

Commission Decision of 29 December 2003 laying down rules for the implementation of Council Decision 2001/792/EC, Euratom establishing a Community mechanism to facilitate reinforced cooperation in civil protection assistance interventions (notified under document number C(2003) 5185) (Text with EEA relevance) (2004/277/EC, Euratom)

## CHAPTER I

### GENERAL PROVISIONS

#### *Article 1*

This Decision establishes rules implementing Decision 2001/792/EC, Euratom, as regards the following:

1. information on the relevant resources available for civil protection assistance intervention;
2. the establishment of a monitoring and information centre;
3. the establishment of a common emergency communication and information system, hereinafter referred to as ‘CECIS’;
4. the assessment and/or coordination teams, including criteria for the selection of experts;
5. establishment of a training programme;
6. interventions inside and outside the Community.

#### *Article 2*

For the purpose of this Decision the following definitions shall apply:

- (a) ‘participating States’ means the Member States, the candidate countries having signed a memorandum of understanding with the Commission, and Norway, Iceland and Liechtenstein;
- (b) ‘third countries’ means countries not participating in the mechanism<sup>[F1];</sup>
- (c) <sup>[F2]</sup>‘intervention teams’ means the human and material resources including civil protection modules (as referred to in Articles 3a, 3b and 3c) set-up by the Member States for civil protection interventions;
- (d) ‘technical assistance support teams’ means the human and material resources set-up by the Member States to fulfil support tasks.]

#### **Textual Amendments**

- F1** Substituted by [Commission Decision of 20 December 2007 amending Decision 2004/277/EC, Euratom as regards rules for the implementation of Council Decision 2007/779/EC, Euratom establishing a Community civil protection mechanism \(notified under document number C\(2007\) 6464\) \(Text with EEA relevance\) \(2008/73/EC, Euratom\).](#)

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## CHAPTER II

### RESOURCES AVAILABLE

#### *Article 3*

1 The participating States shall provide the Commission with the following information on the resources available for civil protection assistance interventions:

- a the intervention teams identified in accordance with Article 3(a) of Decision 2001/792/EC, Euratom, and in particular
  - (i) the size of the teams and the mobilisation time foreseen,
  - (ii) their availability for interventions within the participating States and in third countries,
  - (iii) their availability for short, medium or long-term missions,
  - (iv) their means of transportation, and their degree of self-sufficiency,
  - (v) any other relevant information;
- b the experts selected in accordance with Article 3(b) of Decision 2001/792/EC/Euratom.

2 The information referred to in paragraph 1 shall be regularly updated.

3 The Monitoring and Information Centre, established in accordance with Article 4, shall compile the information referred to in paragraph 1 of this Article and make it available through the CECIS set up in accordance with Article 7.

4 The information referred to in paragraph 1 is based on a mission scenario approach for inside the participating States and outside these States.

#### *[<sup>F2</sup>Article 3a*

1 Subject to the development of additional modules, civil protection modules shall be in accordance with the general requirements listed in Annex II.

2 Technical assistance support teams shall be in accordance with the general requirements listed in Annex III.

3 Civil protection modules as well as technical assistance support teams may be composed of resources provided by one or more Member States.

4 Where a civil protection module or a technical assistance support team are composed of more than one component, the deployment of that civil protection module or technical assistance support team in an intervention may be limited to the components necessary for that intervention.

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#### Article 3b

1 The following elements of self-sufficiency shall apply to the individual civil protection modules as specified in Annex II:

- a appropriate shelter for the prevailing weather;
- b power generation and lighting covering the consumption of the base of operation and of the equipment required to fulfil the mission;
- c sanitation and hygiene facilities destined for the personnel of the module;
- d availability of food and water for the personnel of the module;
- e medical or paramedical staff, facilities and supplies for the personnel of the module;
- f equipment storage and maintenance of the equipment of the module;
- g equipment for the communication with the relevant partners, notably those in charge of the coordination on site;
- h local transportation;
- i logistics, equipment and staff enabling the setting-up of a base of operations and the beginning of the mission without delay upon arrival on site.

2 Compliance with the self-sufficiency requirements shall be guaranteed by the offering Member State by any of the following:

- a including in the civil protection module the necessary staff, equipments and consumables;
- b making the necessary arrangements on the site of operations;
- c making the necessary prearrangements to combine a non self-sufficient intervention team with a technical assistance support team in order to comply with the requirements referred to in Article 3c prior to the provision of information on the civil protection module concerned in accordance with Article 3(1).

3 The period for which self-sufficiency must be guaranteed at the onset of the mission may not be shorter than either of the following:

- a 96 hours;
- b the periods laid down in Annex II for specific civil protection modules.

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#### Article 3c

The Member States shall take the necessary measures to ensure that the following requirements are met:

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- (a) civil protection modules have the capability to operate with other civil protection modules;
- (b) technical assistance support teams have the capability to operate with other technical assistance support teams and with civil protection modules;
- (c) components of a civil protection module have the capability to operate together as one civil protection module;
- (d) components of a technical assistance support team have the capability to operate together as one technical assistance support team;
- (e) civil protection modules and technical assistance support teams, when deployed outside the EU, are able to operate with international disaster response capabilities supporting the affected state;
- (f) team leaders, deputy team leaders and liaison officers of civil protection modules and technical assistance support teams participate in appropriate training courses and exercises organised by the Commission in accordance with Article 5(5) of Decision 2007/NNN/EC, Euratom.]

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## CHAPTER III

### MONITORING AND INFORMATION CENTRE

#### *Article 4*

A monitoring and information centre accessible and able to react immediately 24 hours a day is hereby established and is located in the premises of the Commission.

#### *Article 5*

The day-to-day duties of the Monitoring and Information Centre shall include, in particular,

1. regularly updating the information provided by the participating States on the intervention team and experts identified and selected in accordance with Article 3(a) and (b) of Decision 2001/792/EC, Euratom, as well as other intervention support and medical resources that might be available for interventions;
2. pooling the information provided on the capability of the participating States to maintain a production of serums and vaccines or other necessary medical resources and on the stocks which might be available for intervention in the event of a major emergency and compile this information in the information system secured at the appropriate level;
3. regularly updating its working and emergency procedures;

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4. contacting the contact points of the participating States with the aim of preparing, if necessary, a report on major emergencies;
5. participating in the 'lessons learned' programme and disseminating its results;
6. involvement in the preparation, organisation, and follow-up of the training courses;
7. involvement in the preparation, organisation, and follow-up of the field and tabletop exercises.

#### *Article 6*

In the event of a major emergency, the Monitoring and Information Centre shall operate according to the provisions set out in Chapter VII.

### CHAPTER IV

#### **COMMON EMERGENCY COMMUNICATION AND INFORMATION SYSTEM**

#### *Article 7*

A common emergency communication and information system (CECIS) is hereby established.

#### *Article 8*

The CECIS shall consist of the following three components:

- (a) a network layer, consisting of the physical network connecting the competent authorities and the contact points in the participating States and the Monitoring and Information Centre;
- (b) an application layer, consisting of the databases and other information systems necessary for the functioning of the civil protection assistance interventions and in particular those needed:
  - (i) for communicating notifications,
  - (ii) for ensuring communication and information sharing between the Monitoring and Information Centre and competent authorities and the contact points,
  - (iii) for compiling information on serums and vaccines or other medical resources and on stocks,
  - (iv) for disseminating lessons learnt from interventions;
- (c) a security layer, consisting of the set of systems, rules and procedures necessary for ensuring the confidentiality of the data stored in and exchanged via the CECIS.

#### *Article 9*

1 The CECIS shall be set up and operate in accordance with Decision No 1719/1999/EC and Decision No 1720/1999/EC.

2 The network layer shall be operated using the trans-European services for telematics between administrations (TESTA), an IDA generic service as set out in Article 4 of Decision No 1720/1999/EC.

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3 The application layer shall be a web-enabled multilingual database, accessible over TESTA and linked with the use of a normal SMTP e-mail application.

4 The security layer shall be based on the use of the public key infrastructure for closed user groups (IDA PKI-CUG), an IDA generic service as set out in Article 4 of Decision No 1720/1999/EC.

#### *Article 10*

The handling of documents, databases, and information systems classified up to 'EU RESTRICTED' within the CECIS shall conform to the provisions set out in Council Decision 2001/264/EC<sup>(1)</sup> and in Commission Decision 2001/844/EC, ECSC, Euratom<sup>(2)</sup>.

Documents and information classified as 'EU CONFIDENTIAL' or higher, shall be transmitted pursuant to special arrangements between the originator and the recipient(s).

The security classification of the CECIS shall be upgraded as appropriate.

#### *Article 11*

1 The participating States shall submit to the Commission the appropriate information using the 'Country card template' set out in the [F<sup>1</sup>Annex I].

2 The participating States shall provide information on contact points in the context of civil protection and, where appropriate, of other services handling natural, technological, radiological or environmental accidents, including accidental marine pollution.

3 The participating States shall notify the Commission of any changes to the information referred to in paragraphs 1 and 2 immediately.

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#### *Article 12*

A user group consisting of representatives nominated by the participating States shall be established. It shall assist the Commission in the validation and testing of the CECIS.

#### *Article 13*

1 A global implementation plan (GIP) for the implementation of the CECIS is hereby established. According to the GIP the Commission shall:

- a establish specific agreements in the context of the respective IDA framework contracts for the implementation of the network and security layers;
- b on the basis of an open call for tenders, establish agreements for the development and validation of the application layer as well as for the feasibility studies;
- c ensure that all persons involved in the development and validation phases as well as the subsequent feasibility studies are appropriately cleared to handle information classified at least 'EU CONFIDENTIAL' according to Decision 2001/264/EC and Commission Decision 2001/844/EC, ECSC, Euratom;
- d ensure the management of the project in view of the final installation of the CECIS. In this respect, the Commission shall provide and update a general plan and

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- shall coordinate the development, validation, and implementation phases with the participating States, and the selected contractor(s). The Commission shall also take into account the needs and requirements of the participating States;
- e follow up, validate and test the separate layers and the completed CECIS with the help of the user group;
  - f ensure the training of trainers and that the participating States are regularly informed of the advancement of the project;
  - g ensure security of the project mainly by not permitting unauthorised dissemination of sensitive information;
  - h ensure, via the Commission's Data Centre, that the server is appropriately connected to TESTA and is available on at least the same service level as the rest of the network;
  - i ensure the implementation of the PKI through the Telecommunications Centre;
  - j provide all the necessary support for the implementation phase of the project and ensure necessary maintenance and support thereafter.
- 2 The participating States shall ensure the fulfilment of the engagements undertaken in the context of the country card template, such as connection to the TESTA II network, availability of conformant web browsers and e-mail clients and implementation of PKI procedures, in line with the approved planning.

## CHAPTER V

### ASSESSMENT AND/OR COORDINATION TEAMS, INCLUDING CRITERIA FOR THE SELECTION OF EXPERTS

#### *Article 14*

The participating States shall provide and regularly update their information on the experts selected in accordance with Article 3(b) of Decision 2001/792/EC, Euratom.

#### *Article 15*

The experts shall be classified in the following categories:

- (a) technical experts;
- (b) assessment experts;
- (c) coordination team members;
- (d) coordination head.

#### *Article 16*

1 The technical experts shall be able to provide advice on specific, highly technical topics and on risks involved and be available for missions.

2 The assessment experts shall be able to provide an assessment of the situation and advise on the appropriate action to be taken and be available for missions.

3 The coordination team members may include a deputy coordination head, persons responsible for logistics and communications and other personnel as necessary. If requested, the technical experts and the assessment experts may be incorporated into the coordination team in order to assist the coordination head for the whole duration of a mission.

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4 The coordination head shall be responsible for leading the assessment and coordination team during an intervention. She/he shall assume proper liaison with the authorities of the affected country, with the Monitoring and Information Centre, with other international organisations and, in case of any civil protection assistance interventions outside the participating States, also with the Member State holding the Presidency of the Council of the European Union or its representative and with the Commission delegation in that country and with the office or official representative of the European Community Humanitarian Aid Office (ECHO) in that country.

*Article 17*

The information on the experts shall be compiled by the Commission in an expert database and be made available through the CECIS.

*Article 18*

The experts shall, where necessary, follow the training programme set up in accordance with Article 21.

*Article 19*

In the event of a request for assistance, the participating States shall be responsible for activating the available experts and put them in touch with the Monitoring and Information Centre.

*Article 20*

1 The Monitoring and Information Centre shall be capable of mobilising and dispatching the designated experts at very short notice after the experts have been activated by the participating States.

2 The Monitoring and Information Centre shall follow the dispatch procedure based on the confirmation for mission used by the Commission for the secondment of experts in emergency situations, which covers the following elements:

- a written confirmation of the mission;
- b the objectives of the mission;
- c the envisaged duration of the mission;
- d the local contact person information;
- e the insurance condition coverage;
- f the daily compensation allowance to cover expenses;
- g the specific payment conditions;
- h guidelines for technical experts, assessment experts, coordination experts and heads.

## CHAPTER VI

### TRAINING PROGRAMME

*Article 21*

1 A training programme covering civil protection assistance interventions is set up. The programme shall include general and specific courses, exercises and an exchange of experts system. The programme shall be aimed at the target groups set out in Article 22.



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2 The Commission shall be responsible for the coordination and organisation of the training programme and for defining the content and the schedule of the training programme.

#### *Article 22*

The target groups of the training programme shall be:

- (a) participating States' intervention teams;
- (b) participating States' intervention team leaders, their deputies and liaison officers;
- (c) experts of the participating States as set out in Article 15;
- (d) national key contact point staff;
- (e) officials of the Community institutions.

#### *Article 23*

The general and specific courses shall be aimed at the different target groups set out in Article 22(b) to (e).

#### *Article 24*

The exercises shall, in particular with regard to the target group set out in Article 22(a), aim at:

- (a) improving the response capacity and providing the necessary practice of the teams meeting the criteria for participation in civil protection assistance interventions;
- (b) improving and verifying the procedures and establishing a common language for the coordination of civil protection assistance interventions and reducing the response time in major emergencies;
- (c) enhancing operational cooperation between the civil protection services of the participating States;
- (d) sharing lessons learned<sup>[F1]</sup>;
- (e) <sup>[F2]</sup>enhancing the interoperability of civil protection modules.]

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#### *Article 25*

The exchange system shall include the exchange of experts between participating States and/or the Commission, with the aim of enabling experts to:

- 1. gain experience in other fields;

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2. become acquainted with various techniques and operational procedures used;
3. study approaches taken by other participating emergency services and institutions.

#### *Article 26*

Where appropriate, additional training opportunities to meet identified needs for the smooth and efficient operation of civil protection assistance interventions shall be provided.

#### *Article 27*

- 1 The Commission shall ensure coherence of the level of training and its content.
- 2 The participating States and the Commission shall designate their trainees for each training session.
- 3 The Commission shall organise an appropriate evaluation system of the training actions organised.

### CHAPTER VII

#### **INTERVENTIONS INSIDE AND OUTSIDE THE COMMUNITY**

#### *Article 28*

##### **Alert phase**

1 In the event of a major emergency within the participating States or imminent threat thereof, which causes or is capable of causing transboundary effects or which may result in a call for assistance through the Monitoring and Information Centre from one or more countries, the competent authority and/or contact points of the State in which the emergency is imminent or has occurred, shall without delay inform the Monitoring and Information Centre via the established communication channels.

2 If the Commission has been informed of a major emergency occurring in a third country, which may require civil protection assistance, the Monitoring and Information Centre shall take contact with the competent authorities of the Member State holding the Presidency of the Council of the European Union and with the other relevant Commission services in order to inform them of the situation.

3 The Monitoring and Information Centre shall collect the essential information on early warnings and transmit that through the established communication channels and networks to the competent civil protection authorities of all participating States and/or their contact points.

4 A participating State affected by a major emergency shall keep the Monitoring and Information Centre informed of the evolution of the situation if any risks for transboundary consequences may appear. The Monitoring and Information Centre shall subsequently inform other participating States and relevant Commission services and regularly update its information of any evolution of the situation.

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## Article 29

### Requests for assistance

1 A participating State or a third country affected by a major emergency shall, if assistance is required through the Community mechanism, address a formal request for civil protection assistance to the Monitoring and Information Centre.

2 In case of a major emergency occurring in a third country, which may require civil protection assistance, the Commission may decide on its own initiative to inform the third country of potential Community assistance if needed. The Monitoring and Information Centre shall keep the Member State holding the Presidency of the Council of the European Union regularly informed of any developments.

3 The State requesting assistance shall provide the Monitoring and Information Centre with all relevant information concerning the situation, and in particular, specific needs, the support requested and the location.

If assistance in the form of experts and/or intervention teams and means is requested, the requesting State shall inform the Monitoring and Information Centre about the time frame and location of arrival of the assistance, and the on-site operational contact point managing the emergency.

4 Following coordination between the Monitoring and Information Centre and the requesting State, the Monitoring and Information Centre shall dispatch the request for assistance to the participating States and, where appropriate consult the resources database and inform the relevant Commission services. Any changes in the initial request for assistance by the requesting State shall immediately be transmitted to all participating States.

5 Following the formal request, the participating States shall immediately inform the Monitoring and Information Centre about their current capacity for providing assistance, indicating its scope and terms.

6 The information referred to in paragraph 5 shall immediately be compiled and transmitted by the Monitoring and Information Centre to the requesting State and to the other participating States.

7 The requesting State shall inform the Monitoring and Information Centre of which intervention teams and means it has selected.

8 With regard to requests for intervention teams and means, the Monitoring and Information Centre shall inform the participating States of the selection of the requesting State. The participating States providing the assistance shall keep the Monitoring and Information Centre regularly informed on the dispatch of the intervention teams and means.

9 With regard to requests for experts, the Monitoring and Information Centre shall:

- a contact the participating States, using the 'expert database' set up in accordance with Article 17, and enquire about the availability of experts ready to leave, whenever necessary, within three hours after their designation;
- b after consultation with the requesting State, make a selection from amongst the available experts and inform the participating States accordingly;
- c immediately make contact with the experts and proceed to dispatch them in accordance with the dispatch procedure set out in Article 20(2);

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d on the basis of an updated report established by the requesting State, the Monitoring and Information Centre shall prepare a briefing for the experts and intervention team leaders before their dispatch.

10 In the event of a major emergency occurring in a third country, the Monitoring and Information Centre shall work in close consultation with the Member State holding the Presidency of the Council of the European Union and relevant Commission services.

11 The requesting State shall activate its own arrangements allowing coordination of the dispatched assistance at national or regional levels. The requesting State shall facilitate border crossings for the interventions and ensure logistical support.

#### *Article 30*

### **Direction of interventions**

1 In the event of a major emergency occurring inside the Community, the requesting State shall direct the assistance intervention in accordance with Article 5(3) and(4) of Decision 2001/792/EC, Euratom.

2 In the event of a major emergency occurring outside the Community, the assessment and coordination teams shall carry out their tasks in accordance with Article 16. The coordination is ensured by the Member State holding the Presidency of the Council of the European Union or its appointed representative.

#### *Article 31*

### **Interventions in third countries**

In third countries, the Community assistance intervention may either be conducted as an autonomous operation between the affected third country and the Monitoring and Information Centre and the representative of the Member State holding the Presidency of the Council of the European Union, or as a contribution to an intervention led by the EU or by an international organisation.

#### *Article 32*

### **Expert missions**

1 The dispatched experts shall carry out the tasks set out in Article 16. They shall report regularly to the requesting State authorities and to the Monitoring and Information Centre.

2 The Monitoring and Information Centre shall keep the participating States informed about the progress of the expert mission.

3 With regard to the progress of the expert missions in third countries, the Monitoring and Information Centre shall keep the Delegation of the Commission in the country concerned and the representative of the Member State holding the Presidency of the Council of the European Union informed as well as the relevant services of the Commission.

4 The requesting State shall inform the Monitoring and Information Centre on a regular basis about the evolution of ongoing activities at the site of the emergency.

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5 In the case of interventions in third countries, the coordination head shall inform the Monitoring and Information Centre on a regular basis of the evolution of ongoing activities on the site of the emergency.

6 The Monitoring and Information Centre shall compile all information received and distribute it to the contact points and competent authorities of the participating States.

### *Article 33*

#### **Operational disengagement**

1 The requesting State or any of the participating States providing assistance shall inform the Monitoring and Information Centre and the dispatched Community experts and assistance intervention teams when their assistance is no longer required or can no longer be provided. The effective disengagement shall be organised in an appropriate way by the requesting State and the participating States; the Monitoring and Information Centre shall be kept informed thereof.

2 In third countries, the coordination head shall report to the Monitoring and Information Centre when assistance is no longer required or can no longer be provided. The Monitoring and Information Centre shall transmit this information to the delegation of the Commission in that country and the representative of the Member State holding the Presidency of the Council of the European Union as well as the relevant Commission services. The Monitoring and Information Centre in coordination with the Member State holding the Presidency of the Council of the European Union and the requesting State shall ensure the effective disengagement.

### *Article 34*

#### **Reporting and lessons learnt**

1 The competent authorities of the requesting State and of the participating States having provided assistance, as well as the dispatched Community experts, shall present their conclusions on all aspects of the intervention to the Monitoring and Information Centre. A summary report shall then be prepared by the Monitoring and Information Centre on the assistance provided.

2 The Monitoring and Information Centre shall disseminate lessons learnt in order to evaluate and to improve the civil protection assistance interventions.

### *Article 35*

#### **Costs**

1 If not agreed otherwise, the State requesting assistance shall bear the costs of assistance provided by the participating States.

2 The Participating State providing assistance may, bearing in mind in particular the nature of the emergency and the extent of any damage, offer its assistance entirely or partially free of charge. That State may also waive all or part of the reimbursement of its costs at any time.

3 If not agreed otherwise, for the duration of the intervention, the requesting State shall house and feed the assisting teams from the participating States, and, if their supplies and provisions run out, shall replenish them at its own expense. Nevertheless, assisting teams shall

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be initially logistically independent and self-sufficient for a reasonable period depending on the used assets and shall inform the Monitoring and Information Centre accordingly.

4 Costs for dispatching Community experts shall be handled in accordance with Article 20. The Commission shall bear these costs.

#### *Article 36*

### **Compensation for damage**

1 The requesting State shall refrain from making any request for compensation from participating States for damage caused to their property or service staff where such damage is the consequence of the assistance intervention provided for by this Decision, unless it is proven to be the result of fraud or serious misconduct.

2 In the event of damage suffered by third parties as the result of assistance interventions, the requesting State and the participating State providing assistance shall cooperate to facilitate compensation of such damage.

#### *Article 37*

This Decision is addressed to the Member States.

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- (1) [OJ L 101, 11.4.2001, p. 1.](#)
- (2) [OJ L 317, 3.12.2001, p. 1.](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Commission Decision of 29 December 2003 laying down rules for the implementation of Council Decision 2001/792/EC, Euratom establishing a Community mechanism to facilitate reinforced cooperation in civil protection assistance interventions (notified under document number C(2003) 5185) (Text with EEA relevance) (2004/277/EC, Euratom).