their civil protection services or other emergency services, ⌫ which might be available for ~~such~~ intervention or could be established ~~for intervening~~ at very short notice~~, in order to~~ ⌦ and ⌫ be dispatched, generally within 12 hours following a request for assistance~~:~~ . ~~taking~~ ⌦ They shall take ⌫ into account that team composition should depend on the type of major emergency and on particular needs in that emergency~~:~~.

~~(b)~~2. ⌦ Member States shall ⌫ select experts who can be called on to serve on the site of an emergency in ⌦ a team responsible for ⌫ ~~an~~ assessment ~~and/~~or coordination ~~team:~~.

⇩ new

3. Member States shall work towards developing civil protection intervention modules, consisting of resources of one or more Member States, which can be deployed at very short notice to perform support functions or to meet priority needs.

🡻 2001/792 (adapted)
⇨ new

⌦ 4. Member States shall consider the possibility of providing, as required, other intervention support which might be available from the competent services, such as specialised personnel and equipment to deal with a particular emergency, and of calling upon resources which may be provided by non-governmental organisations and other relevant entities. ⌫

~~(c)~~5. ⌦ Member States shall ⌫ provide relevant general information on the~~se~~ teams, ~~and~~ experts, ⇨ intervention modules and other intervention support referred to in paragraphs 1 to 4 ⇦ as well as on medical resources ~~as laid down~~ ⌦ referred to ⌫ in Article 4(e) within six months of the adoption of this Decision, and promptly update this information when necessary~~:~~ .

~~(d) consider the possibility of also providing, as required, other intervention support which might be available from the competent services, such as specialised personnel and equipment to deal with a particular emergency, and of calling upon resources which may be provided by non-governmental organisations and other relevant entities;~~

⇩ new

6. Member States shall take measures to ensure the timely transport of civil protection assistance.

↓ 2001/792 (adapted)

~~(c)~~7. ⌦ Member States shall ⌫ ~~for the purposes of applying this Decision, appoint the competent authorities,~~ designate the ⌦ operational ⌫ contact points and inform the Commission accordingly.

Article 4

1. ~~With a view to achieving the objectives and implementing the actions defined in Article 1,~~ ~~t~~The Commission shall ⌦ carry out the following tasks ⌫ :

(a) ~~establish and manage a monitoring and information centre accessible and able to react immediately 24 hours a day and serving the Member States and the Commission for the purposes of the mechanism~~ ⌦establishing and managing the MIC⌫ ;

(b) ~~establish and manage a reliable common emergency communication and information system to enable communication and sharing of information between the monitoring and information centre and the contact points designated for that purpose by the Member States~~ ⌦ establishing and managing the CECIS ⌫ ;

⇩ new

(c) contributing to the development of early warning systems for the benefit of the Member States and the MIC;

↓ 2001/792 (adapted)
⇨ new

~~(c)~~(d) ~~establish~~ ⌦ establishing ⌫ the capability to mobilise and dispatch, as quickly as possible, small teams of experts responsible for:

(i) assessing ~~the situation for the benefit of the Member States, the monitoring and information centre and the State requesting assistance,~~ ⌦ the civil protection needs of the State requesting assistance in view of the assistance available from the Member States and the Mechanism; ⌫

(ii) facilitating, when necessary, coordination of ⌦ civil protection ⌫ assistance operations on site and liaising, when necessary and appropriate, with the competent authorities of the State requesting assistance;

~~(d) set up a training programme, with a view to improving the coordination of civil protection assistance intervention by ensuring compatibility and complementarity~~

~~between the intervention teams as laid down in Article 3(a) or as appropriate other intervention support as laid down in Article 3(b), and by improving the competence of experts for assessment. The programme should include joint courses and exercises and an exchange system whereby individuals may be seconded to teams in other Member States;~~

(e) ~~pool~~ ⌦ pooling and compiling ⌫ information on the capabilities of the Member States for maintaining a production of serums and vaccines or other necessary medical resources and on the stocks ⌦ thereof ⌫ which might be available for intervention ~~in the event of a major emergency and compile this information in the information system~~;

(f) ~~set~~ ⌦ setting ⌫ up a programme of lessons learned from the interventions conducted within the framework of the mechanism and disseminating these lessons through the information system;

(g) ~~stimulate and encourage~~ ⌦ stimulating and encouraging ⌫ the introduction and use ⌦ of new technologies ⌫ for the purpose of the mechanism ~~of new technologies, including systems for notification and alert, exchange of information, use of satellite technology and assistance to decision-making in the management of emergencies~~;

(h) ~~take~~ ⌦ taking ⌫ measures to facilitate transport of resources for assistance intervention and ~~other support action.~~ ⇨ establishing the capability to mobilise additional transport means necessary for ensuring a rapid response to major emergencies; ⇦

⇩ new

(i) establishing the capability to provide basic logistical support for experts and facilitating the mobilisation of logistical and other modules to support the teams of the Member States which participate in Community civil protection assistance interventions;

(j) taking any other supporting and complementary action necessary in the framework of the mechanism.

🡻 2001/792 (adapted)

⌦ 2. The Commission shall set up a training programme, with a view to enhancing the coordination of civil protection assistance intervention by ensuring compatibility and complementarity between the intervention teams referred to in Article 3(1), the intervention modules referred to in Article 3(3) or as appropriate other intervention support as referred to in Article 3(4), and by improving the competence of the experts referred to in Article 3(2). The programme shall include joint courses and exercises and an exchange system whereby individuals may be seconded to other Member States. ⌫

⌦Chapter III
Response⌫

⌦ *Article 5* ⌫

⌦ 1. In the event of a major emergency within the Community, or of an imminent threat thereof, which causes or is capable of causing transboundary effects the Member State in which the emergency has occurred shall, without delay, notify the Commission and those Member States which may be affected by the emergency. ⌫

⌦ The first subparagraph shall not apply where the obligation of notification has already been addressed under relevant legislation of the European Community or the European Atomic Energy Community or existing international agreements.⌫

⌦ 2. In the event of a major emergency within the Community, or of an imminent threat thereof which may result in a call for assistance from one or more Member States, the Member State in which the emergency has occurred shall, without delay, notify the Commission, when a possible request for assistance through the MIC can be anticipated, in order to enable the Commission, as appropriate, to inform the other Member States and activate its competent services., ⌫

⌦ 3. The notifications shall, as appropriate, be made through the CECIS. ⌫

Article ~~5~~6

~~1.~~ Where a~~n~~ ⌦ major ⌫ emergency occurs within the Community, a Member State may request assistance ⌦ through the MIC or directly from the other Member States.⌫ ~~, which~~ ⌦ The⌫ request ~~should~~ ⌦ shall ⌫ be as specific as possible~~:~~ .

⌦ *Article 7* ⌫

~~(a) from the other Member States through the monitoring and information centre,~~ ~~i~~In ~~which~~ ⌦ the ⌫ case of a request for assistance through the ⌦ MIC, ⌫ ~~, upon receiving such a request~~ the Commission shall, ⌦ upon receiving such a request, ⌫ as appropriate and without delay:

(1) forward the request to the ~~other Member States'~~ ⌦ operational ⌫contact points⌦ of the other Member States ⌫ ,

(2) facilitate the mobilisation of teams, experts ⌦, modules ⌫ and other intervention support,

↓ 2001/792

(3) collect validated information on the emergency and disseminate it to the Member States. ~~, or~~

↓ 2001/792 (adapted)
⇨ new

~~(b) directly from the other Member States.~~

⌦ Article 8 ⌫

~~2~~1. Any Member State to which a request for assistance is addressed shall promptly determine whether it is in a position to render the assistance required, and inform the requesting Member State thereof, either through the ~~monitoring and information centre~~ ⌦ MIC ⌫ or directly~~, and then, depending on the circumstances, also the centre,~~ indicating the scope and terms of any assistance it might render. ⇨ If a Member State informs the requesting Member State directly, it shall also inform the MIC accordingly. ⇦

~~3~~2. The requesting Member State shall be responsible for directing assistance interventions. The authorities of the requesting Member State shall lay down guidelines and, if necessary, define the limits of the tasks entrusted to the intervention teams~~, , without giving details of their execution, which are to~~ ⌦ The details of the execution of those tasks shall ⌫ be left to the person in charge appointed by the Member State rendering assistance.

~~4~~3. ⌦ Where ⌫ the requesting Member State ~~may~~ asks the ⌦ intervention ⌫ teams to direct the intervention on its behalf~~, in which case~~ the teams provided by the Member States and the Community shall endeavour to coordinate their interventions.

~~5~~4. ~~The~~ ⌦ Where teams responsible for ⌫ assessment ~~and/~~or coordination ~~team should~~ ⌦ are dispatched, they shall ⌫ facilitate coordination between intervention teams and~~, as necessary and appropriate,~~ liaise with the competent authorities of the requesting Member State.

Article ~~9~~6

1. ~~The provisions of~~ ⌦ In the event of a major emergency occurring outside the Community, ⌫ Articles ~~5~~ ⌦ 6, 7 and 8 ⌫ may also, upon request, be ~~implemented~~ ⌦ applied ⌫ in respect of ⌦ civil protection assistance ⌫ interventions outside the Community.

↓ 2001/792

Such interventions may either be conducted as an autonomous assistance intervention or as a contribution to an intervention led by an international organisation.

~~The coordination of civil protection assistance interventions conducted within the framework of this mechanism outside the Community is ensured by the Member State entrusted with the Presidency of the Council of the European Union.~~

⇩ new

In emergencies where assistance is provided under both the mechanism and Regulation (EC) No 12547/96 of 20 June 1996 concerning humanitarian aid, the Commission shall ensure the effectiveness, coherence and complementarity of the overall Community response.

2. The Member State entrusted with the Presidency of the Council of the European Union (Presidency) shall, in particular at the early stages of a major emergency, liaise with the affected third country in view of an appropriate political coordination of the civil protection assistance interventions.

Where appropriate, the Presidency may request another Member State to take responsibility, in whole or in part, for that political coordination or request assistance from the Commission.

3. Where civil protection assistance as referred to in paragraph 1 is provided in response to a request distributed through the MIC, the Commission, in consultation with the Presidency, shall ensure the operational coordination of the intervention at headquarters level. The Commission may, in consultation with the Presidency, appoint a coordination team to ensure the operational coordination on site of EU civil protection assistance.

The operational coordination shall cover coordination with the affected country and, where they are present, with the United Nations.

4. All Member States providing civil protection assistance as referred to in paragraph 1 in response to a request distributed through the MIC shall liaise with the MIC to enable the coordination referred to in paragraph 3 and to ensure a comprehensive Community contribution to the overall relief effort.

Article 10

The Commission may support and complement the civil protection assistance provided by the Member States in the following ways:

(1) by facilitating the pooling of the transport resources of Member States;

(2) by mobilising additional transport means that are necessary for ensuring a rapid response and that are not otherwise available under this mechanism;

(3) by mobilising additional assistance that is not otherwise available under this mechanism and that is necessary for ensuring the effectiveness of the civil protection response under this mechanism;

(4) by facilitating the mobilisation of logistical and other modules to support the intervention teams of the Member States on site.

↓ 2001/792 (adapted)

⌦ Chapter IV
Final Provisions ⌫

Article 11~~7~~

Participation in the mechanism shall be open to ⌦ candidate countries ⌫ :

~~- the candidate countries of central and eastern Europe in accordance with the conditions established in the Europe Agreements, in their additional protocols, and in the decisions of the respective Association Councils,~~

~~- Cyprus, Malta and Turkey on the basis of bilateral agreements to be concluded with these countries.~~

⇩ new

Other third countries may cooperate in activities under this mechanism where agreements so allow.

🡻 2001/792 article 3 (adapted)

⌦ *Article 12* ⌫

⌦ For the purposes of applying this Decision, Member States shall appoint the competent authorities and inform the Commission accordingly. ⌫

🡻 2001/792 (adapted)

Article 13~~8~~

~~1. The Commission shall implement the actions related to the mechanism in accordance with the procedures laid down in Article 9(2).~~

~~2.~~ The Commission shall, ~~also~~ in accordance with the procedures laid down in Article ~~9(3)~~ 14(2), establish ~~common~~ ⌦ implementing ⌫rules particularly on the following matters:

~~(a)~~(1) resources available for assistance intervention, as ~~laid down~~ ⌦ provided for ⌫ in Article 3;

~~(b)~~(2) the ~~monitoring and information centre~~ ⌦ MIC ⌫ , as ~~laid down~~ ⌦ provided for ⌫ in Article ~~4(a)~~ 2(5);

~~(c)~~(3) the ~~common emergency communication and information system~~ ⌦ CECIS ⌫ , as ~~laid down~~ ⌦ provided for ⌫ in Article ~~4(b)~~ 2(6);

~~(d)~~(4) the ⌦ teams responsible for ⌫ assessment ~~and~~/or coordination ~~teams~~, as ~~laid down~~ ⌦ provided for ⌫ in Article ~~4(c)~~ 2(2), including criteria for the selection of experts;

~~(e)~~(5) the training programme, as ~~laid down~~ ⌦ provided for ⌫ in Article ~~4(d)~~ 2(2) ;

~~(f)~~(6) information on medical resources, as ~~laid down~~ ⌦ provided for ⌫ in ⌦ point (e) of ⌫ Article 4~~(e)~~(1)~~-~~;

~~(g)~~(7) the interventions inside the Community, ~~on the basis of the resolution of 8 July 1991,~~ ⌦ as provided for in Articles 6, 7 and 8 ⌫ as well as the interventions outside the Community ~~,~~as ~~laid down~~ ⌦ provided for ⌫ in Article ~~6~~ 9;

⇩ new

(8) additional support at Community level, as provided for in Article 10.

↓ 2001/792 (adapted)

Article 14~~9~~

1. The Commission shall be assisted by the committee set up by ~~Article 4(1) of Decision 1999/847/EC~~ ⌦ Article 13 of the proposal for a Council Regulation establishing a Rapid Response and Preparedness Instrument for major emergencies ⌫.

↓ 2001/792

~~2. Where reference is made to this paragraph, Articles 4 and 7 of Decision 1999/468/EC shall apply.~~

~~The period laid down in Article 4(3) of Decision 1999/468/EC shall be set at three months.~~

~~3~~2. Where reference is made to this paragraph, Articles 5 and 7 of Decision 1999/468/EC shall apply.

The period laid down in Article 5(6) of Decision 1999/468/EC shall be set at three months.

~~4~~3. The Committee shall establish its rules of procedure.

↓ 2001/792 (adapted)
⇨ new

Article 15~~10~~

The Commission shall evaluate the ~~implementation~~ ⌦ application ⌫ of this Decision every third year from the date ~~it takes effect~~ ⇨ of its notification ⇦ and transmit the conclusions of that evaluation ~~together with any proposals for amendments to the Decision~~ to the European Parliament and the Council.

⌦ The conclusions shall be accompanied, if appropriate, by proposals for amendments to this Decision. ⌫

~~*Article 11*~~

~~This Decision shall take effect on 1 January 2002.~~

↓

Article 16

Decision 2001/792/EC, Euratom is repealed.

References to the repealed Decision shall be construed as references to this Decision and shall be read in accordance with the correlation table in the Annex.

↓ 2001/792

Article 17~~12~~

This Decision is addressed to the Member States.

Done at

For the Council
The President

⇧

ANNEX

Correlation table

Council Decision 2001/792/EC, Euratom	This Decision
Article 1.1	Article 1, first paragraph
Article 1.2, first sentence	Article 1, second paragraph
Article 1.2, second sentence	Article 1, third paragraph
Article 1.2, third sentence	-
Article 1.3, first indent	Article 2(1)
Article 1.3, second indent	Article 2(2)
Article 1.3, third indent	Article 2(3)
Article 1.3, fourth indent	Article 2(4)
Article 1.3, fifth indent	Article 2(5)
Article 1.3, sixth indent	Article 2(6)
-	Article 2(7)
-	Article 2(8)
Article 1.3, seventh indent	Article 2(9)
Article 2	Article 5
Article 3(a)	Article 3.1
Article 3(b)	Article 3.2
-	Article 3.3
Article 3(c)	Article 3.5
Article 3(d)	Article 3.4
-	Article 3.6
Article 3(e)	Article 3.7 and Article 12

Article 4(a)	Article 4.1(a)
Article 4(b)	Article 4.1(b)
-	Article 4.1(c)
Article 4(c)	Article 4.1(d)
Article 4(d)	Article 4.2
Article 4(e)	Article 4.1(e)
Article 4(f)	Article 4.1(f)
Article 4(g)	Article 4.1(g)
Article 4(h)	Article 4.1(h)
-	Article 4.1(i)
-	Article 4.1(j)
Article 5.1, introductory words	Article 6
Article 5.1 (a)	Article 7
Article 5.1 (b)	Article 6
Article 5.2	Article 8.1
Article 5.3	Article 8.2
Article 5.4	Article 8.3
Article 5.5	Article 8.4
Article 6, first paragraph	Article 9.1
Article 6, second paragraph	Article 9.2, 9.3 and 9.4
-	Article 10
Article 7	Article 11, first paragraph
-	Article 11, second paragraph
Article 8.1	-
Article 8.2(a)	Article 13(1)
Article 8.2(b)	Article 13(2)

Article 8.2(c)	Article 13(3)
Article 8.2(d)	Article 13(4)
Article 8.2(e)	Article 13(5)
Article 8.2(f)	Article 13(6)
Article 8.2(g)	Article 13(7)
-	Article 13(8)
Article 9.1	Article 14.1
Article 9.2	-
Article 9.3	Article 14.2
Article 9.4	Article 14.3
Article 10	Article 15
-	Article 16
Article 11	-
Article 12	Article 17