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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 6 EXT 1 (25.09.2013)**

**ENFOPOL 38
PROCIV 15**

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 **Malta** (17-19 September 2008) in the framework of the above-mentioned round of peer evaluation.

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1. EXECUTIVE SUMMARY

- Within 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 Malta from 17 to 19 September 2008.
- Malta does not appear to be the subject of any specific terrorist threat. It may be considered to be a potential target only on the grounds of its membership of the EU and the Commonwealth and the presence of foreign nationals and representations. Malta has no armed forces committed in Afghanistan or Iraq and is not a member of NATO.

However, the country's size and the economic importance of the tourism industry have led the authorities to accord the necessary degree of attention to combating terrorism.

The only terrorist acts to have taken place in Malta in the past were aircraft hijackings in the 1970s and 1980s. Alongside the strategic dimension represented by the existence of a single airport in an island context, this explains why the only specific plan of action relates to this area.

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- Furthermore, illegal immigration constitutes a greater problem for the local authorities than terrorism, and the EU's assistance is considered to be particularly necessary given the burden which this problem represents for a country the size of Malta. It should be noted that the population density is the highest in the EU (0.4 million inhabitants for an area of 316 km²).

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The Maltese system appears to be perfectly cohesive and coordinated in terms of coping with the terrorist threat; **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

At present, Malta has no permanent National Crisis Centre (NCC). However, the Armed Forces of Malta (AFM), the Civil Protection Department (CPD) and the Malta Police Force have their own operations centres, which are used primarily to manage and coordinate day-to-day operations.

When the need arises, the appropriate lead agency's operations centre automatically becomes the crisis centre which provides command and control (C²) during that particular operation.

The Police Coordination Centre has been designated as the permanent National Crisis Centre in the Standing Operating Procedure (SOP)¹

¹ The SOP is available for a terrorist attack besides the hijack Plan. SOP was finalised in August 2008 and a part of it has been already tested in a exercise in December 2008.

2.1.1. *Main competences of authorities*

- The AFM Operations Centre coordinates all military land, air and maritime operations and Search and Rescue (SAR) operations within Malta's Search and Rescue Region, and will serve as the crisis centre in the event of a hijack situation at Malta International Airport. The Armed Forces of Malta (AFM), created in 1970, perform two defence roles and a secondary role involving the provision of military support in specified areas to the Police Force on a regular basis and to other government departments when required. The Armed Forces support the Police in providing protection related to Embassies and Ambassadorial Residences. In addition, the Armed Forces can be deployed on internal security tasks, for instance in terms of patrols or road blocks. Concerning Explosive Ordnance Disposal (EOD) and Improvised Explosive Device Disposal (IEDD) including Diving Teams, the only existing trained and equipped teams with a response capability are part of the Armed Forces of Malta. Those teams also support the Civil Protection Department in connection with bomb and CBRN alerts and threats.

As regards activities contributing to the prevention and combating of terrorism, the Armed Forces are responsible for ensuring the security of the international airport (e.g. routine security, aircraft hijacking and the deployment of intervention units) in close cooperation with the Security Service and Office of the Manager Airport Security (OMAS). AFM are responsible for securing the airside operations area, which includes the airfield and the terminal. For this reason AFM has an infantry company stationed at Malta International Airport (MIA), tasked with access control as well as aircraft and vehicle screening.

- Responsibility for the management of the consequences of any major incident lies with the Civil Protection Department (CPD), which is assisted by the Malta Police Force, the Armed Forces of Malta and the health authorities as necessary. The CPD Operations Centre coordinates all incidents involving fire, natural disasters and hazardous material (HAZMAT). The CPD has access to primary intervention equipment in the event of serious incidents involving the suspected use of CBRN materials and to a decontamination unit.

In 1999, the CPD was separated from the Malta Police Force and runs five fire stations located at strategic places in the country, a marine hazardous material (Hazmat) section and a control room operating on a 24 hour basis seven days a week and a mobile control unit. In addition to around 150 professional employees, a number of volunteers work for the CPD. Its response time is 20 minutes.

The Hazmat section has the capacity to respond primarily to industrial chemical accidents and contamination by radiological material. Response to biological incidents is provided in conjunction with the Health Department. The response team consists of a maximum of 10 people. Decontamination can be conducted for its own staff and a maximum of 50 people.

CDP is represented in the National Strategic Coordinating Committee on Terrorism and manages one of the three crisis centres forming part of the present crisis management structure. This ensures coherence in the efforts of the authorities concerned.

- The Police Headquarters has its own Operations Centre - the Malta Police Operations Centre (also referred to as the Police Coordination Centre) - which manages all police operations. It also manages activities involving other bodies under police command during a crisis situation (army or civil protection). This Centre is activated in the event of an emergency, i.e. a terrorist incident or a sensitive event (a summit meeting of Heads of State, a VIP visit, etc). The Malta Police Operations Centre receives intelligence from the National Intelligence Cell (NIC), which is activated by the Malta Security Service (MSS).

Representatives of other executive bodies (the army, civil defence, paramedics, intelligence bureau) are present in the Police Coordination Centre in the event of a crisis situation. The Centre can also cooperate with airport security, the Financial-Analytical Unit or customs officers.

- Within the Malta Police Force, it is the Special Branch which is responsible for combating terrorism and illegal immigration as well as protecting VIPs and ensuring security at public events. It is composed of police officers with judicial powers.

The Special Branch may operate from an office set up on an *ad hoc* basis by the Police Coordination Centre thus having access to the necessary facilities, including surveillance and communication tools. The Special Branch has an international relations unit, which *inter alia* hosts the SIRENE bureau and is the focal point for Europol and Interpol.

- The Anti Terrorism Unit of the police was established in 2004 and gathers intelligence and investigates terrorism related incidents in cooperation with the Malta Security Service and other competent bodies. The Unit forms a part of the Special Branch, which provides assistance and reinforcement to it if need be. Within the Police, the Unit cooperates e.g. with the money laundering unit, cyber crime squad, criminal investigation department, protective services unit and the legal office.
- All three coordination centres – the centres of the Police Force, the Armed Forces and the Civil Protection Department, are linked through the 112 Public Answering Point.
- The Malta Security Service (MSS) is part of the Ministry of Justice and Home Affairs. The Malta Police was re-organised in January 2000 and the Malta Security Service was created as a body separated from the Malta Police. It is staffed by police, customs and military personnel, which facilitates information exchange and sharing.

The objectives of the MSS are the protection of Malta's public safety and fraud prevention, in particular the prevention and detection of organised crime, money laundering, drug trafficking, espionage, terrorism and sabotage, as well as the activities of foreign agents and actions intended to overthrow or undermine parliamentary democracy by political, industrial or violent means. The MSS has no law enforcement powers.

MSS is responsible for threat assessment and has primary responsibility for counter-terrorism (lead agency). More specifically, it is responsible for intercepting communications. This agency has sole authority for intercepting communications subject to authorisation by the Minister for Justice and Home Affairs. However, the results of such interception can be used in judicial proceedings.

MSS operates also as the National Security Agency responsible for vetting and counterintelligence.

2.1.2. The political and administrative structure

The Strategic Coordinating Terrorism Committee was set up in 2005 by the Minister for Justice and Home Affairs. This body is chaired by the Minister for Justice and Home Affairs, and currently meets when required; these meetings are in the process of becoming regular. The institution's main aims are to facilitate the decision-making process and to ensure coordination between relevant bodies at the highest political and administrative levels.

Members of this Committee include the Parliamentary Secretary for Justice and Home Affairs, the Attorney-General, the Permanent Secretary of the Ministry of Justice and Home Affairs, the Permanent Secretary of the Ministry of Foreign Affairs, the Head of the Malta Security Service, the Commissioner of Police, the Commander of the Armed Forces, the Director of Civil Protection and the Director-General of the Public Health Division (Ministry for Social Policy, Health, the Elderly and Community Care), under the chairmanship of the Minister for Justice and Home Affairs.

- The Government Contingency Centre (GCC) is responsible for political decision making in case of a crisis situation and meets only in the event of an emergency or a national disaster. GCC is activated by the decision of the Prime Minister and it provides the Command and Control Centre (e.g. the AFM in the event of a hijacking) with the government's policy on dealing with the situation at hand. The role of the GCC is to assemble at short notice a small number of Ministers and senior government officials to formulate policy at a strategic political level in response to a major incident.

Its tasks are to:

- coordinate the Government's overall response without interfering in the operational aspect,
- deal with any international aspect of the emergency, including the provision of international support,
- arrange for any specialist assistance which may be required,

- provide government response to the media, and
- maintain public confidence and morale.

The GCC is composed of:

- the Prime Minister,
- the Minister for Foreign Affairs,
- the Minister for Home Affairs,
- the Minister for Gozo,
- the Commissioner of Police,
- the Commander of the AFM,
- the Head of Malta Security Service
- the Prime Minister's personal assistant, and
- other Government Ministers or senior civil servants co-opted as necessary.

The GCC is located in a conference room in the Prime Minister's offices. In cases coming within its sphere of competence , the GCC has sole responsibility for communications with the media and approves statements made by the various ministerial spokespersons.

The National Intelligence Cell operates under the authority of the Minister for Justice and Home Affairs. To support the existing crisis structures, the National Intelligence Cell is established if and when required by the head of the Malta Security Service (MSS). The Cell is made up of members of the AFM, the CPD, the Malta Police Force, the MSS, the Airport Security Office, the Customs Service, and if need be of representatives of other bodies.

The mission of the MSS Intelligence Cell is to coordinate all intelligence-gathering processes, analysis, intelligence dissemination and preparation of threat assessments and intelligence reports. The Intelligence Cell's purpose and strategic aims are to provide the maximum effective intelligence to determine the *What, Who, Where, When* and *Why* of the identified security threat and any other unlawful disruption to the country.

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2.1.3. *Back-up structures*

The existence of several crisis centres creates a system of back-up structures. Each centre is capable of covering all tasks if the principal centre has been damaged or is not operational.

2.2. **National arrangements in the event of a terrorist attack**

The National Strategic Coordinating Committee on Terrorism (NSCCT) is the authority responsible for establishing national arrangements, with the participation of the individual bodies involved in the fight against terrorism. This Committee is chaired by the Minister for Home Affairs and Justice. The members of the Committee are the Malta Police Force, the Civil Protection Department, the Armed Forces of Malta, the Office of the Attorney-General, the Malta Security Service and the Ministry of Health.

National arrangements are drafted by the technical sub-committee of the National Committee, which is chaired by the National Counter-Terrorism Coordinator.

2.2.1. *Threat levels*

The National Intelligence Cell, led by the Security Service divides the levels of threat as follows:

- No known threat: No intelligence indicating a threat
- Low: Intelligence has identified an individual or group within the Maltese Islands or abroad which is assessed as having either the capability or the intent to perform an act of violence
- Medium: Intelligence has identified an individual or a group within the Maltese Islands or abroad which is assessed as having the capability and the intent to commit an act of serious violence. There is no indication that an attack is forthcoming

- **High:** Intelligence has identified an individual or a group within the Maltese Islands or abroad which is assessed as having the capability and the intent to commit an act of serious violence. Intelligence indicates that an attack is probable
- **Imminent:** Intelligence has identified an individual or a group within the Maltese Islands or abroad which is assessed as having the capability and the intent to commit an act of serious violence against a specific target in the immediate future

In the field of aviation the threat levels are divided into three categories: red, amber and green.

2.2.2. *Plans*

A national hijacking plan is in place. The Civil Aviation Security Programme (CASP) identifies AFM as the lead agency in case of a hijack. As soon as a hijacked aircraft lands in Malta, AFM assumes responsibility for crisis management.

A plan for managing a conventional terrorist attack is also in place. An exercise to test this plan will take place once every two years, alternating the National Hijack Plan.

There are no specific plans covering other situations (e.g. hostage-taking on board ships or in hotels or public buildings). Such crises would be handled by adapting the national hijacking plan and within the framework of the general emergency plan.

Efforts are made to hold training courses and exercises at least once a year.

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

Owing to Malta's specific geographical situation, there are no cross-border targets.

2.4. 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

Training or exercises to test the NCC as such are not carried out since the structure is not in place. However, exercises are carried out in relation to terrorist threats which test the current structures. A national hijacking exercise was held in November 2006. Another exercise was carried out in cooperation with the UK authorities to test the consular response of the British High Commission in the scenario of a bomb attack on a tourist bus. A table-top exercise in a maritime or aerial threat scenario has also been carried out with the UK authorities.

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

The absence of a common radio network is impeding implementation of an exercise in which all the counter-terrorism agencies would take part simultaneously. Regular exercises are conducted for each unit to test the effectiveness of their communication systems.

4. SOFT TARGETS

4.1. Prevention of terrorist attacks on soft targets

The absence of an underground railway or train system limits the number of soft targets in the country. However, given the country's dimensions, the population density and the importance of the tourism industry, the authorities regard the island as a whole as a single soft target. Against that background, particular attention is focused on the airport in view of its strategic importance in such an island context. All airport staff are subject to in-depth checks before being authorised to perform their duties.

In the event of a terrorist attack on a soft target, the management of the crisis situation is no different from that for an attack on any other target. Reinforcing this idea, Malta does not have an exhaustive list of potential soft targets.

4.2. Management in the event of terrorist attacks on soft targets

Although Malta has a limited capability in the event of a CBRN attack or incident, it has established relations with other Member States in order to obtain technical support and advice when necessary. Joint training and exercises with other EU Member States and international organisations are conducted on a regular basis. Collaboration with foreign counterparts with regard to the identification of hazardous substances is important. There are no laboratories specialising in such tasks in Malta, and samples have to be sent abroad (to the United Kingdom, Switzerland or Italy). This model was used in 2001 during the so-called "anthrax wave" ("anthrax mania").

In the event of an attack, the civil protection service will take command at the place of the incident. The priority is to save human lives. In the next phase, the police will take command of the entire situation. For the purpose of any resulting criminal proceedings, the army and members of the civil protection service receive special training in how to avoid destroying evidence.

5. GOOD PRACTICES

- The composition of the Malta Security Service of seconded staff from the police, customs and armed forces improves the flow of information and cooperation between the agencies as well as the efficiency of the functioning of the Malta Security Service.
- Malta is well equipped to cope with any IT attack on the communications systems used by the security forces. The existence of the Malta Information Technology and Training Services (MITTS) and its central role reflect how seriously this risk is taken by the Maltese authorities.

- The very efficient use of limited resources, existing bodies and available tools, including the Armed Forces. Maltese legislation provides for and regulates the support which the army must provide to the Maltese police and security forces, in particular in terms of managing terrorist incidents. Such support enables resources to be used to the fullest possible extent and avoids the redundancy of equipment and services. The way in which the forces cooperate with each other on a daily basis creates familiarity with the concept of cooperation which could prove to be an advantage in the event of a crisis.
- The emergency number 112 is used throughout the country. The Police, the Civil Protection Department and the Armed Forces cover each other in operating the system. Emergency numbers used in the past are still in place but are automatically diverted to 112.
- For the purpose of any resulting criminal proceedings, the army and members of the civil protection service receive special training in how to avoid destroying evidence in the event that they are called to the scene of an attack.
- Despite the lack of a common radio network, the various agencies frequently take part in joint exercises. Such joint work is also facilitated by the many daily contacts between the various officials.

6. RECOMMENDATIONS

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7. ANNEX

7.1. Presentations were made by the following institutions

- Strategic Coordinating Committee on Terrorism
- Police Headquarters, Crisis Room and International Relations Unit
- Malta Security Service (MSS)
- Malta Communications Authority
- Armed Forces of Malta (AFM), Crisis Room
- Airport Security Management
- Civil Protection Department
- Malta Maritime Authority
- Malta Information Technology and Training Services (MITTS)
- Health Authority

7.2. Speakers

At the Strategic Coordinating Committee on Terrorism

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At the Police Headquarters, Crisis Room and International Relations Unit

NOT DECLASSIFIED

At the Malta Security Service (MSS) - Intelligence Cell and Malta Communication Authority

NOT DECLASSIFIED

At the Armed Forces of Malta (AFM), Crisis Room and Airport Security Management

NOT DECLASSIFIED

At the Civil Protection Department

NOT DECLASSIFIED

At the Malta Maritime Authority

NOT DECLASSIFIED

At the Malta Information Technology and Training Services (MITTS)

NOT DECLASSIFIED

At the Health Authority

NOT DECLASSIFIED

7.3. Expert team

General Secretariat of the Council

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DG Justice and Home Affairs, Police and Customs Cooperation Unit

European Commission

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DG JLS - Directorate D - Unit D1

Europol

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Serious Crime Department - Counter-Terrorism

France

NOT DECLASSIFIED

Ministry of Interior (Counter-Terrorism Coordination Unit)

The Czech Republic

NOT DECLASSIFIED

Ministry of the Interior of the Czech Republic
