Upgrading the Union's response to disasters

by Agnieszka Nimark and Patryk Pawlak

Discussions about the so-called 'solidarity clause' of the Lisbon Treaty (Art.222 TFEU) have kept the crisis and disaster management community (not to be confused with that dealing with CSDP proper) quite busy over the last few years. The issues related to its possible activation – and the implications for individual member states – have been at the core of the debate. But the real news is the parallel acceleration of efforts at upgrading the existing instruments and incremental progress towards a more comprehensive crisis response, management and coordination *system* at the EU level.

Largely in flux over the past few years, the previous EU architecture has been significantly strengthened with the adoption of the EU Integrated Political Crisis Response (IPCR) arrangements and the transformation of the Monitoring and Information Centre (MIC) into the Emergency Response Coordination Centre (ERCC).

On top of that, the toolbox to address crises which may affect the Union's security and interests but occur *outside* the EU has been further reinforced with the creation of the EEAS Crisis Response System, comprising the Crisis Platform, EU Situation Room and Crisis Management Board. Last September the EU-28 adopted an important decision concerning serious cross-border threats to health, which expands *inter alia* the scope of epidemiological surveillance under the control of the European Centre for Disease Prevention and Control (ECPC).

Finally, consultations about the implementation of the solidarity clause proper are underway and, even with several details still to be thrashed out, the current discussions on the joint proposal presented by the Commission and the High Representative in January 2013 indicate that the future process will be largely based on instruments already in place.

Reviewing ways and means

The current review of the Civil Protection Mechanism (CPM) and related Civil Protection Financial Instrument (CPFI) aims at better integrating approaches to crisis and disaster management, equally required by the Lisbon Treaty. However, the mechanism is expected also to contribute to the *de facto* implementation of the solidarity clause: established in 2001, the CPM was primarily meant to facilitate cooperation between the EU member states in civil protection assistance interventions. It has gradually become a key

instrument to enable rapid and efficient emergency responses in the event of major disasters occurring outside or inside the EU.

According to the Commission's legislative proposal reviewing both the CPM and the CPFI (still under discussion), the goal is not only to support and enhance coordination of operational responses but also to supplement member states' actions to improve prevention and preparedness for natural and man-made disasters of all kinds. To this end, the CPFI has been incorporated into a single proposal on a new Union Civil Protection Mechanism.

One of the main innovations enshrined in the proposal is the Emergency Response Coordination Centre (ERCC), already established in May 2013. Compared to its predecessor, this enhanced coordination platform – situated in DG ECHO – is characterised by reinforced services. Unlike the MIC, the ERCC has a 24/7 monitoring capacity that allows instant reactivity to emergencies. With three separate operational rooms, the Centre has the capacity to manage more than one emergency at the same time. It also provides channels for real-time coordination and information-sharing through videoconferencing, allowing the centre to connect relevant member state authorities (such as national crisis centres), Commission services and Council bodies.

Emergency response to major disasters outside the EU combines various elements, such as civil protection assistance, humanitarian aid as well as individual member states' financial assistance. By maintaining direct links with the civil protection and humanitarian aid authorities in the EU-28, the ERCC enables a smooth and real-time exchange of information regarding the assistance offered to (and the needs of) the disaster-stricken country.

The ERCC does not only perform monitoring and information-sharing tasks but also contributes to the development of emergency response capacities by coordinating the availability and deployment of pools of voluntary pre-identified resources; complementary EU-funded capacities could also be developed to ensure cost-efficiency. The ERCC is also proposed as a single 'entry point' – at operational level – for the possible activation of the solidarity clause, with a view to simplifying procedures.

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In addition to the ERCC, the proposal for the Union Civil Protection Mechanism foresees other improvements regarding the Union's preparedness. The focus is placed on developing a coherent planning framework for response operations, especially on enhancing the overall level of preparedness for large-scale disasters. Such a framework will require *inter alia* preparation of reference scenarios, mapping of existing capacities, and development of contingency plans for their deployment. These actions should be combined with the creation of a training network and diversification of the training programmes enacted so far.

Another important goal of the CPM review is to achieve a higher level of protection against disasters by preventing or mitigating their effects. Building on the ongoing work on risk assessment initiated by the Commission in 2010, the member states would be required to communicate their national risk management plans by late 2016. Their contribution to such integrated risk assessment would have a significant impact on the establishment – in the long term – of a coherent EU risk management policy, as outlined in the 2010 EU Internal Security Strategy. As part of this effort, the Cohesion Fund for 2014-2020 includes (as part of the objective of promoting climate change adaptation) support for investments related to risk prevention and management, thus providing incentives to address specific risks, ensure resilience as well as enhance response to disasters.

Political coordination and information-sharing

The case of the 2011 Fukushima Daiichi nuclear disaster vividly illustrates the political dilemmas facing the EU when dealing with a crisis. While civil protection and humanitarian aid provided the framework for delivering technical, financial and in-kind assistance to Japan in the aftermath of the earthquake-cum-tsunami, no structure was in place to coordinate *politically* between member states.

The former EU Emergency and Crisis Coordination Arrangements (CCA) in the Council were to be employed only in the event of an 'extremely severe crisis' affecting several member states, and dealing with the Fukushima disaster was considered

Major disasters and the EU's emergency response

● CPM activation (upon request for assistance)	
2004/2005	Tsunami in South Asia
2005	Hurricanes *Katrina* and *Rita* (US)
2008	Terrorist attack in Mumbai
2009	Severe respiratory infection (H1N1): Bulgaria, Ukraine
2010	Gulf of Mexico oil spill (US)
	Floods in Montenegro, Bosnia and Herzegovina, Albania
	Haiti earthquake
2011	Civil unrest in Libya
	Tunisia (Libya conflict): repatriation of third-country nationals (TCNs)
	Explosion at a power plant in Cyprus
2012	Floods in Austria, Bulgaria, Germany, Czech Republic, Hungary, Romania and Slovak Republic
	Syrian refugees crisis in Jordan
2013	Cyclone *Haruna* in Madagascar
	Syrian refugees in Lebanon
	Syrian refugees in Bulgaria
	Typhoon *Haiyan* in the Philippines
● CCA webpage activation (information-sharing mode)	
2008	Terrorist attack in Mumbai
2010	Earthquake in Haiti
	Eruption of the volcano Eyjafjallajökull in Iceland and related ash cloud problems

outside the scope of the CCA. The solutions to counter its possible consequences for public health in the EU extended well beyond crisis response as an automatic and ultimately technocratic process. For instance, freezing the import of goods from Japan would have significant implications for bilateral trade relations; similarly, diverting supply routes to sea ports with appropriate screening capabilities could potentially distort competition in the EU.

An important change in the Union's approach to crisis and disaster management has come with the adoption of the Integrated Political Crisis Response (IPCR) arrangements in June 2013. For instance, in the event of a volcanic ash cloud crisis similar to that which occurred in 2010, the IPCR arrangements would now permit member states to quickly coordinate their decisions on closing national airspaces, resulting *de facto* in grounding airplanes across the EU. The arrangements provide a platform for political coordination in the EU, including member states and relevant European bodies and agencies, in a cross-sectoral manner (i.e. between member states, the Council Secretariat General, the Commission, the EEAS and relevant EU agencies) in order to allow a timely, coherent and effective political response.

While the IPCR strengthens the political process, it does not replace sector-specific mechanisms and arrangements, as it is primarily a political coordination mechanism without any additional resources (financial or other) linked to it.

Two new aspects in the IPCR process demand particular attention. First, unlike the CCA, the new arrangements are designed to be flexible (no threshold for activation, no *ad hoc* groups involved), scalable (from information sharing to coordination or decision-making, e.g. on exceptional measures), and based on existing, well-known and tested procedures (leading role of the COREPER, involvement of Council working parties according to their mandate). The key role of the COREPER stems from its horizontal competencies and decision-making powers as well as the possibility to convene quickly in Brussels. The Presidency – which typically chairs the COREPER – is tasked with ensuring political and strategic direction throughout the whole IPCR process, assisted by an informal roundtable gathering all relevant stakeholders with the objective to prepare, develop and update proposals for action. The scalability of the IPCR process also implies that, depending on the extent of a crisis, decisions can be taken at various levels – from the

COREPER to (in exceptional cases) the European Council itself.

Second, to support preparatory work in the roundtable and inform deliberations in the respective Council meetings, the Commission and the EEAS aim to develop Integrated Situational Awareness and Analysis (ISAA). ISAA is a key support capability under the IPCR arrangements as it feeds into the political process by providing factual information. In addition, a Council-owned Web Platform will aggregate inputs previously validated by member states at national level and feed them into the ISAA process. The Platform can be also be used in 'normal' times to help develop relations between stakeholders and a sort of 'IPCR culture' based on information-sharing – a crucial factor when a real crisis hits and the best laid plans are severely tested.

Networking and assessing

The arrangements for the implementation of the 'solidarity clause' as outlined in the joint proposal by the Commission and the High Representative add yet another layer to the process. The still outstanding issues include the geographical scope, the activation and response process, coordination with IPCR, financial and legal aspects, and the military dimension.

The solidarity clause imposes a legal obligation on the Union and the member states to act jointly if a member state is the object of a terrorist attack or the victim of a natural or man-made disaster. Its implementation – as currently proposed at the EU level – is largely based on bringing together existing tools, structures and capabilities to build and enforce synergies between them. To avoid duplications and improve efficiency, the joint proposal employs a network-based approach with one 'centre of gravity', whereby the most pertinent centre will serve as a hub and an interface with member states and will be supported by relevant expertise.

The focus on integrated threat and risk assessment at European level is quite interesting too. According to the joint proposal currently on the table, a report prepared by the Commission and the High Representative would deliver information about threats, risks and hazards provided by various sources in member states, EU institutions, services and agencies as well as international organisations. The report would then be regularly assessed and reviewed by the European Council and potentially become an important element in

discussions about the means – existing and needed – to meet major threats or give general guidelines at EU level.

Crises as opportunities

The EU has long recognised – and not only in this domain – that each crisis brings an opportunity for improvement. In just over a decade it has established mechanisms providing assistance during natural disasters (floods, forest fires, earthquakes), health emergencies (support to Bulgaria during the H1N1 scare), man-made disasters (the oil spill in the Gulf of Mexico) and terrorism (the attack in Mumbai). Yet the process is far from being complete.

Several elements still require implementing measures. The exchange of information between stakeholders remains a challenge: the answer is unlikely to come only from robust technical infrastructure but, perhaps more importantly, through building trust and a cooperative culture among stakeholders. This can be achieved through joint training and exercises and/or exchanging good practice across crisis rooms.

Finally, much as drawing up scenarios contributes to improving *functional* preparedness, it is also true that the key response in a crisis is, ultimately, sending the *political* message that the EU is willing and able to provide assistance and offer solidarity.

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