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EXECUTIVE SUMMARY OF THE IMPACT ASSESSMENT REPORT

Accompanying the documents

Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL establishing the European Union Critical Communication System (EUCCS)

Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL establishing the framework for the use of the European Union Critical Communication System by the Member States' services and other organisations in charge of civil protection and amending Regulation (EU) .../...

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This document summarizes the Draft Staff Working Document on the Impact Assessment for a proposal for a Regulation establishing the European Critical Communication System (EUCCS). EUCCS aims to interconnect Member States' next-generation mission-critical communication systems to enhance the operational capabilities of first responders across Europe.

1. Problem Definition

Three main problems have been identified in the text. EUCCS aims to address:

Problem 1: Limited Operational Mobility. Existing critical communication systems are fragmented and poorly interconnected across borders and between different types of first responder organizations. This hinders cross-border joint operations and inter-agency communication.

Problem 2: Limited Functionality of Legacy Systems. Current narrowband critical communication systems (for instance TETRA and Tetrapol) lack the data-rich capabilities (images, video, real-time data) available in commercial systems, leading to efficiency losses and incomplete situational awareness.

Problem 3: Insufficient Resilience. Critical communication infrastructure faces evolving threats (cyber-attacks, jamming, physical sabotage, natural disasters) and often lacks sufficient resilience, backup, or redundancy, leading to failures during crises.

These problems are driven by factors such as limited interoperability due to diverse technologies, insufficient network coverage in certain areas, fragmented governance models, the rapid evolution of cellular technologies, and security standards not keeping pace with evolving threats.

2. Why the EU Should Act

The legal basis for the establishment of EUCCS can be found in Articles 87(2) and 196 of the Treaty on the Functioning of the European Union (TFEU). They provide the legal basis for establishing EUCCS for public security authorities and public safety authorities, respectively. Increasingly frequent and severe cross-border crises necessitate EU action. Member States have requested Commission action, acknowledging that a system of this scale requires a harmonized EU framework. EU action offers added value by establishing a common framework, facilitating cross-border and inter-agency communications more effectively than individual Member States' efforts.

3. Objectives of the EUCCS

The general objective of EUCCS is to enhance Europe's capacity to react swiftly and effectively to incidents and crises requiring cross-border and inter-agency response.

The following specific objectives have also been identified in this Impact Assessment:

Specific Objective 1: Promote interoperable and secure cross-border and cross-agency critical communication and operational mobility.

Specific Objective 2: Support Member States in deploying broadband critical communication systems to enable data-rich, real-time capabilities.

Specific Objective 3: Facilitate a high and consistent level of resilience of critical communications across Member States.

4. Policy Options Considered

The Impact Assessment considers the 3 options below for the establishment of EUCCS.

Policy Option 0 (Status Quo): No EU intervention. Member States continue developing national systems independently, leading to increased fragmentation and limited cooperation.

Policy Option 1 (Voluntary Pursuit of Technical Interconnectivity): Non-binding guidance and promotion of standards to encourage voluntary interconnection. This option offers limited effectiveness due to its voluntary nature.

Policy Option 2 (Legislative Proposal Establishing a System of Systems): An EU legal act establishing a decentralized framework where Member States retain control of their national systems but are interconnected via an EU component. This Policy Options presents two sub-options:

- Sub-option 2.1: Lighter EU-level component with stronger Member State roles.
- Sub-option 2.2: EU-level component with a central competent authority.

Regarding options discarded at an early stage, the fully centralized EU system (Policy Option 3) was deemed too costly, operationally unrealistic, and politically unfeasible. A system of systems for existing narrowband systems (Policy Option 4) was discarded as it would not address the problems of limited functionality and resilience.

5. Preferred Policy Option

Policy Option 2.1 (System of Systems with Lighter EU-level Component) was therefore selected as the preferred option. It offers the most effective response to the identified problems, achieving the policy objectives with a balanced approach. While costs are higher than Option 1, the benefits in terms of effectiveness, proportionality, coherence, and social/environmental impacts are significantly greater. It avoids the creation of a new EU agency (as in Policy Option 2.2) which would be disproportionate, while at the same time still ensuring a robust framework.

6. Impacts of the Preferred Option (Policy Option 2.1)

Different types of impacts have been identified and assessed in the Impact Assessment.

Social impacts: Significant and structural benefits through binding interoperability, harmonized procedures, and full operational mobility for an estimated 3.7 million first responders across the Union. Enhanced safety and security for citizens.

Economic impacts: Substantial public investment (€3.571 billion) required for an interoperable EU-wide system. Medium- to long-term benefits include economies of scale, a more integrated market, and opportunities for European industry, particularly Small and Medium Enterprises (SMEs), in critical communication services, infrastructure, and equipment.

Environmental impacts: More positive and structurally significant benefits through strengthened cross-border response capacity, enabling faster and more coordinated interventions to mitigate environmental risks.

Impacts on digitalisation: High impact on the digitalization of Public Administration, enhancing situational awareness and command and control efficiency.

Impacts on vulnerable people and gender considerations: Positive impact by enabling better communication tools (e.g., real-time video) to assist vulnerable individuals.

Impacts on fundamental rights: Enhances security of citizens (Article 6 of the Charter of Fundamental Rights of the European Union (CFREU), Article 5 of the European Convention on Human Rights (ECHR)) and supports the protection of life and physical integrity (Article 2 ECHR). Compliance with GDPR is maintained.

Impacts on competitiveness: Positive impact on European competitiveness, fostering innovation and providing a predictable market for broadband-based solutions.

7. Monitoring and Evaluation

Key Performance Indicators (KPIs) will be used to measure the success of EUCCS, aligned with its specific objectives. These include: (i) the designation of National Competent Authorities (NCAs) and EU competent bodies; (ii) the establishment of the European Critical Communications Group (ECCG) and System Accreditation Board (SAB); (iii) the number of Member States connected to EUCCS and number of first responders with connectivity; (iv) the increased cross-border operational mobility (for instance, roaming minutes); (v) the service quality metrics (for example, connection time, roaming service quality, backup power capacity); (vi) compliance with security standards (NIS2, EU Cybersecurity Act); (vii) the number of joint exercises and trained first responders; and (viii) progress in implementing national strategies and adherence to Standard Operating Procedures (SOPs).