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Delegations will find attached the partially declassified version of the above-mentioned document.



ANNEX

**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 5 March 2010

**6090/10
ADD 8 EXT 1 (05.03.2013)**

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ADDENDUM TO THE NOTE

from : The Council General Secretariat
to : Working Party on Terrorism

Subject : Second Round of Peer Evaluation
Preparedness and consequence management in the event of a terrorist attack

Delegations will find enclosed the report of the evaluation mission in **Bulgaria** (22-24 October 2008) in the framework of the above-mentioned round of peer evaluation.

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1. EXECUTIVE SUMMARY

- In the framework of the second round of peer evaluation covering "Preparedness and consequence management in the event of a terrorist attack" an evaluation visit was made to Bulgaria from 22 to 24 October 2008.
- In general terms, Bulgaria pays attention to new and emerging threats such as international terrorism, the danger of proliferation of weapons of mass destruction and transnational organised crime.

Since the transition to democracy Bulgaria has not had to face a terrorist threat on its soil. The Bulgarian authorities consider that there is no specific threat directed at the country at the moment, although it has troops stationed in Iraq and Afghanistan.

According to the analyses we were shown, the country's Moslem community is not undergoing radicalisation producing potential recruits to terrorist organisations. **NOT**

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However, the threat is regularly evaluated and surveillance of these communities would suggest that the situation is unlikely deteriorate in the foreseeable future.

In addition, there is no evidence regarding the presence of Al-Qaida and/or affiliated organisations in Bulgaria.

- The impression of the main institutions that the evaluation team visited was positive. Bulgaria seems to have a functioning system, staff involved have years-long experience in the field and investment has been made in modern infrastructure (high technology and videoconference facilities). The issues are well taken care of, chains of command and crisis management appear efficient.

- The main recommendations resulting from this evaluation mission focus on the following areas:

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2. ARRANGEMENTS IN THE EVENT OF A TERRORIST ATTACK

2.1. Structures and organisational framework of National Crisis Centres

The legal basis for the management of results of terrorist crises is laid down in two laws: the Law on the Management of Crises of 2005 and the Law on Protection in the Event of Disasters of 2006, both of which have been amended several times since their adoption by the National Assembly. The law on the Management of Crises regulates the powers of the state authorities and the local government authorities, and the rights and obligations of natural and legal persons during management of crises. These laws were adopted in the process of joining NATO and the EU and are based predominantly on NATO recommendations. Their aim was to overcome gaps in the preceding system, which was geared for catastrophes and accidents but not for crises resulting from social conflicts or terrorism. Terrorist crises were dealt with among other types of crises (especially natural disasters like floods and major fires). But a unified national Counter-terrorism plan was recently adopted by the Council of Ministers of Bulgaria.

The structure of the national crisis management system has several layers at the central level, which are mirrored at the regional and municipal levels¹ as well as in the ministries most involved in crisis management (Ministry of the Interior, Ministry of Emergency Situations², Ministry of Defence, Ministry of Transport, Ministry of Health). It consists of both permanent and ad hoc bodies. The setting up and the composition of the latter depends on the nature of each crisis.

In the event of a crisis (included a crisis resulting from a terrorist attack), the political and strategic leadership is exercised by the Council of Ministers, which also declares and recalls a crisis situation.

The Council of Ministers is supported by the Security Council, an ad hoc consultative body at ministerial level, whose composition depends on the particular crisis situation. According to Art 11 of the Law on the Management of Crises 2005, the main tasks of the Security Council are to:

- analyse the degree of the risk of the occurrence of crises and propose preventive measures;
- propose to the Council of Ministers the announcement of a crisis situation;
- propose to the Council of Ministers participation in operations, other than war, and in humanitarian missions;
- prepare an annual report on the readiness of the country for action in crises and submit it to the Council of Ministers.

The Security Council is supported operationally by the National Centre for Crisis Management (NCCM), a permanent body in the Council of Ministers administration. The tasks of the National Centre for Crisis Management include maintenance of constant operational duty, observation, analysis and risk evaluation, provision of constant information exchange between different institutions in the event of a crisis, interaction with the crisis management systems of the EU and NATO, organisation and development of the national plan for crisis management, the plan for the protection of critical infrastructure, the national program for training the population for action in the event of a crisis, maintenance of a national register of forces for reaction in the event of a crisis, objects and systems of critical infrastructure, means and places for organised rescue of people and material assets.

¹ Bulgaria is divided into 28 regions and ca. 255 municipalities.

² The Ministry of Emergency Situations was newly established in 2005 after parliamentary elections as a successor to the Civil Protection Service.

The centre has worked for about 2 years in permanent regime and has not been activated in crisis regime.

By order of the Prime Minister, a **National Crisis Headquarters (NCH)**¹ can be set up at ministerial level, its composition depending on the particular situation. NCH has operational control over the realisation of tasks and measures of crisis management and organises and coordinates the actions of the government, regional governors, mayors and physical persons.

Depending on the threat and crisis, the Prime Minister can also convene an **Inter-ministerial Working Group** that unites representatives from Ministries and other state institutions (security services, public order services) and provides expert input. The national system for crisis management further consists of territorial bodies (in regions and municipalities) of the executive power and other bodies defined in the Law on the Administration. Other important components of the crisis management system, listed by the 2005 law, are a communication-information system and forces for reaction².

Each Ministry also has its own internal bodies for the management of crises³, including crises resulting from terrorist activities. In the Ministry of the Interior, the crisis management bodies are the Standing Committee and Operative Headquarters. They are supported by the infrastructure of the permanent Situation Centre in the Ministry and an interim Centre for crisis management.

¹ According to Art 13 of the Law on the Management of Crises 2005, the National Crisis Headquarters (Staff) shall:

1. perform analysis and evaluation of the situation, of the staff and the status of the forces for reaction in crises and of the actions undertaken to establish control over the crisis;
2. organise and coordinate the actions of the ministers, the bodies per Art. 19, Para 4 of the Law on Administration, the regional governors, mayors of municipalities, and the persons for establishing control over the crisis;
3. control the performance of the tasks and application of the measures assigned by the Council of Ministers to establish control over the crisis;
4. propose to the Council of Ministers the mobilisation of civil resources, evacuation of people and animals from endangered regions and cultural and material assets;

² Art 6 of the Law on the Management of Crises 2005

³ To a large extent mirroring structures in other Ministries. In the Ministry of Transport, bodies and infrastructure are prepared for dealing with crises involving transport, including transport crises resulting from terrorist activities.

Human resources staffing these bodies are two-fold: a small number of staff at the Centre for Crisis Management es (for maintenance of permanent operational duty, permanent readiness of the communication and information system, observation and analysis, creation and maintenance of databases, conducting threat and risk assessments, development of internal plans for crisis management) and a number of experts who have full-time positions in other departments of the Ministry of the Interior and who are summoned only in the event of a crisis. Crisis structures in the Ministry of the Interior also include a press centre for communication with the media, and a mobile unit-situation centre for direct connection at the site of the crisis (e.g. site of a terrorist attack or a crisis involving hostages).

Bodies and centres involved in crisis management operate in three regimes: permanent, increased readiness and crisis regime.

(a) **In a normal situation (permanent regime):**

All crisis management bodies¹ develop crisis management plans, which, according to the 2005 Law on the Management of Crises, must contain : a prognosis of the possible risks, characteristics of the possible consequences, forces needed for reaction in the event of crises, mechanisms and means for preventing and overcoming crises, organisation of action, the order and procedure for an announcement of a crisis. The National Centre for Crisis Management, as a permanent body in the Council of Ministers administration, is responsible for the central national crisis management plans and critical infrastructure protection. It has permanent staff on operational duty and experts maintaining information and communication systems.

¹ For example, in the Ministry of the Interior (MI), it is the Directorate for "Crisis Management, Protection and Mobilisation Training" where a small group of specialists on crisis management prepares plans. The Director is also head of Crisis Headquarters in MI in case of crisis, also has advisory and secretarial functions in the CM bodies in the structure above. All directorates in MI have internal directives and plans for crises, available to the heads of units, departments.

At the beginning of 2008, the **State Agency for National Security (SANS)** was set up to unify the functions and activities for prevention of terrorist activities, protection of the population and critical infrastructure, and consequence management of terrorist-related risks¹. Previously, these functions were performed by diverse bodies. This new Agency, which now falls under the authority of the Prime Minister, is the result of the amalgamation of the Financial Intelligence Unit, the Military Counter Intelligence Service and the National Security Service. This Agency is responsible for cooperation and coordination with third countries, the EU and NATO. It analyses information on international terrorism and provides regular reports for the government. In order to coordinate the work of individual Ministries in combating terrorism, the National Counter-terrorism Plan is in the process of being formalised by the Council of Ministers. The plan contains operational, organizational and protective provisions, measures on weapon and explosives security, and on information sharing, analysis and logistics.

This plan aims to prevent terrorist activities in Bulgaria, as well as attacks against Bulgarian nationals, structures, delegations and armed forces abroad. It also aims to prevent the infiltration of radical ideology which may provoke terrorism and to counter the influence of radicalisation.

- (b) In an **increased readiness** situation, an analytical level is added to the structure – i.e. a group of experts from the Council of Ministers or representatives from the Inter-ministerial Working Group.
- (c) The following section describes the working of the system **in a crisis situation**.

¹ Its directorates cover countering international terrorism, illegal immigration, military security, counteraction against anti-constitutional activities, counter intelligence and economic and financial security.

2.2. National arrangements in the event of a terrorist attack

Crises resulting from terrorism are addressed as one among other types of crises (on an equal basis). The legal basis is a scenario-based national Plan for Management of Crises Resulting from Terrorist Activities that was adopted by the Council of Ministers¹ in September 2008. Its aim is to enable the rapid establishment of an organisation to facilitate the management of national resources for the prevention or control of a terrorist crisis. There are two parts to the Plan. The first deals with the threat of an attack, the second with an attack that has been carried out. The plan contains provisions on announcing, informing, reacting and managing the forces of the executive authorities for prevention and control of crises resulting from terrorist activities. At the same time, it contains procedures and responsibilities for informing international organisations and other structures about the crisis. The plan assigns tasks and responsibilities in crises among ministries (Ministry of the Interior, Defence, Emergency Situations, Health and Transport) and the State Agency for National Security.

In the event of a crisis, information from the crisis scenario reaches the National Centre for Crisis Management (NCCM), where a 24/7 operational duty is in place. The NCCM notifies the relevant bodies e.g. Ministries, Prime Minister and other state agencies. At the crisis scene, forces are also coordinated (depending on the extent of crisis – at municipal or regional level) by an interim operational headquarters. In the event of a serious crisis, the Council of Ministers is convened and the Prime Minister announces a crisis. The Council of Ministers can also decide that a Security Council be established and a National Crisis Headquarters be set up. While the NCCM provides general coordination (overlap of operational and tactical levels), the National Crisis Headquarters leads communication with the regional headquarters and crisis rooms. During the course of a crisis, a variety of plans are activated (National Plan for Management of Crises Resulting from Terrorist Activities, plans of institutions involved at different levels).

¹ The National Plan for Management of Crises Resulting from Terrorist Activities provides instructions and a framework for all lower level plans: plans for management of ministries and state agencies, plans for management of regions (which also direct action plans for municipalities and for critical infrastructure sites).

For example, in the event of a crisis caused by an act of terrorism, the plan of the Ministry of the Interior is activated on the basis of the concrete tasks performed: emergency and rescue activities, operational and search activities aimed at capturing the perpetrators and prevention of successive terrorist acts, announcements and information flow. The Ministry of the Interior then fulfils its tasks in coordination with regional and municipal authorities, structures of the court and the prosecutor's office, the Ministry of Defense, the Ministry of Foreign Affairs, the Ministry of Transport, the Ministry of Emergency Situations, the Ministry of Health, telecommunication companies etc.

For crises involving transport, including a transport crisis as a result of terrorist activities, the Ministry of Transport maintains a Situation Centre and a system of internal documents and plans that lay out the necessary procedures. Through its unified rescue system, the Ministry of Emergency undertakes immediate first-response actions in management of the consequences of crises, irrespective of their cause (i.e. also crises caused by act of terrorism). The main aims of the response are protection and rescue of the population and the continuation of state functions. Response measures also include anti-terrorist and special police operations. In cases of danger of terrorist actions or use of weapons of mass destruction, special measures are planned and will be applied. In extreme cases, they can include the use of force and weapons adequate to the danger¹.

In the past year, the crisis management system (at all levels) recorded about 13 000 diverse incidents. However, the Crisis Headquarters at the Ministry of Interior was activated in only 3 cases: the case of a major flood and 2 large fires. The Crisis Management System is also activated (at the corresponding level) in the case of large public gatherings and events (preventively).

Bulgaria is also prepared for trans-border crises: as a past record of crisis management situations and international exercises has shown. Coordination with NATO and other international institutions and third states in crisis is conducted by the National Centre for Crisis Management through the Ministry of Foreign Affairs.

¹ According to Art. 45 of the Law on the Management of Crises 2005, the special measures include: increased information exchange, interruption of non-regulated movement of people and materials through the borders, increased control over the proliferation of arms, dual-use items and technologies, control of the transportation and access to nuclear fuels and radioactive materials, actions to ensure the air and sea sovereignty of the Republic of Bulgaria, as well as preparation for reversal of the consequences of terrorist activity.

2.3. Competences of the national crisis centre for potential cross-border targets for terrorist attacks:

There are no exceptions for cross-border targets. Potential strategic targets in Bulgaria, whether or not in border areas, are listed in a register of all national critical infrastructures. Proposals for the designation of these potential strategic targets are made by the different ministries in their respective fields of competence.

Bilateral agreements or Memoranda of Understanding with all neighbouring countries for cooperation in crisis situations are in place.

Official cross-border communication at governmental level is conducted through the Ministry of Foreign Affairs which will be a partner in the NCH. But in emergencies, excellent informal contacts with partners, in particular neighbouring countries, ensure a quick reaction.

2.4. Rules of internal communication in the event of a terrorist attack

Information and communication flows in the event of a crisis (including a terrorist attack) are regulated in the crisis management law and in plans developed by bodies involved in crisis management (including early warning systems). Permanent information and communication structures are maintained by the National Centre for Crisis Management and individual Ministries.

The tasks of the (permanent) National Centre for Crisis Management include maintenance of constant operational duty, observation, analysis and risk evaluation, provision of constant information exchange between institutions in the event of a crisis. The Ministry of Emergency Situations maintains the centres of the National System for Urgent Calls. In the Ministry of the Interior, a special directorate for Information and Communication systems is tasked with protecting the information and communication systems from cyber attacks (within the unit for organised crime, a special IT unit).

In the event of a crisis, there is provision for crisis management bodies to use information from a variety of databases. E.g. in a crisis involving transport, representatives from transport agencies (e.g. railway, road transport, maritime, aviation) can be summoned to the Situation Centre of the ministry (which maintains the necessary infrastructure) to provide direct information from the databases they administer. The crisis management legislation contains obligations on the submission of information by legal persons to the authorities.

The Law on the Management of Crises as well as the Law on Protection in the Event of Disasters contains sections on communication-information systems. It also obliges electronic communications firms to provide, as a priority, electronic communication services of requisite quality to the National Crisis Management System. In the event of a crisis, communication flows by open as well as encrypted lines, depending on the specific crisis and needs.

3. TRAINING/EXERCISES FOR TESTING THE NATIONAL CRISIS CENTRE AND COMMUNICATION SYSTEMS IN THE EVENT OF A TERRORIST ATTACK

Institutions and structures of the crisis management system in Bulgaria conduct numerous training courses every year: from national to municipal level, national and international, real scenario as well as simulations. Bulgaria also regularly participates in exercises organised by international organisations (especially NATO and the EU). Results and lessons learned from the training are incorporated into crisis management plans.

Examples of exercises conducted between 2003 – 2008, on the subject of terrorism

- 2003: Two national exercises (terrorist act with a chemical industry target, terrorist act with hostage taking)
- 2004: Three national exercises: coordination and interaction in the reversal of consequences of a terrorist attack, joint exercise of the Ministry of the Interior and the Ministry of Defence and local government authorities (terrorism, again), joint exercise in a nuclear power station + one international exercise on the protection of critical infrastructure
- 2005: international exercise (Bulgaria and Romania) – Black Sea
- 2006: international exercise (Bulgaria, Romania, Hungary, Greece, Croatia), national exercise
- 2007: trilateral Bulgarian-Romanian-Serbian exercise "Danube Guard", management of border terrorist crises + regional Black Sea exercise
- 2008: Struma 2008 (national exercise).

Exercises focused on protection are also organised by or with the participation of the Ministry of Emergency Situations (national as well as international). Although it is not their primary focus, all exercises contain elements of terrorism.

4. SOFT TARGETS

According to the Law on Protection in the Event of Disasters (Art. 36)¹, every building where mass gatherings of humans occur is obliged to have crisis plans (that include provisions for protection, alerting, and evacuation of people and informing the authorities). A list of such facilities is kept by the Ministry of Emergencies and updated regularly. Public authorities can oversee and provide advice in the design of these plans. The operators of these facilities are obliged to provide adequate training for staff and conduct regular crisis management exercises in the facilities.

Police and Security Services have plans to protect places of mass gatherings and events. Each plan identifies the leading authority in the event of a crisis.

The Ministry of the Interior and the State Agency for National Security make a threat assessment whenever a mass event is announced.

¹ Art. 36: The legal persons and the sole entrepreneurs, exercising their activity in buildings with mass residence of humans shall:

1. plan and implement the necessary measures for protection of workers and visitors in the sites and their adjoining areas in the event of disasters;
2. plan and conduct measures to increase the stable functioning of the sites in the event of disasters;
3. train workers in protection, behaviour and action and giving first aid in the event of disasters;
4. establish and maintain local automated announcement systems ;
5. announce disasters immediately to the respective operative communication and information centre and to the mayor of the municipality;
6. cooperate with teams from the unified rescue system.

5. GOOD PRACTICES

- Management of crisis situations and disasters is codified in two legal acts which have been regularly amended (in reaction to experience from implementation and new needs) since their adoption: the Law on the Management of Crises of 2005 and the Law on Protection in the Event of Disasters adopted in 2006
- The law assigns competences to different bodies involved in crisis management as well as command at the scene of the crisis.
- Obligations concerning the participation and cooperation of natural and legal persons and sole entrepreneurs in crises are set out in the crisis management legislation, sanctions are introduced for non-compliance (and reimbursement of costs incurred while acting on the orders of public authorities in crises).
- Numerous training courses are organised for all levels involved (from the top political leadership to first responders in regions and municipalities). Results and lessons learned from the training are incorporated into crisis management plans.
- Creation in 2008 of the State Agency for National Security including the Counter-terrorism Coordination Centre.
- Rescue teams in place (by the end of 2008 present in each of 28 regions) that are equipped for management of CBRN incidents.
- Bilateral agreements or Memoranda of Understanding with all neighboring countries for cooperation in crisis situations are in place.

6. RECOMMENDATIONS

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7. ANNEX

7.1. Presentations were made by the following institutions

- Ministry of the Interior
- National Centre for Crisis Management (Council of Ministers)
- Situation Centre of the Ministry of the Interior
- Ministry of Transport
- Situation Centre of the Ministry of Transport
- State Agency for National Security
- Sofia Airport Security Division
- Ministry of Emergency Situations
- National Medical Coordination Centre

7.2. Speakers

Ministry of the Interior :

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National Centre for Crisis Management (Council of Ministers) :

NOT DECLASSIFIED

Situation Centre of the Ministry of the Interior:

NOT DECLASSIFIED

Ministry of Transport:

NOT DECLASSIFIED

Situation Centre of the Ministry of Transport

NOT DECLASSIFIED

State Agency for National Security

NOT DECLASSIFIED

Sofia Airport Security Division

NOT DECLASSIFIED

Ministry of Emergency Situations

NOT DECLASSIFIED

National Medical Coordination Centre

NOT DECLASSIFIED

7.3. Expert team

Council General Secretariat

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Police and Customs Cooperation Unit – DG Justice and Home Affairs

European Commission

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DG JLS – Directorate D – Unit D1

Europol

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Serious Crime Department – Counter Terrorism

France

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Ministry of the Interior (Counter Terrorism Coordination Unit)

Malta

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Ministry for Justice and Home Affairs. National Counter Terrorism Coordinator
