

Proposal on the Union Civil Protection Mechanism: A Missed Opportunity to Improve EU Public Warning

Introduction

The proposal for a Regulation on the Union Civil Protection Mechanism is a step forward for public safety during crises. The large increase in UCPM funding, the creation of a stronger mechanism for reviewing Member State preparedness for disasters, and support for the integration of Galileo EWSS will contribute to increased EU preparedness.

Notwithstanding this, EENA has identified three aspects of the current proposal which could be improved. These are:

- (i) A missed opportunity to use the UCPM to integrate lessons learned from the implementation of public warning into EU law;
- (ii) Overly lengthy periods between the Risk Assessments and Risk Management Reports in Chapter I;
- (iii) An unclear relationship between “early warning” and “public warning”; and
- (iv) Improving international cooperation during crises.

1. Using the UCPM to integrate lessons from the implementation of public warning into EU law

Despite being titled “Public Warning Systems” Article 24 is currently limited to supporting the integration of the Galileo Early Warning Satellite Service (Galileo EWSS) into national public warning systems.

Limiting Article 24 to Galileo EWSS is a significant missed opportunity to integrate lessons learned in public warning over the past decade into EU law. This is all the more unfortunate given several high-profile failures in the use of public warning in Europe during this time, such as the 2024 Spanish floods, and the fact that the characteristics of “successful” public warning systems identified in the Niinistö report have not yet been codified into EU law.

To resolve this omission, EENA has identified three amendments to ensure that lessons from the implementation of public warning in Europe are integrated into EU law:

Proposed Solution 1: To ensure Galileo EWSS and other public warning technologies work effectively during crises, Article 24 should ask the European Commission to develop a report on Member State alignment with the characteristics of successful public warning systems outlined in the Niinistö Report on *Safer Together Strengthening Europe’s Civilian and Military Preparedness and Readiness*.

This change would for the first time integrate the Niinistö criteria into EU law, and encourage Member States to integrate these procedures into their public warning systems.

Proposed Solution 2: To improve cross border sharing of public warning systems, Article 27 (Notifications) should oblige Member States to share public warnings with neighbouring Member States if they believe the disaster for which the public warning is being issued is likely to cause effects in those Member States.

Member States should also ensure that procedures for issuing public warnings in these situations are sufficiently clear to ensure their rapid sharing with other Member States.

The benefits of this change would be twofold:

- (i) Notifying other Member States when they believe a disaster is sufficiently serious to require a public warning will improve inter-state cooperation during disasters.

- (ii) Requiring clear procedures so public warnings can be activated and shared rapidly will help overcome an emerging issue with the implementation of public warning in Europe; a lack of clear protocols for their activation. A lack of clear protocols was a major contributory factor for delays in issuing a public warning during the 2024 Spanish floods, where over 200 people lost their lives.

Proposed Solution 3: To ensure that public warning issues are addressed as part of the Risk Assessments and Risk Management Planning in Chapter I, Recital 41, which addresses public warning, should clarify that the European Commission should include recommendations on public warning in its common baselines in Chapter 1.

2. Overly lengthy periods between the Risk Assessments and Risk Management Reports in Chapter I

The proposals for Chapter 1 of the UCPM are a very positive development for EU public safety. However requiring these reports to be updated just twice each decade is inconsistent with the emphasis on flexibility elsewhere in the UCPM.

The risks and challenges facing Europe are constantly changing; the last half decade has included a pandemic, wars, the 2021 Northern European and 2024 Spanish floods, record breaking wildfires and supply chain shortages. A five-year reporting cycle cannot capture these dynamics and risks undermining the added value of Chapter I.

Proposed Solution: The period between reports listed in Chapter 1 should be reduced from at least every five years, to at least every 18 months.

3. Clarifying the Relationship between “Early Warning” and “Public Warning” in the UCPM.

EENA has noticed some inconsistencies in terminology when discussing “public warning” and “early warning” in the UCPM.

For example, the definition of “early warning” in Article 3(9) includes “the provision of information that allows action to be taken” before a disaster, and therefore covers public warning. However Article 23(f) refers to “national early warning and alert systems” indicating that early warning systems are distinct to those that send public warning alerts.

Proposed Solution: To clarify matters, a definition of public warning could be added in Article 3 alongside the definition of early warning. EENA’s proposed definition is based on a 2018 Bulgarian Presidency proposal during negotiations on the European Electronic Communications Code. EENA has also proposed several other minor amendments to clarify this relationship in the annex to this paper.

4. Improving international cooperation during crises.

Organisations which are responsible for emergency communications often need to contact each other during international emergencies. Examples include international emergency calls, or localised public warnings in cross border areas.

Proposed Solution: To facilitate international cooperation, Article 19 should require the Commission to host a directory of these organisations in each EU Member State.

Annex I: Proposed amendments to the UCPM

1. Using the UCPM to integrate lessons from the implementation of public warning into EU law

Article 24(a) Public Warning Systems – either

The European Commission shall develop a report on Member State alignment with the characteristics of successful public warning systems referred to in Annex I (Annex I would then list criteria from Niinistö report).

Article 27 Notifications

Where a Member State believes that a public warning should be issued to the population about an ongoing or imminent disaster within its territory, which causes or is likely to cause transboundary effects, it shall share this warning without delay with the potentially affected Member States and the Commission. Member States shall ensure that their procedures for issuing public warnings in these situations are sufficiently clear to ensure rapid dissemination and sharing with other Member States, and shall include information about this capacity as part of their summary of national risk management information submitted to the Commission in Article 15.

Recital 41

"To enhance the preparedness for cross-sectoral, cross-border, and Union-wide disasters, the Union, through its Mechanism and existing Union tools, should provide support to Member States in developing and implementing public warning systems, **and include recommendations on public warning in its Union Disaster Resilience Goals developed by the Commission in cooperation with Member States in Article 13...**"

2. Overly lengthy periods between the Risk Assessments and Risk Management Reports in Chapter I

Article 15:

"To foster the development of a shared understanding of disaster risks and threats at Union level, identify common needs in disaster risk management capability building, support the implementation of the Union disaster resilience goals, and facilitate the exchange of good practices, the Member States, without prejudice to national rules and procedures, shall make available to the Commission a summary in accordance with the guidelines referred to in Article 16(2), by 31 December 2028 and at least once every **18 months** thereafter:"

Article 16:

(a) "produce at least once every **18 months** a report providing a cross-sectoral overview of natural and human-induced disaster risks.."

(b) produce at least once every **18 months**, a report on **prevention, alert and** response capacities and relevant capabilities at Union level.."

3. Clarifying the Relationship between "Early Warning" and "Public Warning" in the UCPM.

Article 3(x): 'Public warning' means an alert issued by a competent authority and directed to all citizens in a determined geographic area with a view of warning those

citizens of a developing, imminent or occurring natural or man-made disaster or a major emergency situation and advising them on measures to protect themselves and to mitigate the impact of such a disaster or emergency situation.

Article 23 Anticipation and Early Warning

“(g) support the efforts of Member States and mandated international organisations by providing scientific knowledge, innovative technologies, and expertise for the development of their early warning **and alert** systems, including through the Knowledge Network.”

4. Improving international cooperation during crises

Article 19(xx) **To facilitate international cooperation during crises, Member States shall provide E.146 long numbers organisations responsible for receiving emergency communications in their jurisdiction to the European Commission. The European Commission shall develop a Directory of these numbers which will be made available to all Member States.**