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**IMPACT ASSESSMENT**

**accompanying document to the Communication**

**"Towards a stronger European disaster response: the role of civil protection and humanitarian assistance"**

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## 1. INTRODUCTION

The 2010 Haiti earthquake is a tragic reminder of the importance of being able to respond to disasters swiftly, coherently and effectively. It has provided impetus to explore ways in which the EU's Disaster Response Capacity could be reinforced. The possibility of developments in this field has also recently been boosted by the inclusion of two closely linked constituencies, i.e. Civil Protection and Humanitarian Aid, into the portfolio of a single Commissioner. This administrative novelty will benefit existing synergies and complementarities and provide a new basis for the development of a more robust and coherent approach to EU disaster response.

In addition to the above, expectations in the field of EU Disaster Response<sup>1</sup> have grown following the adoption of the Lisbon Treaty. Civil Protection has been granted an explicit legal basis by Article 196 TFEU which foresees that the ordinary legislative procedure will apply to this area in future, replacing decisions by unanimity and mere consultation of the European Parliament. The treaty also contains, for the first time, a specific article on Humanitarian Aid (Article 214 TFEU) which recognises its status as a self-standing European policy area alongside other policies in the external relations field (development, trade, economic cooperation with third countries). In addition, the solidarity clause enshrined in Article 222 TFEU calls on Member States to act jointly and the EU to mobilise all instruments at its disposal in order to respond to natural and man-made disasters. Although it is still unclear how the arrangements for the implementation of the latter article will be formulated, it is unquestionable that it adds to the political drive in this area.

It is against this background that the Commission intends to present a Communication on EU Disaster Response Capacity in November 2010. In terms of substance, the Communication will outline ways in which the EU's immediate response to disasters<sup>2</sup> could be strengthened, whilst ensuring due regard for the principles of subsidiarity and proportionality. The main objective will be to improve effectiveness (rapidity of deployment and appropriateness of action), coherence (operational and political coordination) and visibility, by building upon three components of the EU's response to disasters (i.e. humanitarian aid and civil protection<sup>3</sup>, as well as military support where needed and appropriate).

The Communication will address both natural and man-made disasters (i.e. technological and/or environmental) inside and outside the EU, except for armed conflicts (complex

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<sup>1</sup> According to the Special Eurobarometer 328 on Civil Protection, published in November 2009, there is a remarkable degree of consensus (roughly 90%) that the EU should do more to provide support for its member states in the various fields of disaster management. An overwhelming majority of European respondents surveyed (91%) also believe that the EU should assist volunteer organisations in their respective countries. The full report is available at [http://ec.europa.eu/public\\_opinion/archives/ebs/ebs\\_328\\_en.pdf](http://ec.europa.eu/public_opinion/archives/ebs/ebs_328_en.pdf).

<sup>2</sup> A disaster is a sudden, calamitous event that seriously disrupts the functioning of a community or society and causes human, material, and economic or environmental losses that exceed the community's or society's ability to cope using its own resources. Though often caused by nature, disasters can have human origins (IFRC definition). This does not include armed conflicts/complex emergencies – see footnote 5 *infra*.

<sup>3</sup> This is in line with the 2007 European Consensus on Humanitarian aid which provides an explicit declaration of the shared objectives and principles that underpin EU Humanitarian Aid and underlines the need for complementarities between civil protection and humanitarian aid in responding to disasters.

emergencies)<sup>4</sup>, and will focus on the response phase. Although prevention and preparedness will not expressly be covered, a key assumption behind the preparation of the Communication will be the need for a balanced approach and for equal progress in terms of enhancing prevention, preparedness/Disaster Risk Reduction and reinforcing response capacity. The Communication will therefore encourage the further development of disaster prevention and preparedness at European, national and international level, along the lines set out in the Commission's 2009 Communications<sup>5</sup>.

This impact assessment aims to provide the Commission with the information necessary in order to develop the aforementioned Communication. In particular, this report is intended to inform the Commission of the viability of a range of policy options that may be further explored for developing the EU's response to disaster inside and outside the EU. The report only commits the Commission services involved in preparing it, should serve as a basis for discussion, and does not prejudice the final Commission decision.

It should be noted that the assessment carried out herein is not intended to be exhaustive. On the contrary, the analysis undertaken is proportional to the ends sought. Given that the Communication will not propose solutions but merely present options for further developing EU Disaster Response Capacity, possibly flagging the preferred alternative, a full impact assessment does not appear necessary or required at this stage. When, and if, concrete legislative proposals are advanced, these will need to be accompanied by a more in-depth impact assessment of the chosen options.

Moreover, this report focuses primarily on those elements of the Communication where specific impacts can be identified and which therefore require an impact assessment, i.e. the new policy options and different ways to organise and structure EU civil protection cooperation. It should be noted that the upcoming Communication will also deal with synergies with Humanitarian assistance but, given that the latter will only result in policy statements on the need to reinforce existing EU practice and policy, a specific impact assessment does not appear necessary for these issues.

## **2. PROCEDURAL ISSUES AND EXTERNAL CONSULTATION WITH MEMBER STATES AND STAKEHOLDERS**

### **2.1. Internal preparation**

Work on the impact assessment began in early 2010 with internal discussions within DG ECHO. Furthermore, an Impact Assessment Steering Group, comprising experts from

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<sup>4</sup> In UN terminology, armed conflicts are also referred to as "complex emergencies", i.e. "a humanitarian crisis in a country, region or society where there is a total or considerable breakdown of authority resulting from **internal or external conflict** which requires an international response that goes beyond the mandate or capacity of any single agency and/or the ongoing UN country programme" (Guidelines on the Use of Military and Civil Defence Assets to Support United Nations Humanitarian Activities in Complex Emergencies – MCDA Guidelines).

<sup>5</sup> The Communication on a Community approach on the prevention of natural and man-made disasters (COM(2009)82final) and on an EU Strategy on supporting disaster risk reduction in developing countries (COM(2009)84final), and the related Council Conclusions adopted in November 2009, already set out the framework for an ambitious prevention agenda inside the EU and an ambitious DRR agenda for developing countries.

relevant Directorates-General<sup>6</sup>, was set up in order to ensure coordination amongst the different Commission services and provide political, technical and drafting advice. The Steering Group was involved in all phases of the Impact Assessment.

A draft version of the Impact Assessment Report was submitted to the Impact Assessment Board at the end of July 2010. The Board discussed the report on the 8<sup>th</sup> of September 2010 and subsequently issued an Opinion. Besides generally approving the Impact Assessment Report, the Board's Opinion contained comments and suggestions aimed at clarifying and developing it. The report has been finalised accordingly.

## **2.2. External expertise**

The drafting of this Impact Assessment Report has benefitted from the data and conclusions enshrined in an independent external "Study on assessing costs and benefits of various options related to the development of the EU disaster response capacity". The report was drafted by a consultant specialised in assessments, i.e. the European Policy Evaluation Consortium (EPEC), and is available for consultation at the following address: [http://ec.europa.eu/echo/civil\\_protection/civil/index.htm](http://ec.europa.eu/echo/civil_protection/civil/index.htm).

Close contacts with the consultant throughout the drafting of the IA report also meant that the Commission was able to draw upon EPEC's expertise with regard to specific economic issues. Advice and assistance provided by EPEC proved extremely useful and insightful.

## **2.3. External consultation with Member States and stakeholders**

In a meeting on 10-11 June 2010, the Directors-General for Civil Protection of the European Union were asked to provide informal comments on an issues paper detailing the options pertaining to civil protection which are being considered for inclusion in the Communication on EU Disaster Response Capacity. An informal meeting with EU heads for Humanitarian Aid was also held on 8 July 2010 to seek feedback on issues relating to humanitarian aid outside the EU, which are to be incorporated in the upcoming Communication<sup>7</sup>.

Moreover, all stakeholders were invited to participate in a stakeholder consultation meeting held on the 22nd of July 2010 in Brussels<sup>8</sup>. Stakeholders were asked to comment on a consultation paper, circulated prior to the meeting, dealing with all the aspects likely to be included or affected by the planned Communication on EU Disaster Response Capacity. In total, the meeting brought together over 130 representatives from Member States (covering all actors involved in the response to disasters – i.e. humanitarian aid, civil protection and military), international organisations, NGOs, research and industry. A public internet consultation was not deemed appropriate given the specialist nature of the subject-matter.

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<sup>6</sup> SG, SJ, BUDG, JLS, ENV, CLIM, RTD, JRC, MOVE, ENER, REGIO, RELEX, DEV, SANCO, AGRI ENTR, INFSO, ELARG, AIDCO, MARE, HOME, JUST, ENER.

<sup>7</sup> In parallel, complementary discussions took place in the Foreign Affairs Council, the Informal Meeting of Defence Policy Directors, and in the Political and Security Committee on the basis of a joint paper of the High Representative and Commissioner Georgieva on the Lessons Learned from the EU Response to the Haiti Earthquake. While these discussions focused on the response to one particular emergency outside the EU, it included similar reflections on the need to strengthen the EU capacity to respond to external disasters. The key issues for discussion in this debate were also effectiveness, coherence and visibility.

<sup>8</sup> The meeting report is provided in Annex 1.

Whilst the most substantial stakeholder comments are reflected throughout the Impact Assessment (e.g. training, exercises, lessons learnt, the role of the UN, voluntary pool, EU-funded assets, TAST, the need for the EU to focus on prevention/preparedness as well as response), comments deemed to be self evident (e.g. the need to build on existing instruments) have not been included. In this context, it should also be noted that some comments which are not relevant to the Impact Assessment will be the object of policy statements in the planned Communication (e.g. military support, prepositioning, consular issues, common needs assessments)<sup>9</sup>.

## **2.4. Key points emerging from Member State consultations**

### *2.4.1. Civil Protection*

The following should be noted with regard to the consultations undertaken with Member States' civil protection authorities:

- Quasi-unanimity with regard to the need to strengthen the Monitoring and Information Centre of the European Commission<sup>10</sup> in terms of coordination and analytical capacity;
- There was active support for enhanced planning (development of reference scenarios and contingency plans) and logistics (i.e. systematic use of Technical Assistance and Support Teams -TAST- and exploring contractual arrangements to have TAST on standby);
- There was support for exploring ways to simplify and enhance the current funding arrangements for transport;
- There was an openness to discuss the possibility of developing a voluntary pool of pre-committed assets;
- There was "moderate caution" with regard to the development of EU funded capabilities necessary to fill gaps in EU Disaster Response Capacity;
- Several Member States highlighted the importance of civil-military coordination.

### *2.4.2. Humanitarian Aid*

The following should be noted with regard to consultations undertaken with Member States' Humanitarian Aid actors:

- All actors agreed that maximising the synergies and complementarities between Humanitarian Aid and Civil Protection will entail benefits;
- There was a general willingness to further strengthen EU cooperation and coordination in the area of humanitarian aid building on the 2007 European Consensus on Humanitarian Aid, provided that the UN's overall coordinating role is fully respected;
- Reluctance was expressed with regard to the creation of new structures in the area of EU disaster response;

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<sup>9</sup> Comments dealing with issues outside the scope of the Impact Assessment *and* the Communication have not been tackled.

<sup>10</sup> See below, section 3.2.2.

- Regarding the option of an EU system of prepositioning/stockpiling of relief assets, strong support was expressed for the work undertaken in this area by Humanitarian Aid organisations such as the UN World Food Programme (herein WFP) and the International Federation of the Red Cross (herein IFRC). Most actors stressed that the EU's main role should consist in continued support to these structures and that duplication of efforts should be avoided;
- Most actors acknowledged the usefulness of military support to EU disaster response in exceptional circumstances, subject to applicable international guidelines;
- The need for all future arrangements to be as cost-effective as possible was emphasized.

## **2.5. Key points emerging from the stakeholder consultation meeting**

Discussions focused on the content of the consultation document circulated in early July. The following issues emerged:

- There was wide consensus amongst stakeholders on the need to reinforce the EU's disaster response capacity. Stakeholders agreed that there is scope for improving the systems for EU Civil Protection and EU humanitarian assistance notwithstanding the fact that these systems work well and are delivering results in line with their current mandates;
- In strengthening the EU's Disaster Response Capacity the EU should build on existing tools and instruments, avoiding duplications. Future developments should be needs-driven and cost-effective and should aim to ensure the effectiveness, coherence, and visibility of the EU's response to disasters;
- There was general support for the need to link actors and instruments involved in disaster response, simultaneously ensuring that roles and mandates are clearly defined;
- Most stakeholders acknowledged the need to develop the analytical and coordination capacity of the Monitoring and Information Centre;
- The need to develop training initiatives in the area of disaster response was flagged by numerous stakeholders. It was suggested that such initiatives could build upon the EU Civil Protection Training Programme thus avoiding the creation of new structures. Training possibilities should be open to all relevant actors;
- There was general support for the overall coordinating role of the UN outside the EU and stakeholders underlined the need for EU assistance to be compatible with the UN cluster system;
- Several Member States expressed their openness to the idea of a voluntary pool of key Member States' assets on standby for immediate deployment in EU operations. In this context, the need for the principle of subsidiarity to be respected and for arrangements to be genuinely voluntary and based on existing national capacities was underlined. Stakeholders also noted that the circumstances in which Member States could refuse to deploy assets committed to the pool should remain relatively broad. The possibility of obtaining EU co-funding for Member States' assets committed to the pool was raised;

- Reluctance was expressed with regard to the development of complementary EU-level assets. However, some stakeholders underlined the usefulness of certain arrangements tested via the pilot project on the EU Forest Fire-fighting Tactical Reserve;
- Stakeholders were opposed to the development of an EU system for prepositioning of relief items but welcomed continued support to the activities carried out by partner organisations such as WFP and IFRC;
- Commission co-funding in the area of transport was strongly welcomed but it was suggested that administrative procedures should be simplified and co-financing rates could be increased. Most Stakeholders argued that co-financing rates should not be linked to the level of pre-commitment of assets;
- It was generally acknowledged that Technical Assistance and Support Teams (TAST) are useful for facilitating logistics arrangements during emergencies. The possibility of widening the TAST mandate was proposed;
- Stakeholders agreed that military capacities can play an important role in supplementing civil protection and humanitarian assistance in disaster relief and that it is important to explore how the use of military assets in disaster response can be made more effective and predictable. It was suggested that efforts should be made to define gaps where military capacity could provide added value. Nonetheless, any future use of military assets and capabilities as part of EU disaster response should build on existing frameworks.

### **3. PROBLEM DEFINITION**

First of all, this section will set out the relevant background against which the problem needs to be defined. Subsequently, it will outline existing instruments and identify the problems that the Communication aims to address.

#### **3.1. Scene setter: The increasing frequency and severity of disasters**

Over the past 20 years Europe has suffered significantly from natural disasters in both human and economic terms. European Union Member States have been particularly affected by climate related disasters, chalking up major losses in this respect. According to the Centre for Research on the Epidemiology of Disasters (CRED) "from 1989 to 2008, 953 disasters killed nearly 88,671 people in Europe, affected more than 29 million others and caused a total of 269 US\$ billion economic losses. Compared to the rest of the world, economic loss per capita is high in Europe, partly because it is very densely populated"<sup>11</sup>.

Man-made disasters including, inter alia, technological and or environmental disasters, industrial accidents and terrorist attacks have also become increasingly prominent. The latter pose a particularly significant security threat to European citizens. Europol has reported a total of 294 terrorist acts, or attempted acts, in EU Member States in the year 2009 alone. A number of these plots reveal 'home-grown' terrorism as a transnational challenge, often facilitated by the use of the internet, which calls for the EU to be part of an international response.

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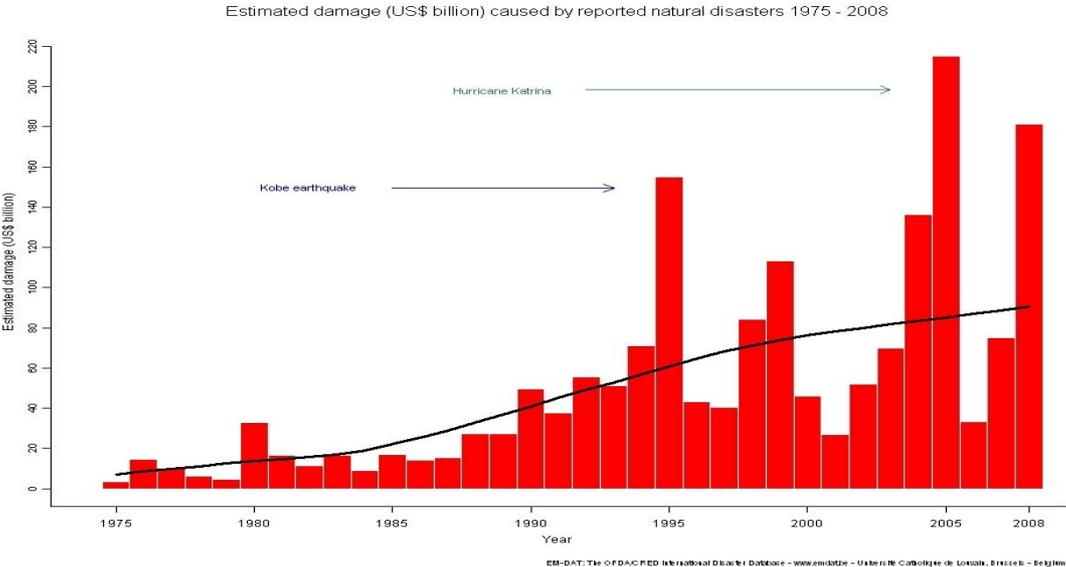
<sup>11</sup> <http://www.cred.be/sites/default/files/CredCrunch17.pdf>.

From a more general point of view, the annual number of disasters worldwide has consistently increased from 78 in 1975 to approximately 400 today<sup>12</sup>. Disasters claim an average of 85,000 lives and affect approximately 230 million individuals per year. It is presumed that climate change will accelerate this trend and Oxfam predicts that, by 2015, an average of 375 million persons will be affected by climate-related disasters every year<sup>13</sup>. Other disasters, unrelated to climate, can dramatically alter these figures. In 2010, for example, more than 200,000 were killed by the Haiti earthquake alone.

The impact of disasters varies considerably according to the level of preparedness of the countries concerned. Disasters hit developing countries hardest insofar as they have less capacity to cope and to adapt. Within such countries the poorest inhabitants are the most harshly affected as they do not have the means to deal with floods or other natural disasters. Furthermore, to make matters worse, the economies of the countries being discussed tend to be based on climate/weather-sensitive sectors such as agriculture and fishery, increasing their vulnerability. Economic losses due to natural disasters are approximately 20 times greater (as a percentage of GDP) in developing countries than in industrialised countries.

Research also shows an increase in the intensity and severity of disasters in recent decades. Particularly important in this context appear to be the changing weather patterns across the globe which often mean that floods are higher than before, cyclones are threatening areas that were previously safe, and droughts are affecting wider areas and more people. That being so, it is unsurprising that over the last three decades there has been a steady increase in the economic losses that result from disasters.

**Figure 1: Damages caused by natural disasters**



<sup>12</sup> See the EM-DAT database of the Centre for Research on the Epidemiology of Disasters (CRED).  
<sup>13</sup> Oxfam, "The Right to Survive", report issued in 2009 and available at <http://www.oxfam.org/en/policy/right-to-survive>

## 3.2. Existing EU instruments for Disaster Response

At present the European Commission can draw upon a wide range of instruments when responding to major disasters. Such instruments include, *inter alia*<sup>14</sup>, the use of Member States' civil protection assets through the EU Civil Protection Mechanism for disasters inside and outside the EU, and the provision of EU humanitarian assistance to victims of natural disasters outside the EU, primarily in developing countries. Such instruments may, in certain circumstances, be supplemented by military assets in the response to disasters.

### 3.2.1. EU Humanitarian Assistance

The EU (EU Member States and the European Commission) represents the world's largest humanitarian donor and is actively engaged in providing assistance, relief and protection to the victims of conflicts or disasters in developing countries. On the policy-side, the EU has an increasing role in defending humanitarian principles, International Humanitarian Law and a number of cross-cutting issues – all based on the principles that underpin the 2007 European Consensus on Humanitarian Aid.

Humanitarian assistance offered through the European Commission<sup>15</sup> is provided on the basis of needs and in line with the humanitarian principles of humanity, neutrality, impartiality and independence. It is based upon the humanitarian imperative to save and preserve lives and is not subject to political or other considerations. Decisions to fund humanitarian assistance in a given country or region are based on the assessment of humanitarian needs.

In the field of humanitarian aid, the Commission acts through partner organisations, which include UN agencies, the Red Cross Movement, and approximately two hundred NGOs.

Over the years, the EU, through the Commission's humanitarian aid department (now Directorate-General for Humanitarian Aid and Civil Protection - DG ECHO), has reinforced its presence in the field and considerably developed its assessment and reporting capacity. DG ECHO Situation Reports (SITREPs) are shared within the EU and contribute to response coordination.

Cost efficiency and aid effectiveness dictate that relief items should be pre-positioned as close to the disaster zone as possible, drawing on local and regional resources whenever feasible. This is why major international humanitarian organizations such as WFP and IFRC have been developing their pre-positioning capacities with financial support from the EU.

### 3.2.2. The EU Civil Protection Mechanism

The EU Civil Protection Mechanism is a comprehensive tool covering various aspects of the disaster management cycle: prevention, preparedness and response to disasters. Established in 2001 by a Council Decision (subsequently revised in 2007), the Mechanism and all activities relating to it are financed through the Civil Protection Financial Instrument adopted in 2007.

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<sup>14</sup> See the European Commission "Inventory of Crisis Management Capacities in the European Commission and Community Agencies", internal document, 31 July 2009.

<sup>15</sup> Legal basis: Council Regulation (EC) No 1257/96 of 20 June 1996 concerning humanitarian aid (OJ, N° L 163, of 2.7.1996, p.1). The EC provides more than €800 million per year for humanitarian assistance. Various geographic instruments for external assistance also have emergency reserves which can be mobilised, under certain circumstances and following specific decision making procedures, for short to medium term disaster response measures.

The EU Civil Protection Mechanism's main role is to support and coordinate the deployment of Member States' in-kind assistance (teams, experts and equipment) to countries requesting international assistance in case of major disasters. The Mechanism can be activated for all types of emergencies (natural and man-made) within and outside the EU (both in developing and developed countries). By pooling the civil protection capabilities of the 31 Participating States (the EU-27, Iceland, Liechtenstein, Norway and Croatia<sup>16</sup>), the EU aims at ensuring not only the protection of people but also of the natural and cultural environment, as well as property. Typical examples of civil protection assistance include search and rescue after earthquakes, water purification and high capacity pumping in floods, field hospitals and medicines, forest fire fighting airplanes, tents and power generators.

Particularly important for the functioning of the EU Civil Protection Mechanism is the Monitoring and Information Centre (MIC) of the European Commission, which represents its operational centre and is accessible on a 24-hour basis. Any country inside or outside the EU which is affected by a major disaster can make an appeal for assistance through the MIC which will act as a communication hub between the participating states and the affected country, coordinating the deployment of in-kind assistance by matching the offers of assistance put forward by the participating states to the actual needs of the disaster-stricken country. In the framework of the Mechanism most of the assistance provided is organised into flexible, interoperable modules so as to enhance the efficiency of response efforts. Also noteworthy is the fact that the MIC supports the pooling and funding of transport, deploys assessment and coordination teams to the site of disasters, usually with logistical support (Technical Assistance and Support Teams – herein TAST), and provides useful and updated information on the actual status of ongoing emergencies.

For major disasters with an important impact on the health of populations, the MIC collaborates with other EU tools and instruments, such as health mechanisms<sup>17</sup>. Within the Commission, the MIC cooperates with the Health Threats Unit and, if necessary, with the Health Emergency Operation Facility of DG SANCO. This cooperation is offered for the management of public health events inside the EU, and may also be available for disasters occurring outside the EU.

### 3.2.3. *Military Assets*

Within Member States, some civil protection authorities make use of military assets to respond to disasters occurring on their territory. Contrariwise, when providing assistance in response to disasters outside national borders, military capacities may only be used exceptionally, and as a last resort, to supplement the relief effort in large-scale disasters<sup>18</sup>. With unique capabilities in areas such as logistics and infrastructure, military assets can fill critical "capacity gaps" notably as regards transport (cargo planes, helicopters); logistical support; Chemical, biological, radiological and nuclear (CBRN) capacities; and heavy

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<sup>16</sup> Membership to the Mechanism is open to all EU candidate countries by signing an agreement with the Commission. The Commission also encourages potential candidate countries to make appropriate use of the possibility of cooperating under the Mechanism.

<sup>17</sup> This occurred in response to the Ukraine pandemic (H1N1) of 2009.

<sup>18</sup> See, for example, the 2004 South-east Asian tsunami, the 2005 Pakistan earthquake, the 2005 Hurricane Katrina, the 2006 Algerian floods, and the 2010 Haiti earthquake.

engineering. In 2006 the EU developed a framework for the use of military support in EU Disaster Response<sup>19</sup>.

In order to avoid the blurring of military operations and humanitarian aid, specific international guidelines<sup>20</sup> and the European Consensus on Humanitarian Aid foresee that military assets and capabilities be used in support of humanitarian relief operations only as a 'last resort' and in very limited circumstances, i.e. where there is no comparable civilian alternative and only the use of military assets that are unique in capability and availability can meet a critical humanitarian need<sup>21</sup>.

### **3.3. Problem definition: What is the nature, the scale and the underlying causes of the problem?**

The problem definition and the remainder of this impact assessment report will focus on civil protection for which the Communication will set out new policy options and propose different ways to organise and structure future EU cooperation. These proposals will be complemented by statements on the need to reinforce existing EU practice with regard to humanitarian aid and the use of military assets in support of disaster relief. The latter do not require any specific impact assessment at this stage.

The value of the current EU Civil Protection Mechanism is widely acknowledged. The system has functioned well in practice, carrying out its mandate in full and delivering results which have exceeded expectations. In particular, coordination amongst participating states and voluntary ad-hoc pooling of resources has led to a higher capacity to respond to disasters inside and outside the EU.

That being so, a series of external factors have raised concerns as to whether, and how, the system's current mandate should be changed and extended in order to face future challenges in a cost effective way, simultaneously ensuring a more efficient, rapid and predictable coordination. The global financial situation and budgetary constraints, for example, underline the necessity for any action taken to be as cost effective as possible. Moreover at EU and at global level we are witnessing an increase in the frequency of natural and man-made (i.e. technological and environmental) disasters, which results in a greater number of EU civil protection operations in the framework of the Mechanism (see figure 2 below). The intensity and severity of disasters is also on the rise and seemingly influenced by factors such as climate change, terrorism, urbanisation and the intensification of industrial activity. To avoid a widening gap between needs and capacity it is essential that the EU maximises the effectiveness of its response, which, according to past experience, can be achieved with limited extra resources.

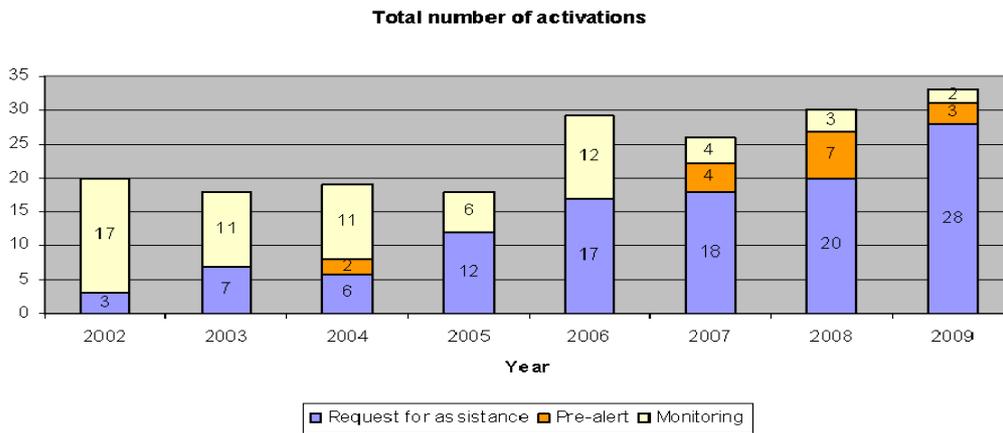
#### **Figure 2: The Evolution of EU Civil Protection Mechanism Activations**

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<sup>19</sup> See the General Framework for the use of Member States military and military chartered transportation assets and ESDP coordination tools in support of EU disaster response, doc. 8976/06 and Military support to EU disaster response — Identification and coordination of available assets and capabilities, doc. 9462/3/06 REV 3 and doc. 14540/06 + COR 1.

<sup>20</sup> Guidelines on the Use of Military and Civil Defence Assets in International Disaster Relief—'Oslo Guidelines' (re-launched by UN OCHA in November 2006)

<sup>21</sup> See the Joint Statement by the Council and the Representatives of the Governments of the Member States meeting within the Council, the European Parliament and the European Commission on The European Consensus on humanitarian aid, paragraph 61.



The key shortcoming inherent in the current system is that insofar as it has been set up to support and coordinate, and is therefore dependent upon, voluntary and *ad hoc* offers of assistance by Member States, the EU Civil Protection Mechanism is **not in a position to guarantee the availability of assistance** in the event of a major disaster. In the Bulgarian Forest Fires of 2007, for example, Bulgaria's activation of the MIC and their request for fire fighting aircraft was not effectively catered for. No offers of assistance were received from Member States as aerial forest fire fighting capacities were either being used or could not be offered given the need to guarantee sufficient capabilities to react to national forest fire risks. Bulgaria was eventually forced to turn to Russia for assistance.

The *ad hoc* nature of the current system necessarily implies that the EU Civil Protection Mechanism is of a **reactive, rather than a proactive**, nature. The impossibility of foreseeing exactly what, and how much, assistance will be offered for any given emergency means that the MIC is unable to develop contingency plans for deployment, which inevitably leads to a degree of improvisation in the immediate response phase, negatively affecting overall *effectiveness*.

It also follows that decisions on the deployment of key assistance are sometimes delayed and that reaction times are dependent upon those of the Member States, which may or may not offer assistance in a timely manner. Options to make the system more predictable and capable of better coordinating Member States' assistance would certainly provide added value. This is illustrated by the time line of the Haiti emergency. While this is considered a successful operation with a large amount of assistance deployed, the distribution of assistance over time demonstrates that certain Member States provided assets very quickly – some European response teams were amongst the first international teams to arrive on site – whilst other Member States required several days to mobilise key resources. Slow reaction times have also been noted in the 2010 Pakistan emergency with assistance being offered and arriving on site two or three weeks after the calamity. There is no doubt that such assistance would have had a much greater impact, in terms of saving lives and alleviating human pain and suffering, had it reached the disaster stricken region earlier.

Over the years it has also become apparent that the system by which Member States offer in-kind assistance also leads to an element of fragmentation. Given that Member States propose assistance in response to a given emergency without necessarily taking the overall EU response effort into account, the offers received may lack *coherence*. In fact, it is not unlikely to find that assistance provided by Member States caters abundantly for some of the needs of the country requesting assistance whilst overlooking others. This is again illustrated by the

response to the Haiti earthquake in which the distribution of the various types of assistance over time demonstrated clear fragmentation. In particular, search and rescue teams which should have been deployed immediately in order to have any chance of succeeding were still being offered and deployed on day 4, when the probability of finding survivors was low. Similarly, communication equipment which should have been dispatched very early only started arriving on day 5.

Options to make the system more predictable and capable of better coordinating Member States' assistance would certainly provide added value. A more robust system ensuring a coherent EU response and which maximises the synergies between the various actors involved would also ensure benefits in terms of consistency and cost-effectiveness.

There is also scope for improving the *visibility* of the EU's response to major disasters both for in kind assistance as well as for EU financial contributions to international disaster response. Visibility has been referred to as a shortcoming of the EU response to the Haiti Earthquake and must be addressed in line with the expectations of EU citizens/polity<sup>22</sup>. Visibility does not represent an end in itself but a means for securing continued support by EU decision-makers and citizens for the European disaster response and humanitarian assistance, and for informing people at the receiving end about the origin of aid. Additional efforts to ensure dual visibility (national and European) for civil protection assets deployed through the EU Civil Protection Mechanism would be valuable and would guarantee that citizens be proud of the workings of the EU in the field of disaster response.

With new challenges on the horizon, a failure to reinforce the EU's disaster response capacity would certainly have consequences for disaster victims. Over the years the EU Civil Protection Mechanism activations have grown from 3 in 2002 to 28 in 2009 demonstrating that the EU's role in this field is becoming increasingly consolidated and needed. With the onset of the financial crisis and the growing trend in frequency and severity of disasters, the shortcomings of the current mandate may become more prominent and start impacting on the EU's capacity to respond to disasters and assist countries and populations in need.

### **3.4. The Baseline Scenario: No policy change scenario?**

Although it is difficult to predict how a lack of public intervention and the maintaining of the existing EU instruments for Disaster Response (particularly the EU Civil Protection Mechanism) will affect the problems presented in section 3.3, it is possible to develop a tentative "no policy change" scenario.

According to observational data and research it is unlikely that the frequency and severity of disasters will remain the same or decrease in coming years. On the contrary, the upward trend demonstrated for several types of disasters over the last few decades is likely to persist. That being so, the EU Civil Protection Mechanism would continue coordinating Member State assistance offered via the MIC but the number of cases in which the Mechanism would not be able to respond adequately to a request for assistance would be likely to increase. In fact, an increase in disasters and/or their severity is likely to mean that Member States assets will be employed more often, and that therefore they will not always be available for deployment via the MIC.

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<sup>22</sup> See footnote 1, above.

In these circumstances, the instruments at the EU's disposal, although generally providing a high quality EU response, would not be able to guarantee appropriate results in all circumstances. It is against this background that the various options proposed must be assessed.

### **3.5. Subsidiarity**

The Union's role in the field of civil protection is set out in Article 196(1) of the Treaty on the Functioning of the EU, according to which the Union shall, *inter alia*, support and complement Member States' action at national, regional and local level in responding to natural or man-made disasters within the Union and promote consistency in international civil-protection work. It follows that Civil Protection response to disasters appears to be an area of supporting/complementary competence subject to the principle of subsidiarity. According to Article 5(3) of the Treaty on European Union: "Under the principle of subsidiarity, in areas which do not fall within its exclusive competence, the Union shall act only if and in so far as the objectives of the proposed action cannot be sufficiently achieved by the Member States, either at central level or at regional and local level, but can rather, by reason of the scale or effects of the proposed action, be better achieved at Union level."

In order to solve the problems presented in this impact assessment there is a necessity for EU-based action and coordination. Although the primary responsibility to respond to disasters lies with Member States, past practice under the Mechanism has shown that there are real possibilities for national civil protection resources to be overwhelmed by the sheer scale of disasters. In such cases, assistance from other Member States is necessary. Thus, action in this field clearly involves managing time-critical situations with a strong trans-/multinational component. Given the difficulties of multilateral cooperation amongst Member States, there is an obvious need for overall coordination and concerted action at EU level.

Moreover, a recent study financed by the Commission ("*Strengthening the EU capacity to respond to disasters: Identification of gaps in the capacity of the Community Civil Protection Mechanism to provide assistance and options to fill the gaps – A scenario-based approach*") demonstrates that there are several scenarios in which massive European assistance would be required (e.g. in case of CBRN attacks in the EU). In such circumstances the current arrangements based on ad hoc national decision-making do not appear to guarantee sufficient European assistance.

Although the goodwill of Member States is essential for achieving the policy objectives sought, i.e. an effective, coherent, and visible EU response to disasters, purely domestic action can not guarantee such an end result. Improving such aspects of the EU Civil Protection Mechanism requires that action be taken at EU level, in compliance with the aims and legislative procedure enshrined in Article 196 TFEU. Such an interpretation is confirmed by the solidarity clause established by Article 222 TFEU which requires the Union to mobilise all instruments at its disposal in order to respond to terrorist attacks and natural or man-made disasters at the request of Member States.

In light of the above, one must conclude that the subsidiarity principle is respected since the policy objectives discussed herein cannot be achieved by Member States acting alone but require the involvement of all Member States via action at EU level.

Compliance with the principle of proportionality will be assessed when analysing the impacts of the various policy options proposed<sup>23</sup>.

#### 4. POLICY OBJECTIVES

The overall objective is to develop and reinforce the EU's capacity to respond to disasters by building on all available tools, capacities and expertise and maximising the synergies and complementarities between them. The options proposed aim to create a more solid and robust system capable of ensuring a better protection of people, the environment and property in the immediate aftermath of emergencies.

The developments stemming from the Treaty of Lisbon are also an important consideration in this context. Article 196 of the Treaty on the functioning of the European Union grants the Union an explicit legal basis in the field of civil protection for, *inter alia*, supporting and complementing Member States' action at national, regional and local level in responding to natural or man-made disasters within the Union. For the first time, a specific article on Humanitarian Aid, Article 214 of the Treaty, recognises humanitarian aid as a self-standing European policy area alongside other policies in the external relations field (development, trade, economic cooperation with third countries). This new articulation provides room and expectations to strengthen the EU's political leadership in humanitarian aid policy at various levels. Improving the effectiveness of the current system is therefore not only desired, especially in light of lessons learnt from recent emergencies such as Haiti, but is also supported by the Treaties.

The solidarity clause enshrined in Article 222 TFEU, which establishes a legal obligation on Member States to assist each other and on the EU to mobilise all assets at its disposal in order to respond to an emergency, further underlines the need to strive towards a reinforced disaster response capacity.

The overall objective will be achieved by pursuing the following specific objectives:

- Improving the effectiveness of EU Disaster Response, including cost-effectiveness
- Strengthening the coherence of EU Disaster Response
- Increasing visibility

Such objectives do not require the creation of any new mechanisms but, rather, presuppose the need to develop and build upon instruments already in place. That being so, additional costs, if any, are likely to be realistic and not disproportionate to those incurred at present.

It should also be noted that the initiative proposed by this paper is of a political nature and will need to be followed by legislative proposals in 2011. If approved, the entry into force of such proposals would be envisaged for January 2014. The implementation of the objectives listed above, including the measurability of their outcomes, will be largely dependent upon such developments.

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<sup>23</sup> See Chapters 6 and 7, below.

#### **4.1. Improving the effectiveness of EU Disaster Response, including cost-effectiveness**

Improved effectiveness requires that the predictability of the system be strengthened in order to increase the rapidity of EU response. The EU should, in particular, aim to reduce decision-making times and guarantee the immediate availability of assistance in the aftermath of a disaster. In this context the development of pre-agreed deployment plans would be useful, especially given their capacity to maximise certain synergies (e.g. in the field of transport and logistics).

Moreover, the EU should aim to improve the efficiency and coordinated mobilisation of Member States' resources in a way that is more cost-effective than what Member States could deliver alone. In this context, the advantages stemming from increased European coordination should serve as a basis for developing a more targeted and less fragmented (i.e. fewer ad hoc offers) EU-wide approach. The pursuit of the latter will be of paramount importance if the EU is to ensure an effective response in the years to come.

Finally, the EU should aim to further enhance the overall cost-effectiveness of EU civil protection cooperation by encouraging complementarities and burden-sharing in the development of response capacities. Whilst each Member State is responsible for ensuring that it is sufficiently equipped to respond to predictable or recurrent risks, it may be possible to secure economic gains by pooling and sharing additional reserve capacities, complementing each Member State's basic response assets. By developing such reserve capacities at EU level and sharing the overall burden between all Member States, economies of scale can be pursued and savings secured.

#### **4.2. Strengthening the coherence of EU Disaster Response**

The EU should aim to guarantee an adequate political and operational coordination in all disaster response operations. In particular, for those occasions<sup>24</sup> where humanitarian, civil protection and military assets are mobilised simultaneously it is essential that these be “joined up” and that the existing synergies and complementarities be maximised. Parallel systems would only reduce the effectiveness of the overall response and undermine its coherence. For major disasters outside the EU in which the UN leads the overall coordination of global assistance, the EU should also plug its assistance into the overall UN-led package.

Furthermore, via strengthened coordination, the EU should also avoid duplication, fragmentation and ineffectiveness in disaster response operations. In this context, consistency and close ties with activities carried out in other disaster management phases (prevention, preparedness, relief, rehabilitation and development) should also be assured.

#### **4.3. Increasing visibility**

Visibility does not represent an end in itself but a means for securing the continued support of EU decision-makers and citizens for European disaster response and humanitarian assistance, and for informing people at the receiving end about the origin of assistance.

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<sup>24</sup> Humanitarian assistance and civil protection assets are not always deployed together (in 2009, out of 17 civil protection interventions in third countries 3 also involved humanitarian assistance). EU military capacity is mobilised only for exceptionally large disasters.

Given that European citizens expect a quick and efficient reaction to major disasters and the fact that visibility has been signaled as one of the shortcomings of the EU response to the Haiti earthquake, it is necessary for the EU to strive to improve the visibility of its response (i.e. for in kind assistance as well as for financial contributions to international disaster response). In this context, a scenario planning approach is also needed for communication issues. EU institutions, Member States and EU actors should develop a joint communications strategy capable of granting visibility to the Member States' and the EU's response, and to communicate European disaster response in the respective constituencies.

## **5. POLICY OPTIONS**

This section outlines the most relevant aspects of the policy options which have been considered for addressing the problems and meeting the objectives identified above. It should be noted that given that the Communication on EU Disaster Response Capacity will be of a political nature and will propose possible ways to develop EU disaster response, the policy options presented herein deal with substantive issues. Concrete options encompassing more technical and legislative elements will be developed and assessed following the adoption of the Communication and prior to presenting legislative proposals.

### **5.1. Option 1: Discontinuing existing policies**

In certain circumstances the best way to guarantee cost-efficiency is to cease activities in a specific sector. Discontinuing existing policies in the field of EU disaster response would imply dismantling the instruments currently in place simultaneously terminating all connected activities. This option would also imply having to rethink the future approach to be adopted in this field.

### **5.2. Option 2: Maintaining the status quo**

Maintaining the status quo implies the continuation of the current EU policies in the field of EU disaster response. The activities and instruments outlined in section 2.2 would continue to exist. Financing would be guaranteed along the lines of the 2007-2013 financial perspectives.

### **5.3. Option 3: Developing an EU Disaster Response Capacity based on a voluntary pool of Member States' standby capacities (human resources and assets)**

One of the options considered in order to overcome the problems detailed in chapter 3 would consist of developing a *voluntary pool of pre-identified Member States' capacities* on standby for deployment in EU operations. Teams and assets would continue to remain under national command and control but with a stronger commitment from Member States to make them ready and available for immediate action in EU civil protection operations upon request from the MIC. The final decision on deployment would remain with the Member States, who may need the resources to respond to domestic emergencies. Moreover, it should be noted that standby capacities would not need to be held on reserve or sit idle in-between EU operations as Member States would have the right to employ them internally.

The deployment of Member States' standby capacities would form the nucleus of the EU civil protection response to disasters inside and outside the EU and would be complemented by additional Member State offers provided in the same way as civil protection assistance is currently organised. Moreover, additional efforts could also be made to ensure dual visibility

(national and European) for civil protection assets deployed through the EU Civil Protection Mechanism, which was a shortcoming of the EU's effort in Haiti.

The size and composition of the pool should be large enough to ensure a credible contingency planning and to optimise the benefits of the overall system. Some examples of possible pool sizes are provided in the EPEC "Study on assessing costs and benefits of various options related to the development of the EU disaster response capacity"<sup>25</sup>. Military relief and transport assets, in particular strategic airlift capability, should be included in the pool of available capacities capable of being channelled via the MIC in accordance with the European Consensus on Humanitarian Aid and international (notably Oslo) guidelines.

The creation a voluntary pool of Member State capacities would need to be bolstered by the development and continued commitment to joint training, exercises and work on lessons learnt. Moreover, there would also be a necessity to develop contingency plans and scenarios in order to make use of the pool's full potential. Reliance on such activities would be essential in order to guarantee the effectiveness and coherence of the system.

Figure 3: The Preparatory Action on an EU Rapid Response Capability

- **Existing EU standby modules**

- In the framework of the Preparatory Action on an EU Rapid Response Capacity, the Commission has co-financed a number of projects to develop standby arrangements for key resources. Through these projects a series of intervention modules (including search and rescue, water purification, medical teams, forest fire fighting, CBRN detection and decontamination, temporary shelter, logistics and base camps) are currently on standby in different Member States for EU civil protection operations. Some of these modules have been used in real-time operations. For instance, in response to the Haiti earthquake, an Italian field hospital, a French water purification unit and a Swedish logistics team/base camp were deployed at the request of the MIC with funding available from the Preparatory Action. More recently, the MIC deployed a multinational flood response module, with personnel from the three Baltic Member States, to help respond to the floods in Poland and the Republic of Moldova. The Preparatory Action is currently in its third and final year. Legislative proposals must be tabled in order to pursue this type of arrangement in the future.

#### 5.4. Option 4: Developing an EU Disaster Response Capacity with EU-level assets

Another possible option to overcome the shortcomings and achieve the objectives mentioned above would be to develop **complementary EU-funded assets** for certain specific needs for which there are identified gaps in EU response and for which action at European level would be considered more cost-effective. Specific consideration should be given to assets performing horizontal tasks, such as assessment (rapid environmental impact assessment modules), logistics and coordination (in particular Technical Assistance and Support Teams (TAST) and telecommunications equipment). This approach could be further developed into an all-encompassing EU coordination centre in the field, also providing services for the UN. Similarly, the development of complementary EU-funded assets could be considered for specialised high value response assets where common resources and burden-sharing arrangements may result in efficiency gains and where national resources typically prove to be insufficient.

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<sup>25</sup> See section 2.2 above.

Although funded by the Union, EU level capacities would be entrusted to the interested Member States on a delegated management basis. Their availability would be guaranteed for EU operations but, when not in use, they would be accessible to managing Member States for national purposes. The number of EU-level capacities could range from small, i.e. aimed at filling the most important gaps, to large, i.e. covering a substantial number of assets in key areas, thus allowing Member States to downscale national capabilities and simultaneously increasing the cost-effectiveness of EU response.

Examples of EU-level capacities already in operation or which have been tested on a provisional basis include EMSA's oil spill recovery vessels<sup>26</sup> or the EUFFTR (see figure 4 below).

Figure 4: The EU Forest Fire-fighting Tactical Reserve

The EU Forest Fire-fighting Tactical Reserve

- The option of developing complementary EU-level assets was tested through a pilot project establishing an EU Forest Fire-Fighting Tactical Reserve (EU FFTR) under the Preparatory Action on an EU Rapid Response Capacity. The EU FFTR consisted of two forest-fighting aircraft (Canadair CL-215 type) that were kept available at EU level to supplement Member States' forest fire-fighting capacities in case these were overwhelmed. The planes were available from 1 July to 30 September 2009, making successful interventions in 4 Member States (6 operations in total – see overview below). The project was implemented by France with the Commission/MIC deciding when and where the planes would be used. Although a detailed evaluation is ongoing, the preliminary appraisal of the project is encouraging. A similar project was implemented this summer through the 2010 call for proposals under the *Preparatory Action on an EU Rapid Response Capability*.



### EU Forest Fires Tactical Reserve – EUFFTR

**Operational activity: 1 July – 30 September 2009**

		<ul style="list-style-type: none"> <li>▶ 2 Canadairs CL-215</li> <li>▶ Payload: 5400 litres of water</li> <li>▶ 150 flying hours / aircraft:</li> <li>▶ Based in Bastia, Corsica</li> <li>▶ Distances: Lisbon (1800km), Athens (1500km), Sofia (1300km)</li> <li>▶ Operating hours/day: 6+2</li> </ul>												
<ul style="list-style-type: none"> <li>▶ Operations 6</li> <li>▶ Flying hours 275</li> <li>▶ Drops 472</li> </ul>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 2px;"><b>1. FR (Corsica)</b></td> <td style="padding: 2px;">08.07.2009 – Rapid intervention</td> </tr> <tr> <td style="padding: 2px;"><b>2. FR (Corsica)</b></td> <td style="padding: 2px;">23.07.2009 – Rapid intervention</td> </tr> <tr> <td style="padding: 2px;"><b>3. IT (Sardinia)</b></td> <td style="padding: 2px;">24 – 26.07.2009 – Rapid intervention</td> </tr> <tr> <td style="padding: 2px;"><b>4. PT (Monte Real Airbase)</b></td> <td style="padding: 2px;">14 – 20.08.2009 Pre-positioning/Detachment</td> </tr> <tr> <td style="padding: 2px;"><b>5. GR (Attiki)</b></td> <td style="padding: 2px;">22 – 25.08.2009 – Detachment</td> </tr> <tr> <td style="padding: 2px;"><b>6. PT (Monte Real Airbase)</b></td> <td style="padding: 2px;">5-12.09.2009 Pre-positioning/Detachment</td> </tr> </table>		<b>1. FR (Corsica)</b>	08.07.2009 – Rapid intervention	<b>2. FR (Corsica)</b>	23.07.2009 – Rapid intervention	<b>3. IT (Sardinia)</b>	24 – 26.07.2009 – Rapid intervention	<b>4. PT (Monte Real Airbase)</b>	14 – 20.08.2009 Pre-positioning/Detachment	<b>5. GR (Attiki)</b>	22 – 25.08.2009 – Detachment	<b>6. PT (Monte Real Airbase)</b>	5-12.09.2009 Pre-positioning/Detachment
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<sup>26</sup> See [https://extranet.emsa.europa.eu/index.php?option=com\\_content&view=article&id=86&Itemid=142](https://extranet.emsa.europa.eu/index.php?option=com_content&view=article&id=86&Itemid=142)

## **5.5. Option 5: The development of an EU Civil Protection Force**

The development of an independent European force with its own capabilities, means, strengths and coordination, coupled with preparedness organisation and a pooling of existing resources would certainly ensure the coherence and effectiveness of the EU's response to disasters. A European force based on such principles would need to be mandated to have access to pre-identified resources of Member States and should also be able to acquire additional resources, regardless of whether any pre-identified gaps in EU response capacity actually exist. The latter would be entrusted to volunteering Member States to be managed on a delegated basis along the lines explained in Option 4.

In order to develop a credible preparedness organisation, the European force would also require the setting up of an operational centre to draft scenarios and protocols and its own Training Institute for Civil Protection and Humanitarian aid to provide training for staff, for national and regional teams making up the European force, and for evaluation experts working for the EU.

## **5.6. Preliminary screening of the options**

### *5.6.1. Option 1: Discontinuing existing policies*

Discontinuing existing policies in the field of EU disaster response would imply dismantling the instruments currently in place. This option does not appear to satisfy the comparison criteria vis-à-vis the objectives sought.

This approach can not be considered effective. Discontinuing existing policies would have dramatic consequences for countries and populations in need, including within the EU, especially given the ever increasing importance of EU disaster response at global level. Fewer lives would be saved, more property would be destroyed and environmental degradation would increase. Moreover, it is evident that it would imply disregarding a huge wealth of experience, knowledge and information acquired over the years.

The huge damage occasioned by Option 1 would not be cost-effective. Although the option implies savings in terms of withholding expenditure at Member States' and EU level (approximately €24 million/annum with regard to the latter), these savings would not be commensurate to the loss of life occasioned nor to the damage inflicted to property or to the environment. Moreover, for obvious reasons the approach envisaged in this option would not contribute to the positive visibility of EU action. Contrariwise, a significant degree of frustration and dissatisfaction amongst stakeholders would likely ensue.

Although rethinking current arrangements may be considered necessary, this should not come at the expense of what has been developed so far. This option should therefore be disregarded.

### *5.6.2. Option 5: The development of an EU Civil Protection Force*

The development of an independent, robust and sizeable European Force would certainly ensure the effectiveness of the EU's response to disasters. In fact, this development would imply that significant amounts of resources would be made available for EU operations. Important benefits in terms of coherence, effectiveness and visibility would result from this approach and represent a tangible and visible expression of EU solidarity both within the Union and worldwide.

Whilst the creation of a European Force would be consistent with the EU's policy of reinforcing EU disaster response capacity, it would also have some major drawbacks. In particular, it would make for a weaker case in terms of subsidiarity and could also be criticised in terms of proportionality.

Moreover, the financial cost of creating an EU civil protection force similar to the one proposed by Michel Barnier<sup>27</sup> appears excessive. This is particularly the case given that assets would need to be created *ex novo* and would not be selected from those already existing at Member State level. The resulting costs would only be partially offset by the savings that Member States would incur by reason of increased reliance on the Force and less investment on their own resources. In addition, this development might substantially disrupt existing Member States' structures with adverse consequences in terms of efficiency.

Overall, from an economic point of view the creation of a European Force does not appear tenable, especially in the current financial context. Furthermore, given that a similar proposal proved particularly controversial in the past, this option also appears politically unsound.

In light of the above, the following chapters will therefore focus on analysing the impacts of, and comparing, Options 2, 3 and 4.

## 6. PROPORTIONATE IMPACT ANALYSIS

The envisaged Communication will propose options for reinforcing EU disaster response capacity, possibly flagging preferred alternatives. Under such circumstances, a full and detailed analysis of impacts appears premature. Throughout this section the aim will therefore be to carry out an impact assessment that is proportionate to the end result sought.

In light of the above, the analysis undertaken herein will focus on the economic impacts of the policy options proposed and will only touch upon the environmental and social impacts stemming therefrom.

It should be noted that all Options will require a strengthening of the Monitoring and Information Centre of the European Commission in terms of coordination and analytical capacity. Such a development will occur regardless of the option pursued as it is envisaged that the ECHO and the MIC crisis rooms will, in the near future, be merged into a genuine response centre, operational on a 24 hours basis and responsible for the coordination of the EU's civilian disaster response. Increased responsibilities of the Centre in terms of planning, transport coordination, scenario development and information collection and sharing are likely to result in a higher workload which may, in turn, require a greater commitment in terms of human resources.

This section will seek to analyse the impacts of Options 3 and 4, as identified in chapter 5, but will not consider Option 2. In fact, given that the latter represents the continuation of existing EU policies and therefore mirrors the baseline scenario outlined in Chapter 3, it should be

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<sup>27</sup> In 2006 Michel Barnier presented a plan detailing twelve ways in which the EU's crisis management response could be improved. At the heart of the proposal was the creation of a European Civil Protection Force with its own, assets, strengths and coordination. Barnier's full report is accessible at the following address: [http://ec.europa.eu/archives/commission\\_2004-2009/president/pdf/rapport\\_barnier\\_en.pdf](http://ec.europa.eu/archives/commission_2004-2009/president/pdf/rapport_barnier_en.pdf).

used as a baseline for comparison rather than be treated as one of the elements that need to be analysed.

In this context, it should also be noted that stakeholder consultations (see chapter 2 above) have demonstrated that Member States generally welcome discussions on the development of a voluntary pool of assets (Option 3). On the contrary, they have expressed a moderate degree of caution with regard to the development of EU-level assets (Option 4).

### **6.1. Economic impacts of Option 3: Developing an EU Disaster Response Capacity based on a voluntary pool of Member States' standby capacities (human resources and assets)**

A shift from the status quo to a voluntary pool model is unlikely to have significant impacts on capital costs. In fact, it is safe to assume that Member States will not be inclined to commit assets to the pool unless they are certain that they can still meet their own civil protection needs. It follows that the voluntary pool would represent only a small part of what already exists. Furthermore, if one considers that the terms regulating the commitment of assets would expressly allow them to be withdrawn in times of domestic need, it is clear that additional equipment costs would not need to be incurred by Member States.

With the frequency and intensity of disasters on the rise, it is likely that Member States will need to invest in increasing their capacities, thus accruing costs. Once fully developed and operational, the pooling arrangement may reduce the need for additional investments in new response capacities at Member State level. Whilst each Member State would remain responsible for ensuring that it is sufficiently equipped to respond to predictable or recurrent risks, it would be possible to secure economic gains by pooling and sharing additional reserve capacities. In fact, the commitment of assets to the voluntary pool would not only guarantee availability for EU operations but would also allow Member States to actively rely on such assets in order to develop contingency plans and complement their basic response assets in times of need. Overall, by keeping such reserve capacities at EU level and sharing the overall burden between Member States, economies of scale could be pursued and savings secured.

It can also be assumed that, as a general rule, Option 3 would not create additional deployment costs. Although the development of a voluntary pool would certainly guarantee availability in the immediate aftermath of a disaster, this should neither affect the cost of moving assets nor of operating them on site. To the contrary, there may even be opportunities, particularly with regards to transport, for assets to be deployed in a more cost efficient manner than would otherwise have been possible. The collective response facilitated by the pool arrangement and the associated pre-planning, would guarantee a more rapid identification of transport options and would enable appropriately located assets to be collected and transported together, reducing journey times and costs. Moreover, allocation of assets amongst aircraft could be made more efficient, maximising the use of airlift capacity and reducing marginal costs. As the scale of the proposed voluntary pool increases the magnitude of benefits that might be expected to result would increase in parallel, largely due to the economies of scale that could be accomplished.

On the contrary, Option 3 may have an impact on total annual operating costs if the annual deployment of Member States' capacities increased by reason of their inclusion in the pool. Such a development may also have important consequences for certain Member States in terms of staffing costs. In fact, in those Member States in which the organisational structure foresees that modules be staffed by people with full time jobs in other occupations, scaling up

their use may result in the break down of the service delivery model (i.e. staff may, for example, be unable to obtain leave for more frequent deployments). In such cases Member States would need to turn to a more permanent staffing of their modules with inevitable additional costs. On a more general level, certain Member States with particular organisational structures may incur costs in making the relevant organisational and legal transition from the status quo.

The negative impacts mentioned above are strongly influenced by the way in which assets are selected from the pool and the size of the pool itself. Demand related impacts on a given Member State could, for example, be mitigated via a rotating selection policy rather than selection by preference. In addition, a larger pool would be likely to result in a lower demand on the capacities “enlisted”.

Impacts could be further alleviated by ensuring EU funding for certain predefined eligible costs. A new model of burden sharing, along the lines of the one tested for the BaltFloodCombat high capacity pumping module, would ensue, shifting a part of the costs from Member States to the Union. Not only would this allow Member States to cover some of the total annual costs deriving from involvement in the voluntary pool but it would also serve as an incentive for smaller Member States to increase their involvement in EU disaster response efforts. The increased EU response capacity deriving therefrom would further relieve pressure on those Member States carrying a heavier disaster response burden, and strengthen the EU's ability to respond to major emergencies outside the EU.

Overall, a voluntary pool of disaster response assets could potentially deliver benefits for individual Member States and the EU as a whole. The benefits envisaged primarily concern the possibility of maximising cost-efficiencies when deploying assets. Research also suggests that a voluntary pool model would not have material impacts on capital costs and, in the long run, this type of arrangement may reduce the need for additional investments in new response capacities at Member State level. Although summary total costs for Member States may rise if the voluntary pool requires an increase in the level of personnel readiness and/or a greater frequency of deployment of assets, such demand related impacts could be partially offset by pool design and through EU co-financing.

## **6.2. Economic impacts of Option 4: Developing an EU Disaster Response Capacity with EU-level assets**

This option will result in an increase in overall EU Disaster Response Capacity. EU level assets will enable Member States to have access to capacities that may previously have been either unavailable or unaffordable at national level.

The most important economic impact of this Option would be the avoidance of capital costs by Member States. The procurement of complementary EU funded assets and airlift capacity would in fact guarantee that Member States could call upon substantial collective capacities previously lacking at national level, without incurring additional investment costs. This guaranteed availability would be a major benefit going well beyond the ones which could ensue from the implementation of a voluntary pool of assets. In particular, one global investment at EU level to purchase complementary assets, which could then be shared and used by all Member States, is likely to involve a substantially lower investment for the EU as a whole than if each Member State acquired such capacities individually. Similarly, with regard to assets for which an increase in capacity is envisaged, this Option would provide vast benefits in terms of cost-effectiveness and efficiency, reducing the need for Member States to

invest domestically.

Another major economic benefit of Option 4 is the potential for more cost-effective solutions. EU level assets which can be called upon by all Member States would considerably increase the cost-effectiveness of disaster response operations by reducing mobilisation costs (compared to the commercial leasing of such capacities) and enhancing rapidity and efficiency of response. Significant efficiency gains could also arise from joined-up transportation and logistics as well as other economies of scale.

Besides the above, the purchasing of additional EU assets to be operated by member States would also increase efficacy of deployment and cost-effectiveness at operational level much in the same way as outlined for Option 3. In addition, all standby/deployment costs of the complementary funded assets would be covered by the EU, thus guaranteeing the abovementioned "new model of burden-sharing" and allowing all costs to be shifted to the Union<sup>28</sup>.

Insofar as costs are concerned, the development of EU-level capacities will require some form of tendering and management. However, it is estimated that such administrative costs would not be excessive and would be met by strengthening the capacities of the MIC, i.e. a development on which there is quasi-stakeholder unanimity and which, in any case, is likely to result from the normal evolution of the baseline scenario.

### **6.3. Social Impacts**

The proposals considered in this report (Option 3 and 4) will not trigger social impacts in the traditional sense of the word but will, on a more general level, have important societal impacts.

The possibility of reacting promptly and incisively via a pool of Member States or EU-level assets would undoubtedly reduce the number of casualties, alleviate suffering and minimise harm to individuals and communities as a whole. The positive impacts for societies affected by disasters would thus be undeniable.

Moreover, a more coherent and effective response would certainly increase people's belief in the EU's capacity to respond to disasters. The consequences of this would be twofold. Firstly, populations affected by disasters would be more willing to collaborate with the EU, potentially influencing the possibility of further cooperation with third countries. Secondly, increased belief in EU disaster response would help to win the support of EU citizens/polity which could, in turn, increase the willingness of national administrations to provide further assets for the voluntary pool or support EU-level assets. Public awareness and knowledge of the EU's disaster response capacity would also mean that EU citizens would be more inclined to support national policies with a strong European disaster response component.

Furthermore, the development of EU assets (Option 4) which would be entrusted to Member States on a delegated management basis would be the maximum expression of EU solidarity in accordance with Article 222 TFEU and the desires and expectations of EU citizens (as per

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<sup>28</sup>

The cost of developing various EU funded assets (in particular a high capacity module, an emergency shelter module, a field hospital module, and TAST) are estimated in the contractors study "Assessing costs and benefits of various options related to the development of the EU Disaster Response Capacity". See section 2.2, above.

the Eurobarometer<sup>29</sup>).

#### **6.4. Environmental Impacts**

Both the voluntary pool of standby assets (Option 3) and EU-level assets (Option 4) would allow the EU to guarantee the availability of assistance in the immediate aftermath of any emergency. The increased coherence and effectiveness deriving from such developments would allow the EU to react more rapidly to emergencies, thus significantly reducing the negative impacts of disasters on the environment (e.g. an immediate and effective response to a forest fire incident can substantially reduce environmental damage).

### **7. COMPARING OPTIONS**

Given that in comparing the options there is a need to present arguments that combine qualitative, quantitative and monetary data and, considering that there are various degrees of certainty, the comparison of options is carried out via a multi-criteria analysis.

The following criteria are used to compare the options:

Effectiveness of the option in relation to the objectives<sup>30</sup>;

Cost-effectiveness<sup>31</sup> of the option;

Coherence<sup>32</sup> of the option with regard to overarching EU objectives, strategies and priorities.

These criteria largely correspond to the policy objectives identified in chapter 4, namely the effectiveness, coherence and visibility of the EU's disaster response. Visibility<sup>33</sup> is dealt with separately as it is considered a horizontal aspect that will require consideration in each of the options.

Options are compared against the baseline scenario (status quo – Option 2). Charts and graphs are used to sum up and graphically represent conclusions.

#### **7.1. Option 2: Maintaining the status quo**

The status quo (with or without incremental changes) corresponds to the baseline scenario (see chapter 3.4) and is in line with the overarching objectives of EU policy. Nevertheless, it should not be amongst the preferred options as it does not provide significant improvements in terms of effectiveness, coherence and visibility, i.e. the specific objectives the Commission aims to achieve via the upcoming Communication.

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<sup>29</sup> See *supra*, footnote 1

<sup>30</sup> Effectiveness entails the evaluation of the rapidity of response and the availability of sufficient capacity in case of need.

<sup>31</sup> The objectives should result in tangible benefits produced by money spent; i.e. cost effectiveness means ensuring the most profit in exchange for the amount of money that is spent.

<sup>32</sup> Coherence is achieved when options are logically ordered/integrated, when they are consistent (clear and intelligible), and well coordinated.

<sup>33</sup> Visibility is the capacity to render something noticeable. Increased visibility in EU disaster response implies that EU action should obtain a greater degree of general attention/prominence.

## **7.2. Option 3: Developing an EU Disaster Response Capacity based on a voluntary pool of Member States' standby capacities (human resources and assets)**

The development of a voluntary pool of pre-identified Member States' capacities on standby for immediate deployment in EU operations would represent a major step in reinforcing the EU's disaster response.

In terms of effectiveness it would almost fully achieve the specific objectives detailed above. A small proviso in this regard is related to the fact that according to the envisaged design Member States would voluntarily commit assets to the pool and could refuse their deployment whenever needed for national purposes or other important reasons. Whilst this would inevitably limit the advantages deriving from contingency planning, it is fair to assume that Member States will generally be inclined to pool capacities and will rarely refuse to deploy. The impact on the availability of assets in case of an emergency and on the rapidity of response to disasters would thus appear to be insignificant.

The approach proposed in Option 3 would also appear to be the most cost-effective as it relies on Member States' assets and makes use of what already exists. Moreover, should assets need to be created, this would fall within the competences of Member States who would therefore be able to make use of their extensive knowledge and expertise in the field. The overall cost-effectiveness of the option being evaluated could be further increased by defining an optimal size and composition of the pool, taking into account the different types of capacities available at national level. Moreover, the flexibility of the system would be ensured by supplementing the assets in the voluntary pool with *ad hoc* offers from Member States provided in the same way as civil protection assistance is currently organised.

Since most civil protection capabilities are already on standby for national purposes, Option 3 would not generate significant extra costs at Member States' level as pre-commitment would not result in a need to create backup capacities. Similarly, it would not require significantly more resources at EU level for reinforcing the MIC than those which would be necessary to implement the baseline scenario (which already foresees reinforcing the MIC's analytical and coordination capacity). Ensuring the dual visibility (national and European) of civil protection assets deployed via the pool or the EU Civil Protection Mechanism would also be readily achievable with minor expense.

Finally, the option would be compatible with the EU's policy and the Commission's priority to strengthen EU disaster management. On the one hand, it would be fully consistent and respect the responsibilities of Member States for the prevention, preparedness and response to disasters, on the other hand, it would be in line with the principle of EU solidarity when disasters strike. By focusing on Member States' assets it would also ensure full compliance with the principle of subsidiarity and be proportional to the ends sought.

Option 3 appears to be the most appropriate for achieving the objectives identified. Although it should generally be preferred to the other options discussed, there may be some cases in which the use of EU-level assets would be more justified in terms of economic impacts (see sections 7.3 and 7.4 below).

## **7.3. Option 4: Developing an EU Disaster Response Capacity with EU-level assets**

Developing complementary EU-funded assets for certain specific needs has a number of advantages in terms of effectiveness and coherence. Effectiveness would be even greater than

for the voluntary pool option as the use of assets would be prioritised for EU operations at all times, thus ensuring full availability. This option would also provide opportunities to increase EU visibility which would be comparable to those offered by the voluntary pool option.

In terms of cost-effectiveness, there is a need to distinguish three groups of EU-level assets:

- i) those performing horizontal tasks, such as assessment (rapid environmental impact assessment modules), logistics and coordination (in particular TAST and telecommunications equipment);
- ii) complementary high-value assets in areas where national resources typically prove to be insufficient;
- iii) other assets.

The first category of assets is envisaged to be more cost-effective if assets are developed at EU level rather than in Member States, due to burden-sharing and economies of scale. For example, it would be advisable to contract EU-level TAST to serve EU teams on site (and possibly provide services to the UN and other partners present on the ground), rather than rely on individual Member States' contributions.

A Similar rationale applies to high-value assets in areas where national resources typically prove to be insufficient. Here the key is to develop capacity and burden-sharing arrangements, as assets such as aerial forest fire fighting capacities are expensive to buy or rent. The burden-sharing arrangements would be expected to significantly reduce the burden on each individual Member State. One example of a functioning scheme allowing the effective sharing of complementary aerial forest fire-fighting capacities, is the EU Forest Fire-Fighting Tactical Reserve (EUFFTR) pilot project implemented during the summer of 2009 (see Figure 4 above).<sup>34</sup>

Similar gains are not immediately visible with regard to the last category of EU-level assets (neither performing horizontal tasks nor high-value assets in areas where national resources typically prove to be insufficient), and should be assessed on a case by case (asset type by asset type) basis. It could well be that Member States are better equipped to provide such assets (e.g. high capacity pumping, field hospitals or search and rescue).

The creation of EU-level capacities can imply significant shifts in costs between the EU and the Member States. EU-level assets would require substantial investments at Union level but would create savings at the national one. In most cases it can be expected that the savings would outweigh the costs due to the economies of scale and possible synergies, resulting in net gains for the EU. Moreover, positive impacts could be maximised and negative impacts limited by defining an optimal size and composition of EU-level assets.

Figure 5 - Summary: Comparison of options against the baseline scenario

	Effectiveness	Cost-effectiveness	Coherence
Option 2 (status quo)	0	0	0

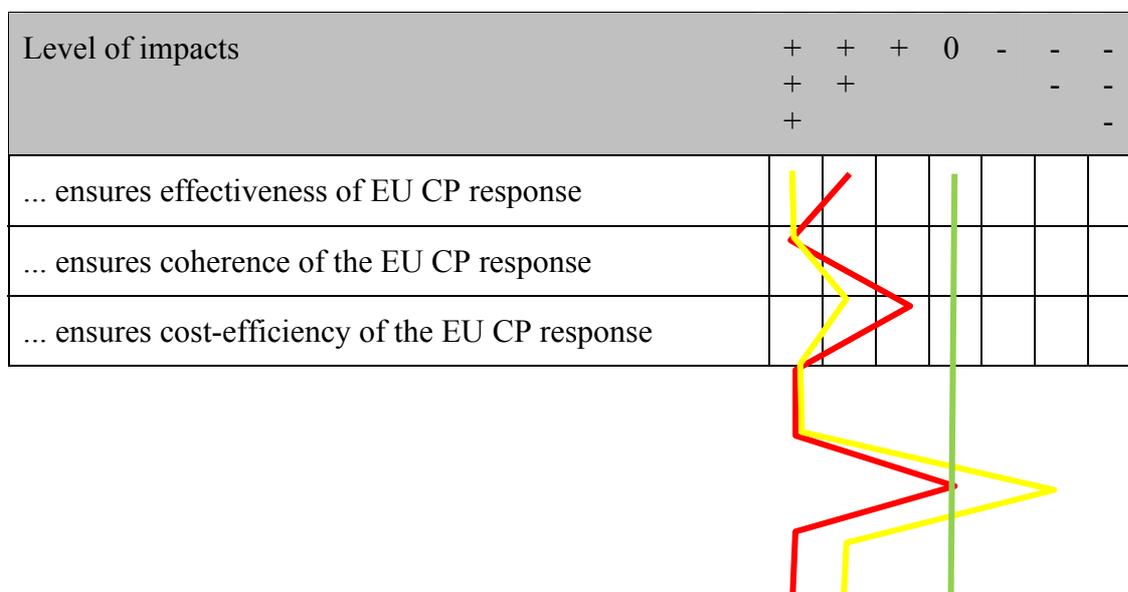
<sup>34</sup> Also see [http://ec.europa.eu/echo/civil\\_protection/civil/prote/pilot\\_project08\\_en.htm](http://ec.europa.eu/echo/civil_protection/civil/prote/pilot_project08_en.htm).

Option 3 (voluntary pool)	Almost entirely achieves the specific objective. The fact that member States will be able to choose whether to make assets available for the pool, coupled with their right not to provide committed assets when needed internally, may limit availability at EU level.	The most efficient, as it relies on already existing MS' assets. Cost-effectiveness could be further maximised by optimising the size and composition of the pool.	Fully compatible with overarching objectives and would strengthen the EU in this regard. Ensures maximum respect for subsidiarity and proportionality
Option 4 (EU-level assets)	Fully compatible with the effectiveness objective due to the prioritisation of assets for EU operations.	Potentially efficient for some assets (horizontal tasks and high-cost capacities insufficient at national level). Would require investment from the EU (which could be offset by savings at MS level).	Fully coherent with overarching objectives. Whilst conformity with subsidiarity/ proportionality would be fully ensured, Option 3 appears to be more appropriate in this respect.

#### 7.4. Conclusion: a hybrid proposal ?

Compared to the baseline, both Options 3 and 4 have clear advantages, outweighing the disadvantages of the status quo with regard to all criteria, as summarised in figure 5 above. These Options should therefore be preferred to the baseline scenario. In particular, the comparison highlights the advantages of Option 3 with regard to its compatibility with the principles of subsidiarity and proportionality and the advantages of Option 4 in terms of effectiveness and (potentially) cost-effectiveness (especially with regard to EU-level assets performing horizontal tasks and specific high-value assets). A graphic reflection of comparative strengths and weaknesses is represented in figure 6 (below).

Figure 6 - Comparative Benefits/Costs of Different Policy Options (indicative)



... ensures the visibility of the EU CP response							
... does not imply significant costs at the MS level							
... does not imply significant costs at the EU level							
... adheres to the principles of subsidiarity/proportionality							

Option no:\*

3 4 2

In light of the above conclusions, it may be useful to balance the advantages and disadvantages of the various options with the aim of designing a system that maximises effectiveness and coherence, simultaneously ensuring minimal negative impacts and costs. In merging the options preference should be given to Option 3 insofar as it demonstrates a greater degree of compatibility with the principles of subsidiarity and proportionality. However, the aspects of Option 4 which ensure significant economic gains for the EU should also be taken into account.

The relative strengths of the options considered point towards a hybrid system comprising the following elements:

***A voluntary pool of Member States' assets committed to EU operations.*** This should form the core of the system. The size and composition of the pool will be determined at a later stage;

***Complementary ad hoc offers of Member States*** along the lines of the current EU Civil Protection Mechanism;

***Supplementary EU-level assets*** where cost-efficiency outweighs the political disadvantage of not relying on Member States' assets. This is most likely with regard to assets performing horizontal tasks (e.g. TAST) and specialised high-value assets that are lacking in the Member States. Although a study which may provide some feedback on this issue has already been launched, further economic analysis of the costs and benefits of developing each capacity will need to be undertaken.

This system would be further reinforced by continued support to the humanitarian organisations that develop and manage the prepositioning of relief items for international humanitarian operations, and backed by ***military assets*** in specific cases.

## 8. MONITORING AND EVALUATION

At this early stage of policy development, impacts of possible policy options are merely being assessed and compared with no final decision as to which options will be selected. Monitoring and evaluation does not currently appear necessary. It should be noted, however, that when options will be selected for inclusion into concrete legislative proposals, the Commission will ensure that appropriate monitoring and evaluation arrangements, including reporting, shall be put in place.

## Annex I : Stakeholder Consultation Meeting Report

### **Report from stakeholder consultation meeting: Impact Assessment for the Commission Communication on Reinforcing the European Union's Disaster Response Capacity**

**Brussels, 22 July 2010**

The meeting brought together 130 representatives from a wide range of actors involved in the response to major disasters. Participants included humanitarian aid, civil protection and military staff from the EU Member States, international organisations, EU institutions, NGOs, research and industry.

In line with the stakeholder consultation document sent out prior to the meeting, discussion focused on whether EU disaster response can be made more effective, coherent and visible.

**Summary:** It was generally acknowledged that although there is room for further improving the systems for EU civil protection and EU humanitarian assistance, these systems are delivering expected results and functioning in line with their current mandates. The future reinforcement of the EU's disaster response capacity should build on existing tools and instruments available at European and international level, and avoid creating duplications. The UN's overall role in coordinating international relief outside the EU should continue to be fully supported. The principles of a needs-based approach, coupled with the effectiveness and coherence of the EU's response, are central to future developments. Different actors and instruments involved in disaster response should be brought together when strengthening the EU's disaster response capacity, simultaneously ensuring that their roles and mandates are clearly defined. In the area of humanitarian assistance, the *European Consensus on Humanitarian Aid* is considered the framework for any future initiatives. EU civil protection cooperation should continue to be based primarily on Member States' resources, while there is a clear scope for improvement in terms of predictability and better planning of assistance. Cost-effectiveness should remain a central concern in the further development of EU Disaster Response.

Many stakeholders supported the objective of continued reinforcement of the EU's disaster response capacity through a comprehensive and all-hazard approach. **Contingency planning, scenarios, training, exercises** and work on **lessons learnt** were generally considered to increase the effectiveness of the response, while the need to remain flexible was noted. Future reference scenarios should remain relatively general and distinguish between disasters inside the EU and in third countries. Within the EU, preparedness for disasters should be based on risk assessments and mapping, once they become available.

The importance of building on the **civil protection module system** was repeatedly stressed, as was the importance of the interaction between civil protection and humanitarian assistance. Stakeholders strongly supported the further reinforcement of analytical planning and coordination capacity of the MIC.

Future **training initiatives in the area of EU disaster response** could build on the EU civil protection training programme and other training programmes (incl. at international level), and should avoid the creation of new structures. Possibilities for broadening the scope of the EU Civil Protection Mechanism training programme and opening it to humanitarian aid professionals (for participation or for lecturing), the EU and Member States' diplomats, international partners, as well as military and other personnel involved in the response to

disasters was welcomed. More efforts should be made to attain gender balance in the training programmes.

While the Communication will focus on disaster response, it was clarified that **prevention/preparedness and DRR** are equally important and that work in these fields will be pursued in parallel.

The **overall coordinating role of the UN outside the EU** was repeatedly underlined. It was considered important to ensure that EU assistance be needs driven and fitting into the cluster system, that the role of the host country as well as the Humanitarian Coordinator (where applicable) be respected. Some stressed that humanitarian actors should lead work on **common needs assessments**. The European Consensus on Humanitarian Aid should be appropriately referred to as it clarifies the complementary role of civil protection in humanitarian aid response, and the EU's support for the humanitarian principles.

A few stakeholders also called for the Communication to recognise the importance of **consular cooperation**, including medical evacuation of citizens from disaster areas.

The importance of International disaster response laws, rules and principles (**IDRL**) was noted. References were also made to the usefulness of closer cooperation with NATO, both in relation to its civilian capabilities and its potential role in identifying military assets in disaster response. The cooperation between MIC and EADRCC was considered to be of key importance by some stakeholders.

Discussion on further developing the EU's disaster response in the field of civil protection was welcomed by stakeholders, who expressed a full spectrum of views on the issue. Several Member States expressed their openness to the idea of a **voluntary pool of key Member States' assets** on standby for immediate deployment in EU operations, while a number of conditions were mentioned. In line with the principle of subsidiarity, such arrangements should be genuinely voluntary and based on the existing Member States' capacities. Some participants noted that circumstances in which the Member States could refuse deploying assets committed to the pool should remain relatively broad. A possible need for EU co-funding for Member States' assets committed to the pool was raised.

The majority of Member States that took the floor did not support the option of developing **complementary EU-level assets**. However, some spoke in favour of arrangements such as those tested through a pilot project on the EU Forest Fire-fighting Tactical Reserve, and especially those focusing on horizontal and specialised support tasks (technical assistance and support, IT etc.). There was a common understanding that cost considerations of any proposed arrangements should be carefully considered. The flexibility of the system and minimal investments should be key considerations in developing future arrangements.

The need for common quality criteria for the resources deployed was raised. The use of international standards, such as the Sphere standards, also in the area of civil protection was noted. Accountability towards beneficiaries should remain pivotal.

Stakeholders were opposed to the development of an EU system for **prepositioning of relief items**. EU support to prepositioning of humanitarian partner organisations such as WFP and IFRC was supported. It was recalled that the WFP Humanitarian Response Depots are open to Member States and to humanitarian organisations. Stakeholders stressed that the EU should retain its role as a donor in the area of humanitarian aid and not take over functions carried out by humanitarian organisations.

Given that an important share of funding for humanitarian assistance is spent **on transport and logistics**, the need for an efficient management of arrangements in such fields was highlighted. The Haiti earthquake was said to have initially involved too many players and supply-chains.

The Commission's **co-funding for the transport of Member States' assistance** was broadly supported but it was suggested that administrative procedures should be simplified and co-financing rates could be increased. Most of the Member States argued that co-financing rates should not be linked to the level of pre-commitment of assets to the voluntary pool. The possibility of distinguishing between situations inside and outside the EU was noted.

The **Technical Assistance and Support Teams (TAST)** were considered very useful for facilitating logistics arrangements during disasters. Their mandates could be deepened and broadened, and they could also be used to provide services to the UN.

Stakeholders called for more concerted efforts in the field of transport during major emergencies in order not to drive up the prices, possibly making better use of the Commission's framework contract with a transport broker.

Stakeholders agreed that **military capacity** can play an important role in supplementing civil protection and humanitarian assistance in disaster relief, and that it is important to explore how the use of military assets in disaster response can be made more effective and predictable. Military assets and capabilities are used as a last resort and under civilian command in international disaster response, as foreseen by the Oslo Guidelines and the European Consensus on Humanitarian Aid. However, it was recalled that military assets and capabilities sometimes play a more important role in national disaster response schemes.

It was suggested that efforts should be made to define the niche-specific capabilities and gaps where military capacity could provide added value. The use of military capacities should be avoided in direct assistance and in sectors such as water and sanitation, field hospitals etc. where humanitarian organisations already have specific expertise and capabilities which are largely sufficient to cover the needs.

The use of military assets and capabilities as part of EU disaster response should build on existing frameworks, such as the 2006 EU arrangements on military support to EU disaster response<sup>35</sup>. The division of labour between the Commission and the future EEAS Council secretariat in coordinating EU military assets and capabilities in disasters should be clarified for the benefit of external stakeholders. A scenario for using EU Battlegroups in disaster relief is currently being considered.

Most speakers did not see the need for the establishment of an independent EU **pool of civil-military liaison officers** separate from that developed by OCHA, nor for standby military resources for disaster relief. References were also made to the usefulness of closer cooperation with NATO, both in relations to its civilian capabilities and its potential role in identifying military assets in disaster response. The cooperation between MIC and EADRCC within the agreed framework was considered to be of key importance by some stakeholders.

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General Framework for the use of Member States military and military chartered transportation assets and ESDP coordination tools in support of EU disaster response, doc. 8976/06 and Military support to EU disaster response — Identification and coordination of available assets and capabilities, doc. 9462/3/06 REV 3 and doc. 14540/06 + COR 1

Stakeholders agreed on the scope for improving **EU coordination in the aftermath of disasters**, both on an operational and a strategic/political level. In the area of humanitarian assistance it was agreed that information sharing regarding funding intentions, analyses, needs assessments etc. can be improved. As civil protection and humanitarian assistance are brought together in the Commission, stakeholders agreed that there are new opportunities for stronger EU coordination in the aftermath of disasters. Appropriate coordination arrangements with the CCA arrangements, relevant Commissioners, the future EEAS, the High Representative/Vice President etc. were noted as crucial. Coordination, consultation and cooperation with international organisations should be referred to in the Communication.

Regarding the option of a **web-based tool for interactive and secure information exchange on EU humanitarian assistance**, stakeholders stressed the need to build on the existing 14 points system and the tools in place in the area of civil protection (CECIS and the MIC Portal). Real-time coordination prior to decisions on humanitarian funding was thought to favour equitable distribution of EU funds. Existing Commission information tools should be rationalised.

Coordination was also considered important in the area of **EU advocacy** where greater use of coherent and joint action could be made. In the area of disaster preparedness in developing countries, ISDR and the Hyogo framework for action provide the basic framework for action.

Stakeholders strongly supported increased work on **lessons learnt** and **evaluations**. It was suggested that future evaluations and EU lessons learnt exercises, such as the one taking place in the aftermath of the Haiti earthquake, should involve NGOs and other stakeholders.

Several stakeholders requested further consultation opportunities. It was clarified that following the adoption of the Communication, currently foreseen for November 2010, there will be extensive consultations and political debates in the relevant fora. Legislative proposals will follow in 2011.