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



ANNEX

**COUNCIL OF
THE EUROPEAN UNION**

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ADD 18 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 **Portugal** (15-17 April 2009) 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 case of a terrorist attack" an evaluation visit was made to Portugal from 15 to 17 April 2009.
- The presentations covered the roles of the Secretary General of the Internal Security System (SG SSI), the National Council for Civil Emergency Planning (CNPCE), the Army General Staff (EMGFA), the National Counter Terrorism Unit in the Criminal Police (PJ-UNCT), the National Police (PSP), the National Guard (GNR), the Security Intelligence Service (SIS), as well as the National Authority for Civil Protection (ANPC) and the General Directorate for Health (DGS).
- There is a two-level political structure in Portugal, consisting of the national government and the municipalities. The PSP, GNR, ANPC and other first responders are each administrated in 18 districts.
- Portugal can be described as a country in transition between two legal systems for dealing with crisis management and response. This is due to the fact that, despite relatively recent legislation (2004) which was in place when the Council questionnaire was responded to, a new law on this topic entered into force as recently as August 2008.
- The terrorist threat in Portugal is moderate. **NOT DECLASSIFIED**

- Given the high number of organisations and agencies which may be involved in dealing with a crisis, clear lines of command at the scene of the incident are crucial. A national plan which details which organisation is responsible for the response to incidents, and how the lines of command are established is in place.
- Portugal is in the process of establishing and rolling out a national communication structure for use by the security forces and services, called SIRESP. **NOT DECLASSIFIED**
- 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

All the arrangements relating to the security system in general are supported by a solid legal framework that has as its historical basis the internal security law of 1987. This legal framework has progressed through different government resolutions, most recently the Internal Security Act, law 53/2008.

Under this act, adopted on 29 August 2008, the direction of security policy is the responsibility of the Prime Minister (PM).

Under his authority the Higher Internal Security Council (HISC), the Secretary General of the Security System (SSI) and the Security Coordination Bureau (SCB) have been set up.

The HISC is a consultative body on security issues, chaired by the PM, which advises the PM in severe security threat situations. It is composed of a number of ministers and heads of services/agencies involved in security topics.

The SG SSI is appointed by the PM and has the following tasks:

- Coordination
- Direction
- Control
- Operational Command

The coordination function includes the activities of the security forces and services, liaising between the security forces and the Emergency Operations Integrated System and ensuring that their planning is harmonised, communication with the secretary general of the intelligence system and coordination with the civil emergency system.

The SG SSI provides direction in its capacity as the National Point of Contact (NPOC) for crisis and emergency situations within the EU Rapid Alert System (RAS) network and by guaranteeing the interoperability of all information systems.

Operational command is exercised by the SG SSI in cases in which combined action by the security forces and services is required or where a serious security incident has occurred, when targets are assessed as Critical Infrastructure (CI) or the use of CBRN is involved.

In extraordinary situations, e.g. terrorist attacks, severe accidents or natural disasters, the SSI takes over the operational command on all involved authorities and services if a combined intervention of different systems is required. However it is not fully clear whether the SSI has full operational control over the involved forces and services or whether it is a guideline competence.

The Security Coordinating Bureau (SCB) supports the SG SSI on a permanent basis in his day-to-day work. The permanent staff of the SCB is composed of Liaison Officers from all bodies dealing with security issues. The participating bodies are:

- Secretary-General of The Intelligence System
- General Commander of The National Republican Guard
- National Director of Public Security Police
- National Director of Criminal Police
- National Director of The Aliens And Borders Service
- National Director of The Security Intelligence Service
- National Director of The Strategic And Defence Intelligence Service
- National Maritime Authority
- National Civil Aviation Authority
- National Civil Protection Authority
- Director of Prisons

Decentralised Security Coordinating Bureaux have been set up at regional and district level. The SCB also has a Situation Room.

Preparedness and consequence management in Portugal involve a significant number of structures that work in very close cooperation with one another .

The first element to be taken into consideration is threat assessment. The Security and Intelligence Service (SIS) is, by law, the single body in charge of this evaluation. The SIS drafts periodic ad hoc threat assessments and determines the corresponding threat level. The Portuguese system comprises threat levels from one to five, with five being the lowest level. Each threat level corresponds to a degree of security, requiring different measures to be taken.

One of the sources of information for the threat assessment is the Portuguese Anti-terrorism Coordination Unit (UCAT).

The UCAT meets once a week and is composed of law enforcement, security and intelligence services:

Maritime Authority (DGAM),

National Republican Guard (GNR),

Criminal Police (PJ),

Public security police (PSP),

Aliens and Border Service (SEF),

Strategic Defence Intelligence Service (SIED)

Security and Intelligence Service (SIS).

Different entities may be invited to participate in these meetings so that they may provide expertise on specific issues. A good example is the participation of the ITN (Technological and Nuclear Institute), the body with the best specific knowledge of Nuclear issues.

Weekly meetings, informally chaired and hosted by the PJ, take place to exchange relevant operational information related to the terrorist threat in terms of prevention and appropriate reaction. These meetings can take place on a daily basis if necessary, as was the case between 15 March and 15 July 2004 due to the Islamist terrorist attacks in Madrid, and the need to prepare for the European Football Championship (EURO 2004).

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The UCAT was created following the PM's decision of 25 February 2003. This decision was taken at the same time as the establishment of the Central Section to Combat Terrorism (SCCT) within the PJ.

The threat assessments and all the results of the meetings are sent to the Prime Minister, the partners in the UCAT, the SG SSI and the Ministry of the Interior (MOI).

The previous Civil Emergency Planning system, CEP, consisted of the National Council for Civil Emergency Planning (CNPCE) and the Civil Emergency Planning Commissions (CPE). Nine different commissions were set up under the responsibility of the corresponding ministries, composed of public and private entities.

The role of the CNPCE has been reduced in the new system. However, it still fulfils a role as a consultative organ with regard to planning and the development of new legislation.

2.2. National arrangements in the event of a terrorist attack

In the event of a terrorist situation, the PSP (Public security police) and GNR (National Republican Guard) will be the first responders from the law enforcement perspective, in particular with regard to setting up a security perimeter and solving the tactical incidents. The PSP and GNR have very similar tasks, they are both police authorities, separated in terms of areas of action, the PSP in the main urban areas, and the GNR in the remaining area (about 94% of the Portuguese territory).

All of the operational law enforcement agencies (the Judicial Police, Public security police and National Republican Guard) have a specific role to play, depending on the location and severity of the incident. The criminal investigation of such incidents is taken forward by the Criminal Police, which works under the direct control of the public prosecution service. Their task starts as soon as the emergency services consider the area safe. The role of the PJ (Criminal police) is to collect evidence that may lead to identification of the perpetrators, which can be used for prosecuting the suspects in a court of law. Finally, it is important to point out that the PJ is the sole body competent to investigate crimes related to terrorism.

The SIS works in coordination with the other Security forces during and after the crisis both for collection and sharing of Intelligence necessary to the resolution of the crisis, and for the successive updates of the Threat Assessment. SIS has also a relevant role, in the case of a terrorist attack, as a point of contact with other European Partners and a link between those and the National Authorities.

The Public Security Police and the National Republican Guard both have specialised units to deal with all sorts of threats, including bomb and improvised explosives disposal, CBRN response capabilities, dog detection squads, riot police and special intervention forces called GOE and GIOE (all the reaction teams were put together in 2007 under law 53/2007, but still under the command of the PSP and GNR). These units are SWAT teams with counterterrorism tactical skills, snipers, units for the personal protection of VIPs, and a rapid reaction force to be deployed abroad. Both special intervention forces are also part of the ATLAS network. Both police forces have mobile command and control centres.

These bodies, when deployed to the field, coordinate with the rescue services, namely the fire brigades and the medical emergency teams. Coordination is provided by the ANPC (National Authority for Civil Protection).

Civil Protection (CP) in Portugal is also a concept, as well as an institution. The responsibility for the CP concept is shared between public and private entities. Partners in the CP include the fire brigades (FEB), the PSP, the GNR, the armed forces, the Red Cross, the maritime and aeronautical authorities and the National Institute for Medical Emergencies. The National Authority for Civil Protection's (ANPC) mission is to plan, coordinate and carry out civil protection policy, in particular with regard to risk prevention and the response to major accidents and disasters. The ANPC is the overall coordination body in the CP framework, with its own personnel and equipment. All the partner bodies compose the "Integrated system for relief operations", a set of rules and procedures which guarantee that all civil protection agents, at the operational level, act in a coordinated way and under a centralized command. This system operates on different levels according to the importance of the event. The existing principle is a division between local, district and national levels and resources operating on the scale-up principle. If the situation can be dealt with at local level there is no need to involve the structures at district level, and so on. The command structure within the permanent structure guarantees preparedness in the event of serious accident or disaster.

The situations are evaluated according to a five-level colour scale from green, the normal status, to red, the highest alert status.

The main missions for relief operations are to keep the Minister of the Interior informed and to monitor and coordinate all civil protection situations, ensuring that the most appropriate action is taken and that resources are mobilised properly.

In cases of terrorism, command and control is the responsibility of the security forces, which means that they are directed at high level by the Secretary General of the Security System – in those cases the civil protection mechanism is responsible for consequence management.

The ANPC has available a operational command vehicle that allows all the bodies involved to be accommodated together, with access to all the modern information and communication technologies.

Besides the fire brigades (Bombeiros Voluntários) established around all the various districts, there are two highly trained elite units:

- The Fire-Fighters Special Force under the ANPC, that currently covers seven districts, created in 2005.
- The Rescue and Relief Protection Group (GIPS) under the GNR covers the remaining 11 districts, created in 2006.

The two units have similar aims, i.e. to intervene in any emergency scenario in the field of protection and rescue in Portugal or abroad if requested. Both teams, totalling around 888 men, have the task of executing frontline prevention and intervention actions throughout national territory in emergency and rescue situations, namely in the event of forest or hazardous material fires, disasters or serious accidents.

The main difference between the units relates to their specific capabilities; the fire-fighters special force is more focused on civil emergencies as such, namely fires or earthquakes (they have, for example, fire-fighting helicopters). The GIPS remains a police body, specially focussed on public order preservation and restoration missions, resolution and management of critical incidents, complex and risky violent situations and explosive ordinance disposal (a very concrete example is the underwater judiciary inspection for collection of evidence, with a team of specialized divers). Both units have mobile command posts, and are very well equipped and trained.

Concerning the management of victims, the National Institute for Emergency Medicine (INEM) is the responsible body for organizing and evaluating all activities related to pre-hospital care of victims, in coordination with the ANPC. It is the INEM which manages the 112 national, single, emergency number, for all kinds of requests, organizing the means to be deployed according to the situation. The emergency system is nation-wide, but there are four sub-zones for medical emergencies (CODUs) that allow better management of resources, in particular the coordination of emergency vehicles around the country.

The INEM is equipped with a large range of equipment, from emergency motorcycles and fast intervention units to all kinds of ambulances and airborne teams. The INEM can also supply an emergency field hospital equipped with operating theatres and X-ray machines as well as specific first response services, such as psychologists, who are essential to deal with the victims in terrorist incidents.

In case of CBRN incidents INEM is also equipped with hazard suits and other equipment for decontamination.

The armed forces have a support role in terrorism crisis management under the Portuguese Constitution. The armed forces are considered part of the national structures for emergency response and can deploy different resources to the emergency zone, such as decontamination material or campaign hospitals, medical or logistical support, and can provide assistance with specialised laboratories.

For health-related issues, the National Health Authority (DGS) is responsible for the international exchange of information, i.e. RAS-BICHAT or HEDIS at DG SANCO. This body develops practical action plans for emergencies related to influenzas.

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

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

3.1. Training/exercises for testing the National Crisis Centre and communication systems in the event of a terrorist attack

Different exercises have been developed during recent years to test the efficiency of the system. Since 2004 at least five specific exercises related to terrorism have been developed and activated by the UCAT or by the security forces themselves. The scenarios involved situations in the Lisbon metro and at airports, with for example hostage taking.

The ANPC develops regular training and instruction for the structures related to crisis management, in particular fire brigades. This authority also indicated that it worked very closely together with the Spanish authorities, in particular in the border regions, to deal with issues such as forest fires.

The special units, SWATS, have a regular training plan with multiple scenarios and train on a regular basis. Existing emergency plans are constantly updated according to the results of the exercises. Under the new legal framework the SSI will have an important role, developing scenarios and initiating training exercises.

3.2. Training/exercises for testing the efficiency of the communication systems

The SIRESP communication system was tested in November 2008 in an earthquake scenario. Annual exercises of the DGS on specific topics are intended to test the plans in place and to amend, improve and even develop new plans. Training of the forces, partly joint training, does take place but requires improvement.

4. SOFT TARGETS

The SIS is in the process of developing a partnership programme called "partnership" with public and private enterprises assessed as critical infrastructure or soft targets. With regard to critical infrastructure, ten different sectors have been identified. The aim of this programme is to raise awareness and to develop the preventive aspects of the fight against terrorism. Corresponding training measures have been carried out in order to qualify the staff and test physical security. The overall approach envisages partnership cooperation with as few legal provisions as possible, establishing communication channels based on trust. It was judged that by avoiding legal obligations the private sector, that represents about 80% of the soft targets identified, would be much more willing to participate in this preventive action.

Nevertheless cooperation has already been established with different services, for example in the public transportation sector, namely the Lisbon Metro.

Close cooperation between a new United Nations (UN) Office at the UN Interregional Crime and Justice Research Institute (UNICRI) that has been set up in Lisbon is envisaged. This new office is going to focus on public-private partnerships and in particular on the development of awareness concerning soft targets.

Also important to note is that during the phase of the establishment of an enterprise that can be regarded as a soft target security aspects, including the advice of the responsible authorities, have to be taken into consideration even in the planning phase. This allows to reinforce the preventive measures in a near future.

5. GOOD PRACTICES

- The existence of a Secretary General for the Internal Security System, appointed by the Prime Minister and supported by a legal framework.
- The existence of such a body, with direction and operational command, allows a closer link to be established between the political decision makers and the operational command. In addition, it creates a platform where representatives of all the entities involved in crisis management are present, thus ensuring that planning is more efficient.

- SIRESP is a well-developed structure for inter-agency communication. Opening the use of SIRESP to private partners is an excellent approach allowing fast communication between private and public bodies in the event of an emergency. The participation of all the structures involved in crisis management in a single network means that the most appropriate means can be used in case of need.
- Key first responders are located within the MOI. This not only minimises the possibilities for political disagreement but also guarantees a clear command structure in the event of a crisis.
- The equipment of the ANPC is of a very high standard. Several fully equipped mobile command posts are at the disposal of all first responders. All this equipment can be easily deployed in any emergency, and made available to the entities involved.
- The procurement of equipment, in particular with regard to CBRN, is agreed upon among the different bodies involved. This open debate between institutions allows a better understanding of the real needs of each of the bodies, as well as an exchange of experience related to the different equipment. It goes without saying that this more interactive procedure allows better use of the available budget.

6. RECOMMENDATIONS

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7. ANNEX

7.1. Presentations were made by the following institutions

- Cabinet of the Secretary General of the Internal Security System
- National Council for the Civil Emergency Planning
- Integrated System of Security and Emergency Networks
- National Authority for Civil Protection
- Army General Staff
- National Institute for Medical emergency
- Judiciary Police
- Intervention Unit of the National Republican Guard
- Special Police Unit of the Public Security Police
- Security and Intelligence Service
- Technological and Nuclear Institute

7.2. 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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Directorate General, Justice, Freedom and Security

Europol

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Serious Crime Department – Counter Terrorism

Germany

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Federal Ministry of the Interior

Division P II 1 (Counter Terrorism: Policy and Legal Affairs)
