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Opinion

Title **Impact Assessment on: Action plan on Chemical, Biological, Radiological and Nuclear (CBRN) threats**

(draft version of 11 March 2009)

Lead DG **DG JLS**

1) Impact Assessment Board Opinion

(A) Context

The Commission published two green papers: on Detection in 2006 and on Bio-preparedness in 2007. The Council in its December 2007 conclusions on chemical, biological, radiological and nuclear (CBRN) risks and on bio-preparedness, invited the Commission to continue its work in the CBRN field and agreed with its intention to propose relevant policy measures in 2009. The main driving force behind the formulation of the specific CBRN activities to be undertaken has been the CBRN Task force. The Task force, established in February 2008, consisted of representatives from a range of national and European authorities and organisations.

(B) Positive aspects

The consultation process was particularly thorough, with two Green Papers and close involvement of a dedicated Task Force with comprehensive membership.

(C) Main recommendations for improvements

The recommendations below are listed in order of descending importance. Some more technical comments have been transmitted directly to the author DG and are expected to be incorporated in the final version of the impact assessment report.

General recommendation: The report requires further work on the following points: in particular, given the very large number of proposed actions, it needs to present them much more clearly by categorising them in terms of type, importance, timing and actors responsible. The report should explain in the main body of the text the process that was used to select the actions which merit a full assessment in the report. It should also be more precise about the state of play in Member States

and the support that they can be expected to give to implementing the various actions. The monitoring arrangements and indicators should be further developed.

(1) Present an overview of the actions in terms of type of instrument, priority and responsible actors. The report should contain a table that categorises the actions by type (e.g. legislative, funding of research, identification of best practice, exchange of information), and within each category rank the actions by relevance/importance. Actions which by their nature do not require political endorsement should be left out completely, e.g. small scale research projects or studies. For each action the table should also provide information about who is (primarily) responsible for its execution, indicators for success, and an indication of the costs and human resources needed and who will bear them. The assessment of social impacts should better take account of consequences for working conditions and the relationship with health and safety at work.

(2) Explain the selection of the actions that are assessed in the report. The main text of the report should explain (in general terms) how the 48 actions which are assessed were selected from the list of actions that was recommended by the CBRN Task Force, and whether any actions were added to those recommended by the Task Force. This can be done by briefly summarising the information already available in annex 4.

(3) Specify the state of play in Member States and the support they can be expected to give to this plan. The report should more precisely describe the current situation in Member States with regard to their preparedness in dealing with CBRN threats. This should give a better understanding of how big the differences among Member States are and to what extent the problems are common, and provide a better basis to assess the overall proportionality of this comprehensive initiative. The report should also comment on the level of support that Member States have shown for the various actions, and on the likeliness that they will contribute to their successful implementation.

(D) Procedure and presentation

The report should be more specific about how the evaluation of the programme in 2013 will be organised, and how the necessary data will be collected from the various levels of government. The evaluation should not only focus on the achievement of the objectives, but also take into account possible unforeseen and unintended effects.

2) IAB scrutiny process

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External expertise used	No
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