COMMISSION IMPLEMENTING DECISION (EU) 2022/461

of 15 March 2022

amending Implementing Decision (EU) 2019/570 as regards rescEU transport and logistics capacities

(notified under document C(2022)1685)

(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 ([1]), and in particular of Article 32(1), point (g) thereof,

Whereas:

(1) Decision No 1313/2013/EU sets out the legal framework of rescEU. rescEU is a reserve of capacities at Union level aiming to provide assistance in overwhelming situations where overall existing capacities at national level and those committed by Member States to the European Civil Protection Pool are not able to ensure an effective response to natural and man-made disasters.

(2) The Union Civil Protection Mechanism ('Union Mechanism') was recently reinforced with Regulation (EU) 2021/836 of the European Parliament and of the Council ([2]) amending Decision No 1313/2013/EU. The amendment aims to overcome limitations of the Union Mechanism emerged during the COVID-19 pandemic, and to better support Member States when they are simultaneously affected by the same or different emergencies or disasters.

(3) Transport and logistics operations have been identified as a challenge in many response operations of the Union Mechanism over the past years. More recently, the need for more strategic effectiveness in this area has become evident during the outbreak and the initial stages of the COVID-19 pandemic, in particular for the transport of medical assets, personnel and patients. The lack of sufficient transport and logistical resources was identified as a key obstacle as regards Member States' ability to provide or receive assistance.

(4) Accordingly, pursuant to Article 12(2) of Decision 1313/2013/EU, transport and logistics was laid down as a priority area for rescEU capacity development, adding to aerial forest firefighting, emergency medical response and chemical, biological, radiological and nuclear ('CBRN') incidents.

(5) The main tasks of a transport and logistics capacity under rescEU should be to provide transport and related logistics services for persons (including patients or teams involved in response operations), material, or equipment, or a combination of the aforementioned.

(6) Following consultations with Member States, it was identified that transport and logistics capacities could be multi-purpose in addition to already defined aerial rescEU capacities.

(7) Pursuant to Article 12(4) of Decision No 1313/2013/EU, quality requirements for the response capacities forming part of rescEU are to be laid down in consultation with Member States.

([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).

(8) Transport and logistics capacities should be established to respond to low probability risks with a high impact, in accordance with the categories referred to in Article 3d of Commission Implementing Decision (EU) 2019/570 ([3]) and after consultation with the Member States.

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

(10) 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) paragraph 1 is amended as follows:

(i) the sixth indent is replaced by the following:

'- shelter capacities,';

(ii) the following seventh indent is added:

'- transport and logistics capacities.';

(b) paragraph 2 is amended as follows:

(i) point (i) is replaced by the following:

'(i) temporary shelter capacities;';

(ii) the following point (j) is added:

'(j) transport and logistics capacity.'

(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 and transport and logistics 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 points (c) to (j) of Article 2(2) shall be established with the objective of managing low probability risks with a high impact.

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

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

Article 2

This Decision is addressed to the Member States.

([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).

Done at Brussels, 15 March 2022.

For the Commission
Janez LENARČIČ
Member of the Commission

ANNEX

In the Annex to Implementing Decision (EU) 2019/570, the following Section 10 is added:

'10. **Transport and Logistics Capacity**

Tasks	— Provide transport and related logistics services for persons, including patients and teams involved in response operations, material, or equipment, or a combination of the aforementioned. — The tasks described under sections 1, 2, 3 and 4 may be included.
Capacities	— For airplanes, the ability to transport at least 35 persons or to transport at least 7 tonnes of material, or both. — Ability to operate day and night. — Ability to ensure relevant logistical support functions (such as loading/unloading of material). — Ability to perform, where necessary, in operationally challenging circumstances ([1]). — Ability to perform, where necessary, the transport and logistical handling of special goods ([2]) according to relevant international standards.
Main components	— Crew adapted to the performed tasks and the timeframe of the operations. — Technical staff adequately equipped and trained to perform the different tasks defined above. — Adequate communication equipment (such as air-to-air and air-to-ground communication for aerial capacities). — Integrated module for logistics operations, such as loading/unloading operations.
Self-sufficiency	— Storage and maintenance of the different equipment of the capacity. — Equipment for communication with relevant partners, notably those in charge of the coordination on site.
Deployment	— Availability for departure maximum 12 hours after the acceptance of the offer. — For airplanes, ability to perform a flight of minimum 2 000 nautical miles (3 700 km) at 5 tonnes payload without refuelling.

([1]) For aerial capacities, such circumstances may encompass circumstances in which runways for taking-off or landing are not available, or they are short or damaged.

([2]) Such as dangerous goods, medical supplies, cold-chain logistics to transport vaccines, etc.'