DECISIONS

COMMISSION IMPLEMENTING DECISION (EU) 2022/1198

of 16 June 2022

amending Implementing Decision (EU) 2019/570 as regards rescEU emergency energy supply capacities

(notified under document C(2022) 4246)

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Decision No 1313/2013/EU of the European Parliament and of the Council of 17 December 2013 on a Union Civil Protection Mechanism ('the Union Mechanism') ([1]), and in particular Article 32(1), point (g) thereof,

Whereas:

(1) Decision No 1313/2013/EU establishes rescEU as part of the Union Civil Protection Mechanism ('Union Mechanism'). It was recently amended ([2]) to reinforce the Union Mechanism to overcome limitations when several Member States are simultaneously affected by a complex, cross-sectoral emergency.

(2) Commission Implementing Decision (EU) 2019/570 ([3]) sets out the initial composition of rescEU in terms of capacities and quality requirements. The rescEU reserve currently consists of aerial forest firefighting capacities, medical aerial evacuation capacities, emergency medical team capacities, capacities in the area of chemical, biological, radiological and nuclear incidents, shelter, transport and logistics as well as mobile laboratory capacities and CBRN detection, sampling, identification and monitoring capacities.

(3) In accordance with Article 12(2) of Decision No 1313/2013/EU, the rescEU capacities should consist of are to be defined taking into account identified and emerging risks, overall capacities and gaps at Union level.

(4) An analysis of identified and emerging risks as well as of capacities and gaps at Union level reveals a need to support civil protection activities by providing emergency energy supply capacities to mitigate adverse consequences resulting from power shortages that can have different origins, natural or man-made.

(5) In particular, the situation in Ukraine has shown again the vulnerability of energy related critical infrastructure. From the early start of the war of aggression, Ukraine has identified emergency energy supply in the form of fuel, generators, equipment and spare parts as a primary need in many areas. Additionally, also Moldova has activated the Union Mechanism and identified emergency energy supply items in the form of fuel, generators and spare parts.

([1]) OJ L 347, 20.12.2013, p. 924.

([2]) Regulation (EU) 2021/836 of the European Parliament and of the Council of 20 May 2021 amending Decision No 1313/2013/EU on a Union Civil Protection Mechanism (OJ L 185, 26.5.2021, p. 1).

([3]) Commission Implementing Decision (EU) 2019/570 of 8 April 2019 laying down rules for the implementation of Decision No 1313/2013/EU of the European Parliament and of the Council as regards rescEU capacities and amending Commission Implementing Decision 2014/762/EU (OJ L 99, 10.4.2019, p. 41).

(6) Currently, there are no capacities in the field of emergency energy supply pre-committed by Member States to the European Civil Protection Pool. As a result and in order to address identified and emerging risks, emergency energy supply should become part of the rescEU capacities referred to in Article 2 of Implementing Decision (EU) 2019/570.

(7) Those capacities should be established to respond to low probability risks with a high impact, in accordance with the categories referred to in Article 3d, point (e) of Implementing Decision (EU) 2019/570.

(8) The main task of the rescEU emergency energy supply capacities should be to provide emergency backup power instantaneously when the main power source fails or if the voltage drops to an insufficient level or surges and causes outages. Such capacities can include standby generators, batteries, energy harvesting equipment, connectivity and synchronising equipment, fuel, other types of apparatus and related services.

(9) The envisaged assistance is to comply with the conditions and procedures set out by the restrictive measures ([4]) adopted pursuant to Article 215 TFEU.

(10) Implementing Decision (EU) 2019/570 should therefore be amended accordingly.

(11) The measures provided for in this Decision are in accordance with the opinion of the committee referred to in Article 33(1) of Decision No 1313/2013/EU,

HAS ADOPTED THIS DECISION:

Article 1

Implementing Decision (EU) 2019/570 is amended as follows:

(1) Article 2 is amended as follows:

(a) in paragraph 1, the following eighth indent is added:

'— emergency energy supply capacities.';

(b) in paragraph 2, the following point is added:

'(m) emergency energy supply capacities';

(2) Article 3a is replaced by the following:

'*Article 3a*

Eligible costs of rescEU medical aerial evacuation, emergency medical team type 2 and type 3, medical stockpiling, CBRN decontamination, CBRN stockpiling, temporary shelter, transport, logistics, CBRN detection, sampling, identification and monitoring, mobile laboratory capacities and emergency energy supply capacities

All cost categories referred to in Annex Ia to Decision No 1313/2013/EU shall be taken into account when calculating the total eligible cost of rescEU capacities.';

(3) in Article 3e, paragraphs 3 and 4 are replaced by the following:

'3. rescEU capacities referred to in Article 2(2), points (c) to (m), shall be established with the objective of managing low probability risks with a high impact.

4. Where rescEU capacities referred to in Article 2(2), points (c) to (m), are deployed under the Union Mechanism, Union financial assistance shall cover 100 % of the operational costs, pursuant to Article 23(4b), second subparagraph, of Decision No 1313/2013/EU.';

(4) the Annex is amended in accordance with the Annex to this Decision.

([4]) www.sanctionsmap.eu Note that the sanctions map is an IT tool for identifying the sanctions regimes. The source of the sanctions stems from legal acts published in the *Official Journal of the European Union* (OJ). In case of discrepancy the OJ prevails.

Article 2

Addressees

This Decision is addressed to the Member States.

Done at Brussels, 16 June 2022.

For the Commission
Janez LENARČIČ
Member of the Commission

ANNEX

In the Annex to Implementing Decision (EU) 2019/570, the following Section 13 is added:

'13. **Emergency energy supply capacities**

Tasks	Provide emergency backup power. Provide staff to handle, assemble/disassemble, install/uninstall, operate and maintain the emergency energy supply capacity when required. Where a handover takes place, train the relevant personnel (local and/or international) before the pull out of the staff of the capacity.
Capacities	Emergency energy supply units to generate and/or provide emergency energy on site, if necessary in combination with other systems, such as batteries or solar panel systems capable of providing power for at least one month.
Main components	Power generators of various sizes to allow flexibility and scalability. Adequate connectivity, synchronisation, monitoring and power transfer systems to enable connecting the capacity to the affected facilities as well as paralleling control of units. Adequate number of spare parts and other consumables for the functioning of the capacity, such as batteries, energy harvesting equipment, connectivity and synchronising equipment, fuel, other types of apparatus and related services. Adequate procedures to ensure emergency fuel supply for the functioning of the capacity. Adequate procedures to transport, handle, assemble/disassemble, install/uninstall, operate and maintain the emergency energy supply capacity. Lighting equipment for emergency lighting of the affected area as well as lightning protection systems. Adequate storage facilities. Appropriately trained personnel and assets to handle, assemble, install, operate and maintain the emergency energy supply capacity.
Self-sufficiency	Article 12(3), point (a), of Implementing Decision 2014/762/EU applies ([1]).
Deployment	Availability for departure of the technical team and deployable components maximum 12 hours after the acceptance of the offer.

([1]) Self-sufficiency is to be guaranteed at least during the first 96 hours of deployment, including via adequate facilities and equipment to store fuel on-site.'