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	Preparedness and consequence management in the event of a terrorist attack

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

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THE EUROPEAN UNION**

Brussels, 5 March 2010

**6090/10
ADD 12 EXT 1 (08.04.2013)**

**ENFOPOL 38
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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 **Austria** (28-30 January 2009) in the framework of the above-mentioned round of peer evaluation.

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 Austria from 21 to 23 January 2009.

- The peer evaluation of Austria was organised by the Federal Agency for State Protection and Counter Terrorism (BVT[1]). Besides the tasks and responsibilities within the remit of the peer evaluation carried out by the BVT, the roles of the Ministry of Interior (MOI), the Federal Chancellery, the Ministry of Agriculture, Forestry, Environment and Water Management, the Ministry of Health, Family and Youth, the Austrian Red Cross (ARC), the Fire Brigade (FB), the Bomb Disposal Team of the Criminal Intelligence Service and the Ministry of Defence (MOD) were presented.

- The current terrorist threat in Austria is low. **NOT DECLASSIFIED**

- Austria does not have the concept of a national threat level. By monitoring the overall situation individual assessments on certain phenomena or developments are drafted. At the six international airports security threat plans on 6-level basis are existing, dividing different tasks for authorities (police, customs), airports and airlines.

- The Austrian arrangements for Crisis and Consequence Management are based on three documents setting out clear political guidelines: the Security and Defence Doctrine dating from 2001, the European Security Strategy of 2003 and the Comprehensive Security provision of 2005/2009.

- These guidelines are developed within an organisational framework supported by the National Security Council, which ensures greater coherence of the system by means of a comprehensive approach.

- In the field of law enforcement the security authority is in command in the first instance. In an

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[1] Bundesamt für Verfassungsschutz und Terrorismusbekämpfung

emergency, the Chief of Staff receives input from the management group and the expert group, as well as input from the information collection point. By combining all this information, the operations manager is able to take the necessary decisions.

- The Austrian political structure has four different levels, comprising, from lowest to highest:
  - 2359 municipalities
  - 99 administrative districts
  - 9 provinces ("Länder")
  - the Federal level

  As a result of the strong federal structure certain responsibilities and competences are divided between the federal and Länder levels. The competences at federal level are:
  - Federal Police.
  - Armed Forces.
  - Public Health (epidemics, radiation, protection).
  - Transport.

  Those at Länder level are:
  - Fire Brigades.
  - Emergency and First Aid Services.
  - Disaster Management.

- Disaster and Crisis Management has been set up as an interacting three-pillar model of authorities, emergency response organisations and citizens and follows the principle of subsidiarity from the bottom to the top.

- Usually, the district level takes the lead for crisis management. Subject to decisions on a case-by-case basis, large-scale disasters are managed at Länder level.

- 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

A National Security Council (NSC) was set up in 2001. This body is chaired by the Federal Chancellor and is made up of the Vice Chancellor, Minister for Foreign Affairs, Minister for the Interior (MOI), Minister for Defence (MOD), representatives from all parties of the National Assembly and an Advisory Board with high ranking political representatives.

At working level a permanent Secretariat is located in the Federal Chancellery and each Ministry has nominated one Point of Contact to it.

A Comprehensive Security Provision including one overall strategy and 10 subject-related strategies has been developed. Although there is no direct counter-terrorism strategy, the individual strategies cover terrorism-related topics. The strategies have a common structure consisting of four chapters:

- Current status

- Risk analysis

- Strategies

- Measures

One aim of the Comprehensive Security Provision is the implementation of a Strategy for Protection of the Critical Infrastructure (APCIP) which was launched on 2 April 2008 with a Government Resolution. A list of 13 sectors regarded as Austrian Critical Infrastructure (ACI) was established.

These sectors are Constitutional Institutions, Energy, ICT, Water, Food, Health,

Social Affairs, Finance, Transport and Distribution Systems, the Chemical Industry, Research Facilities and Relief Units.

A key principle within Critical Infrastructures Protection (CIP) is the Public/Private Partnerships (PPP). The aim is to establish cooperation at personal level, by the sharing of needs and concerns on security issues on both sides, thus avoiding legal instruments as much as possible. As a first step, a guidebook has been drawn up and the guidelines in this are applicable both to government bodies and to private enterprises. A platform to share and exchange information between the parties involved in CIP is under development.

Since May 2003 the MOI has been in charge of the coordination of national disaster protection management, national crisis management and international disaster relief.

The National Crisis and Disaster Protection Management committee (SKKM[4]in the MOI) is the central body in matters of strategic planning and operational decisions on federal level in crisis situations. This committee is convened and chaired by the Director-General for Public Security in the MOI.

It is important to mention the Federal Alarm Centre. Established in 1987 as the integrated operational element of the department for Civil Protection in the MOI, it served as a focal point and an information platform. It still operates with the aim of triggering all initial measures which have to be taken in the event of a crisis situation. In its role as an information platform it enables information to be shared and exchanged between the nine regional alarm centres.

In December 2005 the Federal Alarm Centre, which was previously solely responsible within the MOI for Civil Protection and for Crisis and Disaster Protection Management, was integrated into the newly set up Operations and Crisis Coordination Centre (EKC)[1] which is the central platform of the MOI for information, communication and co-ordination including national crisis and disaster management.

This permanent service generates daily reports and weekly security logs for the MOI and the Administration and gathers responsible representatives from different ministries. In so-called "Situation 3" it coordinates the basic planning processes and sets up expert groups for certain project and in "Situation 7" it arranges extraordinary meetings in the event of a crisis in order to coordinate between Federal Ministries, Länder and the emergency response organisations as well as disseminating appropriate information to the public.

In cases of major disasters and special situations the EKC establishes an operational headquarters. Additional structures, e.g. a Situation Room, a Call Centre, a Guest Desk or a Media Centre can be set up and activated in the same facilities in a short time.

These structures can also be arranged with a support function for other Ministries or for the Länder.

Austrian crisis and disaster management is characterised by the division of tasks between the national government and regional or even municipal authorities. The principle of subsidiarity is applied, so that unless there is clearly a nationwide threat, the local entities or the regional ones are responsible for solving the crisis. The Austrian authorities regard this as advantageous since these local entities are considered to have the best knowledge of the localities in question.

This division of competences may be summarised as follows:

Municipalities: manage the emergency rescue services and local fire brigades and are responsible for local disaster management;

Districts (Administrative authorities): in the case of a disaster involving more than one municipality, the district takes charge of disaster management organisation;

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[1]   EKC Einsatz- und Krisen Centrum

Länder: are responsible for legislation relating to the rescue services, fire brigades and disaster relief. In the case of a large-scale situation they are in charge of management.

The choice of level is on a case-by-case basis. The main criterion is having the resources to respond to the emergency.

Concerning cross-border crises, catastrophes or disasters, however, the responsibility of the federal level is in principle taken for granted. However even in these cases, the Länder are sometimes able to arrive at a solution with their foreign counterparts.

Although the subsidiarity principle applies in the Federal Republic of Austria, the management of terrorism incidents is under the command and control of the MOI. The MOI is also responsible for the work of coordinating other non-police authorities. The first authority to respond to a terrorist attack will always be the "bottom level" which applies to emergency services as well as police.

Not only the civilian authorities but also the military authorities have responsibilities in the management of crisis situations. The Austrian constitution allows the army to operate inside the country borders in the event of a crisis. This only takes place upon request by the competent civilian government where it is unable to deal with the situation through the civilian authorities alone. The army is then only allowed to act under the orders given and within the limits imposed upon it by the civilian side. Liability in these cases, however, also lies fully with the civilian level. The use of the army is considered as a measure of last resort.

A further particularity of the Austrian system is the fact that it relies to a large extent upon the work of volunteers, for example in the Austrian Red Cross organisations, in the fire brigade and in other rescue services. Especially in the countryside there seems to be a broad readiness to serve in these organisations. The Fire Brigades (FB) take orders from local mayors, and accordingly fall under local authorities.

The MOI, for example, which at federal level is responsible for national crisis and disaster protection management, has no legal instrument whereby it could request the operational intervention of the regional level in a crisis. There is, however, the possibility of a contract between the federal and the regional level to regulate competences and rights in special cases.

It is not legally prescribed which level should have overall authority in cases where the competence could be attributed to various levels, so the decision is taken on a case-by-case basis. However, as a result of the previously-noted subsidiarity principle, the local level would assume responsibility first. In practice the Austrian authorities consider that there would hardly be problems, not only because of the small size of the country but also because of the personal knowledge of the different protagonists in the crisis management field.

Within the Federal Police a Directive Management System in Special Situations (RFbL)[1] sets uniform standards for police management in exceptional situations.

It provides for a strategic level which is activated for special events, consisting of an Authority Operation Manager (AOM) and an Operation Commander (OC). The mandate of the AOM outlines the framework of the operation. The Management Staff supports the AOM, which is structured in six different modules:

- S1 Human Resources

- S2 Situational Profile

- S3 Operational Command

- S4 Logistic Support

- S5 Media

- S6 Information Technology

As it is a modular system only the modules needed are activated.

The BVT would be represented in the S2 sector if the system is activated.

The Counter Terrorism Unit within the BVT coordinates the investigation of a terrorist attack. The decision on whether the federal level (the BVT) or its provincial branches (the LVT[2]) will take the lead for the investigation is taken by the MOI.

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[1]   RFbL Runderlass für besondere Lagen
[2]   LVT Landesamt für Verfassungsschutz und Terrorismusbekämpfung

For handling large scale investigations a special framework, the Special Process Management Task Force, is in place. Under the commander and his supporting staff six different sections can be activated if necessary, as follows:

- Tracing and Searching

- Surveillance

- Technical Support

- Crime-scene Management

- International Cooperation

- Media Work

The S1 to S6 system originated in the Army and has been introduced in the emergency services in order to ensure their interoperability.

The OC has different sections at his disposal. The number depends on the requirements and the seriousness of the crisis.

Clearly defined rules and methods of communication are in place.

In the event of a terrorist attack or a more lasting crisis at Federal level, parts of the SKKM will be integrated into the EKC in order to improve the coordination of the Federal level as well as its coordination with the Länder level. It also acts as the contact point for the Public/Private Partners.

Medical emergency care is another very important element in crisis management. In Austria, the Federal Ministry of Health (MoH) is in charge of this area.

The EU programme of cooperation on preparedness and response to biological radiological and chemical agent attacks lead by DG SANCO, in which Austria of course participates, has as overall aim to coordinate and support the public health/health security preparedness and response capacity and planning of the Member States against biological, radiological and chemical agent attacks. Its first objective was to set up a mechanism for information exchange, consultation and coordination for the handling of health-related issues related to attacks in which biological, radioactive materials and chemical agents might be used or have been used. The application RAS-BICHAT represents one of the outcomes of this particular objective. The restricted section of this application is devised for the operation of the RAS BICHAT system and is restricted to the members of the Health Security Committee (MoH is represented in this committee and the working groups – such as example CBRN, Generic Preparedness) .

The responsibility of the MoH is subdivided into three levels:

- international, via all the fora in which Austria participates (such as Health Security Committee (EC), WHO (national focal point for International Health Regulations - IHRs), OECD, European Council; work is done in field of public health, medical preparedness for CBRN, and in general for generic preparedness and crisis management; medical aspects of humanitarian help. The MoH operates as Austrian national focal point in several emergency information networks (examples: WHO: IHR; EU level: RAS-BICHAT, EWRS, HEDIS).

- national/regional level via heading the SKKM health group and the work in the field of CBRN, medical radiation protection and the coordination of public health, medical response for mass gatherings, coordination in medical emergency situations and generic preparedness such as for example the heading of a Pandemic working group, the management of healh related matters during the EURO 2008.

- national level. At this last level, the MoH is responsible for crisis management in the field of public health, mass gatherings, generic preparedness, outbreaks, medical radiation protection, medical aspects of CBRN,, organising the training of public health officers and front line personnel in the hospitals and laboratories. This training scheme was created at Federal level but is organised and implemented by the local authorities. The Federal Ministry of Health is organising and coordinating the national plan for pandemic influenza and the national plan for small pox. Work is done in stablishing a national generic preparedness plan which has to interact with the new EC generic preparedness (at the time being the new edition of the EC plan is under development – should be finished till end of 2009).

The MoH has a Health Emergency Operation Facility (HEOF) with as special task force in case of need that operates mainly as a crisis room which cooperates on international level with the HEOF of EU-organisations like DG SANCO, ECDC, the WHO and the HEOFs of other nations. On national level the MoH HEOF operates with the MoI (EKC) and the regional Health Boards/regional goverments ("Bundesländer"). The MoH has set up crisis management groups for different fields which can be activated in case of need.

Finally the MoH is also responsible for drawing up the Austrian National Pandemic Preparedness Plan, and other plans like the small pox plan and the algorithm to investigated anthrax contaminated material which are "living documents", continually updated to take account of new scientific discoveries. ,A new generic peparedness plan is under development which will interact with the new generic preparedness plan of the EC (developed at the moment by a task force in DG SANCO).

Another important role in the management of the consequences of a terrorist attack has been given to the Austrian Red Cross. The Red Cross is recognized by the law of the nine Länder and integrates the disaster and crisis management system in relation to:

- the rescue and medical services
- psychosocial support
- CBRN decontamination of injured people
- humanitarian aid (water purification, food, shelter, etc) In this connection it is important to point out that the army may also play a role in case of need.

The Austrian Red Cross is divided into nine regional branches which have organisational tasks, 142 district branches having implementation tasks and 755 local branches. The work of the Red Cross depends mainly on volunteers - about 49 000 - together with 5 200 employed staff as well as more then 3 000 men doing alternative service instead of military service. The Austrian Red Cross is the main provider of emergency medical transportation, part of a system that works 24 hours a day with land and air capability.

2.2.   Competences of the national crisis centre for potential cross border terrorist attacks

The EKC is the single point of contact in emergency situations at Federal Government level as well as for neighbouring countries, for civil protection of the European Union, within the framework of NATO and the United Nations and within the established bilateral agreements.

The Emergency Plan for Radiological Emergencies also designates the EKC as the central point for the exchange of information between the local operational forces and Länder Alarm Centres on the one hand and the federal level on the other.

For international communication in terrorism-related situations the BVT is the central contact point for police partners via the Police Working Group on Terrorism (PWGT), Europol, Interpol, bilateral Liaison Officers, EU institutions such as the General Secretariat of the Council, the Situation Centre (SitCen) and the Terrorism Working Group (TWG) via the Bureaux de Liaison (BdL) network as well as Intelligence Service Partners such as the Counter-Terrorism Group (CTG) and bilateral contacts.

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

In the preparation phase for "EURO 2008" a number of training courses/exercises were conducted. An exercise is conducted with the RFbL at least once a year in each province. Every second year a special scenario training exercise has to be conducted. The security Directorates are directly involved in the coordination of the exercise as well as in recording the results.

A training scheme for the RFbL covering all staff involved is in the course of development.

The Civil Defence Training Centre, as a part of the Austrian Police Academy (SIAK[1]), offers basic and advanced training on matters of radiation detection, trains senior officers taking charge of emergency situations and trains hazardous substance experts. The certification according to Austrian regulations enables the SIAK to give training not only to law enforcement personnel but also to first responders, thus promoting the integrated approach of law enforcement and first responders.

The MoH is participating in exercises on national and international level, (EU level: Exercises NEW WATCHMAN, COMMON GROUNDS, AEOLUS; NATO level: different exercises in general once per year to cover CBRN, radiation protection, critical infrastructure, biological attack,…), The last national exercise called VAN SWIETEN took place in November 2006 and the aims were to test communications between the MoH and the regional Health Boards, to challenge preparedness plans, in particular with regard to medical/pharmaceutical interventions and to test interoperability between regional and national plans in case of an influenza pandemic.

4.   SOFT TARGETS

The Austrian authorities do not have a comprehensive list of soft targets as such. The distinction between critical infrastructures and soft targets is not very clear: the protection of soft targets is included in the concept of "Protection of critical infrastructures".

This concept is being developed following a Government resolution of April 2008 in which it was decided to implement an Austrian programme for Critical Infrastructures Protection (APCIP).

According to the CIP the core obligation in this field is on the administration, supported by cooperation with stakeholders, with solutions being sought via public/rivate partnership. Working groups have been established and 12 meetings have already taken place. There are 6 main objectives in this programme, first to draw up a list of Austrian CIs, then the setting of priorities, the commitment to standards for security and its implementation, then the management of information and the development of partnerships and finally an evaluation and follow-up. The first five objectives are ongoing, and the evaluation and follow up will take the form of an Interim Report to the Federal Government, submission of which is scheduled for the end of 2009.

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[1]   SIAK Sicherheitsakademie

There is an "all hazards" approach which takes the national interest as one of the main arguments for the identification of an enterprise as a CI.

Nevertheless the protection of the CI divides its subjects into three categories:

- Constitutional institutions, e.g. Federal president, National Council, Federal Government.
- Official and private premises of representatives of foreign countries, of international organisations and other subjects of international law.
- Facilities of critical infrastructure

This last category is subdivided into two levels: A, objects of supra-regional importance and B, objects of regional importance. The A category is further subdivided into 5 subcategories:

Legislative jurisdictional organs;

Power supply companies;

Information and communication installations;

Facilities for the supply of vital goods to the population;

Facilities for the maintenance of essential traffic flows;

These five subcategories represent about 180 structures.

Contacts with relevant companies are set up if necessary. Training to owners of possible soft targets on measures to be taken in case of a terrorist attack is not given.

5. GOOD PRACTICES

- The establishment and distribution of guidelines between the different ministries, with the aim of creating a common approach to security and crisis management measures, is a significant improvement. This creation of common standards allows for easier planning as well as more efficient management of any emergency situation.

- With regard to CIP the guidelines that have been laid down to apply equally to the government and private levels result in balanced cooperation between the two parties.

- In the event of a crisis any state authority can request support from the Army, and corresponding agreements exist at Länder level. The Army does not function as a first responder but as a very important provider of support in managing the crisis, with its well trained and extremely well equipped forces.
The involvement of the Army with its manpower and up-to-date equipment in general appears to be compulsory for crisis and consequence management and could apply to all EU Member States. In addition, the army can be asked to make use of special expertise in relation to specific types of danger, such as chemical or nuclear weapons. The fact that this cooperation and support is already stipulated in the Constitution represents a forward-looking aspect thereof.

- The principle of involving the individual citizen in crisis management as a result of the great number of volunteers working for the emergency rescue services is positive. This not only automatically raises the awareness of the population with regard to possible disaster risks but also strengthens the individual's capacity to cope with such situations.

- The development of Seminars by the BVT focuses on the first response challenges in the event of a terrorist incident. Such seminars are a useful way of bringing together all the expertise needed for the management of the first few hours following incidents. Exchanges of views and open debate promote interaction between different organisations involved in crisis management. The programmes of the seminars range from background information on terrorism, threat assessment and case studies to victim identification and media work. The last one took place in March 2009.

- Good integration of non-governmental organizations, such as the Red Cross, in rescue work and management of the emergency medical services.

6. RECOMMENDATIONS

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7. ANNEX

7.1. Presentations were made by the following institutions

- Federal Ministry of the Interior

- Depart II/2

- Depart II/4

- Operations and Crisis Coordination Centre

- Federal Agency for State Protection and Counter terrorism

- Criminal Intelligence Service

- Civil Defence Training Centre

- Unit I/4/B (Protocol and Representation Affairs)

- Federal Chancellery

- Federal Ministry of Agriculture, Forestry, Environment and Water Management

- Federal ministry of Defence

- Federal Ministry of Health, Family and Youth

- Austrian Red Cross

- Vienna Fire Brigade and Fire Station District Donaustadt

7.2. **Speakers**

Federal Ministry of the Interior

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Depart II/4

NOT DECLASSIFIED

Federal Agency for State Protection and Counter terrorism

NOT DECLASSIFIED

Criminal Intelligence Service

NOT DECLASSIFIED

Civil Defence Training Center

NOT DECLASSIFIED

Unit I/4/B (Protocol and Representation Affairs)

NOT DECLASSIFIED

Federal Chancellery

NOT DECLASSIFIED

Federal Ministry of Agriculture, Forestry, Environment and Water Management

NOT DECLASSIFIED

Federal Ministry of Health, Family and Youth

NOT DECLASSIFIED

Federal ministry of Defence

NOT DECLASSIFIED

Austrian Red Cross

NOT DECLASSIFIED

Vienna Fire Brigade and Fire Station District Donaustadt

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7.3. **Expert Team**

Council General Secretariat

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Police and Customs Cooperation Unit - DG Justice and Home Affairs

European Commission

NOT DECLASSIFIED

Directorate General, Justice, Freedom and Security

Portugal

NOT DECLASSIFIED

Judicial Police

Europol

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Serious Crime Department – Counter Terrorism

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