



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels,
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(NOT TO BE PUBLISHED)

Draft

COMMISSION DECISION

of [...]

on the annual work programme for the actions to be financed in the framework of a pilot project and a preparatory action in the area of civil protection

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THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002¹ on the Financial Regulation applicable to the general budget of the European Communities, as last amended by Council Regulation No 1995/2006 of 13 December 2006², and in particular Article 49(6), (a) and (b) thereof,

Whereas:

- (1) Under Article 49(1) of Regulation (EC, Euratom) No 1605/2002 (hereinafter referred to as "Financial Regulation"), a basic act shall first be adopted before the appropriations entered in the budget for any action by the Communities or by the European Union may be used.
- (2) Under Article 49(6) (a) and (b) of the Financial Regulation, by way of derogation from paragraph 1, appropriations for pilot schemes of an experimental nature designed to test the feasibility of an action and its usefulness, and appropriations for preparatory actions in the fields of application of the EC Treaty designed to prepare proposals with a view to the adoption of future actions may be implemented without a basic act provided the actions which they are intended to finance fall within the powers of the Communities or the European Union
- (3) Under Article 110 of the Financial Regulation, grants are subject to an annual programme. That annual work programme shall be implemented through the publication of calls for proposals, save in duly substantiated exceptional cases of urgency or where the characteristics of the beneficiary or of the action leave no other choice for a given action.
- (4) Under Article 166 of Regulation (EC, Euratom) No 2342/2002 of 23 December 2002 laying down detailed rules for the implementation of Council Regulation (EC, Euratom) No 1605/2002 on the Financial Regulation applicable to the general budget

¹ OJ L 248, 16.09.2002, p. 1

² OJ L 390, 30.12.2006, p. 1

of the European Communities³ (hereinafter referred to as "detailed rules for implementation of the Financial Regulation"), as last amended by Commission Regulation (EC, Euratom) No 478/2007 of 23 April 2007⁴, the annual work programme for grants is to be adopted by the Commission. It is to specify the basic act, the objectives, and the schedule of calls for proposals with the indicative amounts and the results expected.

- (5) Under Article 168(1) (f) of the detailed rules for implementation of the Financial Regulation, grants may be awarded without a call for actions with specific characteristics that require a particular type of body on account of its technical competence, its high degree of specialisation or its administrative power, on condition that the actions concerned do not fall within the scope of a call for proposals.
- (6) Events in recent years, in particular in summer 2007, have highlighted the scale of risks in some Member States when forest fires occur. The level of risk is monitored by the European Forest Fire Information system managed by the Joint Research Centre. In virtually all cases, the countries that have had to cope with such events have not been able to bring the situation under control until operational assistance has been provided by other Member States. While responsibility for dealing with fires and organising help lies with the individual Member State concerned, the frequency and intensity of the fires that have devastated many Member States make it necessary to arrange for increased operational cooperation between Member States.
- (7) On the 4th September 2007 the European Parliament adopted a resolution⁵ on that summer's natural disasters, acknowledging the solidarity of the European Union, its Member States and other countries in assisting the affected regions during forest fire emergencies and drawing attention to the fact that the scale and impact of these phenomena frequently go beyond the regional and national level and capabilities, thus calling for an effective European commitment as a matter of urgency.
- (8) In the resolution of 4th September 2007 on this summer's natural disasters, the European Parliament recognised the contribution of the Civil Protection Monitoring and Information Centre (MIC) in supporting and facilitating the mobilisation and coordination of civil protection assistance during emergencies; it noted, however, that Member State resources to combat forest fires, especially by aerial means, are limited and that it is not always possible for Member States to offer support when the resources are needed on their national territory. As a result, some Member States received less assistance than others and the EU as a whole failed to display sufficient solidarity. The events of the 2007 summer have proven that the Member States' assistance was not sufficient to ensure a rapid and adequate civil protection response to all of the emergencies.
- (9) In the resolution of 4th September 2007, the European Parliament called for the creation of a European force that could immediately react on emergencies as proposed in the report "For a European civil protection force: Europe aid" from Mr Barnier. Furthermore, on the 12th December 2007, a resolution of the European Parliament on

³ OJ L 357, 31.12.2002, last amended by Council Regulation (EC, Euratom) No 1995/2006 of 13 December 2006, OJ L 390, 30.12.2006

⁴ OJ L 111, 28.04.2007, p. 13

⁵ P6_TA(2007)0362, European Parliament resolution on this summer's natural disasters

the Commission legislative and work programme 2008, suggests under paragraph 38 the creation of a European force that could immediately react in emergencies, as proposed in the Barnier report and asks the Commission to formulate a concrete proposal to that end.

- (10) On 20 December 2007, the Commission adopted implementing rules creating the technical framework for 13 types of civil protection modules⁶, including water pumping and purification, search and rescue in urban and in contaminated conditions, aerial fire fighting, medical assistance, emergency shelter, identification of contaminations after disasters, as well as technical assistance support teams.
- (11) The Commission has outlined its approach for reinforcing the Union's Disaster Response Capacity in Communication COM (2008)130 final adopted by the Commission on 5 March 2008. This includes the testing of arrangements with the Member States for making civil protection modules available at all times for European civil protection interventions.
- (12) The budgetary authority has earmarked specific funding in the budget of the EU for 2008, namely on budget line 07 04 04 for a Pilot Project to step up cooperation between Member States on combating forest fires, and on budget line 07 04 05 for a Preparatory Action on an EU rapid response capability.
- (13) It is therefore necessary to adopt a work programme for the actions to be financed under these two budget lines.
- (14) This decision constitutes a financing decision within the meaning of Article 75 of the Financial Regulation and Article 90 of detailed rules for implementation of the Financial Regulation and is applicable to the funds made available as a pilot project and a preparatory action by the Budgetary Authority in the 2008 budget to test the arrangements mentioned under recital 11.

HAS DECIDED AS FOLLOWS:

Article 1

1. The work programme set out in Annexes I and II is hereby adopted as the annual work programme for the actions to be financed in the framework of, respectively, a Pilot Project to step up cooperation between Member States on combating forest fires and a Preparatory Action on an EU rapid response capability.
2. The Director-General for Environment shall publish the annual work programme for grants listed in Annexes I and II and ensure its implementation.

⁶ OJ L 20, 24.1.2008, p.23.

Article 2

The maximum contribution of the Community is set at EUR 3.500.000 to be financed from budget line 07 0404 and at EUR 4.000.000 to be financed from budget line 07 04 05 of the General Budget of the European Union for 2008.

Done at Brussels, [...]

For the Commission
Stavros DIMAS
Member of the Commission

ANNEX I

1. ACTIONS TO BE IMPLEMENTED IN 2008 THROUGH A DIRECT GRANT: Pilot Project to step up cooperation between Member States on combating forest fires

Legal basis:

Pilot project and preparatory actions in accordance with Art. 49.6a and b of Regulation (EC, Euratom) No 1605/2002 (Financial Regulation).

1.1. Budget line:

07 04 04 - Pilot Project to step up cooperation between Member States in combating forest fires

1.2. Budget amount: 3 500 000 €

1.3. Indicative number of projects expected to be financed: 1

1.4. Objectives of the actions:

Improve the mobilisation of operational resources and emergency support from Member States through the Community Mechanism for Civil Protection to assist a Member State in coping with forest fires too numerous and too intense to be handled by that State using its own logistical capacity and manpower.

The duration of the actions funded under the project will be between 4 months (min) and 18 months (max).

1.5. Expected results of the actions:

The expected results include (1) the pooling of resources and the deployment and pooling of additional reserve resources; (2) lessons learned on making fire-fighting resources available for European forest fire fighting operations; and (3) scenarios for the response to major fires, including the inventory of existing national resources and the identification of the potential limitations in the availability of such capacities for assisting Member States affected by major fires.

These actions might take the form of the testing of a tactical reserve that would make fire-fighting assistance available in the Member States even when Member States that could potentially help are facing high risks or emergencies on their territory and are therefore unable to assist the Member State requesting assistance.

1.6. Justification for proposing to award a grant without call for proposals

The scope of beneficiaries is limited to public entities responsible for fighting major fires and covering the potentially affected region(s). The action can therefore only be implemented through a grouping of public entities of this region. It is therefore considered that a grant can be awarded to a public authority coordinating the different authorities of the concerned region in accordance with Article 168(1)(f) of the detailed rules for implementation of the Financial Regulation. In view of the

specific characteristics of the action, this group of public authorities is best placed to carry out the required activities, given its technical competence and its degree of specialisation.

1.7. Implementation:

Indicative amount :	€3 500 000
Financing rate :	Maximum 80 % of the total cost
Indicative schedule	Award decision : May 2008
Type of Act according to Art.160 e) of the detailed rules for implementation of the Financial Regulation	Written grant agreement

1.8. Main selection and award criteria:

Selection criteria (applicant)	<ul style="list-style-type: none"> a) Public entities responsible for fighting major fires b) Evidence of adequate operational capacity and professional qualifications and experience to carry out the project according to the proposed objectives and deliverables
Award criteria (proposal)	<ul style="list-style-type: none"> a) Clarity and consistency of rationale, objectives and planning b) Methodology for implementation c) Cost-effectiveness d) European added-value e) Degree of coverage of the EU region potentially affected by major forest fires

1.9. Other information

Appropriations may be used to cover the payment of interest on late payment due to contractors and beneficiaries in accordance with Article 106 of the Implementing Rules of the Financial Regulation, arising from legal commitments concluded on the current budget line.

ANNEX II

1. ACTIONS TO BE IMPLEMENTED IN 2008 THROUGH A CALL FOR PROPOSALS: PREPARATORY ACTION ON AN EU RAPID RESPONSE CAPABILITY

Legal basis:

Pilot project and preparatory actions in accordance with Art. 49.6a and b of Regulation (EC, Euratom) No 1605/2002 (Financial Regulation).

1.1. Budget line:

07 04 05 - Preparatory action on an EU rapid response capability

1.2. Budget amount: 4 000 000€

1.3. Indicative number of projects to be financed: 3 - 6

1.4. Objectives of the actions:

The preparatory action is designed to respond immediately to critical needs arising from major disasters.

The preparatory action is intended to improve the availability of assistance by ensuring that key civil protection resources and essential equipment are either available or on standby during relevant periods, in line with scenarios for responding to major disasters.

The duration of the actions funded under the project will be between 6 months (min) and 2 years (max).

1.5. Expected results of the actions:

Testing of a range of arrangements which make resources available for European civil protection operations.

Actions may consist of the development of civil protection modules that civil protection organisations make available or keep on standby for European civil protection interventions and/or other types of additional complementary capacities made available to the Monitoring and Information Centre (MIC) for such interventions.

1.6. Implementation

Indicative amount :	€ 4 000 000
Financing rate :	Maximum 80 % of the total cost
Indicative schedule	Publication of call : June 2008 Award decision: December 2008

Type of Act according to Art.160 e) of the detailed rules for implementation of the Financial Regulation	Written grant agreement
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1.7. Main selection and award criteria:

Selection criteria (applicant)	<p>a) Private or public entities enjoying formal support from the authorities responsible for civil protection in the Member States</p> <p>b) Evidence of adequate operational capacity and professional qualifications and experience to carry out the project according to the proposed objectives and deliverables</p>
Award criteria (proposal)	<p>a) Clarity and consistency of rationale, objectives and planning</p> <p>b) Methodology for implementation</p> <p>c) Cost-effectiveness</p> <p>d) European added-value</p>

1.8. Other information

Appropriations may be used to cover the payment of interest on late payment due to contractors and beneficiaries in accordance with Article 106 of the Implementing Rules of the Financial Regulation, arising from legal commitments concluded on the current budget line.