

# Strategic crisis management in the European Union

The policy landscape

SA  EA

Science Advice for Policy by European Academies

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## *The policy landscape*

### Table of contents

<b>Introduction</b>	<b>7</b>
<b>Policy landscape: Cross-sectoral crisis management mechanisms</b>	<b>8</b>
<i>Civil Protection Mechanism (UCPM)</i>	8
<i>Integrated Political Crisis Response (IPCR)</i>	16
<i>EEAS Crisis Response System (CRS)</i>	20
<b>Policy landscape: Sectoral crisis management mechanisms</b>	<b>24</b>
<i>Cybersecurity</i>	24
<i>Public health and health security</i>	29
<i>Forest fires and wildfires</i>	35

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# Introduction

To support the work on the SAPEA Evidence Review Report, *Strategic crisis management in the EU*, a range of factsheets on crisis management mechanisms were produced. These have been consolidated into this single document, with the aim of mapping part of the EU policy landscape on strategic crisis management.

The first section covers the evolution of EU cross-sectoral mechanisms. The second section focuses on sectoral mechanisms, specifically those which relate to the case studies (cybersecurity, health and environment — specifically wild/forest fires) addressed in the Evidence Review Report.

The work was undertaken by Frederico Rocha, Manager of the European Documentation Centre at Cardiff University.

# Policy landscape: Cross-sectoral crisis management mechanisms

## Civil Protection Mechanism (UCPM)

Community-level cooperation on civil protection was first discussed and agreed by Member States in May 1985. Ministers authorised the European Commission to explore opportunities for cooperation, and establish a high-level working party to provide a channel for regular exchange. The initial considerations were unveiled in November 1985.<sup>1</sup> In March 1986, senior civil servants decided to produce an inventory of existing bilateral and multilateral cooperation. Preparatory work was carried out by national experts and in November a number of possible areas for Community cooperation was identified.<sup>2</sup>

The first steps to establish greater Community cooperation in civil protection matters were tabled in April 1987.<sup>3</sup> Action was largely based on the principle of subsidiarity.<sup>4</sup> This meant that Community action would only take place when it added to the response set out primarily by national, regional and local authorities. It was aimed at creating benefits of scale or reducing duplication across the Community. Focus should therefore be placed on action during a disaster. The basis for cooperation included:

- **Guide to Civil Defence**, the central element of action — aimed at describing reality as regards disaster relief in the Community (including agreements, mechanisms, resources and contact points), to better inform national and local planning for major emergencies.<sup>5</sup>

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1 SEC (85) 1833

2 Civil defence and co-operation in case of disaster: Report by the group of national experts (SEC/1986/1965).

3 [Communication on cooperation in the Community on civil defence \(COM/1987/161\)](#)

4 The principle of subsidiarity seeks to safeguard the ability of the Member States to take decisions and action and authorises intervention by the Union when the objectives of an action cannot be sufficiently achieved by the Member States, but can be better achieved at Union level, 'by reason of the scale and effects of the proposed action' ([European Parliament Factsheet](#)).

5 This Guide was drafted in 1989 by the European Commission in conjunction with the national authorities ([source](#)). It was meant to be updated every year with the help of national experts.

## Policy landscape: Cross-sectoral crisis management mechanisms

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- **Permanent Network of Liaison Officers**, aimed at accelerating the provision of information on an incident, what is needed and in what quantities, as well as ensuring the effective implementation of a cooperation framework<sup>6</sup>
- **Disaster Simulation and Training**, to ensure the compatibility of plans and resources, a common language, responsive operational units and common communication elements (such as radio frequency and single emergency number<sup>7</sup>)<sup>8</sup>
- **Public Information**, on the need to educate the individual in preventive action (an effort led by national authorities) and on the need to provide information on the disaster itself

This Communication explicitly excluded cooperation in the case of nuclear accidents, chemical accidents (including marine pollution), terrorism and mass epidemics.

A number of Council Resolutions and other policy documents were adopted in the following years to further consolidate the plan laid out in 1987, and its underlying principles. Reference was made to the need to take advantage of the latest developments in telecommunications and to understand the scope for a common response to wildfires. Growing public awareness on the need to protect cultural heritage from national disasters was also acknowledged.<sup>9</sup> Member States also suggested that cooperation should focus on improving the exchange of information and on laying the foundations for a Community programme of exchanges, training and education. In 1994, the Council emphasised the role played by volunteers in certain areas of civil protection. Its Resolution<sup>10</sup> also proposed that further attention be provided to disaster prevention and preparation, as well as risk management.

The first *Community Action Programme in the field of Civil Protection* was adopted in December 1997,<sup>11</sup> with a duration of two years (1998–1999). It was established to address the need for protection in the event of natural and technological disasters, while retaining

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6 This Network became the core arena for exchange on civil protection, and it was managed by services of the European Commission.

7 The *Communication concerning coordination and preparatory work in the telecommunications field towards the introduction of a standard Europe-wide emergency call number by 1992* was eventually published by the European Commission in June 1988 (COM/1988/312). In response to this, the Council agreed in June 1988 that the Commission plan for it. The Commission published a proposal for a Decision on the introduction of a standard Europe-wide emergency call number (COM/1989/452) in September 1989, which was adopted by the Council in July 1991 (Council Decision 91/336/EEC).

8 The first Community forest firefighting exercise — FLORAC 85 — is explicitly mentioned as proof that a Community-wide response to an incident is possible, but it was also useful to pinpoint limitations.

9 The events singled out are the earthquakes in Umbria and Kalamata, the floods in Florence, the fire in York Minster and the fire in Chiado, Lisbon.

10 [Resolution of the Council and the representatives of the Governments of the Member States, meeting within the Council, of 31 October 1994 on strengthening Community cooperation on civil protection](#)

11 [Council Decision 98/22/EC of 19 December 1997 establishing a Community action programme in the field of civil protection](#)

## Policy landscape: Cross-sectoral crisis management mechanisms

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the principles originally agreed by Member States. It thus aimed primarily at contributing to improvements in the degree of preparedness of those responsible for civil protection in Member States. It did not cover the harmonisation of laws and regulations, nor the organisation of national preparedness. The need to address environmental emergencies was also embedded in the Programme.<sup>12</sup>

An extension to the Programme for the period 2000–2004 was adopted by the Council in December 1999. While largely carrying forward the terms of its predecessor, it added further importance to actions contributing to the detection and study of the causes of disasters.

On the back of a number of disasters affecting EU Member States and neighbouring countries,<sup>13</sup> the Commission decided in September 2000 to table a proposal aimed at strengthening the mechanism for civil protection cooperation. This was an acknowledgment that — despite the benefits of its light structure and the value of its network — the mechanism featured a number of important limitations, including its inability to mobilise significant resources, its voluntary nature and its insufficient use by Member States, largely unaware of the advantages offered by the structure.

The draft initiative was eventually adopted by the Council in October 2001.<sup>14</sup> The mechanism was designed to cover disasters taking place both within and outside the European Union, and address major emergencies to protect people, property and the environment.<sup>15</sup> Besides strengthening existing features related to networking, the mapping of resources and training, actions included the establishment and management of a Monitoring and Information Centre (MIC), which became the primary unit reacting to any emergency at all times, and a Common Emergency Communication and Information System (CECIS), which enabled communication and information exchange between MIC and the national contact points. The revised mechanism sought to supplement the Action Programme and the same committee would oversee the running of both initiatives.<sup>16</sup>

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<sup>12</sup> Focus on environmental emergencies builds on the framework established by the [Community programme of policy and action in relation to the environment and sustainable development \(1993, point 6.3\)](#)

<sup>13</sup> They include earthquakes, the oil spill off the coast of Brittany, devastating storms in several Member States and disastrous flooding in some of the candidate countries. Dam failures in the Danube catchment area have caused serious pollution, and the fireworks explosion in the Netherlands resulted in considerable loss of life. ([COM/2000/593](#))

<sup>14</sup> [Council Decision 2001/792/EC establishing a Community mechanism to facilitate reinforced cooperation in civil protection assistance interventions.](#)

<sup>15</sup> Not only natural and technological disasters, but also radiological and environmental accidents (including marine pollution) taking place inside or outside the European Union.

<sup>16</sup> The rules implementing Council Decision 2001/792/EC were adopted by the Commission in December 2003 — [Decision 2004/277/EC laying down rule for the implementation of Council Decision 2001/792/EC.](#)



## Policy landscape: Cross-sectoral crisis management mechanisms

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In the meantime, the Council had already adopted a further Resolution in February 2001<sup>17</sup> establishing a connection between civil protection cooperation and other strategic developments, including non-military crisis management in the framework of the Common Foreign and Security Policy (CFSP).<sup>18</sup> It argued for the further development of the Guide on Civil Protection, and for increased coordination with measures at an international level. The terrorist attacks against the United States later in the year raised further political pressure to set up a stronger structure for the prevention and mitigation of the impact of such threats to society. The Commission contributed to that discussion in November 2001.<sup>19</sup> It recalled the response provided by its Civil Protection Unit to emergencies<sup>20</sup> and highlighted the facilitated communication — a one-stop shop — introduced by the strengthened mechanism of civil protection. It also acknowledged the need to adapt the existing structure to new challenges.<sup>21</sup> In December 2004, the Commission provided an overview of the existing and potential actions to address civil protection cooperation in regard to terrorism.<sup>22</sup>

The following years witnessed a number of natural and man-made disasters, from wildfires to earthquakes and terrorist attacks. The response provided by the Civil Protection Mechanism in response to these emergencies led to an understanding that further improvements were required to improve its structure and procedures.<sup>23</sup> There was a need to clarify the interaction between this mechanism and interventions undertaken in the context of humanitarian aid or the CFSP. It became clear that further work was required on upgrading analytical and assessment capacity<sup>24</sup> and addressing financial

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17 [Resolution of the Council and of the representatives of the Governments of the Member States, meeting within the Council of 26 February 2001 on strengthening the capabilities of the European Union in the field of civil protection](#)

18 In May 2000, [Council Decision 2000/354/CFSP](#) had been adopted for the establishment of a committee for civilian aspects of crisis management, sitting with the Council of the European Union. This development took place in the framework of developments on CFSP.

19 [Communication on Civil protection — State of preventive alert against possible emergencies \(COM/2001/707\)](#)

20 This Unit was part of DG Environment, and it responded to major incidents such as the 1997 earthquake in central Italy, the sinking of the Erika off the Brittany Coast in 1999, the earthquake in Turkey in the same year and the pollution of the Danube in 2000. The scale of these disasters led to the strengthening of the civil protection mechanism later proposed and adopted.

21 Among those, the consequences of nuclear, biological and chemical (CBRN) attacks. The Commission published a specific Communication on dealing with the consequences of Nuclear, Biological and Chemical attacks.

22 Communication on Preparedness and consequence management in the fight against terrorism (COM/2004/701).

23 [Communication on reinforcing the Civil Protection Capacity of the European Union \(COM/2004/200\)](#) and [Communication on Improving the Community Civil Protection Mechanism \(COM/2005/137\)](#).

24 In this context, MIC should be aware of all information made available by sectoral information sources, such as ECURIE (for radiological and nuclear emergencies), EWRS (for response in the field of communicable diseases) and RAS-BICHAT (for deliberate releases of biological and chemical agents). In December 2005, the Commission set out the principles, processes and instruments for implementing ARGUS — a general rapid alert system aimed at consolidating the constellation of sectoral networks managed by the Commission ([COM/2005/662](#)).

## Policy landscape: Cross-sectoral crisis management mechanisms

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concerns. The discussions carried out across EU institutions were supplemented by the so-called Barnier Report, drawn up to analyse the EU's response to the latest major cross-border emergencies and proposing a European civil protection force.<sup>25</sup>

In the meantime, the Action Programme was extended a further two years into 2006<sup>26</sup>. The Programme was eventually replaced by the Civil Protection Financial Instrument, established in March 2007 to address matters relating to the financing of preparedness and rapid response actions inside and outside the EU.<sup>27</sup> Later in that year, the civil protection mechanism was itself subject to further reinforcement based on the reflection undertaken by the co-legislators.<sup>28</sup>

While response was still regarded as complementary to national capabilities, the strengthening of the mechanism aimed at a more effective and visible demonstration of solidarity, as well as the development of a rapid response capability based on interoperable civil protection modules from EU Member States.<sup>29</sup> Provisions clarified the involvement of this mechanism in addressing crises in third countries and in the context of the CFSP. Prevention and preparedness were considered essential elements, via early warning systems, information exchange and training. MIC and CECIS remained at the core of the structure. Importantly, a response was now foreseen in all types of emergencies occurring inside or outside the European Union including natural and man-made disasters, acts of terrorism and technological, radiological and environmental accidents, among which marine pollution.

Debate within the European institutions later evolved to consider the commonalities between different kinds of disasters and disasters in different parts of the world, as well as the need to create synergies between different existing response instruments.<sup>30</sup> Cost effectiveness was common to all these considerations. It also became clearer that a comprehensive approach to the continuum of disaster risk assessment, forecast, prevention, preparedness and mitigation was required.<sup>31</sup>

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25 Barnier, M. (2006) For a European civil protection force: Europe aid. European Commission.

26 [Council Decision 2005/12/EC amending Decision 1999/847/EC as regards the extension of the Community action programme in the field of civil protection.](#)

27 [Council Decision 2007/162/EC establishing a Civil Protection Financial Instrument.](#)

28 [Council Decision 2007/779/EC establishing a Community Civil Protection Mechanism \(recast\)](#)

29 The general requirements to be met by the civil protection modules provided by Member States, as well as measures to enhance their interoperability are adopted by the Commission in 2010 — [Commission Decision 2010/481/EU.](#)

30 [Communication on Reinforcing the Union's Disaster Response Capacity \(COM/2008/130\)](#)

31 Example of this are the [Communication on a Community approach on the prevention of natural and man-made disasters \(COM/2009/82\)](#) and [Communication on an EU strategy for supporting disaster risk reduction in developing countries \(COM/2009/84\).](#)

## Policy landscape: Cross-sectoral crisis management mechanisms

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Following the adoption of the Lisbon Treaty,<sup>32</sup> the Commission sought to establish a stronger, more comprehensive, better coordinated and more efficient disaster response capacity in the European Union.<sup>33</sup> One of the underlying principles was that the EU should be able to respond effectively and in the spirit of solidarity to all types of disasters both inside and outside the EU. Crucially, civil protection and humanitarian aid instruments were brought together under DG ECHO<sup>34</sup> in the hope that such a merger would strengthen the internal structure and know-how.

Reflecting all these considerations, the Commission tabled in 2011 a new proposal to establish a Union Civil Protection Mechanism (UCPM), overhauling the existing structure and aiming to address identified shortcomings — among them, limited response planning and a limited integration of preparedness and prevention actions. The new UCPM Decision was adopted in December 2013.<sup>35</sup>

This Decision addressed the needs of simplification by merging the two previous instruments — the Civil Protection Mechanism and the Civil Protection Financial Instrument — under a single legal act. It also aligned it with Article 196 TFEU concerning civil protection, which advocates an integrated approach to disaster management. It established the Emergency Response and Coordination Centre (ERCC), which merged the Monitoring Information Centre (MIC) and DG ECHO's crisis room for humanitarian assistance. This hub would be supplemented by the European Emergency Response Capacity, a voluntary pool of resources pre-committed by the participating states on standby, only to be used when called upon by the Commission.<sup>36</sup>

The original principle of subsidiarity persisted, and so did the importance allocated to training programmes and exchanges on best practice. On that front, a Peer Review programme had already been established in 2012 to provide participating countries or regions with an opportunity to reflect on their readiness to cope with natural and man-made disasters and to identify ways of strengthening their broader prevention and preparedness system.

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32 Among other elements, the Treaty introduced Article 222 TFEU, the so-called Solidarity Clause. It established the obligation for Member States to assist each other in the event of a natural or man-made disaster on EU territory. It also led to the establishment of the European External Action Service (EEAS), which would eventually play a role in response to crises in third countries.

33 [Towards a stronger European disaster response: the role of civil protection and humanitarian assistance \(COM/2010/600\)](#).

34 The Civil Protection Unit had until then been run under DG Environment.

35 [Decision No 1313/2013/EU on a Union Civil Protection Mechanism](#)

36 The implementation of this Decision was regulated by [Commission Implementing Decision 2014/762/EU](#), adopted in October 2014.

## Policy landscape: Cross-sectoral crisis management mechanisms

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The UCPM was in the forthcoming years subject to review on different occasions,<sup>37</sup> as it was required to respond to a number of disasters within and outside the EU — including wildfires, hurricanes and a migration crisis. In February 2017, the Commission published a report on progress and limitations concerning the establishment of the European Emergency Response Capacity.<sup>38</sup>

Those reviews led to the need for targeted amendments to further improve the Decision, which were tabled by the Commission in November 2017. The proposal addressed shortcomings primarily relating to operational experience, as it became evident during large-scale emergencies affecting several Member States simultaneously. The voluntary nature of contributions to the response was deemed insufficient, and gaps persisted in certain critical response capacities.

The proposed amendments were adopted in March 2019<sup>39</sup>. They include a requirement that Member States step up their risk assessment and risk management planning, and the establishment of the European Civil Protection Pool (ECPP) to replace and strengthen the legal framework of the European Emergency Response Capacity. It also introduces the RescEU reserve, aimed at responding to an overwhelming situation as a last resort, where existing capacities at national level and those pre-committed by Member States to the ECPP are not able to ensure an effective response to various kinds of disasters.

Finally, this Decision also created the Union Civil Protection Knowledge Network and an Exchange of Experts in Civil Protection. These instruments are aimed at bringing together experts and organisations dedicated to civil protection at any stage of the disaster management cycle. Through the Network, the UCPM started running a training programme.

In 2020, another major emergency — caused by the COVID-19 pandemic — led to yet another policy development relating to the UCPM. The proposed amendments addressed persisting gaps in the area of transport and logistics, and, in cases of urgency, they allowed the direct procurement of certain additional capacities for RescEU. Prevention and preparedness were also targeted under the draft law, with the development by the Commission of EU disaster resilience goals in the area of civil protection. The proposal was adopted in May 2021.<sup>40</sup>

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37 For example, the [Special Report](#) published by the European Court of Auditors (ECA) in 2016 and the [Interim Evaluation of the UCPM](#) published in 2017.

38 [Report on progress made and gaps remaining in the European Emergency Response Capacity \(COM/2017/78\)](#)

39 [Decision \(EU\) 2019/420 amending Decision No 1313/2013/EU on a Union Civil Protection Mechanism.](#)

40 [Regulation \(EU\) 2021/836 amending Decision No 1313/2013/EU on a Union Civil Protection Mechanism.](#)

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## Policy landscape: Cross-sectoral crisis management mechanisms

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## Integrated Political Crisis Response (IPCR)

Political momentum among EU Member States for the establishment of a political coordination mechanism in the event of crises grew substantially as a result of several terrorist attacks and natural disasters in the early years of the 2000s.<sup>41</sup> The Hague Programme adopted by the European Council in November 2004<sup>42</sup> established the need to go beyond stronger civil protection and vital infrastructure actions to achieve the effective management of cross-border crises. Importantly, it placed the focus on public order and the security aspects of such crises, and on coordination between those areas. It invited the Commission and the Council of the European Union to put in place corresponding mechanisms to address these concerns.

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<sup>41</sup> Among these, the tsunami in southeast Asia (2004), the terrorist attacks in Madrid (2004) and London (2005), and the hurricane Katrina (2005). More widely, it was the result of the focus given to internal security matters in the aftermath of the terrorist attacks against the United States in 2001.

<sup>42</sup> [The Hague Programme: strengthening freedom, security and justice in the European Union](#)



## Policy landscape: Cross-sectoral crisis management mechanisms

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The Council's response eventually took the form of the so-called Crisis Coordination Arrangements (CCAs), adopted in December 2005.<sup>43</sup> While other structures were identified as important in fulfilling needs in times of crisis,<sup>44</sup> the Council considered that there was no established way to bring together representatives of Member States, senior EU leaders and EU bodies to share information, ensure coordination and enable collective action during a cross-border emergency.

The CCAs were designed to be used for any type of crisis, despite their creation being an outcome of the momentum caused by the terrorist threat. Those included natural disasters, industrial accidents or a pandemic, taking place within or outside the European Union. The arrangements should be in place to assist Member States during emergencies affecting a number of countries simultaneously or the interests of the EU, and they should respect the principle of subsidiarity. They should also allow for agile action and not lead to new permanent structures.

A number of key functions for the CCAs were established: information access and sharing; operational support; consistency in actions taken by Member States; debate on contentious policy decisions and on collective external action; media coordination. An ad-hoc Crisis Steering Group should act as the central coordinating body in the event of an emergency, comprising the Council Presidency and Secretary-General, High Representative, Commission and Member State representatives. The body should be extended to include other stakeholders, depending on the nature of the emergency, expertise required and information needs.

The following months were used to set up the processes allowing for a smooth operation of the CCAs. A particular concern was raised that these arrangements might duplicate or supplant existing networks and structures. The Standard Operating Procedures (SOPs) were adopted in July 2006, under coordination and operational delivery by the Council's Joint Situation Centre (SitCen).<sup>45</sup>

Several exercises were conducted over the next years to assess the quality and relevance of these arrangements. While deemed a workable model, they highlighted the need for closer cooperation between the Council and the Commission on information exchange, liaison arrangements and media communication. Knowledge on the CCAs was also considered to be low among some national crisis managers, particularly on their potential to assist a national response.

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<sup>43</sup> [Council of the European Union, 29 November 2005: EU Emergency and Crisis co-ordination arrangements \(15106/05\)](#)

<sup>44</sup> Among these, the Counter-Terrorism Coordinator, the Joint Situation Centre, the Commission's Monitoring and Information Centre (MIC) and ARGUS, as well as the Council's ESDP crisis management structures.

<sup>45</sup> [Council of the European Union, 4 July 2006: Emergency and crisis coordination arrangements \(CCA\) – Internal GSC standard operating procedures \(SOPs\) \(11270/06\)](#)

## Policy landscape: Cross-sectoral crisis management mechanisms

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The flexibility and agility of the CCAs remained a sticking issue as the mechanism had its first review in 2010. The need to adapt the arrangements to the legal and institutional framework introduced by the Lisbon Treaty became apparent. A further in-depth review was actioned and carried out by a Friends of the Presidency Working Group to understand whether the CCAs were an appropriate tool for coordinating the political response in case of a major and/or multi-sector crisis affecting several Member States.<sup>46</sup>

The CCAs review was completed in June 2013, which led to the establishment of the Integrated Political Crisis Response (IPCR)<sup>47</sup>. This mechanism largely builds on the previous arrangements, while considering the outcome of the in-depth review and the framework of the Lisbon Treaty. While subsidiarity remains at the core of this approach, the IPCR aimed at reinforcing the Member States' ability to make decisions when facing major emergencies requiring a response at EU political level.<sup>48</sup> It was also to support the implementation of the Solidarity Clause.<sup>49</sup> The Council Presidency would lead the IPCR process, with COREPER gaining relevance as the central element. The IPCR Standard Operating Procedures (SOPs) were adopted in October 2015.<sup>50</sup>

Further to the elements already present in CCAs (such as training), features of the IPCR included the capacity for informal roundtables, bringing together stakeholders from the European Commission, EEAS, relevant agencies and external experts to support the Council Presidency in handling the emergency; the development of Integrated Situational Awareness and Analysis (ISAA) reports to provide decision-makers with a clear, common picture of the situation; the development of an IPCR Web Platform — owned by the Council — for information exchange and further data collection; and the establishment of a 24/7 central contact point.

Three levels within the IPCR were established, two of which would lead to the activation of the mechanism:

- Monitoring (non-activation)
  - ▶ Voluntary sharing of information about a crisis, does not activate the IPCR
  - ▶ Does not trigger the production of ISAA reports
- Information-sharing mode
  - ▶ Obligation to produce ISAA reports

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46 [Council of the European Union, 3 December 2010: Review of the EU Emergency and Crisis Coordination Arrangements \(CCA\) — Mandate of the Friends of the Presidency Group \(17308/10\)](#)

47 [Council of the European Union, 7 June 2013: Finalisation of the CCA review process: the EU Integrated Political Crisis Response \(IPCR\) arrangement \(10708/13\)](#)

48 [Council of the European Union: Press Release, 25 June 2013: General Affairs Council \(11443/13\)](#)

49 [Council Decision 2004/415/EU](#) was adopted in June 2014 to lay down rules and procedures for the implementation of Article 222 TFEU. This Decision established a connection between the triggering of the Solidarity Clause and the IPCR arrangements.

50 Council Document 12607/15.



## Policy landscape: Cross-sectoral crisis management mechanisms

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- ▶ Dedicated crisis page generated by Council SG on IPCR web platform
- ▶ Level can be triggered by Council SG, Council Presidency, EC or EEAS
- Full activation
  - ▶ Level can be requested by Council Presidency or Member States
  - ▶ Higher visibility to EU response
  - ▶ Allows for extraordinary Council or European Council meetings;
  - ▶ Preparation of protocols for action, developed at the informal roundtables and presented to COREPER (ambassadors) and Council of the European Union.

The mechanism was triggered for the first time in October 2015 to address the migration crisis affecting several EU Member States and the EU's neighbourhood. The IPCR was first set in information-sharing mode, and later activated in full mode following endorsement by the Council of the European Union.

The IPCR arrangements were eventually codified in 2018, based on the framework developed since 2013 and including the SOPs established in 2015. It included references to an informal Crisis Communicators Network (CCN) comprised of communication experts from Member States and relevant EU bodies to contribute to preparedness.

In 2020, the mechanism was activated for the second time to address the COVID-19 pandemic. In the meantime, its information-sharing mode has been used for information exchange on matters relating to external crises (such as the Ebola pandemic or the conflict in Yemen), as well as matters relating to hybrid threats, cyberattacks and natural disasters. Reference to the IPCR also became increasingly frequent in policy developments concerning sectoral crises, such as cybersecurity, in an attempt to bridge the different response structures.

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## EEAS Crisis Response System (CRS)

The European External Action Service (EEAS) was established in 2010, following the entry into force of the Treaty of Lisbon. It brought together a number of departments previously scattered between the European Commission and the Council and responsible for matters relating to external relations and diplomacy.

In this context, the Crisis Response and Operational Coordination Department (CR&OC) was set up and made responsible for the operation of the Crisis Response System (CRS). This mechanism was established in light of the experience in Haiti (2010) and amid the evolving Arab Spring situation across the Middle East and Northern Africa.<sup>51</sup> The CRS was envisaged to cover crises that might affect the EU's security and interests outside its borders, including those affecting the EU Delegations or any other EU asset or person in a third country. It might also cover crises occurring inside the EU if those included an external dimension.

From the onset the mechanism comprised a number of tools, such as a permanent Crisis Management Board to address horizontal aspects of the EEAS crisis response, and a Crisis Platform to facilitate information-sharing among participants (representatives from the EEAS, Commission and Council General Secretariat) and provide a clear political or strategic objective for the management of a given crisis.

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<sup>51</sup> [Council of the European Union, 4 October 2012: Main aspects and basis choices of the CFSP — 2011. Annual report from the High Representative of the European Union for Foreign Affairs and Security Policy to the European Parliament \(14605/12\)](#)

## Policy landscape: Cross-sectoral crisis management mechanisms

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Moreover, the EU Situation Room was inaugurated in July 2011 as a worldwide monitoring and situation awareness hub. It was envisaged as the first point of contact for all information on crisis situations, bringing together input from relevant internal stakeholders such as EU Delegations and CSDP Operations. It was seen as an information hub for all across the EU institutions (playing a role in the IPCR), an information source for the Crisis Platform and complementary to the analytical work conducted by the INTCEN.<sup>52</sup> A Conflict Prevention Group aimed at gathering and reviewing early warning information on countries and regions at potential risk of conflicts and crisis, on a continuous basis.

The mechanism also included exploratory and inter-service missions, launched at the request of the High Representative at short notice to quickly assess the situation on the ground, establish contacts with local interlocutors and help plan further EU action. The launch of these missions fell under the Crisis Response Department. The inter-service missions were composed of EEAS and Commission staff.

The crisis in Libya which erupted in February 2011 was a real test for the EEAS crisis response mechanisms. The CRS was also activated to help deal with the humanitarian consequences of the triple disaster (earthquake, tsunami, nuclear accident) affecting Japan in March 2011.

The implementation of the CRS took place alongside a need to review existing crisis management procedures in the context of the ESDP/CSDP, under which the EEAS crisis structures were placed. This review was seen as a vehicle to implement the so-called comprehensive approach, and to better integrate civilian and military aspects of crisis management.<sup>53</sup> In December 2013, the European Commission and the High Representative published a Joint Communication<sup>54</sup> setting out steps towards such an approach for the EU's external relations policies and actions. The core element is that those cover all stages of the cycle of conflict or other external crises, from early warning and prevention, crisis response and management to recovery, peace building and long-term development efforts.

In April 2015, the Council of the European Union adopted a Directive<sup>55</sup> determining when and how EU citizens in distress in a non-EU country could enjoy the protection of other

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<sup>52</sup> The EU Intelligence Analysis Centre (EU INTCEN) is the exclusive civilian intelligence function of the European Union. It started off as EU SITCEN (EU Situation Centre) in 2002 and brought under the authority of the HR Foreign and Security Policy following the Treaty of Lisbon. It became part of the EEAS in 2011. It was renamed in 2012. The Centre provides intelligence analyses, early warning and situation awareness to the EEAS. It does not have any collection capacity — the operational level is the Member States' responsibility. The EU INTCEN focuses on strategic analysis.

<sup>53</sup> [Council of the European Union, 18 June 2013: Suggestions for crisis management procedures for CSDP crisis management Operations \(7660/2/13\)](#)

<sup>54</sup> [Joint Communication on the EU's comprehensive approach to external conflict and crises \(JOIN/2013/30\)](#)

<sup>55</sup> [Council Directive \(EU\) 2015/637 on the coordination and cooperation measures to facilitate consular protection for unrepresented citizens of the Union in third countries](#)

## Policy landscape: Cross-sectoral crisis management mechanisms

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EU Member States' embassies or consulates if their own country was not represented. Within it, Article 13 provided guidance for crisis preparedness and cooperation. This was followed in April 2016 by a framework for joint EU consular crisis preparedness — the so-called Consular Cooperation Initiatives — a framework for cooperation between Member States and the EU Delegations to enhance coordination and effectiveness in the event of a crisis.

That same year was instrumental to EU policy on external relations, particularly as the EU Global Strategy was published in June 2016. This document provided the doctrine to guide external action as a whole, and made reference to an integrated approach to external conflicts and crises as one of the priorities. It was followed in June 2017 by a Joint Communication<sup>56</sup> identifying how a strategic approach to resilience could increase the impact of EU external action. This document recognised the need to move away from crisis containment to a more structural, long-term non-linear approach to vulnerabilities, with an emphasis on anticipation, prevention and preparedness.

The EEAS adopted in December 2020 a new concept on EU Peace Mediation<sup>57</sup>, replacing a concept laid out in 2009. Conflict Prevention and Mediation Support is one of the divisions under the Integrated Approach for Security and Peace (ISP) Directorate, which currently coordinates the CRS. This division helps identify countries at risk on instability (via an Early Warning System). Other divisions include Methodology and Implementation, Integrated Strategic Planning for CSDP and Stabilisation, Consular Affairs and the European Peace Facility.

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56 [Joint Communication on a Strategic Approach to Resilience in the EU's external action \(JOIN/2017/21\)](#). It built on a 2012 [Communication on the EU approach to Resilience: Learning from Food Security Crises \(COM/2012/586\)](#).

57 [Council of the European Union, 11 December 2020: Concept on EU Peace Mediation \(13951/20\)](#).

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# Policy landscape: Sectoral crisis management mechanisms

## Cybersecurity

The first specific strategy on Network and Information Security (NIS) was published by the European Commission in June 2001.<sup>58</sup> It recognises how critical networks and information systems are to other infrastructures and the potential within these systems for future progress. It defines NIS as the “ability of a network or an information system to resist (...) accidental events or malicious events”. Such incidents include the interception of electronic communication, unauthorised access to computers and networks, disruptive attacks on the internet, malicious software, misrepresentation of people or entities, or even incidents caused by unforeseen and unintentional events such as natural disasters and human error.

The Commission proposed the establishment of a European warning and information system.<sup>59</sup> Measures included the strengthening of national Computer Emergency Response Teams (CERTs) and improvements to coordination between them. Also in the framework of this strategy, the European Network and Information Security (ENISA) was established in March 2004.<sup>60</sup> It was a further response to the lack of systematic cooperation on NIS between Member States<sup>61</sup> and of a mechanism ensuring effective responses to security threats. The Agency was initially provided with a mandate for five years, which was later extended until 2012.<sup>62</sup>

That extension also launched a debate on the general direction of EU efforts towards network and information security. In March 2009, the Commission published an Action Plan focusing on the prevention, preparedness and awareness of cybersecurity, in

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58 [Communication from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions – Network and Information Security: Proposal for A European Policy Approach](#) (COM/2001/298)

59 This concept was further developed by a [Council Resolution](#) adopted in January 2002.

60 [Regulation \(EC\) No 460/2004 of the European Parliament and of the Council of 10 March 2004 establishing the European Network and Information Security Agency](#)

61 Exception for the TESTA Network (Trans European Services for Telematics between Administrations). This is the private IP-based network of the European Union, used for secure information exchange between the EU and Member State administrations. This is a network of networks. The first TESTA network was launched in 1996. It is used by CERT-EU.

62 [Regulation \(EC\) No 1007/2008 of the European Parliament and of the Council of 24 September 2008 amending Regulation \(EC\) No 460/2004 establishing the European Network and Information Security Agency as regards its duration](#)

which it defines measures aimed at strengthening the security and resilience of critical information infrastructures (CIIs).<sup>63</sup>

Following up on the actions from the Commission's Digital Agenda for Europe, a permanent CERT was set up in September 2012 for the EU institutions, agencies and bodies (CERT-EU). This team comprises IT security experts from the main institutions, and it was foreseen to cooperate closely with national CERTs, which all Member States were also required to establish.

In November 2012, the Council of the European Union established the Friends of the Presidency Group on Cyber Issues.<sup>64</sup> This was created to enhance internal coordination and to help develop a comprehensive and coherent EU-level approach on cyber issues. An initial mandate was given of one year, after which it was extended for a further three years.

Responding to the CIIs Action Plan, the mandate of ENISA was strengthened and modernised in May 2013<sup>65</sup> to address a number of threats and challenges identified by the EU institutions, including the fragmentation of national approaches, the lack of collaborative models in the implementation of NIS policies, the insufficient level of preparedness linked to limited European early warning and response capability and the low level of awareness of NIS risks and challenges. NIS is described as the "ability of a network or an information system to resist (...) accidental events or unlawful or malicious actions". The mandate of ENISA was extended for another seven years.

Earlier in that year, the first EU Cybersecurity Strategy was published by the European Commission and the High-Representative for Foreign and Security Policy.<sup>66</sup> It identifies gaps across the European Union, notably in terms of national capabilities, coordination in cases of incidents spanning across borders, and in terms of private sector involvement and preparedness.<sup>67</sup>

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63 [Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on Critical Information Infrastructure Protection – "Protecting Europe from large scale cyber-attacks and disruptions: enhancing preparedness, security and resilience"](#) (COM/2009/149)

64 [General Secretariat of the Council: Better coordination in the Council on cyber policy issues](#) (15686/12)

65 [Regulation \(EU\) No 526/2013 of the European Parliament and of the Council of 21 May 2013 concerning the European Union Agency for Network and Information Security \(ENISA\) and repealing Regulation \(EC\) No 460/2004](#)

66 [Cybersecurity Strategy of the European Union: An Open, Safe and Secure Cyberspace](#) (JOIN/2013/1)

67 The strategy states that in case of cyber espionage or state-sponsored attack, or in case the incident has serious national security implications, early warning mechanisms are activated upon alert from national authorities, and if required so are crisis management procedures. A particularly serious incident could constitute grounds for a Member State to invoke the EU Solidarity Clause (Article 222 TFEU).



## Policy landscape: Sectoral crisis management mechanisms

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As part of this strategy, the so-called NIS Directive was adopted in July 2016, aimed at ensuring a high common level of network and information security.<sup>68</sup> It lays down obligations for Member States to adopt national NIS strategies, it establishes security and notification requirements for operators of essential services and for digital service providers, and it lays down obligations for Member States to designate national competent authorities, single points of contact and Computer Security Incident Response Teams (CSIRTs). CSIRTs are responsible for the rapid reaction to cyber threats and cyber incidents.

Importantly, the Directive also established the CSIRTs Network and also the NIS Cooperation Group. Both groupings are involved with incident notification and response coordination.

The CSIRTs Network aims at contributing to the development of confidence and trust between the Member States and promoting operation cooperation. It is composed of representatives of national CSIRTs and CERT-EU. The Commission participates in the network as an observer and ENISA provides the secretariat.

The NIS Cooperation Group also aims at supporting and facilitating strategic cooperation and exchange of information among Member States, and developing trust and confidence with a view to achieving a high common level of security of network and information systems in the EU. It is composed of representatives of the Member States, the Commission (which also provides the secretariat) and ENISA. The chairmanship is held by the representatives of the Member State holding the Council of the EU presidency. It provides guidance on the activities of the CSIRTs network.

In October 2016, the Council decided to revamp its Group on Cyber Issues and established a Horizontal Working Party on Cyber Issues.<sup>69</sup> It became responsible for coordination of Council's work in matters such as cyber policy and legislative activities. Among its objectives is information-sharing on cyber issues both among Member States and national bodies.

In September 2017, the Commission published a Recommendation focusing on response coordination in the event of large-scale cybersecurity incidents and crises.<sup>70</sup> These can be considered an EU-level crisis when the disruption is too extensive for a single Member State to handle on its own or when it affects two or more Member States with such a wide-ranging impact of technical or political significance that it requires timely coordination and response at EU political level. The Recommendation recognises that

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<sup>68</sup> [Directive \(EU\) 2016/1148 of the European Parliament and of the Council of 6 July 2016 concerning measures for a high common level of security of network and information systems across the Union](#)

<sup>69</sup> [General Secretariat of the Council: Horizontal Working Group on Cyber Issues — Establishment and adoption of its Terms of Reference](#) (13114/16)

<sup>70</sup> [Commission Recommendation \(EU\) 2017/1584 of 13 September 2017 on coordinated response to large-scale cybersecurity incidents and crises](#)



these crises may trigger broader crises beyond network and information systems, that they are unpredictable and may occur simultaneously across different countries.

The Recommendation also produced a Blueprint describing the objectives and modes of cooperation between Member States and EU institutions, bodies and agencies in responding to large-scale cybersecurity incidents and crisis, and how existing crisis management mechanisms can make full use of existing EU-level cybersecurity entities. It was the result of consultations with CSIRTs, NIS Cooperation Group, Council Horizontal Working Party on Cyber Issues, representatives from the EEAS, ENISA, EC3 (Europol) and the General Secretariat of the Council.

On the same day, the Commission also tabled a revision to the mandate of ENISA, which was eventually adopted in April 2019.<sup>71</sup> It adapts its tasks and functions to a changing policy landscape and cybersecurity ecosystem. It incorporates responsibilities attributed by the NIS Directive, seeks to provide it a more central role in countering particular threats more actively, and also turn it into an expertise centre on cybersecurity certification.

An EU Law Enforcement Emergency Response (LE ERP) was adopted by the Council of the European Union in March 2019,<sup>72</sup> following two cyberattacks (WannaCry and NotPetya). Sitting within Europol's European Cybercrime Centre (EC3),<sup>73</sup> this is a tool to support EU law enforcement authorities in providing an immediate response to major cross-border cyberattacks through rapid assessment, secure and timely sharing of critical information and effective coordination of international aspects of their investigations. It is part of the 2017 Blueprint.

In September 2020, EU Member States launched the Cyber Crisis Liaison Organisation Network (CyCLONE).<sup>74</sup> Its aim is to further support the implementation of the 2017 Blueprint when it comes to a rapid emergency response to large-scale, cross-border cyber incidents or crises. It links cooperation at technical (e.g. CSIRTs) and political (e.g. IPCR) levels. Its development was carried out within the NIS Cooperation Group, while ENISA provides the secretariat.

In December 2020, the European Commission tabled a draft law aimed at modernising the NIS Directive. It considers increased digitalisation of the internal market and the evolving cyber security threat landscape. It also aims to support the increase in

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<sup>71</sup> [Regulation \(EU\) 2019/881 of the European Parliament and of the Council of 17 April 2019 on ENISA \(the European Union Agency for Cybersecurity\) and on information and communications technology cybersecurity certification and repealing Regulation \(EU\) No 526/2013 \(Cybersecurity Act\)](#)

<sup>72</sup> [Europol: Press Release, 18/03/2019: Law enforcement agencies across the EU prepare for major cross-border cyber-attacks](#)

<sup>73</sup> The EC3 was established by Europol in 2013 to strengthen the law enforcement response to cybercrime in the EU. Working alongside it is the Joint Cybercrime Action Taskforce (J-CAT), which focuses on the most important international cybercrime cases.

<sup>74</sup> [ENISA: Press Release, 29/09/2021: Blue OLEx 2020: the European Union Member States launch the Cyber Crisis Liaison Organisation Network \(CyCLONE\)](#)

## Policy landscape: Sectoral crisis management mechanisms

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information sharing and cooperation on cyber crisis management at national and EU levels. There is also an attempt to codify the CyCLONe network.

In June 2021, the European Commission adopted a Recommendation on establishing a Joint Cyber Unit.<sup>75</sup> The Unit was conceptualised by the Commission in consultation with Member States and the involvement of the EU High Representative. It is a component of the Commission's Security Union Strategy, Digital Strategy, and latest Cybersecurity Strategy.<sup>76</sup> It is seen as a means to consolidate progress in the implementation of the 2017 Blueprint.

The establishment of this Unit addresses the need for relevant cybersecurity institutions and actors to improve the ability to respond to increasingly complex, cross-border threats by harnessing existing resources and better coordinating efforts. The Recommendation urges actors to respond collectively and exchange information on a need to share rather than need to know basis. It points to the absence of a common EU platform for the exchange of information collected in different cybersecurity communities, and consequent coordination and resource mobilisation. It also highlights the lack of an EU-level channel for cooperation with the private sector.

The Recommendation calls for the establishment of synergies between the Joint Cyber Unit and the EU Civil Protection Mechanism (UCPM). It also calls for the establishment of a structured link with the Integrated Political Crisis Response (IPCR) mechanism.

ENISA serves as secretariat for the preparatory phase of the Unit, which is to operate close to it and to the office of CERT-EU. Investment is channelled from the Digital Europe programme (and from the European Defence Fund if required).

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75 [Commission Recommendation \(EU\) 2021/1086 of 23 June 2021 on building a Joint Cyber Unit](#)

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## Public health and health security

The Treaty on the Functioning of the European Union (TFEU) currently establishes in its Article 168 that public health is a competence shared between the European Union (EU) and its Member States. While Member States define and deliver their national health services and medical care, the EU seeks to complement national policies by means of its health strategy.

In November 1992, EU health ministers adopted a Council Resolution<sup>77</sup> inviting the European Commission to report on the existing arrangements between the Member States or by the World Health Organisation (WHO) for the surveillance of communicable diseases (including food-borne diseases). The aim was to identify needs and shortcomings and to put forward proposals for improvements. A year later, both the European Parliament<sup>78</sup> and the Council<sup>79</sup> adopted positions urging the Commission to set up a cross-border epidemiological network to collect and coordinate relevant information and definitions.

Following up on these requests, the Commission published in March 1996 a Communication reviewing the existing inter-institutional collaborative arrangements for the surveillance of communicable diseases in the EU.<sup>80</sup> It recalls the Ebola outbreak in

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77 Resolution of 13 November 1992 on the monitoring and surveillance of communicable diseases (92/C 326/01).

78 Resolution from 19 November 1993 on public health policy after Maastricht (A3-0311/93).

79 Council conclusions of 13 December 1993 on the setting up of an epidemiological network in the Community (94/C 15/04).

80 Communication concerning communicable disease surveillance networks in the European Community (COM/1996/78).

## Policy landscape: Sectoral crisis management mechanisms

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Zaire (1995) and the plague in India (1996), and it highlights that microbial agents spread through populations irrespective of borders. Climate change, resistance to antibiotics, the immunological status of individuals, as well as living conditions are also factors mentioned by this document. The understanding was that national authorities require a clear picture of the epidemiological situation in order to address progress of these diseases or to prevent their appearance. It was noted that this could be achieved through the systematic collection, analysis and interpretation of data on these diseases, followed by information dissemination to those responsible for public health.

Alongside this Communication, the Commission tabled a draft law aimed at setting up a network aimed at facilitating the epidemiological surveillance and control of communicable diseases. The resulting Decision was adopted by the Council in September 1998.<sup>81</sup> Such a network should be used not only for surveillance but also include an Early Warning and Response System (EWRS). The network was established to bring into permanent communication the Commission and those structures within the Member States dealing with information collection and dissemination. The EWRS was established specifically to bring into permanent communication the Commission and the competent authorities in each Member State responsible for determining the measures which may be required to protect public health.

In December 1999, the Commission adopted a Decision operationalising the establishment of the EWRS.<sup>82</sup> It aimed at facilitating the integration of the whole network with other rapid alert networks. It established the use of the Health Surveillance System for Communicable Diseases within the European Public Health Information Network (EUPHIN-HSSCD) as the operating system. This Decision also designated the procedures to be followed in the case of a potential or definitive public health threat.

The terrorist attacks on 11 September 2001 led to a review by national authorities and international organisations of their means to prevent and counter the terrorist threat and mitigate the effects of future incidents.<sup>83</sup> They also devised and adapted plans to account for a new type of threat, that of the deliberate release of biological and chemical agents.

In October 2001, the European Council urged the preparation of a programme covering the detection and identification of infectious and toxic agents as well as the prevention and treatment of chemical and biological attacks.<sup>84</sup> It called on authorities to step up cooperation between the intelligence, police, civil protection and health services.

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<sup>81</sup> Decision No 2119/98/EC setting up a network for the epidemiological surveillance and control of communicable diseases in the Community.

<sup>82</sup> Commission Decision 2000/57/EC of 22 December 1999 on the early warning and response system for the prevention and control of communicable diseases under Decision No 2119/98/EC.

<sup>83</sup> Some of those reflections were carried out by EU stakeholders in the framework of the EU's Civil Protection Mechanism. Check the related Factsheet for further details.

<sup>84</sup> Declaration by the European Council of 19 October 2001 — Follow-Up to the September 11 attacks and the fight against terrorism (4296/2/01).

The Health Security Committee (HSC) was informally set up in November by the European Commission, bringing together representatives from the ministries of health of each Member State. It was made responsible for raising the alert, rapidly exchanging information and co-ordinating health responses in the case of an emergency following a deliberate release of biological or chemical agents to cause harm. In the same month, the threat posed by bioterrorism was added to the list of potential emergencies to be addressed in the framework of civil protection.<sup>85</sup> Upon a proposal from the Commission, in December the HSC agreed a programme of co-operation on preparedness and response to biological and chemical agent attacks (also known as Health Security Programme or BICHAT). This programme delivered on the suggestions put on the table by the Council on 15 November 2001,<sup>86</sup> which also served as the basis for the creation of the HSC.

The Programme was implemented from May 2002 and comprised a set of actions grouped under four objectives:

- Set up a mechanism for information exchange, consultation and coordination for the handling of health-related issues related to attacks.
- Create an EU-wide capability for the timely detection and identification of biological and chemical agents that might be used for attacks and for the rapid and reliable determination of diagnosis of relevant cases.
- Create a database of medicines stock and health services and a stand-by facility for making medicines and health care specialists available in cases of suspected or unfolding attacks.
- Draw up rules and disseminate guidance on addressing attacks from a health point of view, and coordinating EU response and links with third countries and international organisations.

The mechanism set up in the framework of this Programme comprises the HSC as well as a rapid alert system code-named RAS-BICHAT. This system became operational in June 2002 for the notification of incidents involving the deliberate or threatened release of biological and chemical agents to cause harm. It linked the HSC and contact points designated by its members. Moreover, it was linked to and complemented the EWRS as well as the EU's Civil Protection Mechanism (UCPM).

Crucially, a questionnaire was sent to Member States to identify experts that could be made available for advice and for missions. Such a directory would be managed in collaboration between Member States and the Commission, and the experts would be selected by the HSC.

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<sup>85</sup> Communication on civil protection — State of preventive alert against possible emergencies (COM/2001/707)

<sup>86</sup> Council Presidency conclusions on bioterrorism, 19 November 2001 (13826/01)

## Policy landscape: Sectoral crisis management mechanisms

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In December 2002, the Council adopted a Joint Programme aimed at improving cooperation to prevent and limit the consequences of chemical, biological, radiological or nuclear (CBRN) terrorist threats.<sup>87</sup>

Besides the bioterrorist threat, the SARS outbreak provided yet another incentive for the further consolidation of EU competence in public health. In August 2003, the Commission tabled a proposal for the establishment of a European Centre for Disease Prevention and Control (ECDC). The draft law highlighted the outcome of assessments carried out on the communicable diseases network (which includes the EWRS). The need became apparent to strengthen a system facing structural weaknesses, and to create a coordinating centre for the effective control of communicable diseases. The Regulation establishing the ECDC was adopted in April 2004,<sup>88</sup> with a mandate covering surveillance, detection and risk assessment of threats to human health from communicable diseases and outbreaks of unknown origin. It also progressively took over the operation of the network and in particular of the EWRS (2007). It became operational in May 2005.

In November 2006, the Commission proposed a transitional prolongation and extension of the HSC mandate, ahead of a wider overhaul of the legal provisions and other arrangements in the area of health threats.<sup>89</sup> This was endorsed by the Council in February 2007.<sup>90</sup> The HSC mandate focused on preparedness, threat and crisis management.

The Council increasingly highlighted the need to strengthen the coordination of responses to major cross-border scourges, including CBRN threats, in the context of the EU's approach to health security.<sup>91</sup> The importance of an intersectoral approach for an appropriate response to public health issues was also pointed out. The Council urged the Commission to take into account international (extra-EU) coordination,<sup>92</sup> to establish a network of crisis communication in the framework of the HSC, and to develop and coordinate research on prevention and management of health threats. The first assessment of ECDC activities was published in November 2008.<sup>93</sup> Internal reflection

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87 Joint programme to improve cooperation in the European Union for preventing and limiting the consequences of chemical, biological, radiological or nuclear terrorist threats (14627/02)

88 Regulation (EC) No 851/2004 of the European Parliament and of the Council of 21 April 2004 establishing a European Centre for disease prevention and control

89 Communication on transitional prolongation and extension of the mandate of the Health Security Committee in view of a future general revision of the structures dealing with health threats at EU level (COM/2006/699).

90 Council Conclusions on the Commission Communication on the mandate of the Health Security Committee (5862/07)

91 Council Conclusions on health security (16515/08)

92 In particular, the implementation of the International Health Regulations (IHR 2005) and cooperation with the WHO.

93 The European Centre for Disease Prevention and Control activities on Communicable diseases: the positive outcomes since the Centre's establishment and the planned activities and resource needs (COM/2008/741)



continued as the EU sought to respond to the influenza A(H1N1) pandemic in 2009 and beyond.

The discussions led to the Commission tabling a draft law in December 2011, updating the wider EU approach to cross-border health threats. Its aim was to streamline and strengthen capacities and response structures. Threats were now seen as those caused by communicable diseases, biological agents responsible non-communicable diseases, and threats of chemical, environmental, or unknown origin. Threats deriving from the effects of climate change were also included in the scope of the proposal, which nonetheless excluded health threats of radiological or nuclear origin as these were dealt with by the provisions of the EAEC (Euratom) Treaty.

The draft law recognised that no country can tackle a cross-border public health crisis on its own, even if Member States still hold the primary responsibility to manage public crises at national level. Examples of past crises included the influenza pandemic (2009), the volcanic ash cloud and toxic red sludge (2010), outbreaks of E.coli STEC O104 (2011). The Lisbon Treaty reinforced the legal basis for addressing cross-border health threats, even if EU was still unable to undertake the harmonisation of laws and regulations. Subsidiarity was still explicitly highlighted.

The proposed Decision extended the remit of the EWRS to health threats beyond communicable diseases, repealing Decision No 2119/98/EC. It formalised and recognised the role of the HSC (no longer dealing strictly with bioterrorism), and attributed a key role to the ECDC in identifying, assessing and communicating existing and emerging threats. It also provided a legal basis for an EU mechanism for the joint procurement of medical countermeasures. The Decision was eventually adopted in October 2013.<sup>94</sup>

The Rules of Procedure of the HSC were eventually adopted in June 2015.<sup>95</sup> In December 2015, the first Commission report on the implementation of the Decision was published.<sup>96</sup> In December 2016, the European Court of Auditors published an assessment on the overall framework covering cross-border health threats.<sup>97</sup>

The COVID-19 pandemic kickstarted yet another new phase of development in EU competence when it comes to public health, and specifically in the framework of a

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94 Decision No 1082/2013/EU of the European Parliament and of the Council of 22 October 2013 on serious cross-border threats to health and repealing Decision No 2119/98/EC.

95 Rules of Procedure of the Health Security Committee — available in: [https://ec.europa.eu/health/system/files/2016-11/hsc\\_rules\\_procedure\\_en\\_0.pdf](https://ec.europa.eu/health/system/files/2016-11/hsc_rules_procedure_en_0.pdf)

96 Report on the implementation of Decision No 1082/2013/EU of the European Parliament and of the Council of 22 October 2013 on serious cross-border threats to health and repealing Decision No 2119/98/EC (COM/2015/617)

97 European Court of Auditors, Dealing with serious cross-border threats to health in the EU : important steps taken but more needs to be done. Special report No 28, 2016, Publications Office, 2016, <https://data.europa.eu/doi/10.2865/11880>

## Policy landscape: Sectoral crisis management mechanisms

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nascent European Health Union. A Communication published in November 2020 outlined the lessons learnt from the first stage of the pandemic, and advocated the strengthening of existing structures and mechanisms.<sup>98</sup> It was accompanied by a legislative package, which aimed at upgrading the Decision on cross-border health threats, strengthening the mandate of the ECDC and extending the mandate of the European Medicines Agency (EMA). The package also aimed at interlinking these proposals with the latest policy developments concerning the UCPM.

The update to the existing framework addressing serious cross-border health threats arose from the understanding that it had not performed optimally when reacting to COVID-19.<sup>99</sup> The structures and mechanisms were essential in facilitating the exchange of information on the evolution of the pandemic and supporting the adoption of national measures, but did little to trigger a timely common EU-level response, coordinate the crucial aspects of risk communications, or ensure solidarity among EU Member States. The proposed Regulation — which repeals the existing Decision — set out a comprehensive framework to govern action at EU level on preparedness, surveillance, risk assessment, and early warning and responses. It also aimed to enhance EU guidance in the adoption of common measures at EU level to face future cross-border health threats. The proposed amendments to the ECDC mandate aimed at aligning it with the wider framework.<sup>100</sup>

A second package of initiatives was put forward by the Commission in September 2021 as new building blocks for the European Health Union. Crucially, the European Health Emergency Preparedness and Response Authority (HERA) was established as a service of the European Commission.<sup>101,102</sup> Its primary aim was set to strengthen the EU's ability to prevent, detect, and rapidly respond to cross-border health emergencies, by ensuring the development, manufacturing, procurement, and equitable distribution of key medical countermeasures. On this front, the Commission also tabled a proposal for a framework aimed at ensuring the supply of crisis-relevant medical countermeasures in the event of a public health emergency at EU level.<sup>103</sup> It also foresaw the establishment of a Health

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98 Building a European Health Union: Reinforcing the EU's resilience for cross-border health threats (COM/2020/724)

99 Proposal for a Regulation on serious cross-border threats to health and repealing Decision No 1082/2013/EU (COM/2020/727)

100 Proposal for a Regulation amending Regulation (EC) No 851/2004 establishing a European Centre for disease prevention and control (COM/2020/726)

101 Introducing HERA, the European Health Emergency preparedness and Response Authority, the next step towards completing the European Health Union (COM/2021/476)

102 Commission Decision of 16 September 2021 establishing the Health Emergency Preparedness and Response Authority

103 Proposal for a Council Regulation on a framework of measures for ensuring the supply of crisis-relevant medical countermeasures in the event of a public health emergency at Union level (COM/2021/577)



Crisis Board to ensure coordination and the integration of approaches to crisis-relevant medical countermeasures.

### Forest fires and wildfires

*Please read the following section alongside the section on Civil Protection Mechanisms (page 6), as the response to wildfires was within the scope and one of the engines of civil protection cooperation since the early days. The Commission's DG Environment was instrumental as a stakeholder for both the origins of EU civil protection and the specific EU approach to forest fires.*

The European institutions have long acknowledged the importance of forests as an essential element in maintaining fundamental balances, in particular as regards soil, water, climate, fauna and flora. Relevant economic sectors also largely rely on the protection of forests, such as agriculture and the timber industry. In this context, concern has increased over time on the impact of forest fires.

In June 1983, the European Commission tabled a draft Council Regulation aimed at establishing a scheme to provide forests across the Community with increased protection against fire. This was in recognition that aid should be provided for the acquisition of equipment to support Member States in overcoming deficiencies, both in prevention and the fighting of forest fires. The Commission also acknowledged that cooperation between Member States could increase the effectiveness of measures to fight forest fires, including via (voluntary) mutual assistance, and in particular via training and the harmonisation of fire-fighting methods. The Council adopted the proposed Regulation in November 1986.<sup>104</sup>

In May 1989, the Council adopted an initial forestry action plan programme with four priorities, one of which was the protection of forests from fires. Another one was the establishment of a Standing Forestry Committee (SFC), whose corresponding Decision was adopted on that same occasion.<sup>105</sup> This Committee aimed at encouraging the permanent exchange of information between the Member States and the Commission on situations concerning the forests, including threats affecting this resource. At the same time, the Council also endorsed a draft Regulation setting up a European Forestry Information and Communication System (EFICS), aimed at collecting comparable and objective information on the structure and operation of the forestry sector in the Community.<sup>106</sup>

<sup>104</sup> Council Regulation (EEC) No 3529/86 of 17 November 1986 on protection of the Community's forests against fire

<sup>105</sup> Council Decision 89/367/EEC of 29 May 1989 setting up a Standing Forestry Committee

<sup>106</sup> Council Regulation (EEC) No 1615/89 of 29 May 1989 establishing a European Forestry Information and Communication System (EFICS)

## Policy landscape: Sectoral crisis management mechanisms

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In November 1991, the Commission tabled a draft Regulation extending and updating the existing scheme for the protection of forests against fires. This update was forced upon by the expiry of the framework, but also as a result of discussions within the SFC. Among the proposed amendments to the scheme was an effort to concentrate efforts primarily on high-risk fire zones and the development of a databank on forest fires. It also aimed to encourage Member States to develop coherent forest fire protection strategies by restricting funding to actions clearly falling within such strategies. The amended Council Regulation was adopted in July 1992<sup>107</sup> and the scheme was extended until 1996.

Crucially, the scheme also envisaged the creation of a system of information on forest fires. It aimed at the promotion of exchanges of information, the evaluation of the impact of specific measures taken by Member States and the Commission, the evaluation of the periods, degree and causes of risk and the development of strategies for the protection of forests against fire, with particular emphasis on the elimination or reduction of causes. The Commission adopted in 1994 a Regulation to regulate the implementation of such a system.<sup>108</sup>

The scheme was again extended in 1997 for the period to 2001.<sup>109</sup> Its scope remained as a tool in supporting Member States to prevent forest fires while at the same time ensuring that forestry measures financed by the Community in areas at risk from fire were consistent. It included provisions encouraging the close cooperation between Member States and the Commission in the framework provided by the SFC. It also foresees the further development of the Community system of information on forest fires.

In November 1998, the European Commission published its first strategy for the forestry sector in the European Union<sup>110</sup>. It highlights forest fires as a major factor endangering sustainable development in near half of the EU's forests, and it recalls the financing of measures via the rural development policy and the specific scheme against forest fires. The SFC and the Community information system are seen as central to the EU approach to the threat.

In the same year, the Commission's *Joint Research Centre (JRC)* set up a research group to work specifically on the development and implementation of advanced methods for the evaluation of forest fire danger and the mapping of burnt areas at European scale. Also in 1998, a first meeting of the *Forest Fire Experts Group* of the Member States took place. This

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107 Council Regulation (EEC) No 2158/92 of 23 July 1992 on protection of the Community's forests against fire

108 Commission Regulation (EC) No 804/94 of 11 April 1994 laying down certain detailed rules for the application of Council Regulation (EEC) No 2158/92 as regards forest-fire information systems

109 Council Regulation (EC) No 308/97 of 17 February 1997 amending Regulation (EEC) No 2158/92 on protection of the Community's forests against fire.

110 Communication on a Forestry Strategy for the European Union (COM/1998/649).

group was established by the JRC and the Commission's DG Environment to advise on the development of methods foreseen for fire assessment.

These activities led to the development of the European Forest Fire Information System (EFFIS) which became operational in 2000. This system also built on the achievements of the previous Community information system.

In July 2002, the Commission tabled a draft law with the intention of establishing a new multiannual framework — under the designation of Forest Focus — aimed at monitoring forests and environmental interactions, partly based on the achievements of the previous scheme for the protection of forests against fires. It aimed at merging this scheme with a parallel framework focusing on the impact of atmospheric pollution on forests. In particular, the provisions of the new programme aimed to support and complement activities related to forest fires undertaken under the provisions of civil protection and rural development frameworks, and the EFICS. The proposed Regulation was adopted in November 2003<sup>111</sup> and the Programme lasted until 2008.

In 2004, the JRC started checking, storing and managing all the forest fire data provided by individual EU Member States and other European countries within the EFFIS.

In June 2006, a new action plan addressing the forestry sector was published by the Commission. Measures set out in this document included the further development of EFFIS, encouragement for cooperation between Member States on understanding regional problems with the condition of forests, and continuous financing of measures concerning fire prevention and restoration of forests, as well as studies on the causes of forest fires. In November 2006, the Commission adopted a Regulation laying out detailed rules for the implementation of Forest Focus.<sup>112</sup>

The funding programmes that followed up on Forest Focus — the LIFE+ programme in 2007-2013,<sup>113</sup> the LIFE programme in 2014-2020<sup>114</sup> and 2021-2027<sup>115</sup> — lost their focus on addressing forest fires, as this threat was progressively absorbed into wider concerns relating to environmental policy. The same happened with the strategies focusing on

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<sup>111</sup> Regulation (EC) No 2152/2003 of the European Parliament and of the Council of 17 November 2003 concerning monitoring of forests and environmental interactions in the Community (Forest Focus)

<sup>112</sup> Commission Regulation (EC) No 1737/2006 of 7 November 2006 laying down detailed rules for the implementation of Regulation (EC) No 2152/2003 of the European Parliament and of the Council concerning monitoring of forests and environmental interactions in the Community

<sup>113</sup> Regulation (EC) No 614/2007 of the European Parliament and of the Council of 23 May 2007 concerning the Financial Instrument for the Environment (LIFE+)

<sup>114</sup> Regulation (EU) No 1293/2013 of the European Parliament and of the Council of 11 December 2013 on the establishment of a Programme for the Environment and Climate Action (LIFE) and repealing Regulation (EC) No 614/2007

<sup>115</sup> Regulation (EU) 2021/783 of the European Parliament and of the Council of 29 April 2021 establishing a Programme for the Environment and Climate Action (LIFE), and repealing Regulation (EU) No 1293/2013

## Policy landscape: Sectoral crisis management mechanisms

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forestry, published in 2006,<sup>116</sup> 2013<sup>117</sup> and 2021.<sup>118</sup> Forest fires were generally absorbed into a wider context addressing threats stemming from climate change and more widely threats causing environmental damage. The EU civil protection mechanisms became the default response to crises caused by wildfires, always assisted by EFFIS and also by financing mechanisms covering rural development, agriculture and the environment.

EFFIS became part of the Copernicus Programme in 2015, in the framework of its Emergency Management Service (EMS).

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116 Communication on an EU Forest Action Plan (COM/2006/302)

117 A new EU Forest Strategy: for forests and the forest-based sector (COM/2013/659)

118 New EU Forest Strategy for 2030



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