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COMMISSION IMPLEMENTING DECISION

of 19.7.2023

**amending Implementing Decision C(2022)9057 on financing emergency response actions
under the Union Civil Protection Mechanism for 2023**

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amending Implementing Decision C(2022)9057 on financing emergency response actions under the Union Civil Protection Mechanism for 2023

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012¹, and in particular Article 110 thereof,

Having regard to Decision No 1313/2013/EU of the European Parliament and of the Council of 17 December 2013 on a Union Civil Protection Mechanism², and in particular Article 25(5) thereof,

Whereas:

- (1) In order to ensure the implementation of the Union Civil Protection Mechanism and guarantee the continuity of emergency response actions thereunder, it is necessary to adopt an annual financing decision for the year 2023. Article 110 of Regulation (EU, Euratom) 2018/1046 ('the Financial Regulation') establishes detailed rules on financing decisions.
- (2) Response actions under the Union Civil Protection Mechanism essentially consist of dispatching expert teams, giving financial support to transporting civil protection assistance in the event of disasters inside and outside the Union, in compliance with Commission Implementing Decision 2014/762/EU³, in particular Chapters 12 and 13 thereof, and providing financial support to operational costs of deployment of assistance from the European Civil Protection Pool and rescEU reserve inside and outside the Union, in accordance with Commission Implementing Decision (EU) 2019/1310⁴.
- (3) 2023 has already been an intense year in terms of response actions. The year started with devastating earthquakes happened in Türkiye and Syria, requiring a significant mobilisation of resources from the UCPM on behalf of the EU. This was followed by repatriation requests linked to the Sudan conflict. At the same time, the war in Ukraine

¹ OJ L 193, 30.7.2018, p. 1.

² OJ L 347, 20.12.2013, p. 924.

³ Commission Implementing Decision 2014/762/EU of 16 October 2014 laying down rules for the implementation of Decision No 1313/2013/EU of the European Parliament and of the Council on a Union Civil Protection Mechanism (OJ L 320, 16.10.2014, p. 1).

⁴ Commission Implementing Decision (EU) 2019/1310 of 31 July 2019 laying down rules on the operation of the European Civil Protection Pool and rescEU (OJ L 204, 02.08.2019, p. 94).

is still highly dynamic and results in new requests for assistance on a regular basis. The intensity of hostilities will very likely result in additional humanitarian needs and requests for assistance, in particular in the area of medical aid, medical evacuations, etc., but also potential CBRN (Chemical Biological Radiological Nuclear) risks. As such, the UCPM needs to be prepared to respond to CBRN risks since such incidents would lead to severe cascading effects across the region (e.g. large scale human displacement, rapid deployment of CBRN stockpiles, emergency evacuations etc.). Also, the wildfire season 2023 has already started with a large number of winter and spring fires in Portugal, northern Spain, the Pyrenees region, Romania, the Balkans and southern Ireland (of which two fires in Spain and France required the mobilisation of all national capacity and the remote support of the ERCC). After a dry season in Europe for the year 2022, there are persistent drought conditions in 2023, and it is expected to have high fire danger conditions from April to September. In order to respond to current and future emergencies, the maximum contribution for the implementation of emergency response actions in 2023 needs an urgent reinforcement of EUR 55 000 000.

- (4) The increase of EUR 55 000 0000 is subject to the adoption of budgetary authority transfer proposal with reference DEC 09/2023 that was submitted to the Budgetary Authority on 31 May 2023. That amount would be transferred from the Solidarity and Emergency Aid Reserve to the Union Civil Protection Mechanism.
- (5) Pursuant to a request for assistance, there may be a need to take additional necessary supporting and complementary action in order to facilitate the coordination of response in the most effective way under the Union Civil Protection Mechanism, in accordance with Article 22, point c) of Decision No 1313/2013/EU.
- (6) The Union financial support for transport resources should cover eligible costs such as short-term rental of warehousing capacities, repackaging of Member States'⁵ assistance and local transport of pooled assistance, where this is necessary to make the pooling of Member States' assistance operationally effective, in accordance with Article 23(4) of Decision No 1313/2013/EU.
- (7) In accordance with Article 12 of Commission Implementing Decision (EU) 2019/1310⁶, the Union financial assistance for operational costs should cover all the costs of running a capacity during an operation that are necessary to make it operationally effective.
- (8) It is appropriate to authorise the award of grants without a call for proposals and to provide for the conditions for awarding those grants.
- (9) The envisaged assistance is to comply with the conditions and procedures set out by the restrictive measures⁷ adopted pursuant to Article 215 TFEU.
- (10) It is necessary to allow for the payment of interest due for late-payment on the basis of Article 116(5) of the Financial Regulation.

⁵ In light of Article 28(1a) of Decision No 1313/2013/EU, where reference is made to Member States, it shall be understood as including Participating States as defined in Article 4(12) of Decision No 1313/2013/EU.

⁶ Commission Implementing Decision (EU) 2019/1310 of 31 July 2019 laying down rules on the operation of the European Civil Protection Pool and rescEU (OJ L 204, 2.8.2019, p. 94).

⁷ www.sanctionsmap.eu. Note that the sanctions map is an IT tool for identifying the sanctions regimes. The source of the sanctions stems from legal acts published in the Official Journal (OJ). In case of discrepancy the OJ prevails.

- (11) In order to allow for flexibility in the implementation of this Decision, it is appropriate to define changes which should not be considered substantial for the purposes of Article 110(5) of the Financial Regulation.
- (12) Pursuant to Article 25(5) of Decision No 1313/2013/EU, the application of the examination procedure referred to in Article 33(2) of that Decision is not required for the financing of disaster response actions under the Union Civil Protection Mechanism.
- (13) Implementing Decision C(2022)9057 should therefore be amended accordingly.

HAS DECIDED AS FOLLOWS:

Sole Article

Commission Implementing Decision C(2022)9057 is amended as follows:

- (1) Article 2 is replaced by the following:

*‘Article 2
Union contribution*

- 1. The maximum Union contribution for the implementation of the emergency response actions for 2023 is set at EUR 82 500 000 and shall be financed from the appropriations entered in budget line 06.0501⁸ - Union Civil Protection Mechanism (rescEU) of the general budget of the Union.

The appropriations provided for in the first subparagraph may also cover interest due for late payment.
 - 2. The implementation of this Decision is subject to the availability of the appropriations provided for in the budget authority transfer DEC 09/2023, following its adoption by the Budgetary Authority.
- (2) The Annex is replaced by the text in the Annex to this Decision.

Done at Brussels, 19.7.2023

*For the Commission
Janez LENARČIČ
Member of the Commission*

⁸ Under reserve of nomenclature changes. In case of application of the system of provisional twelfths, nomenclature should be aligned with the structure of the 2023 budget.