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from : Presidency

to : Committee for Civilian Aspects of Crisis Management

Subject : Civil Protection in the framework of crisis management – draft concept

Delegations will find enclosed a draft concept on Civil Protection in the framework of crisis management.

I. Introduction

In June 2000, the Feira European Council identified Civil Protection as one of the four priority areas within the civilian aspects of crisis management where the EU should seek to enhance its capacity. At the Nice European Council in December 2000 the need in this field to define concrete targets and equip the EU with suitable resources for it to cope effectively with complex political crises was identified.

The Göteborg European Council set a series of concrete targets for the civilian aspects of crisis management to be attained through voluntary contributions by 2003. In the field of Civil Protection, Member States agreed to provide, on a voluntary basis:

- 2 or 3 assessment and/or co-ordination teams consisting in all of 10 experts, that could be dispatched within 3-7 hours, depending on the circumstances. The experts should be on 24-hour call from a group of up to 100 specially selected experts for this purpose;
- Civil protection intervention teams consisting of up to 2.000 persons at short notice;
- Supplementary or more specialised resources from the competent services or, where relevant, non-governmental organisations and other entities in response to the specific needs in each crisis, that could be dispatched within 2 days to a week.

At the same time, the European Council of Göteborg stressed the “key role” that the then not yet established Community mechanism to facilitate the reinforced co-operation in Civil Protection assistance interventions (hereinafter “Community Mechanism”, see background information below) would play in the “implementation of the concrete targets” established in Göteborg.

In the perspective of the concrete targets, a call for contributions has been launched on 12 June 2002 (doc. 9915/02) with a view to obtaining information on assets that Member States may be ready to put at the disposal of the EU for a Civil Protection intervention in a crisis management scenario. Information following this call for contributions is to be received by 15 September 2002 and will be available within the Co-ordinating Mechanism for Civilian Aspects of Crisis Management¹ at the Council Secretariat as well as within the relevant Commission

¹ The Co-ordinating Mechanism for Civilian Aspects of Crisis Management was established at the Helsinki European Council ("set up at the Council Secretariat and fully interacting with the Commission services").

services (Community Mechanism).

Strengthened capabilities in the field of Civil Protection will serve both to enable the EU better to respond to requests from an international lead organisation, such as the UN, and to carry out autonomous EU missions.

Community Mechanism

The Community Mechanism was established on 1 January 2002 by Council decision² and may be used for interventions within as well as outside the European Union. It could also, under conditions to be determined, be “a tool for facilitating and supporting crisis management referred to in Title V of the Treaty on European Union”³. To this end the Council has defined modalities for the use of the Community Mechanism in a crisis management situation, adopting a relevant text on 17 June 2002 that has been included in the ESDP report annexed to the conclusions of the Seville European Council⁴.

Within the framework of the Community Mechanism, the Commission is working towards the specific objectives mentioned in the Council decision. On the basis of a matrix, available civil protection resources of the EU for interventions within the Community Mechanism have been identified (i.e. not considering interventions in the context of Title V crisis management). In addition, the Community Mechanism foresees the establishment of the “capability to mobilise and dispatch, as quickly as possible, small teams of experts responsible for:

- Assessing the situation for the benefit of the Member States, the monitoring and information centre and the State requesting assistance,
- Facilitating, when necessary, co-ordination of assistance operations on site and liaising, when necessary and appropriate, with the competent authorities of the State requesting assistance.”

² Community mechanism to facilitate the reinforced co-operation in civil protection assistance interventions, established by a Council decision of 23 October 2001.

³ Preamble of the Council decision of 23 October 2001.

⁴ Annex III of the Presidency ESDP Report to the Seville European Council (doc. 10160/2/02 REV 2).

The Commission is currently working, among others, on common rules concerning “the assessment and/or co-ordination team, including the selection of experts”.

II. Purpose and objective

The purpose of this document is to give an overview the EU’s capacities within Civil Protection in the field of crisis management and the modalities for their use, and furthermore to guide a debate on the continuing strengthening of capacity and implementation of the concrete targets. In this context the document addresses several questions, including the use or not of the Community Mechanism and the consequences for planning and activation in either of these cases⁵.

It should be noted that the nature/characteristics of Civil Protection differ very much from that of the other three priority areas within civilian crisis management: Police, Rule of Law. and Civilian Administration. Due consideration of this fact has been made in elaborating this paper

The specific nature of Civil Protection assets, including their speed and duration of deployment, personnel and resource implications, and other factors, will be a major factor in shaping the modalities governing their use.

III. Civilian crisis management – Title V of the TEU

Decision on type of intervention

Within the context of crisis management (Title V of the TEU), the Council will have a choice as regards the use of Civil Protection assets:

1. An intervention exclusively under the second pillar (i.e. using Member State assets as indicated to the Council's Co-ordinating Mechanism for Civilian Aspects of Crisis Management);
2. An activation of the Community mechanism to facilitate the reinforced co-operation in Civil Protection assistance interventions;

If, within a crisis situation, the need for Civil Protection assets becomes clear, a decision will have

⁵ See also doc. 14777/01, CivCom advice to Coreper on possible use of the Community Mechanism.

to be taken regarding the appropriateness of using assets co-ordinated within the Council ESDP structures or of an activation of the Community Mechanism. In this context, it is important to note that:

- the quality and quantity of Civil Protection assets made available by Member States for crisis management will very likely differ from those available in a non crisis management situation;
- other crisis management instruments (either military or other civilian) will be present or under deployment.

Due consideration should also be given to the fact that the type of activation of a Civil Protection intervention will have implications for the financing of an intervention and the possible participation of third states. The choice of type of activation might also have an impact on the number of personnel that might be made available by Member States to a concrete intervention.

The type of activation by the Council will have to be considered in each and every situation and the decision taken on the bases of a careful but rapid assessment of the special circumstances of the situation at hand, including the nature of the crisis and the range of other instruments the EU has made or plans to make available in the crisis area.

The following factors should also be taken into consideration when deciding on whether or not to activate the Community Mechanism:

- within a crisis situation, other crisis management instruments will be involved and could include military forces or other civilian instruments (Police, Rule of Law, Civilian Administration, Community instruments);
- the need for Civil Protection assets may arise suddenly at any point in a crisis situation;
- the decision might be taken to contribute Civil Protection assets to interventions under the direction of other international organisations.

Given the fact that the Community Mechanism was identified by the Göteborg European Council as having a “key role in the implementation of the concrete targets” a Civil Protection intervention within the Community mechanism would in many situations be the most appropriate solution. Only where special circumstances are prevalent will an intervention without recourse to the Community Mechanism be opted for.

The decision on whether or not to activate the Community Mechanism would very likely have to be made quickly and will be taken against the background of a crisis management operation. To this end the Presidency should be entrusted to carry out rapid consultations with a view to reaching consensus among Member States on the manner of proceeding. Typical situations where it might be appropriate not to activate an intervention using the Community Mechanism should be identified in advance and should guide the Presidency in the consultations on the type of activation.

Triggering of intervention

Within a crisis management situation, it is foreseen that the Presidency can request Civil Protection assistance, as foreseen with paragraph 4 of the text annexed to the conclusions of the Seville European Council, to deploy assets that Member States have made available to the Community Mechanism.

In view of the need for Civil Protection assets to be made available immediately a rapid decision-making procedure for the triggering of the deployment of such assets is essential. To this end the Presidency should be mandated to trigger such a deployment. This should be foreseen within the Crisis Management Concept and would come into force at the time of a crisis management situation.

To the largest extent possible, procedures and modalities for the triggering of Civil Protection assets should be similar for each of the possibilities open to the Council, i.e. use of assets under the second pillar or use of the Community Mechanism. Where there are differences, these must be clearly identified.

With regard to the different possibilities for Civil Protection interventions, it is in any event essential that a direct and non-bureaucratic operational link be set up between the Council's ESDP structures (i.e. Co-ordinating Mechanism for Civilian Aspects of Crisis Management) and the Community Mechanism at the Commission, among others to ensure a complete exchange of information (see also doc. 14777/01). If Civil Protection assets are provided through the Community Mechanism as a 'package' in a crisis situation, co-ordination with other civilian instruments made available by Member States and co-ordinated within the Council would be essential. Similarly, the Commission must be kept apprised of assets Member States deploy for crisis management operations outside the Community Mechanism.

IV. Role of the Presidency

An important role for the Presidency consists in the triggering of the deployment of Civil Protection asset. In the case of a disaster, speed is essential and a deployment may have to take place within a matter of hours.

The text adopted at the Seville European Council foresees a role for the Presidency in triggering the deployment of Civil Protection assets through the Community Mechanism, should its use be considered appropriate in a crisis management situation. A further role of the Presidency could involve the appointment, upon consultation of Member States and those concerned, of the operational leadership of a Civil Protection intervention .

For cases where the Community Mechanism is not used, a possible role for the Presidency in triggering the deployment of Civil Protection assets specifically for crisis management situations could be foreseen. One could consider a mandate in the Crisis Management Concept which would foresee this Presidency role in triggering a Civil Protection intervention using assets within the second pillar and co-ordinated with the Council ESDP structures, should the need arise during a crisis situation.

For either of these cases, any method of consultation within Council bodies must be sufficiently light to ensure rapid decision-making. It would be highly problematic if such a consultation process were to interfere with an efficient deployment of Civil Protection assets for urgent needs.

Any specific role of the Presidency in co-ordinating the Civil Protection intervention will clearly have to be compatible with the CMP as regards overall crisis management co-ordination and co-ordination in theatre.

The Presidency should also be mandated to appoint a Civil Protection expert (e.g. Head of Intervention Team) to be in charge of relevant assets in the crisis area and who would report to the Council, as appropriate through whichever instance is co-ordinating all EU instruments in the field (e.g. an EU Special Representative). The Presidency could appoint such a person at the time of the triggering of a Civil Protection intervention or earlier at an early stage of a crisis, i.e. to prepare for the eventuality of a potential emergency that might give rise to the need for Civil Protection assets.

V. Co-ordination and direction

Co-ordination at HQ level

General coherence between civilian, including Civil Protection, and military aspects of an EU civil action is supported at HQ level in Brussels by the crisis response co-ordinating team (CRCT) as foreseen in the Crisis Management Procedures.

In-field co-ordination with other EU elements of a complex crisis management operation

In the field co-ordination for the various components of an EU operation on the ground should be secured through the establishment of a forum which will enable equivalent planning and information exchange functions to those provided for by the CRCT at headquarters level e.g. like the Joint Coordination Group to be established in Sarajevo for EUPM. It should be noted that co-ordination (with military and with other civilian instruments such as Police, Rule of Law, Civilian Administration) would not necessarily just entail the exchange of planning and other information, but could include operational support, e.g. through communications and transport assets.

Co-ordination and direction of the Civil Protection intervention

A Civil Protection intervention under the Community Mechanism is co-ordinated by a Community co-ordination team on the ground. The team is composed of experts selected according to criteria agreed by Member States. The Commission in co-operation with Member States appoints the full co-ordination/assessment team including the team leader (as set out in the common rules established for the operation of the Community Mechanism). The Commission under the Community Mechanism finances the deployment of this Community co-ordination team.

Co-ordination with other international actors, in particular humanitarian actors

Co-ordination with other international actors, both on a strategic and on an operational (field) level, is essential. In a crisis management situation, it is likely that a number of instruments (military and civilian) will be present, and possible that other international organisations will be playing a role in alleviating the crisis.

The possibility of EU Civil Protection action under an international mandate and/or co-ordinated through external partners must be taken into account.

On a strategic level, it is essential to maintain an overview of all activities. As regards civilian instruments including Civil Protection, CivCom will benefit from information on capabilities and readiness at the Co-ordinating Mechanism for Civilian Aspects of Crisis Management in order to prepare a comprehensive overview of civilian means available to the EU.

To this end stronger links between the Council Secretariat and relevant international organisations, including humanitarian actors, should be established in order to ensure the most complete co-ordination and provision of information to Council bodies such as CivCom. In particular, this must include links to ECHO, as foreseen in the conclusions of the Helsinki European Council. Direct and efficient links with international organisations are particularly important if the EU is to contribute its civilian assets to other organisations; requests for assets could be more efficiently organised and duplication avoided.

The interplay between Civil Protection assets and humanitarian assistance presents specific challenges. Synergy and complementarity between the two elements can be supported through appropriate procedures.

Establishing an effective relationship between Community civil protection operations and lead agencies working under an international mandate will be crucial. Such agencies include UN bodies (e.g. OCHA, UNHCR, UNICEF) and the International Committee of the Red Cross. This is this case whether or not the EU establishes an autonomous operation, or makes a contribution to a wider international operation. The issue is not only one of respect for international mandates, but also of operational efficiency on the ground. The Commission under its mandate is analysing the best ways for taking steps to improve operating arrangements with key agencies, such as those listed above.

Further consideration should be given to the question of how the range of EU actors will act within an international mandate, or how they will work alongside lead agencies (relief agencies, in the case of civil protection) entrusted with an international mandate. There are many possible models (e.g. the pillar structure in Kosovo, the PIC in Bosnia and Herzegovina and the regular meetings of “principals” in FYROM). Such coordinating models do not preclude the need for direct operational contacts between the Civil Protection team leader and his/her counterpart in other international organisations (e.g. UN/OCHA).

Crisis management co-ordination, including civil-military co-ordination

Military assets could contribute indirectly to Civil Protection through the provision of support to civilian assets (e.g. transport, communications). In this context it should be noted that assets made available by Member States in the field of Civil Protection may not necessarily be limited to civilian assets only.

Development of civil-military co-ordination must take into account the UN "Oslo Guidelines on the use of military and civil defence assets in disaster relief" and other relevant documents.

VI. The possible contributions by potential partners of the EU in civil protection interventions.

Under the Community Mechanism, the participation of certain non-EU Member States is already foreseen i.e. the candidate countries of Central and Eastern Europe, as well as Cyprus, Malta and Turkey. It is foreseen that from 2003 full participation of Iceland, Norway and Liechtenstein in the Community mechanism will be possible. The Monitoring and Information centre of the Community Mechanism has also established contacts with civil protection authorities in a number of other third countries.

Contributions of third countries in a Civil Protection intervention co-ordinated within the Council and without recourse to the Community Mechanism will be defined in modalities to be elaborated.

VII. Financing and conditions of employment.

At a practical level, it is important to be clear about what the nature and magnitude of costs will be. For Civil Protection a key technical issue is transportation costs. The Commission is therefore about to launch a study to define the needs and the availability of transportation means by air, as well as their cost.

Although the question of financing is relevant for all aspects of civilian crisis management, there are nonetheless issues specific to Civil Protection. For instance, under crisis management conditions, there is potentially a close interplay between humanitarian assistance and Civil Protection in operational terms. To the extent that an extra-EU Civil Protection operation meets the humanitarian criteria set out in the ECHO regulation and is consistent with the Commission's overall humanitarian response strategy, elements of an operation undertaken through the Community Mechanism could be financed by ECHO. Financing for Civil Protection interventions falling outside the ECHO mandate needs to be considered in the wider debate on civilian crisis management financing.

As regards operations using Community instruments, the Commission has developed ways to mobilise such instruments quickly. Should the Community mechanism be activated for a Civil Protection intervention within the context of crisis management, a potential financing through the Community Rapid Reaction Mechanism (RRM) should be considered.

As regards interventions outside the Community Mechanism, these will be financed as an ordinary operation within Title V of the EU Treaty.

VIII. Training and exercises

The Göteborg European Council foresaw that comprehensive training and exercise programmes for crisis management should be established by 2003. These should consist of:

- a basic comprehensive training and a refresher training conducted at EU level for experts selected for the assessment and/or co-ordination teams and for team commanders;
- training in accordance with agreed requirements and carried out under the responsibility of Member States for other personnel;
- a system for exercises.

In the context of the development of the Community Mechanism, the Commission has adopted a programme to this effect. The first training courses will start in the summer of 2002. They are designed, in particular, to ensure compatibility and complementarity between intervention teams that are likely to be deployed under the mechanism.

As regards exercises, the Commission has issued a call for proposals to the relevant services of the Member States with a view to holding one or more full-scale simulation exercises in the field of Chemical, Biological, Radiological, and Nuclear (CBRN) terrorist attacks.

IX. Scenarios

In order to consider the full scope of possible civil protection interventions, it is important to consider possible generic scenarios and conditions for the use of Civil Protection assets in crisis management situations. This work, requested by the Göteborg European Council, has already been brought forward by contributions from Member States and from the Commission.

Generic scenarios will be set out in an annex to this paper and should build on existing contributions from Member States and will cover the following aspects important to a Civil Protection intervention:

- the overall political context, including the level of public security, support from local authorities, the eventuality of military control of a crisis area, the role of and support from the host authority;
- crisis management operations of varying intensity and using different EU instruments (e.g. Military, Police, Rule of Law, Civilian Administration, Community instruments including

ECHO);

- the temporal stages of crisis management operations (e.g. crisis build-up, intervention);
- the potential tasks of Civil Protection teams, including immediate survival and protection needs, search and rescue operations, construction of refugee camps, etc.;
- involvement of international actors and possible direction of Civil Protection intervention through an international organisation, as opposed to an autonomous intervention;
- the options available to the Council in a crisis management situation, including the use or not of the Community Mechanism, and the operational consequences.

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