

CRN REPORT

Focal Report 4

Risk Analysis

Cooperation in Civil Protection: EU, Spain, and the UK

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Purpose: As part of a larger mandate, the Swiss Federal Office for Civil Protection (FOCP) has tasked the Center for Security Studies (CSS) at ETH Zurich with compiling 'focal reports' (Fokusberichte) on critical infrastructure protection and on risk analysis to promote discussion and provide information about new trends and insights.

Authors: Corinne Bara and Christoph Doktor

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Contact:

Center for Security Studies

ETH Zürich

Haldeneggsteig 4, IFW

CH-8092 Zürich

Switzerland

Tel.: +41-44-632 40 25

crn@sipo.gess.ethz.ch

www.crn.ethz.ch

Contracting entity: Federal Office for Civil Protection (FOCP)

Project lead FOCP: Stefan Brem, Head Risk Analysis and Research Coordination

Contractor: Center for Security Studies (CSS), ETH Zurich

Project supervision ETH-CSS: Myriam Dunn, Head New Risks Research Unit, Andreas Wenger, Director CSS; Victor Mauer, Deputy Director CSS

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1. INTRODUCTION

The Task

The analysis and evaluation of risks and threats relevant to the civil protection system is among the key responsibilities of the Swiss Federal Office for Civil Protection (FOCP). As part of a larger mandate, the FOCP has tasked the Center for Security Studies (CSS) at ETH Zurich with producing two annual ‘focal reports’ (Fokusberichte) on risk and vulnerability analysis.

According to this mandate, the focal reports are compiled using the following method: First, a ‘scan’ of the environment is performed with the aim of searching actively for information that helps to expand and deepen the knowledge and understanding of the issue under scrutiny. This is a continuous process that uses the following sources:

- ◆ Internet Monitoring: New and/or relevant publications and documents with a focus on risk and vulnerability analysis are identified and collected.
- ◆ Science Monitoring: Relevant journals are identified and screened, and relevant articles evaluated.
- ◆ Government Monitoring: Policy documents with relevance to Switzerland from various countries and from international inter- and nongovernmental organizations are identified.

Second, the material thus collected is filtered, analyzed, and summarized in the focal reports. Previous focal reports can be downloaded from the website of the Crisis and Risk Network CRN at <http://www.crn.ethz.ch>.

The Structure of the Focal Report

The fourth focal report focuses on cooperation in civil protection and looks at institutional cooperation arrangements at the intergovernmental/supranational level (European Union) and the national level (Spain and UK).

Civil protection as a concept has its roots in national civil defense arrangements during World War II and the strategic aerial bombing of cities and civilian populations. It included efforts to organize air-raid precautions, sheltering arrangements, and alarms for non-combatants, and as such was concerned with the protection of civilians from military attack.¹ After the end of the Cold War, the focus shifted away from military threats to a broad range of risks that include natural and technological disasters and deliberate acts of damage, such as terrorism. As a consequence, many countries have replaced civil defense with civil protection and adopted an all-hazards approach to disaster management, which is not connected to any specific scenario or threat, but embraces all possible risks and hazards that a society may face.²

The report at hand is structured as follows:

1. The first part is dedicated to civil protection in the European Union (EU). The EU Community Mechanism for Civil Protection is explored with a focus

1 Quarantelli, Enrico L., *Disaster Planning, Emergency Management and Civil Protection: The Historical Development of Organized Efforts to Plan for and to Respond to Disasters*. Preliminary Paper # 301 (Newark: University of Delaware, Disaster Research Center, 2000); Alexander, David, From Civil Defence to Civil Protection – and Back Again (Disaster Prevention and Management, 11/3, 2002).

2 Bonin, Sergio, Beat Habegger and Christoph Doktor, *Focal Report 2 – Risk Analysis: Integrated Risk Management and Societal Security* (Zurich: Crisis and Risk Network, Center for Security Studies, 2009), p. 6.

- on the Mechanism's tools that aim to facilitate coordination and cooperation.
2. The second part looks at the civil protection systems of Spain and the UK. It highlights different cooperation arrangements between local, regional, and central administrative levels, and between various actors involved in civil protection (multi-agency cooperation, interdepartmental cooperation).
 3. The third part draws on the insights of the two previous parts to discuss possible lessons for Switzerland.
 4. The report concludes with an annotated bibliography on civil protection in Spain, the UK, and the EU, including government documents, online sources, and academic literature.

2. CIVIL PROTECTION IN THE EUROPEAN UNION

Civil protection as a part of the policy field of ‘internal security’ has traditionally been strongly related to the notion of national sovereignty. Different concepts to assure the optimal protection of the population and infrastructure in the case of war or crisis have been developed and implemented depending on political system, threat perception, and historical experience. As a consequence of large-scale natural and man-made disasters, as well as new trans-boundary risks and threats that have emerged in the last decades, efforts have been made on the European level to improve cooperation and assure coordination of the member states’ national civil protection organizations. Nevertheless, civil protection remains an important area of national sovereignty, and the member states have divergent positions regarding the delegation of national authority to the supranational level of the EU. Thus, European cooperation in the field of civil protection³ and the development of structures and instruments in this area has been mainly influenced by, and illustrative of, the different national institutional rationales, which begs the question of whether civil protection in the EU should be organized intergovernmentally or supranationally.

This section first surveys the development of European Civil Protection for the last two decades, before presenting and analyzing the main instrument in this area the EU Community Mechanism for Civil Protection. The focus is on the Mechanism’s tools and their functioning during assistance operations. Strengths and shortcomings of the Mechanism will

then be explored on the basis of the deployment experiences in various disasters within Europe and abroad. The chapter concludes by discussing the tension between the two principles of solidarity and sovereignty and related to that the diverging opinions within the EU regarding the question of degree of supranationality needed in the field of European civil protection.

2.1. European Civil Protection: History and State of the Art

The field of European Civil Protection is characterized by interaction of member states and their national organizations as well as the EU’s institutions.

- ◆ 1985, Establishment: European Civil Protection was formally established as a field of cooperation within the European Communities (EC) in 1985. The member states agreed to coordinate their national civil protection capacities in the case of major natural disasters. Because the initial cooperation focused on managing large-scale natural disasters, responsibility for the EC’s activities in this area was given to the *European Commission’s Directorate-General for Environment*.

During the past decade, as a result of major natural disasters and terrorist attacks in the US and Europe, the EU’s civil protection cooperation has been considerably extended, and legislation has been enacted to create new instruments:

- ◆ 1999, Community Action Programme: In 1999, the Council adopted a *Community Action Programme (CAP)* in the area of civil protection that aimed at supporting and complementing member states’ activities at the national and sub-national levels through different projects, training courses, and

³ Note that there is a difference in Switzerland between civil protection (“Bevölkerungsschutz”) and the Protection and Support Service (“Zivilschutz”). Civil protection in Switzerland (and in most European countries) is roughly equivalent to Emergency Management in the United States: a comprehensive approach to protect the population, its vital resources, and cultural property from current security challenges. The Protection and Support Service, on the other hand, is one of five partner organizations in this system.

workshops in order to increase the protection of the population, property, and the environment.⁴

- ◆ 2001, Community Civil Protection Mechanism: In 2001, a Council Decision⁵ established the *Community Civil Protection Mechanism*, the main role of which is to facilitate cooperation and assure coordination in civil protection assistance interventions in the event of a major crisis.
- ◆ 2007, Threat Spectrum Expanded: this Council Decision was recast in a decision adopted in November 2007 that extended the threat spectrum for the first time to encompass not just natural, but also man-made disasters such as technological and deliberate acts of damage⁶.
- ◆ 2007, Civil Protection Financial Instrument: Also in 2007, a *Civil Protection Financial Instrument* was established by Council Decision to cover the financial aspects of the preparedness and response actions in the Frame of Communities Mechanism for Civil Protection.⁷
- ◆ 2009, Treaty of Lisbon: Civil Protection has been recognized as a *formal policy sector* of the EU in the Treaty of Lisbon that came into effect in December 2009. Article 196 establishes Civil Protection as an area of ‘shared competence’ between the EU and the member states in which the functions exercised by the EU consist in supporting, complementing, and coordinating actions carried out by the member states in response to natural and man-made disasters.⁸ This reflects the state

of play in the EU’s civil protection efforts, where the Commission and the member states are the most important actors.⁹

- ◆ 2010, Barroso II Commission: Civil Protection was moved from DG Environment to DG Humanitarian Aid (ECHO), which was renamed DG Humanitarian Aid & Civil Protection. This is an indication of the EU’s efforts to be more coherent in its approach to disaster response by bringing the two main instruments (humanitarian assistance for emergencies outside the EU) and civil protection (cooperation within the EU, but often activated to assist countries outside the EU) together.¹⁰

2.1.1. *The Principle of Solidarity*

The large-scale disasters and terrorist attacks affecting Europe have increased the awareness of importance of the solidarity between the member states of the EU. In this context, a specific *Solidarity Clause* was introduced in the later rejected constitutional treaty of 2003. In the narrow context of the terrorist attack in Madrid 2004, the heads of state and government declared mutual solidarity in combating terrorism. Finally, in 2007, the Solidarity Clause was reintroduced in the Treaty of Lisbon. Its Article 222 states: “The Union and its member states shall act jointly in a spirit of solidarity if a member state is the object of a terrorist attack or the victim of natural or man-made disaster.”¹¹

4 Council of the European Union, [*Council Decision of 9 December 1999 establishing a Community action programme in the field of civil protection*](#) (1999/847/EC).

5 Council of the European Union, [*Council Decision of 23 October 2001 establishing a Community mechanism to facilitate reinforced cooperation in civil protection assistance interventions*](#) (2001/792/EC, Euratom).

6 Council of the European Union, [*Council Decision of 8 November 2007 establishing a Community Civil Protection Mechanism \(recast\)*](#) (2007/779/EC, Euratom).

7 Council of the European Union, [*Council Decision of 5 March 2007 establishing a Civil Protection Financial Instrument*](#) (2007/162/EC, Euratom).

8 European Union, [*Treaty of Lisbon amending the Treaty on European Union and the Treaty establishing the European*](#)

[*Community*](#), signed at Lisbon, 13 December 2007; see also Åhman, Teresa, [*The Treaty of Lisbon and Civil Protection in the European Union*](#) (Stockholm: FOI, Swedish Defence Research Agency, 2009), p. 17.

9 Bremberg, Niklas and Malena Britz, *Uncovering the Diverging Institutional Logics of EU Civil Protection* (Cooperation and Conflict, 44/3, 2009), p. 300.

10 A communication from the European Commission to the European Parliament and the Council, published after completion of this study, elaborates on this: European Commission, [*Towards a stronger European disaster response: The role of civil protection and humanitarian assistance*](#) (Brussels, 26 October 2010).

11 EU, Treaty of Lisbon, 2007.

Therefore, the notion of “solidarity” plays a major role regarding enhanced cooperation in the area of European civil protection. Nevertheless, civil protection is a politically sensitive field as far as the national sovereignty of the member states is concerned. Many of them are not willing to delegate policymaking autonomy to the EU level, insisting on preserving their national sovereignty and the principle of subsidiarity that gives first priority to the national, regional, or local levels of authority. The two principles of “solidarity” and “sovereignty” create an inherent tension that determines European cooperation in civil protection issues.

2.1.2. Definition of Civil Protection in the EU

There is at present no formal definition of “EU Civil Protection” in the legal Framework of the EU. The Commission, however, defines the goals of common activities in this area as follows:

“Community co-operation in the field of civil protection aims to better protect people, their environment, property and cultural heritage in the event of major natural or manmade disasters occurring both inside and outside the EU.”¹²

This rather broad definition, with its use of the term “natural or manmade disasters”, covers almost all kind of threats and risk with the exception of attacks conducted by armed forces in the traditional sense. It does not refer to specific types of crisis, and in that respect, it follows the all-hazards approach.

As far as the conceptual framework is concerned, the 2008 Commission Communication¹³ argued that the EU should embark on an integrated approach to

managing disasters. The full disaster cycle – prevention, preparedness, response, and recovery – should be taken into consideration for any type of disaster, be it natural or man-made:¹⁴



Fig. 1: The disaster cycle – prevention, preparedness, response, and recovery.

However, there is no comprehensive approach to disaster management at the EU level, since efforts of prevention and preparedness mainly take place at the national, regional, and communal levels of the member states. With regard to the financial aspects the Civil Protection Financial Instrument provides a basis for financial support of activities related to prevention, preparedness, and response to a catastrophic event.¹⁵ In the recovery phase, the Commission also grants financial assistance to the affected country via the European Union Solidarity Fund (EUSF) that was established in November 2002 after a devastating flood in Central Europe. The aim of the EUSF is to assist financing activities in the immediate recovery

12 European Commission, Humanitarian Aid & Civil Protection (ECHO), *Community co-operation in the field of civil protection* (last updated: 11 August 2010, accessed: 2 February 2011).

13 European Commission, *Communication from the Commission to the European Parliament and the Council on Reinforcing the Union's Disaster Response Capacity* (Brussels, 5 March 2008).

14 ECHO, *Prevention* (last updated: 11 August 2010, accessed: 02 February 2011).

15 Åhman, Teresa and Claes Nilsson, The Community Mechanism for Civil Protection and the European Union Solidarity Fund, in: Olsson, Stefan (Ed.), *Crisis Management in the European Union: Cooperation in the Face of Emergencies* (Berlin and Heidelberg: Springer, 2009), pp. 89 and 95f.

phase after “major natural disasters with serious repercussions on living conditions, the natural environment or the economy”.¹⁶ In general, it can be said that the main focus of civil protection at the EU level is mainly on response.

2.2. The Community Mechanism for Civil Protection

The Community Civil Protection Mechanism serves as the main instrument for the coordination of response to disasters. All 27 EU member states as well as European Economic Area (EEA) members Norway, Iceland, Liechtenstein participate in the Mechanism. Beyond that, membership is open to all EU candidate countries, which can take part by signing an agreement with the European Commission as Croatia has recently done. Each participating state nominates a national contact point that represents the national civil protection authorities. The national contact point serves as the focal point for communication and coordination between the national level and the EU level.¹⁷

The Mechanism:

- ◆ constitutes a platform for cooperation that allows information to be collected and disseminated in order to prepare for potential disasters;
- ◆ enables the resources and equipment available in the member states to be pooled in the event of major disasters. States can ask for, and receive, assistance in the form of equipment and personnel in the case of emergencies of any type, whether inside or outside of the EU.¹⁸ A good example is

the European Forest Fire Tactical Reserve. Two Canadair CL 215 fire-fighting aircraft have been available since summer 2009 to assist member states facing major forest fires, if and when other member states are unable to provide the required assistance;¹⁹

- ◆ works in accordance with the principle of subsidiarity. The member states participate and make contributions from their national civil protection capacities on a voluntary basis. Furthermore, the Mechanism will only be activated if a country that is affected by an emergency should request assistance.²⁰

2.2.1. The Mechanism's Tools

The Monitoring and Information Centre (MIC) is the operational heart of the Mechanism. It is available on a 24/7 basis. Any country affected by a major disaster – inside or outside the EU – can launch a request for assistance through the MIC. During emergencies, the MIC serves as a communications hub, provides information and supports co-ordination.²¹ The MIC derives its information principally from the agencies of member states, but also from other organizations such as the UN or various non-governmental organizations.²²

The Common Emergency and Information System (CECIS) is a web-based alert and notification application that is tasked with ensuring communication

16 Council of the European Union, *Council Regulation of 11 November 2002 establishing the European Union Solidarity Fund* (EC, No 2012/2002); Åhman and Nilsson, 2009, pp. 95f.

17 Ibid.

18 Council Decision (2007/779/EC, Euratom); Barnier, Michel, *For a European Civil Protection Force: Europe Aid*, Report commissioned by the President of the European Commission, José Manuel Barroso (May 2006).

19 European Union, *European Union helps fight forest fires in France* (Brussels, 9 July 2009).

20 ECHO, *The community mechanism for civil protection* (last updated: 24 January 2011, accessed: 2 February 2011); Åhman and Nilsson, 2009, pp. 86–91.

21 ECHO, *The Monitoring and Information Centre (MIC)* (last updated: 11 August 2010, accessed: 2 February 2011).

22 House of Lords, European Union Committee, *Civil Protection and Crisis Management in the European Union*, 6th Report of Session 2008–09 (London: The Stationary Office Limited, 2009), p. 6.

and effective sharing of information between the MIC and national contact points.²³

A **training program** including training courses, the organization of joint exercises, and an exchange of experts among the participating states has been conceived and established. The purpose is to ensure that the deployed teams and resources from the national civil protection institutions can cooperate effectively in line with the accepted standards and methodologies, despite divergent approaches to civil protection.²⁴

Civil Protection Modules constitute a contribution to the civil protection rapid response and consist of national resources from one or more member states and are made available on a voluntary basis. They are conceived as packages of predefined civil protection capacities, including both personal and material resources that should be able to work independently as well as together with other modules and provide assistance inside and/or outside the EU to other EU bodies and international institutions, especially the UN. In addition, the modules should be self-sufficient, interoperable, and capable of being dispatched at very short notice – generally within 12 hours following a request of assistance.²⁵

A **database** containing civil protection capacities, equipment, and personnel listed by the member states on a voluntary basis has been established.

2.2.2. *The Community Mechanism for Civil Protection in operation*

In the event of a crisis, any affected country, inside or outside of the EU, can submit a request for assistance through the MIC. In this case, the Mechanism will im-

mediately be activated, and the MIC will transmit the request to the network of national contact points. Both the CECIS information system and e-mail are used for this purpose. The national contact points then inform the MIC, and occasionally also the requesting state directly, whether or not they are able to assist and what resources are available. The MIC forwards the information to the requesting country, and, should the assistance be accepted, arrangements are made directly between the requesting and the offering country.²⁶

In the case of an emergency outside the EU, the Presidency-in-Office is contacted by the Commission to assess whether the nature of the crisis requires that the means and structures of the European Security and Defence Policy (ESDP) be used. If so, the Presidency of the Council ensures diplomatic and political coordination. Otherwise, the Mechanism works in the same way as it would in an internal disaster, by coordinating the means made available by the member states. Moreover, if the country affected by the disaster requests it, the MIC can mobilize and deploy small teams of experts within a few hours of the disaster. These teams can also assess specific needs on the spot, coordinate assistance operations, and liaise with the competent authorities and international organizations involved (especially the UN). The MIC can also offer technical support, such as providing satellite pictures.²⁷ Moreover, the mechanism allows for access to the military database maintained by the EU Military Staff, which contains information regarding personnel and resources that may be relevant for civil protection purposes, such as air transport or the provision of heavy-duty water pumps, etc.²⁸ During civil protection missions outside the EU, it is essential to ensure coordination with other Commission ser-

²³ Ibid.

²⁴ Barnier, 2006, p. 35; ECHO, The MIC.

²⁵ ECHO, [Civil protection modules](#) (last updated: 24 January 2011, accessed: 2 February 2011).

²⁶ Åhman and Nilsson, 2009, p. 91.

²⁷ Barnier, 2006, p. 39.

²⁸ Duke, Simon and Hanna Ojanen, Bridging Internal and External Security: Lessons from the European Security and Defence Policy (Journal of European Integration, 28/5, 2006), p. 489.

vices or international organizations, e.g., the United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA), in order to avoid misallocation of resources. With regard to NATO, there is no formalized direct cooperation or coordination on the part of the Mechanism.²⁹

2.3. Strengths and Shortcomings of the Mechanism

The evaluation of several operations³⁰ to date shows that the Mechanism has proven to be useful with regard to following aspects of crisis response:

- ◆ In cases where national resources are not sufficient to respond to a crisis, the Mechanism can facilitate the *provision of supplementary resources* from the participating countries.
- ◆ By coordinating and matching assistance offered by member states to the needs of requesting country, the Mechanism makes the *response to an emergency more efficient*, especially in the framework of the EU, where the MIC can provide a complete picture of requested, offered, and dispatched aid.
- ◆ The MIC as a communication and coordination platform *eases the flow of information* between the different actors involved in the operation: those requesting aid, the countries participating in the framework of the Mechanism, and the EU.³¹

At the same time, some weaknesses and gaps have been identified at the conceptual and operational levels of the Mechanism.

²⁹ Åhman and Nilsson, 2009, pp. 90f.

³⁰ The strengths and shortcomings of the Mechanism as presented in this chapter are based on data derived from reports and articles, as stated in the footnotes.

³¹ Åhman and Nilsson, 2009, p. 94; Åhman, Teresa and Claes Nilsson (2009), p. 94; For an overview of major disasters where assistance was requested, see appendix (5.1).

2.3.1. Principle of Sovereignty

The Mechanism, its processes, and the allocation of responsibilities within it show that despite the solidarity principle, the principle of sovereignty in matters of national civil protection capacities still remains in place. The operations of member states' teams in the framework of the Community Civil Protection Modules during an EU civil protection mission are managed entirely by the member states; all offers of assistance are made entirely on a voluntary basis. It is up to each member state to decide whether or not to offer assistance in response to a request. The Mechanism's involvement is in practice limited to facilitating the coordination at the EU level of all of the member states' operations. It also ensures the technical functioning of the operation and guarantees that there is no duplication between the member states themselves, or between member states and other organizations. On the other hand, the concept and the composition of the Civil Protection Modules can be seen as an approach to standardizing civil protection resources in the member states in order to pave the way for more supranational cooperation.

2.3.2. Problem of capacity

At present, pooling of resources through the Mechanism takes place only on an ad-hoc basis. Each member state decides on a case-by-case and voluntary basis whether or not it is able to provide the civil protection resources requested. This system means that the speed with which European assistance can be deployed depends on the national decision-making processes in the now 27 member states and the other participating entities. Furthermore, the member states are reluctant to provide information to the MIC about availability of military means that could be also used in civil protection operations.³²

³² Ibid.; Barnier, 2006, p. 43.

2.3.3. Limited degree of availability

The resources registered by the participating states under the Mechanism, such as civil protection modules, are assumed to have a high degree of preparedness and a very limited time lag between request for assistance and actual deployment. However, as these resources are the main component of the EU rapid response capability and are designed for providing the bulk of assistance through the Mechanism, their limited availability would have a major impact on the possibility to deploy and the overall effectiveness of EU assistance in major disasters. Among the reasons for limited availability are aspects such as access to transport solutions, financing of transport and deployment, national demand for the resource in question, or the political profile of the disaster, etc. The problem of limited availability of existing resources has often been an issue since the beginning of Mechanism operations. In a number of cases, the EU could have responded with a significant contribution that was, however, reduced due to a lack of transport capabilities.³³

2.3.4. Question of participation

In many cases of emergencies, the response provided through the Mechanism relies on the same small group of participating states. This raises issues regarding the sustainability of the system and the potential need to ensure a better sharing of burdens that would enable more participating states to provide assistance during major and medium-sized emergencies.³⁴

33 Rademaekers, Koen et al., *Strengthening the EU capacity to respond to disasters*: Identification of the gaps in the capacity of the Community Civil Protection Mechanism to provide assistance in major disasters and options to fill the gaps – A scenario-based approach (Rotterdam, ECORYS Nederland BV, 2009), pp. 145f.

34 Ibid.

2.3.5. Problems in the field

On the operational level, the adequacy and accuracy of rapid appraisal/assessment of both impacts and needs in order to send the right types and quantities of assistance, issues concerning the logistics of assistance and the coordination of assistance from participating states and from other countries and institutions on the ground in the disaster area, as well as a combination of the above, have proven to be the crucial factors that may lead to complications in deployment.³⁵

2.4. Discussion

Civil protection in Europe still remains primarily a national task. Nevertheless, the European cooperation in the area of civil protection that started about 30 years ago has been deepened and improved to a remarkable extent:

- ◆ First of all, the initial focus on the response to natural disasters has been expanded into an all-hazards-approach that now includes not only natural emergencies, but also all kinds of man-made disasters and acts of terrorism.
- ◆ Second, at the Community level, the necessary structure, processes, and instruments have been developed and implemented to coordinate the member states' civil protection capacities in crisis response operations inside and outside of the EU. The Community Mechanism for Civil Protection and the tools established in this framework – MIC, CECIS, a training program, Civil Protection Modules, and database – have been activated and used in dozens of crises and emergencies in the member states and outside the EU.
- ◆ Third, although institutional rationales in the national civil protection field are highly divergent

35 Ibid., pp. 146f.

when one compares the member states that remain the principal actors in emergencies response operations, the structure and operational solutions at the EU level, such as the framework of contact points, common training of experts from different national organizations, and the composition of the Civil Protection Modules, facilitate the interoperability and standardization of civil protection resources in the member states.

However, despite de-facto increasing cooperation and coordination, disagreements between the member states remain regarding the degree of supranationality needed in the field of European civil protection. These differences of opinion result from the different approaches adopted in the national civil protection organizations and the inherent tension between the principles of solidarity and sovereignty. Though the Commission has recently made proposals on how to improve the EU's crisis response, the tension between the need for solidarity in the face of large-scale disasters and reluctance to delegate authority from the national to the supranational level is likely to continue to play a major role in the further development of European civil protection.

The conflicting perceptions of how civil protection should be organized at the Community level manifest themselves within the EU as a north-south division: Whereas some southern European member states, usually those that are often affected by natural disasters and therefore often ask for assistance through the MIC, tend to advocate more supranational solutions in the EU and call for the Mechanism to be strengthened. Other member states, often the northern ones, are of the opinion that civil protection is mainly an area of national responsibility and that the mechanism should not become a redistributive instrument in so far as some member states end up paying for other states' shortcomings in preparedness and prevention.³⁶ This division affects the overall effectiveness of EU assistance in major disasters and is reflected in the qualitative gaps in the EU's civil protection response capacity when it comes to issues of capabilities, availability, and participation.

³⁶ Bremberg and Britz, 2009, pp. 298–302; Åhman and Nilsson, 2009, p. 94.

3. CIVIL PROTECTION IN SPAIN AND THE UK

This chapter describes the civil protection systems of Spain and the UK. The selection of these two cases reflects the north-south division within the EU with regard to civil protection that was described in the previous chapter. While the UK is a rather typical “Northern state”, Spain belongs to the Southern group of states that are more supportive of a stronger role for the EU in the field of civil protection. As will be seen, the diverging opinion on EU civil protection can be partially explained by different institutional rationales inherent in the two national civil protection systems.³⁷

The aim is not to examine each system in its entirety in detail, but rather to highlight different cooperation arrangements between local, regional, and central administrative levels, and between various actors involved in civil protection (multi-agency cooperation). While the UK is a unitary state with a strong central government, Spain is sometimes considered a “de-facto federation” and has granted far-reaching autonomy to its regions. The differences in the respective set-ups make for an interesting comparison of cooperation arrangements. The two chapters on Spain and the UK are structured as follows: After a short introduction to the systems in general, the chapters describe cooperation arrangements in preparedness planning and in the actual response to an emergency. The countries’ opinions on and involvement in the EU Community Mechanism for Civil Protection introduced in Section 1 is briefly discussed, before the two national systems and the institutional arrangements for cooperation are compared and contrasted.

³⁷ For the concept of the “institutional logic”, see Bremberg and Britz, 2009.

3.1. Spain

Important documents:

- ◆ 1985 Law on Civil Protection
- ◆ 1992 Basic Standard for Civil Protection

Important actors:

- ◆ Directorate-General for Civil Protection and Emergency (DGPCE)

Civil protection in Spain was codified as early as in 1985 in the Law on Civil Protection, which defines civil protection broadly as the physical protection of people and goods in cases of severe risk, public calamity, or extraordinary catastrophe in which the security and lives of the people are endangered.³⁸ It is mainly a peacetime activity conducted by civil authorities and institutionally placed under the Ministry of the Interior (Moi). The Directorate-General for Civil Protection and Emergency (DGPCE) exercises the powers of the Moi in civil protection matters.

The Law on Civil Protection is complemented by the 1992 Basic Standard for Civil Protection, which specifies responsibilities of and cooperation between all administrative levels and lays down the requirements for civil protection preparedness plans.³⁹ The principles of autonomy and subsidiarity in the Basic Standard stipulate that civil protection is primarily undertaken at the lower administrative levels, but the ultimate responsibility for civil protection lies with the central government. To implement the subsidiarity principle and at the same time allow the center to fulfill its protection duty, Spain has

³⁸ Spain, *Ley 2/1985, de 21 de enero, sobre Protección Civil* (accessed: 19 March 2010).

³⁹ Spain, *Real decreto 407/1992, de 24 de abril, por el que se aprueba la norma básica de protección civil* (accessed : 19 March 2010).

developed an elaborate system of coordination and cooperation between the local, regional, and central administrative levels, in which top-down standards and directives have to be observed in regional and local emergency planning, while lower-level plans feed back up into an integrated national civil protection preparedness plan. The following part describes this vertical cooperation arrangement in the planning for emergencies.

3.1.1. Cooperation arrangements in preparedness planning

Important Steps:

- ◆ Transition from centralist dictatorship to a democracy in the late 1970s
- ◆ Deep decentralization, autonomous communities
- ◆ Court ruling 1990: central government can establish minimum criteria for the drafting of local and regional emergency preparedness plans

Important Actors:

- ◆ Civil Protection Commission of the Autonomous Community
- ◆ National Commission for Civil Protection

Since the transition from a centralist dictatorship to a democracy in the late 1970s, Spain has undergone a process of deep decentralization following rising regional demands for autonomy.⁴⁰ The autonomous communities (regional level) enjoy a high degree of self-government. However, the relationship between the center and the autonomous communities is not without tension. Competition over jurisdiction between the central government and the regions are frequently settled by the Constitutional Court.⁴¹

⁴⁰ Moreno, Luis, Decentralization in Spain (Regional Studies, 36/4, 2002), pp. 399f.

⁴¹ Barrios, Harald, Das politische System Spaniens, in: Ismayr, Wolfgang (Ed.), Die politischen Systeme Westeuropas (Wi-

With regard to civil protection, a court ruling of 1990 specifies that while the autonomous communities do have jurisdiction in civil protection, this jurisdiction is limited by the existence of a possible national or supra-autonomous interest.⁴² It is this ruling that permits the central government to establish minimum criteria for the drafting of local and regional emergency preparedness plans.

All levels of government (municipalities, provinces, autonomous communities, and central government) establish emergency plans for their area. The respective plans are directed and approved by the agency in charge of civil protection on the same administrative level. However, the local plans also have to be approved (homologated) by the regional level – the Civil Protection Commission of the Autonomous Community – to verify compliance with the rules set out in the Basic Standard. These local plans are then integrated into a regional preparedness plan of the Autonomous Community, and again approved by the next higher level – the National Commission for Civil Protection. Finally, the Spanish government approves the state plan prepared by the Directorate-General for Civil Protection and Emergency.⁴³

The highest authority in civil protection is vested in the National Commission for Civil Protection. This commission is made up of representatives of various ministries and the autonomous communities, and chaired by the minister of the interior. It issues the directives and establishes the criteria for lower-level emergency planning. This guarantees a certain standardization of planning, so that the lower-level plans can be integrated into higher-level plans.

esbaden: VS Verlag für Sozialwissenschaften, 3rd revised ed., 2006), p. 642.

⁴² Spain, *Sentencia de Tribunal Constitucional 133/1990, de 19 de julio 1990, dictada en relación con el recurso de inconstitucionalidad número 355/1985* (accessed: 19 March 2010).

⁴³ Spain, Ley 2/1985; European Commission, former DG Environment, *Vade-Mecum of Civil Protection in the European Union* (Brussels, 1999), p. 62.

3.1.2. Cooperation arrangements in emergency response

Important multi-agency cooperation mechanisms

- ◆ Disaster Support Units (UAD)
- ◆ Emergency Military Unit (UME)

While all administrative levels in Spain are heavily involved in preparedness planning, the response to an actual disaster is generally a local responsibility. In the case of an emergency, the respective territorial and/or special plans on the local level are activated, and the local administration initially copes with the emergency. Following the principle of subsidiarity, the autonomous community level takes over if the size or scope of the event exceeds the local capabilities. The central level does the same for the autonomous community. The principle of solidarity guarantees that resources located outside of the territory where the emergency occurred can be used.⁴⁴

It is interesting to note that the principle of solidarity appears several times in various documents related to civil protection in Spain. Besides being one of the guiding principles in the Basic Standard, the Civil Protection Law refers to the solidarity between the Spanish nations and regions as enshrined in the constitution, and appeals to the citizens' sense of civic duty and social solidarity for their participation in civil protection.⁴⁵ The strong emphasis on solidarity might well be an attempt to counter the centrifugal tendencies in the Spanish system, but it also has implications on how the Spanish public views civil protection cooperation within the EU, as will be shown later in this chapter.

A centralization of competence in the case of a national interest in an emergency is possible and explicitly allowed for in the Basic Standard. The declara-

tion of national interest is issued at the initiative of the minister of the interior or at the request of the autonomous communities. Cases of nuclear emergencies or war are always of national interest and are therefore subject to centralized response for the purposes of both planning and response.⁴⁶ In the case of a major emergency, it is the Directorate-General for Civil Protection and Emergency (DGPCE) that performs a support and coordinating function between the Ministry of the Interior, the Ministry of Defense, and the relevant regional civil protection authorities.⁴⁷

There are two particularly noteworthy multi-agency cooperation mechanisms in the Spanish civil protection system: The Disaster Support Units (UAD) and the Emergency Military Unit (UME). Both are designed to guarantee rapid response in the case of an emergency:

The legal basis for the establishment of Disaster Support Units (Unidades de Apoyo ante Desastres, UAD) was created in 2000.⁴⁸ The UADs are groups of volunteer professionals, specifically trained and equipped for the protection of people in a disaster. They do not constitute a “new” service, but are rather an organizational structure for grouping the existing personnel and material resources into pre-defined modules to be used for specific tasks. The list of situations in which the UADs could be deployed illustrates that they are designed to fulfill very specialized, on-site tasks, such as psychological support in emergencies, emergency telecommunications, or the identification of disaster victims. The Disaster Support Units strongly resemble the Civil Protection Modules of the EU Community Mechanism, though the latter were

44 Ibid., p. 61.

45 Spain, Ley 2/1985.

46 Spain, Real decreto 407/1992.

47 Bremberg and Britz, 2009, p. 294.

48 Spain, *Real Decreto 1123/2000, de 16 de junio, por el que se regula la creación e implantación de unidades de apoyo ante desastres* (accessed : 19 March 2010), modified by *Real Decreto 285/2006, de 10 de marzo* (accessed: 19 March 2010).

only established in 2005. Both can be deployed at a very short notice and consist of personal and material resources that are “pre-packaged” into a module to work independently or along other modules, all on a voluntary basis. The decree establishing the Spanish UADs explicitly refers to civil protection cooperation in the EU, and the possible contribution of the Spanish UADs in that context. It also stipulates that the UADs may be used inside the Spanish territory or abroad.

The other rapid response unit and at the same time a manifestation of the noticeable institutionalization of civil-military cooperation in Spain is the Emergency Military Unit (UME). The decision to create the UME was made in 2005.⁴⁹ While the UME belongs to the Ministry of Defense and remains under military command during operations, the request for its activation to support the other civil protection modules has to be made by the prime minister or the minister of the interior.⁵⁰ Like the UADs, the UME was designed to assist both in emergencies within Spanish territory, as well as abroad, but the 2010 earthquake in Haiti was the first emergency for which the unit was deployed outside Spain. The soldiers of the UME recovered bodies of people killed in the earthquake, and a medical team of the UME worked alongside other Spanish units in the Hospital de la Paz. The deployment of the UME in Haiti was part of Spain’s contribution to the earthquake assistance of the EU.⁵¹ The following paragraph thus takes a quick look at Spain’s civil protection cooperation within the EU in general.

49 Spain, *Real Decreto 399/2007, de 23 de marzo de 2007, por el que se aprueba el protocolo de intervención de la unidad militar de emergencias (UME)* (accessed : 19 March 2010).

50 Bremberg and Britz, 2009, p. 294; Swedish Civil Contingencies Agency (MSB), *International CEP Handbook 2009: Civil Emergency Planning in the NATO/EAPC Countries* (MSB: Karlstad, 2009), p. 215.

51 Unidad Militar de Emergencias (UME), *La primera misión al exterior de la Unidad Militar de Emergencias* (15 January 2010, accessed on 2 February 2011).

3.1.3. Cooperation within the European Union

Spain is an active participant in the EU Community Mechanism for Civil Protection. It provides assistance through the EU mechanism in the form of personnel and material both inside and outside Europe. Spain has also received assistance from the Mechanism, for example during the forest fires of summer 2006, and for the medical evacuation of Spanish citizens after the Mumbai terror attacks in 2008.⁵² A 2006 modification of the above-mentioned decree on the Disaster Support Units not only makes explicit mention of the EU mechanism, but also states unambiguously that Spain considers the provision of rapid response intervention teams on behalf of the EU the duty of each member state.⁵³ Moreover, Spanish public opinion considers solidarity between EU countries the most important reason why the EU should support member states in the face of major disasters.⁵⁴ Because of this, and because solidarity is a recurrent theme in various national (civil protection) documents, the Solidarity Clause now enshrined in the Treaty of Lisbon has a special appeal in Spain.

3.2. United Kingdom

Important documents:

- ◆ Civil Contingencies Act 2004
- ◆ Regulations of 2005

Important actors:

- ◆ Civil Contingencies Secretariat (CCS) in the Cabinet Office

Civil protection in the UK has undergone major changes since 2001, when responsibility for this is-

52 ECHO, *European Civil Protection: Major recent emergencies* (accessed on 19 March 2010).

53 Spain, Real Decreto 1123/2000, modified by Real Decreto 285/2006.

54 European Commission, *Special Eurobarometer 328: Civil Protection* (Brussels, November 2009).

sue moved from the Home Office to the new Civil Contingencies Secretariat (CCS) in the Cabinet Office. This move marked a shift away from the focus on civil defense in the wake of a number of civilian disasters in the late 1980s, and events like the Millennium Bug and the UK floods in 2000.⁵⁵ The creation of the CCS as part of the Cabinet Office (the main supporting and coordinating body of the UK government) reflects a new emphasis on cross-departmental cooperation in civil protection and on building overall resilience. The UK defines an emergency as an event that causes serious damage to human welfare in a place in the UK, serious damage to the environment of a place in the UK, and war or terrorist acts that threaten to cause serious damage to the security of the UK, and is as such more concerned with the consequences of an event, not its causes.⁵⁶

The legal basis for civil protection in the UK consists of the Civil Contingencies Act 2004 and the supporting regulations of 2005.⁵⁷ It is noteworthy that the Act sets out duties for *local* actors exclusively, and does not create a statutory basis for regional and central government involvement. The Act emphasizes (local) multi-agency cooperation between emergency services and local authorities. Unlike in Spain, no vertical cooperation mechanisms were established by the Act. It is, however, the central government that has overall responsibility for civil protection. This creates a certain regulatory gap, and the challenge for central government lies in the coordination of local planning and response in such a way that it can fulfill its protection duty. To facilitate this coordination, the CCS defined new roles and responsibilities for the regional tier as a bridge between local and central

government in 2003. Until then, the regional tier was literally absent from civil contingency planning. Furthermore, while the CCS did define vertical cooperation mechanisms on a non-statutory basis, it has also recognized the regulatory shortcomings. A review of the Civil Contingencies Act is currently underway that will examine, among other issues, whether UK resilience would be improved by establishing statutory duties and roles for the regional-tier devolved administrations (Scotland, Northern Ireland, and Wales) and the central government.⁵⁸ The following section briefly describes the statutory duties of local responders, and the cooperation between different levels of government in the planning for emergencies.

3.2.1. Cooperation arrangements in preparedness planning

Important documents:

- ◆ Act 2004 and Regulations 2005
- ◆ Emergency Preparedness

Important cooperation forums:

- ◆ Local Resilience Forum (Category 1 and 2 responders)
- ◆ Regional Resilience Forum

The relationship between local and central government is a contentious issue in the UK. Concerns to improve public services at the local level have led to a centralization of local public services under the Conservative governments of the 1980s and 1990s, and a focus on performance management more recently.⁵⁹ Strategic policy on many issues is determined by central government, while local authorities are left to implement decisions, with funding being a constant source of ten-

55 O'Brien, Geoff and Paul Read, *Future UK Emergency Management: New Wine, Old Skin?* (Disaster Prevention and Management, 14/3, 2005), pp. 353f.

56 UK Civil Contingencies Secretariat, *Civil Contingencies Act 2004: a Short Guide (Revised)* (accessed 3 February 2011).

57 United Kingdom, *Civil Contingencies Act 2004* (accessed 3 February 2011); United Kingdom, *Civil Contingencies Act 2004 (Contingency Planning) Regulations 2005* (accessed 3 February 2011).

58 Shore, Lorna, *Revising Response* (Public Service Review: Home Affairs, 20, 26 October 2009).

59 Lyons, Michael, *Lyons Inquiry into Local Government: Final Report*. Place-Shaping – A Shared Ambition for the Future of Local Government, pp. 4, 39.

sion.⁶⁰ Even weaker is the regional tier in the UK. The nine regional Government Offices were only constituted in 1994 and are to a certain extent simply an extended arm of the central government.⁶¹ With the exception of London, they have no elected assemblies. Scotland, Wales, and Northern Ireland constitute special cases. They have varying degrees of autonomy resulting from the devolution of power by the central government. Their civil protection duties and competencies depend on the terms of their devolution settlement.⁶² The Act 2004 only applies to England and Wales, and this report does not explore the individual arrangements for the devolved administrations any further, but focuses on cooperation between the local, regional, and central administrative tiers in England.

Notwithstanding the above-mentioned issues between local and central government, the principle of subsidiarity applies to civil protection in the UK. The local authorities and first responders are responsible for civil contingency planning and emergency response. The Act 2004 distinguishes between category 1 responders (local government, police, fire and rescue services, emergency medical services), who have to fulfill the whole set of duties set out in the Act, and category 2 responders (such as utility and transport companies), who may be asked to participate. Category 1 responders have a duty to conduct risk assessments, and they are obliged to coordinate their risk assessments within the framework of the Local Resilience Forum (LRF), a multi-agency cooperation mechanism of local responders. The LRF has to maintain a community risk register for its area, and is obliged to share this register with neighboring areas and higher government tiers. The category 1 responders also have a duty to maintain

generic or specific emergency plans, with the Act defining minimum criteria for these plans. The responders have to consider whether multi-agency plans would help them fulfill their protection duties. The emergency plans of the category 1 responders at the local level do not have to be approved by central government, but should be validated through exercises.⁶³

While the bulk of the planning work is done on the local level, the central government has ultimate responsibility for civil protection. The highest authority in civil protection in the UK rests with the Ministerial Committee on Civil Contingencies (CCC), chaired by the Home Minister. The office in support of the CCC and conducting most of the work with regard to civil protection is the Civil Contingencies Secretariat. Within the Secretariat, the Civil Contingencies Act and Local Response Capability Team of the CCS is responsible for delivering the successful implementation and enhancement of the Civil Contingencies Act 2004, and managing the local response, community resilience and recovery capability workstreams.⁶⁴ An extensive publication by the central government called *Emergency Preparedness* explains the duties as they are set out in the Act to the responder community and at the same time offers best-practice examples on how these duties could be fulfilled.⁶⁵

The role of the new regional tier in civil protection is to facilitate communication and cooperation between local and central authorities, and to coordinate local planning and response across the region. The most important body with regard to preparedness planning is the Regional Resilience Forum (RRF), a regional equivalent to the Local Resilience Forum. It brings together local authorities from within one re-

60 O'Brien and Read, 2005, p. 359; Smith, James, *Civil Contingency Planning in Government* (Parliamentary Affairs, 56/3, 2003), p. 411.

61 For an account of English regionalism in the past 20 years, see: Bache, Ian, *Europeanization and Britain: Towards Multi-Level Governance?*, paper presented at the EUSA 9th Biennial Conference, 31 March – 2 April 2005 in Austin, Texas.

62 MSP, CIP Handbook 2009, p. 261.

63 UK Civil Contingencies Act 2004.

64 UK Cabinet Office, *Civil Contingencies Secretariat* (accessed: 3 February 2011).

65 UK Cabinet Office, *Emergency Preparedness: Guidance on Part I of the Civil Contingencies Act, its Associated Regulations and Non-Statutory Arrangements* (Easingwold: Library & Information Centre, Emergency Planning College, 2005).

gion, central government agencies, the armed forces, and the emergency services. The RRF ensures that (local) preparedness work is coordinated across the region, and it maintains regional emergency plans, for example the Regional Capability Co-ordination Plan to make sure that local plans can be scaled up in response to wider impact events. It has no role in the operational response to an emergency. In addition to the RRF, permanent Regional Resilience Teams (RRTs) were established in each of the Government Offices in the nine English regions. These small teams of civil servants act mainly as an interface between central government and local responders, both in planning and in the actual response to a disaster.⁶⁶ The graphic below gives an overview of some important actors involved in preparedness planning and response:

3.2.2. Cooperation arrangements in emergency response

Important documents:

- ◆ UK Central Government Response Concept of Operations
- ◆ Emergency Response and Recovery

Important actors:

- ◆ First responders
- ◆ Regional Civil Contingencies Committee
- ◆ Lead Government Department (LGD)
- ◆ Civil Contingencies Committee (CCC)

While the Act 2004 and the Regulations 2005 provide the legal framework for local contingency planning, there is no separate legislation with regard to emergency response. The cabinet considers response and recovery an extension of local responders’ normal day-to-day activities, delivered on a larger scale and at greater speed.⁶⁷ Reliance is placed upon contingency plans drawn up by the emergency services.

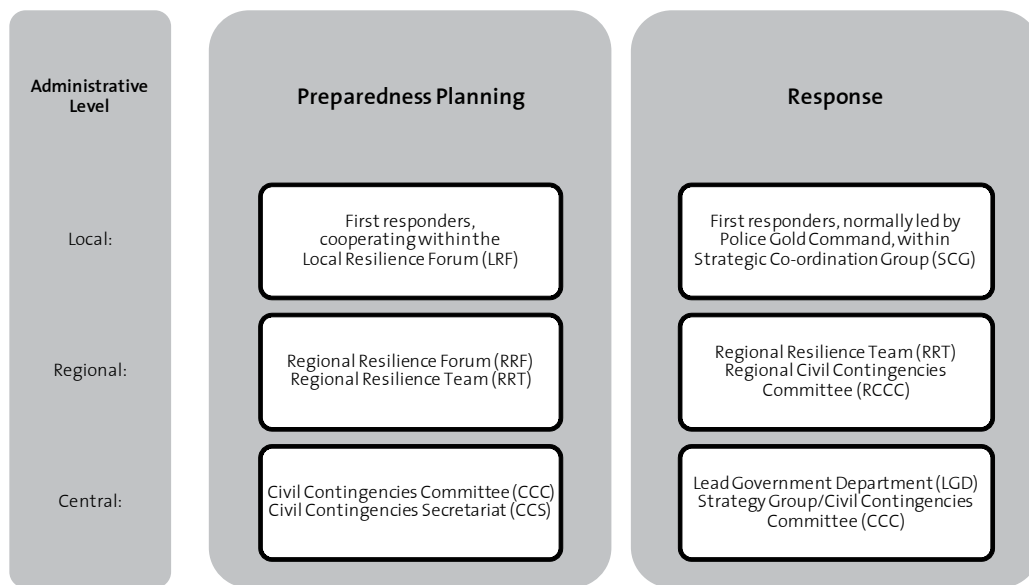


Fig. 2: Important actors involved in preparedness planning and emergency response in the UK.

66 UK Cabinet Office, *Responding to Emergencies: The UK Central Government Response. Concept of Operations* (March 2010).

67 UK Cabinet Office, *Emergency Response and Recovery: Non-Statutory Guidance Accompanying The Civil Contingencies Act 2004*, p. 4.

However, two documents on a non-statutory basis provide guidance for the response to an emergency. The cabinet publication *Emergency Response and Recovery* complements the above-mentioned *Emergency Preparedness*. It is targeted at emergency responders, particularly those on a senior level, and describes the UK multi-agency arrangements for the response to a disaster in detail. The Concept of Operations *Responding to Emergencies: The UK Central Government Response* describes cooperation arrangements between all administrative tiers if the size or nature of an emergency requires action by the central government.⁶⁸

Most incidents are managed by local responders, with the police normally taking the lead in coordinating the local response. The respective police commander will chair a Strategic Co-ordination Group (SCG). The SCG may involve the relevant Regional Resilience Team to act as an interface between central government and the local response – feeding back information and requests for support from local responders, and facilitating the provision of support from across the region if necessary.⁶⁹

If an emergency affects multiple sites within one region, a Regional Civil Contingencies Committee (RCCC) may be set up to coordinate the response within the region. While the RCCC cannot interfere in local command and control arrangements, it adds value by assessing which issues cannot be resolved at the local level, by facilitating mutual aid arrangements within the region and between regions, and by identifying regional priorities in the case of scarce resources to respond to an emergency. If a RCCC is convened, the Regional Resilience Teams have a supporting function. Membership of the RCCC is similar to that of the Regional Resilience Forum: Emergency services, local authorities, and central government

departments and agencies with a regional presence.⁷⁰

A centralization of competence in the case of a large-scale emergency is possible and defined in the Concept of Operations.⁷¹ Three broad types of emergencies require action by the center: Catastrophic emergencies (e.g., a terrorist attack in the UK on the scale of the events of 11 September 2001 in the US, or a Chernobyl-scale industrial accident), serious emergencies (e.g., a major terrorist attack or serious outbreak of animal disease) and significant emergencies (e.g., severe weather-related problems, and most consular emergencies overseas). The graphic below illustrates the UK response to an emergency depending on geographic spread and impact:

The response to significant and serious emergencies (levels 1 and 2) is headed by the Lead Government Department (LGD). The LGD for each type of emergency is pre-defined, and the relevant LGD would usually be the one that is responsible for the sector affected in an emergency on a day-to-day basis. The list of LGDs is public and accessible online.⁷² The Cabinet Office Briefing Room (COBR, also known as Cobra), the UK's crisis management facility, would only be activated in the event of level 2 or 3 emergency. Ministers and senior officials from relevant UK government departments and agencies along with representatives from other organizations as necessary are brought together in COBR to ensure a coordinated and rapid response by the central government. The lead is either with the LGD, or – in the most catastrophic events – with a Strategy Group for terrorist emergencies, and the Civil Contingencies Committee (CCC) for a civil or non-terrorist domestic emergency. The strategy

68 UK Cabinet Office, Concept of Operations, 2010.

69 Ibid.

70 Ibid.

71 Ibid.

72 UK Civil Contingencies Secretariat, *The Lead Government Department and its Role – Guidance and Best Practice* (March 2004).

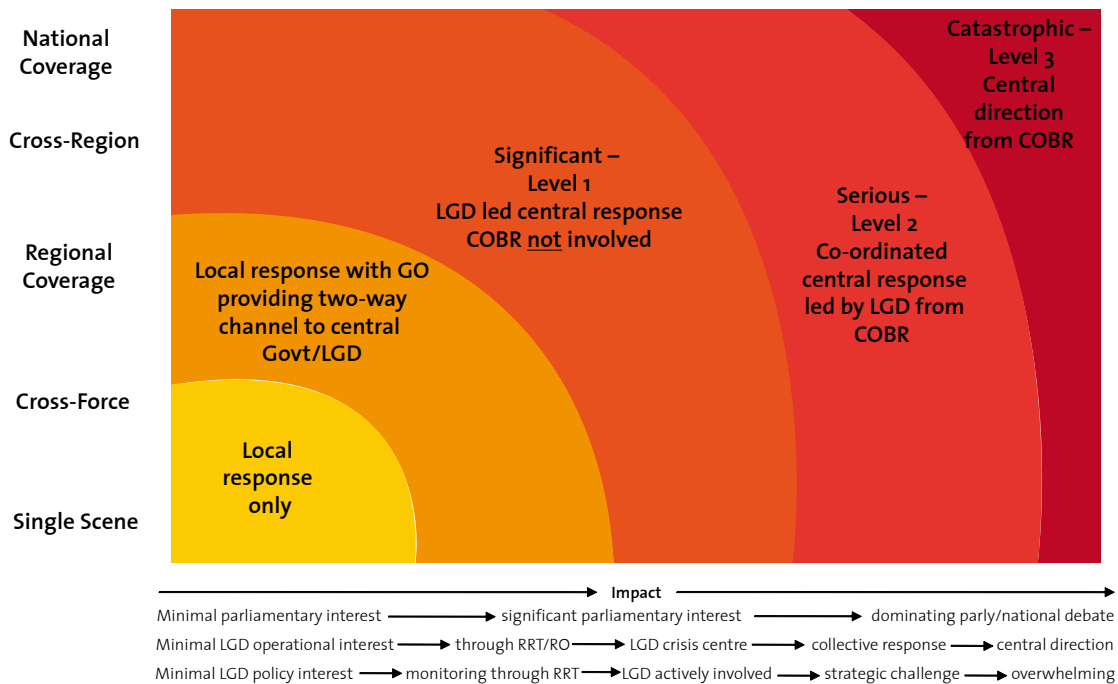


Fig. 3: Likely form of central government engagement based on the type of incident. (UK Cabinet Office, Concept of Operations, 2010, Annex B, p. 68)

group would be chaired by the Prime Minister, Home Secretary or Foreign Secretary.⁷³

3.2.3. Cooperation within the European Union

The UK is generally seen as being rather critical of enhanced European integration compared to other member states, but it does participate in assistance coordinated by the EU Civil Protection Mechanism. However, with regard to the further development of the Mechanism, the UK seems to share the opinions of the so-called Northern group of states that do not support either a development of supranational civil protection capacities or a stronger role for the European Commission in coordinating EU civil protection operations. For the UK, civil protection is clearly a duty and responsibility of each member state, and cooperation in this field should be of an intergovernmental, not supranational nature. The European Co-

mission should add value by strengthening national capacities. Activities that find support with the UK are the sharing of experience and lessons learned, the financing of research in the area of civil protection, and transnational training and exercises.⁷⁴ The UK position on civil protection cooperation within the EU stands in stark contrast to the Spanish position described above. The following chapter briefly compares and contrasts the two national civil protection systems and shows how the Spanish system harmonizes slightly better with the EU Community Mechanism.

⁷³ UK Cabinet Office, Concept of Operations, 2010.

⁷⁴ Stone, Toby (UK Maritime and Coastguard Agency) and Cate Pye (UK Civil Contingencies Secretariat), Answer to a EU Community Consultation Questionnaire on the Future Instrument Addressing Prevention of, Preparedness for and Response to Disasters (2005), accessed 19 March 2010 on <http://circa.europa.eu>.

3.3. Comparison

The Spanish and British civil protection systems have a lot in common, but while Spain puts more emphasis on cooperation between the different administrative levels, the legal basis and institutional arrangements in the UK promote multi-agency and

cross-departmental cooperation. The table below offers an overview of the main similarities and differences of the two systems.

In Spain and the UK alike, central government has the ultimate responsibility for civil protection. With regard to preparedness planning, the UK and Span-

System characteristics	Spain	UK
Emergency definition	All-hazards, focus on the protection of people	All-hazards, focus on the consequences of a disaster
Legal framework	Law 1985, Basic Standard 1992: Duties for all levels of government, focus on vertical cooperation	Act 2004, Regulations 2005: Duties only for local responders, focus on multi-agency cooperation
Highest authority in civil protection	Central government: National Commission for Civil Protection, Chair: Ministry of the Interior	Central government: Civil Contingencies Committee, Chair: Home Secretary
Main body fulfilling central government's civil protection duties	Directorate-General for Civil Protection and Emergency, under the Ministry of the Interior	Civil Contingencies Secretariat, under the UK Cabinet Office
Autonomies granted	Far-reaching autonomy for the Autonomous Communities, limited by the existence of a national interest	Far-reaching autonomy to the devolved administrations Scotland, Wales, Northern Ireland, depending on devolution settlement
Role of local and regional administrative levels	Both local and regional levels integrated in vertical planning framework. Local level first in response (subsidiarity)	Local level main actor in planning and response (subsidiarity), regional level rather new, weaker, bridge between local and central levels
Degree of central government involvement in planning	Minimum criteria for preparedness plans established by central government in the Basic Standard, lower-level plan approval	Minimum criteria for preparedness plans established in the Act 2004, plus non-statutory guidance/capacity building
Centralization of competence in an emergency	Possible, by statement of national interest (Minister of the Interior)	Possible, defined in the Concept of Operations, according to severity of incident
Multi-agency cooperation	No special focus, modular system for rapid response (UAD, UME)	Duty of multi-agency cooperation on the local level (Local Resilience Forum)
Interdepartmental cooperation in an emergency	Directorate-General for Civil Protection coordinates between the MoI, the MoD and relevant regional authorities	Institutionalized, LGD , or centralized response from the Cabinet Office crisis management facilities (COBR)
Cooperation within the EU	"Southern group" : stronger role for European Commission, in favor of supranational cooperation, capacities on EU level	"Northern group" : civil protection is a member state duty, in favor of intergovernmental cooperation, capacity building, training etc.

Fig. 4: Comparison of the Spanish and UK Civil Protection Systems (main differences in bold).

ish central governments offer guidance and define minimum criteria for the emergency plans of lower administrative levels. In the response to an actual disaster, the principle of subsidiarity stipulates that the local levels deal with an emergency in the first instance. A centralization of responsibility to regional and central levels is always possible, be it because the disaster exceeds local capacities, or because the central government claims a “national interest” in the handling of the event.

The most noteworthy difference lies in the degree to which cooperation between local, regional, and central administrative levels is institutionalized. Spain institutionalized vertical cooperation early on, and the legal framework sets out duties and responsibilities for all levels. Not only are the local and regional authorities bound to follow the criteria for preparedness planning issued by the central government; the plans prepared by lower levels are also integrated into higher-level preparedness plans. The UK, on the other hand, codified civil protection at a rather late stage and restricted itself to defining duties for the local level. In order to facilitate the coordination of the local planning and response activities, and to improve communication between local and central government, a regional tier was introduced into the system in 2003, but its function is more akin to that of a bridge between central government and local responders than that of a regional actor in its own right.

The UK places a somewhat stronger emphasis on multi-agency cooperation. Cooperation between first responders and the local authorities is defined as a statutory duty in the act. At the level of central government, the fact that civil protection is placed under the Cabinet Office reflects a desire to ensure cross-departmental cooperation. The LGD concept guarantees that the most appropriate body with regard to the nature of the disaster will coordinate the response, and at the same time offers a single point

of contact for the local responders. In Spain, local multi-agency cooperation is of a more voluntary nature, and designed principally to offer rapid response in the response to an emergency (UAD, UME). There is no equivalent to the UK concept of the LGD: The Ministry of the Interior is responsible for civil protection, and its Directorate-General for Civil Protection and Emergency coordinates the activities with other ministries if necessary.

As it was shown above, the two countries probably differ most notably with regard to their opinion on EU civil protection cooperation. While this difference might well reflect the countries’ opinion on the EU more generally, it also mirrors the different institutional rationales of the national civil protection systems. For Spain, with its integrated civil protection system across all levels of government, it is easy to incorporate yet another, supranational level. In addition, the Spanish UADs resemble the Civil Protection Modules for rapid response at the EU level, and as such, these units can be easily deployed within the EU mechanism. With regard to the UK, however, there is a certain mismatch between the nature of EU governance in general (multi-layered and multi-actor), and the traditionally strong role of the British central government.⁷⁵ In brief: With regard to both multi-level and multi-agency cooperation, the Spanish system harmonizes better with the civil protection cooperation mechanism in the EU as it functions now, and it would also do so if the nature of civil protection cooperation within the EU should change from mainly intergovernmental cooperation to a more supranational form of governance.

75 Bache, 2005, p. 2.

4. IMPLICATIONS FOR SWITZERLAND

In Switzerland, the cantons are responsible for civil protection, with the exception of certain areas reserved for the Confederation. The first responders (police, fire services, health care services, technical services, and the Protection and Support service) work together at a regional or municipal level, while the cantons organize the cooperation between them.⁷⁶ The Confederation may take on the responsibility for coordination and management of events affecting several cantons, the entire country, or a neighboring country, but only in agreement with the cantons.⁷⁷ The Federal Office for Civil Protection (FOCP) is responsible for civil protection at the level of the Confederation.⁷⁸ It supports the cantons and partner organizations in their activities, for example in training (generally a cantonal responsibility). However, the FOCP does not function as a single point of contact in all cases of large-scale emergencies.⁷⁹ Each department has its own emergency task forces (staff units).⁸⁰ This lack of operational leadership at the level of the Confederation (no single point of contact for the cantons in the response to a disaster) is one of the shortcomings of the current system that were identified in a recent report by the Swiss Department of Defence, Civil Protection and Sport (DDPS) on de-

ficiencies in the area of civil protection.⁸¹ The other problem is the lack of standardization at the cantonal level especially with regard to operational leadership and the training of staff units, which is due to diverging cantonal approaches. Both problems make effective cooperation and coordination between the cantons and the Confederation difficult.

Current shortcomings of the Swiss civil protection system

- ◆ Varying approaches to civil protection at the cantonal level; lack of standardization
- ◆ Training of staff units at the regional and municipal levels not satisfactory and/or inconsistent
- ◆ Lack of operational leadership at the level of the Confederation; no single point of contact for the cantons during a crisis

Each point is shortly addressed below. In addition, the focal report looks at Switzerland's possible participation in the Community Mechanism for Civil Protection.

⁷⁶ Swiss Federal Office for Civil Protection (FOCP), *Civil Protection Concept* (Berne: FOCP, 17 October 2001).

⁷⁷ Switzerland, *Federal Law on Civil Protection System and Protection & Support Service* (4 October 2002). The Law is currently under revision. The bulk of changes concern the Protection & Support Service (Zivilschutz). In the field of civil protection, a new paragraph extends the authorities of the federal government with regard to cooperation in training.

⁷⁸ *FOCP* (accessed: 19 March 2010).

⁷⁹ The *National Emergency Operations Centre (NEOC)*, a division of the FOCP, serves as a single point of contact in the case of some types of large-scale emergencies, namely incidents involving real or suspected increases in radioactivity, large-scale chemical accidents, overflowing or rupturing of dams, as well as risks related to both satellite re-entry as well as natural hazards.

⁸⁰ As of 1 January 2011, this situation should improve. For large-scale incidents involving chemical, biological, radiological, and nuclear (CBRN) threats and natural hazards, a single cross-departmental crisis management facility is established. The FOCP will operate a permanent staff unit on behalf of the new crisis management facility. Switzerland, *Verordnung über die Organisation von Einsätzen bei ABC- und Naturereignissen (ABCN-Einsatzverordnung)* (20 October 2010).

⁸¹ Swiss Federal Department for Defence, Civil Protection and Sport (DDPS), *Herausforderungen des Bevölkerungsschutzes/ Zivilschutzes: Bericht des VBS an die Sicherheitspolitische Kommission des National- und Ständerates* (18 December 2009).

Standardization at the cantonal level

Spain is comparable to Switzerland in that the autonomous communities have jurisdiction in civil protection. However, in Spain, this jurisdiction is limited by the existence of a possible national or supra-autonomous interest, which permits central government to establish minimum standards in the area of civil protection that the communities have to respect. Likewise, the establishment of minimal standards for the Swiss cantons with regard to their civil protection duties and organization would facilitate not only cooperation among cantons, but also coordination between the cantons and the federal authorities.

Training of staff units at the cantonal and municipal levels

The above-mentioned report on shortcomings in the Swiss civil protection system notes a lack of standardization – and in some cases even a complete absence – of basic training for staff units especially at the regional and municipal level. While the Federal Office for Civil Protection (FOCP) supports the cantons with training their staff units, offers operational leadership courses, and develops training documents, it seems to be difficult to overcome the problems arising from different cantonal approaches to civil protection and different institutional set-ups. Moreover, there are cantonal sensitivities with regard to standardization efforts by the Confederation. But because the interoperability of different cantonal leadership teams is crucial and a matter of national interest in the case of a large-scale emergency involving several cantons, the Confederation should make participation in operational leadership courses compulsory for cantonal members of staff units, and at the same time collaborate with the cantons to design minimum criteria for their training of the regional and municipal staff units.

Lack of operational leadership at the level of the Confederation

The Swiss cantons have voiced their concern over the absence of operational leadership at the federal level that would serve as an equivalent to the cantonal staff units. The UK LGD system offers a solution to the problem of coordination at the central government level, if the establishment of a central coordination body should be deemed not practicable. A pre-defined list assigns the responsibility in the case of an emergency to the most suitable ministry according to the type of the disaster. A clear allocation of leadership for specific crisis or catastrophic events in Switzerland could similarly reduce response times and especially provide the cantons with a single point of contact in the case of a large-scale disaster that exceeds the area or capacity of local and cantonal authorities.

The question of Switzerland's participation in the EU Community Mechanism for Civil Protection

The participation of the non-EU members Liechtenstein, Norway, and Iceland in the Community Mechanism raises the question of why Switzerland is not part of it. Though the above-mentioned countries are all members of the European Economic Area (EEA), a participation of Switzerland as a non-EU, non-EEA member is in principle possible. Since the establishment of the Mechanism, advances have been made on the part of federal offices and agencies (FOCP, Federal Office for the Environment FOEN, Swiss Agency for Development and Cooperation SDC) to cooperate within the EU Mechanism. For political reasons, however, this is not a top priority issue on the Swiss political agenda. Recently, in the course of the debates concerning the future direction of Swiss Security Policy, the FOCP proposed the inclusion of the issue of Switzerland's participation within the Mechanism in the Swiss Security Policy Report 2010 – the question thus remains open.⁸² So far, Switzerland has been

⁸² Information provided by the FOCP, 23 March 2010.

following a pragmatic cooperation approach with its neighboring countries Germany and Austria that extends to information exchange and the cooperation of partner organizations in border areas.

If Switzerland decides to participate in the Mechanism, it could offer pre-defined Civil Protection Modules in areas where it has expertise and resources, for example in the rescue of earthquake victims. In turn, the composition of Civil Protection Modules would facilitate the standardization of civil protection resources in Switzerland and their interoperability with international units. The main advantage over bilateral cooperation, however, is that Switzerland would gain access to the Mechanism's training program, joint exercises, and exchange of experts and thus profit from an institutionalized information exchange and discourse on relevant civil pro-

tection matters (content, concepts, methodologies, organizational issues, etc.). In some areas where Switzerland lacks sufficient resources it would be given access to EU's pooled resources, for example the fire-fighting aircraft of the European Forest Fire Tactical Reserve. For Switzerland with its traditional reluctance to engage in international cooperation in the field of foreign and security policy, the exclusively civilian engagement in the framework of the EU Mechanism is an opportunity to contribute to international assistance operations in the event of disasters while remaining within the scope of Swiss neutrality. The principle of solidarity now enshrined in the Treaty of Lisbon and designed to foster the mutual assistance of European countries in the face of disasters is also a guiding principle of the Swiss foreign policy, alongside – and connected to – the principle of neutrality.

5. APPENDIX

5.1. Examples of Assistance Operations

Since its creation, the Mechanism has provided civil protection assistance in a variety of natural and man-made disasters both inside and outside of the EU.

In the countries of the EU, major disasters for which assistance was requested included

- ◆ the Prestige accident (autumn 2002);
- ◆ forest fires in Portugal (summers 2003/2004/2005);
- ◆ floods in Central and Eastern Europe (2005/2006);
- ◆ forest fires in Greece (2007); and
- ◆ forest fires in Southern Europe (2009).

Outside of the EU, the Mechanism provided assistance after disasters such as

- ◆ the earthquake in Algeria (spring 2003);
- ◆ earthquakes in Iran (2003/2004/2005);
- ◆ the earthquake in Pakistan (autumn 2005);
- ◆ the South Asian tsunami (winter 2004/2005);
- ◆ Hurricanes Katrina and Rita in the US (autumn 2005); and
- ◆ the terrorist attacks in Mumbai (2008).

In 2010, 25 European countries provided assistance to Haiti through the EU Civil Protection Mechanism, including urban search and rescue (USAR) teams, medical teams and supplies, shelter, and water sanitation units.⁸³

⁸³ For details about the Mechanism's operations, see the [European Civil Protection](#) website. See also: ReliefWeb, [Haiti: The EU Civil Protection Mechanism in Haiti \(20 January 2010\)](#), and [Vogel, Toby, Putting the EU's Crisis Response Mechanisms to the Test](#), 28 January 2010 on EuropeanVoice.com. The latter offers a critical assessment of Europe's crisis response mechanisms with regard to the involvement in Haiti.

5.2. Annotated Bibliography

This annotated bibliography contains

- 5.2.1 government reports and other policy and legal documents related to civil protection in Europe, and specifically in Spain and the UK;
- 5.2.2 a selection of internet resources from the EU and the Spanish and UK governments; and
- 5.2.3 a selection of academic literature on civil protection in Europe.

5.2.1. *Government reports, policy documents and legal texts*

Europe

Barnier, Michel, *For a European Civil Protection Force: Europe Aid, Report commissioned by the President of the European Commission, José Manuel Barroso (May 2006)*. Archived by WebCite® at <http://www.webcitation.org/5wCQzD3zq>.

This report, also known as the *Barnier Report*, was commissioned by the president of the European Commission, José Manuel Barroso. It centers on the creation of a European civil protection force (Europe Aid), using member states' resources in much the same way as the European Civil Protection Mechanism. The civil protection force would also be able to acquire additional resources at EU level. Its focal point would be an Operations Centre – i.e., the Mechanism's Monitoring and Information Centre (MIC) reinforced with member states' experts.

European Commission, former DG Environment, *Va-de-Mecum of Civil Protection in the European Union (Brussels, 1999)*. Archived by WebCite® at <http://www.webcitation.org/5wCTrLYDw>.

This reference handbook gives a general overview of the measures taken by the EU and its member states in order to deal with disasters.

Council of the European Union, *Council Decision of 9 December 1999 establishing a Community action programme in the field of civil protection (1999/847/EC)*. Archived by WebCite® at <http://www.webcitation.org/5w3K5L4JB>.

This Council Decision is a legal text establishing a Community Action Programme (CAP) in the area of civil protection with the aim of supporting and complementing member states' activities at the national and sub-national levels through different projects, training courses, and workshops in order to increase the protection of the population, property, and the environment.

Council of the European Union, *Council Decision of 23 October 2001 establishing a Community mechanism to facilitate reinforced cooperation in civil protection assistance interventions (2001/792/EC, Euratom)*. Archived by WebCite® at <http://www.webcitation.org/5w4msXYuM>.

This Council's Decision is a legal text establishing the Community Civil Protection Mechanism, in order to facilitate cooperation and assure coordination in civil protection assistance interventions in the event of a major crisis.

Council of the European Union, *Council Regulation of 11 November 2002 establishing the European Union Solidarity Fund (EC, No 2012/2002)*. Archived by WebCite® at <http://www.webcitation.org/5wCQeZeHy>.

This regulation marked the Council's establishment of the European Union Solidarity Fund (EUSF) in November 2002 after a devastating flood in Central Europe in order to give rapid and efficient financial assistance to the affected country in the immediate recovery phase after major natural disasters with serious repercussions on living conditions, the natural environment, or the economy.

Council of the European Union, *Council Decision of 8 November 2007 establishing a Community Civil Protection Mechanism (recast) (2007/779/EC, Euratom)*. Archived by WebCite® at <http://www.webcitation.org/5w4myJDHE>.

With this decision, the Council recast its 2001 decision to establish the Community Civil Protection Mechanism by extending the threat spectrum from natural emergencies to man-made disasters and acts of terrorism.

Council of the European Union, *Council Decision of 5 March 2007 establishing a Civil Protection Financial Instrument (2007/162/EC, Euratom)*. Archived by WebCite® at <http://www.webcitation.org/5w4p4t1zX>.

This decision by the Council is a legal text establishing Civil Protection Financial Instrument in order to cover the financial aspects of the preparedness and response actions in the framework of the Communities Mechanism for Civil Protection in the event of natural and man-made disasters, acts of terrorism, and technological, radiological, or environmental accidents.

European Union, *Treaty of Lisbon amending the Treaty on European Union and the Treaty establishing the European Community*, signed at Lisbon, 13 December 2007. Archived by WebCite® at <http://www.webcitation.org/5w4pC7Lo2>.

The Treaty of Lisbon introduces several changes regarding civil protection. Article 6 of the Treaty on the functioning of the European Union states that in the area of civil protection, "the Union shall have competence to carry out supporting, coordinating or complementary action." Article 176c specifies that the ordinary legislative procedure applies to the adoption of civil protection legislation. This fully involves the European Parliament as co-legislator and simplifies decisionmaking in the Council, as qualified majority voting now applies. Furthermore, Article 176c stipulates that "the Union shall encourage cooperation between member states in order to improve the ef-

fectiveness of systems for preventing and protecting against natural or man-made disasters”.

The European Evaluation Consortium (TEEC), *Global Evaluation of the Community Action Programme in the Field of Civil Protection, the Community Mechanism to Facilitate Reinforced Cooperation in Civil Protection Assistance Interventions and the Marine Pollution Framework*, commissioned by the European Commission’s former Directorate-General for Environment (5 July 2005). Archived by WebCite® at <http://www.webcitation.org/5wFjr8ly3>.

The aim of this evaluation was to identify options for developing a single instrument for civil protection at the EU level under the new financial regulation covering the period 2007–2013. The evaluation produced the following conclusions: The Civil Protection Action Programmes (CA) and the Marine Pollution Framework (MP), as originally conceived, are still relevant, and their objectives do not need to be updated. The three instruments are coherent and complementary within themselves, and overlaps between them are minimized by the coordination of the Directorate-General of Environment. The impacts observed are evidence of the contribution of the three instruments to the achievement of their objectives at community, national, regional, and local levels. A merger of the three instruments into a single instrument would not ensure transparency, effectiveness, and efficiency, although it might seem to be more coherent to outsiders. The partial merger of AP with CM should bring efficiency and visibility benefits, but transparency and effectiveness benefits would best be delivered through the systematic assessment and dissemination of project results.

Spain

Spain, *Ley 2/1985, de 21 de enero, sobre Protección Civil* (accessed: 19 March 2010). Archived by WebCite® at <http://www.webcitation.org/5wCTDK3n6>.

The Spanish Law on Civil Protection (in Spanish only).

Spain, *Real decreto 407/1992, de 24 de abril, por el que se aprueba la norma básica de protección civil* (accessed : 19 March 2010). Archived by WebCite® at <http://www.webcitation.org/5wCTNLXKt>.

The basic standard complements the Spanish Law on Civil Protection and lays down the requirements for civil protection plans. It sets out the criteria for coordination between the plans of various administrations and the general framework for developing the competencies of these administrations (in Spanish only).

Spain, *Sentencia de Tribunal Constitucional 133/1990, de 19 de julio 1990, dictada en relación con el recurso de inconstitucionalidad número 355/1985* (accessed: 19 March 2010). Archived by WebCite® at <http://www.webcitation.org/5wCTcrz2L>.

This Spanish Constitutional Court’s ruling of 1990 was issued in response to a constitutional complaint by the Basque regional government. It specifies that while the autonomous communities do have jurisdiction in civil protection, this competency is limited by the existence of a possible national or supra-autonomous interest (in Spanish only).

Spain, *Real Decreto 1123/2000, de 16 de junio, por el que se regula la creación e implantación de unidades de apoyo ante desastres* (accessed : 19 March 2010), archived by WebCite® at <http://www.webcitation.org/5wCUBey3L>; modified by *Real Decreto 285/2006, de 10 de marzo* (accessed: 19 March 2010). Archived by WebCite® at <http://www.webcitation.org/5wCUHwnKk>.

This decree lays the basis for the creation of the Spanish Disaster Support Units (UADs). It explicitly mentions the EU Civil Protection Mechanism, considers the provision of rapid response intervention teams on behalf of the EU a member state duty, and recognizes that the UADs can serve this purpose (in Spanish only).

Spain, *Real Decreto 399/2007, de 23 de marzo de 2007, por el que se aprueba el protocolo de intervención de*

la unidad militar de emergencias (UME) (accessed : 19 March 2010). Archived by WebCite® at <http://www.webcitation.org/5wCUPpYGh>.

This decree lays the basis for the creation of the Spanish Emergency Military Units (UME) (in Spanish only).

Spanish Directorate General of Civil Protection and Emergencies, *Program of the Spanish Presidency of the EU Council in the Field of Civil Protection/2010*. Archived by WebCite® at <http://www.webcitation.org/5wFKTIIIe>.

This document describes the program of the 2010 Spanish Presidency of the EU Council in the field of civil protection (in Spanish only).

United Kingdom

United Kingdom, *Civil Contingencies Act 2004* (accessed 3 February 2011). URL: <http://www.legislation.gov.uk/ukpga/2004/36/contents>.

The Civil Contingencies Act is the legal basis for civil protection in the UK. The Act is separated into two parts: local arrangements for civil protection (Part 1) and emergency powers (Part 2).

United Kingdom, *Civil Contingencies Act 2004 (Contingency Planning) Regulations 2005* (accessed 3 February 2011). Archived by WebCite® at <http://www.webcitation.org/5wDodxnp4>.

These regulations support Part 1 (local arrangements for civil protection) of the UK Civil Contingencies Act 2004.

UK Cabinet Office, *Dealing with Disaster: Revised Third Edition* (Liverpool: Brodie Publishing, 2003). Archived by WebCite® at <http://www.webcitation.org/5wFKkyZ8g>.

This book is addressed to local authorities, the emergency services and others involved in contingency planning at the local level. It offers a guiding framework in which to locate the details of their local emergency plans. As part of the changes to the machinery of government after the general election

in June 2001, responsibility for civil protection moved from the Home Office to the new Civil Contingencies Secretariat in the Cabinet Office. This interim revision to the third edition of *Dealing with Disaster* reflects these and other changes that have occurred since the publication of the third edition.

UK Cabinet Office, *Emergency Preparedness: Guidance on Part I of the Civil Contingencies Act, its Associated Regulations and Non-Statutory Arrangements* (Easingwold: Library & Information Centre, Emergency Planning College, 2005). Archived by WebCite® at <http://www.webcitation.org/5wDppMSRE>.

This volume of guidance, together with the accompanying Emergency Response and Recovery, sets out the generic framework for civil protection in the UK. As such, it deals with pre-emergency elements of integrated emergency management – anticipation, assessment, prevention, and preparation.

UK Cabinet Office, *Responding to Emergencies: The UK Central Government Response. Concept of Operations* (March 2010). Archived by WebCite® at <http://www.webcitation.org/5wDqAJSQc>.

This document sets out the arrangements for the response to an emergency (irrespective of its cause) requiring coordinated UK central government action. It describes how the UK central government response will be organized and sets out the relationship between the central, regional, and local tiers in England, as well as the relationship between the UK central government and the devolved administrations in Scotland and Wales as well as the Northern Ireland Administration.

UK Cabinet Office, *Emergency Response and Recovery: Non Statutory Guidance Accompanying The Civil Contingencies Act 2004*. Archived by WebCite® at <http://www.webcitation.org/5wDqK4Ke2>.

Emergency Response and Recovery complements Emergency Preparedness, which deals with the pre-emergency phase and describes the requirements

of the Civil Contingencies Act 2004 and supporting regulations. This guidance describes the multi-agency framework for responding to, and recovering from, civil emergencies in the UK.

5.2.2. Internet resources

Europe

European Commission, Humanitarian Aid & Civil Protection (ECHO), *European Civil Protection* (accessed: 3 February 2011). Archived by WebCite® at <http://www.webcitation.org/5wCVcqEdl>.

The official website of the European Commission offers information on the activities of the EU in the area of civil protection.

Spain

Dirección General de Protección Civil y Emergencias, *Protección Civil* (accessed: 29 March 2010). Archived by WebCite® at <http://www.webcitation.org/5wFLwdolj>.

The official website of the Spanish Directorate General for Civil Protection and Emergencies offers information on civil protection in Spain and on the duties and responsibilities of the Directorate General and the National Commission for Civil Protection, respectively.

United Kingdom

UK Cabinet Office, *UK Resilience* (accessed: 3 February 2011). Archived by WebCite® at <http://www.webcitation.org/5wFM65tFk>.

The official website of the UK Cabinet Office on UK Resilience contains information on civil contingency planning on all government levels.

5.2.3. Academic literature

Europe

Åhman, Teresa, *The Treaty of Lisbon and Civil Protection in the European Union* (Stockholm: FOI, Swedish Defence Research Agency, 2009). Archived by WebCite® at <http://www.webcitation.org/5w4pPZoxj>.

This study highlights the opportunities and the challenges that the Treaty of Lisbon has brought for the area of civil protection within the EU. Civil protection is for the first time formalized as a specific policy area in the EU through the Treaty of Lisbon. A solidarity clause is introduced as well. While the author does not expect specific consequences for the area in the short term, she claims that from a long-term perspective, incentives are given to deepen the cooperation within the area further.

Åhman, Teresa and Claes Nilsson, *The Community Mechanism for Civil Protection and the European Union Solidarity Fund*, in: Olsson, Stefan (Ed.), *Crisis Management in the European Union: Cooperation in the Face of Emergencies* (Berlin and Heidelberg: Springer, 2009), pp. 83–107.

This chapter gives an introduction to the EU Community Mechanism for Civil Protection (the Mechanism) and the EU Solidarity Fund (EUSF). The Mechanism is a structure that aims to facilitate civil protection assistance between member states and to third countries in response to major crises, whereas the EUSF facilitates financial support for actions undertaken in the immediate recovery phase of a crisis. The author describes the Mechanism as the most practical dimension of EU crisis management and also as one of the first initiatives in the area. Although the Mechanism and the EUSF were established separately, roughly ten years apart, and constitute two different EU crisis management instruments, the context in which they were founded was similar, as are their roles in the wider development of crisis management in the EU.

Bremberg, Niklas and Malena Britz, *Uncovering the Diverging Institutional Logics of EU Civil Protection (Cooperation and Conflict, 44/3, 2009), pp. 288–308.*

Applying an analytical framework based on neo-institutional organization theory and the study of organizational fields, this article explores two questions: What is the institutional basis for member states' diverging positions on the future direction of EU civil protection? Also, how may these positions affect the current development of EU civil protection? The authors' analysis draws upon empirical evidence from civil protection practice in Spain, Sweden, and the EU, including official documents in the form of bills and laws, policy papers, and elite interviews. They find that the basis for member states' diverging positions on the future of EU civil protection is rooted in conflicting national institutional logics of civil protection. No single dominant logic has emerged at the EU level, suggesting that as long as multiple institutional logics continue to coexist, disagreement on the future development of European level civil protection cooperation will persist.

Davis Cross, Mai'a K., *An EU Homeland Security? Sovereignty vs. Supranational Order (European Security, 16 /1, 2007), pp. 79–97.*

This article provides evidence that within the area of European security policy, strongly held beliefs about sovereignty are slowly ceding ground to an untested supranational order. The author claims that this is in large part due to the influential role of transnational experts in security technology. The possibility of an EU Homeland Security organization will determine Europe's future security role in the world.

Duke, Simon and Hanna Ojanen, *Bridging Internal and External Security: Lessons from the European Security and Defence Policy (Journal of European Integration, 28/5, 2006), pp. 477–494.*

This article suggests that the development of the European Security and Defence Policy has not only signalled a new tempo in EU policymaking, but seems

also to have unforeseen consequences in that it pushes forward the development of the EU's internal security policy. The link is most clearly visible in the crisis management capabilities that have been built up with external operations in mind, but that, once established, have been perceived as having internal utility. It is argued in this article that it is comparatively much easier to develop such capacities in the field of external relations and that the development of capacities, in turn, leads to the need for more shared strategic thinking. Removing the separation between internal and external security is highly controversial, however; in particular, this process is complicated by diverging views on the relative jurisdictions of the EU Council and the Commission. Nevertheless, encouraging signs of increasingly holistic security thinking are emerging within the EU.

Ekengren, Magnus, *EU Civil Protection: An Ascending Sector (Stockholm: Swedish National Defence College, 2008).*

This article applies a framework of institutionalism to investigate EU civil protection. The author concludes that the nascent phase of the EU civil protection sector's institutionalization has passed, and that its current development trajectory can best be defined as 'ascending', characterized by mostly non-binding regulations, though there is a growing number of binding regulations as well.

Ekengren, Magnus et al., *Solidarity or Sovereignty? EU Cooperation in Civil Protection (European Integration, 28/5, 2006), pp. 457–476.*

This article explores how the tension between sovereignty and solidarity within EU civil protection manifests itself 'on the ground', in the actual operation of civil protection missions. Two cases are analysed – the 2002 floods in Central Europe and the 2004 Asian tsunami – in order to understand how member states acted collectively through EU structures and what effect their response had on the EU's disaster response effectiveness. By exploring member states'

contributions to joint efforts, the way in which those efforts were organized, and lessons learned for future development, light is shed on how sovereignty concerns may prove to be an obstacle to solidarity.

Kuipers, Sanneke and Nina Matzén, *Do Birds of a Feather Flock Together? Variation in Crisis Management Capacity Amongst EU member states* (Stockholm: Swedish National Defence College, 2008).

This article presents the results of a survey on 11 EU member states to map out the existing variety in crisis management policies and practices within EU borders.

Missiroli, Antonio, *Disasters Past and Present: New Challenges for the EU* (Journal of European Integration, 28/5, 2006), pp. 423–436.

Since the drafting of the European Security Strategy in 2003, the EU has devoted ever more attention to the various emergencies that affect the safety and security of its citizens. Europe's history is already full of examples and precedents of such challenges and related responses. Today, natural and human-made disasters, acts of terrorism, and large-scale disruptions of civilian life constitute contingencies that require policy attention and preparedness at all levels of government. They often call into question traditional barriers between policy arenas at both the national and European levels. Within the EU proper, the relevant competences and capabilities are still at a fledgling stage and scattered across different institutions and bodies, but progress is being made towards better coordination and synergy across the policy board. The main goal of this article is to examine in greater detail the various issues connected with Europe's security challenges and their mutual correlations.

Rademaekers, Koen et al., *Strengthening the EU capacity to respond to disasters: Identification of the gaps in the capacity of the Community Civil Protection Mechanism to provide assistance in major disas-*

***ters and options to fill the gaps – A scenario-based approach* (Rotterdam, ECORYS Nederland BV, 2009). Archived by WebCite® at <http://www.webcitation.org/5wCSRiKY4>.**

This study explores potential gaps in current European civil response capacities within the Community Civil Protection Mechanism, and suggests policy options for filling these gaps. Scenarios were built for various types of disasters, consisting of a characterization of the scenario and the response resources required. The current civil response capacity was determined based on a questionnaire completed by the participating states combined with latest European Commission information. The key conclusion of the study is that the Mechanism currently facilitates assistance without guaranteeing European assistance, but that several options exist that have the potential to reform the Mechanism into a tool that guarantees European assistance across a wide variety of disaster response resources.

Swedish Civil Contingencies Agency (MSB), *International CEP Handbook 2009: Civil Emergency Planning in the NATO/EAPC Countries* (MSB: Karlstad, 2009). Archived by WebCite® at <http://www.webcitation.org/5wCUeWlZH>.

This book describes the Civil Emergency Planning (CEP) structures of the NATO/EAPC countries as of 2009.

(Former) Swedish Emergency Management Agency (SEMA), *International CEP Handbook 2006: Civil Emergency Planning in the NATO/EAPC Countries* (Stockholm: SEMA, 2006). Archived by WebCite® at <http://www.webcitation.org/5wFOZYqV>.

This book by the former Swedish Emergency Management Agency (now the Swedish Civil Contingencies Agency) describes the Civil Emergency Planning (CEP) structures of the NATO/EAPC countries as of 2006. A newer edition of the same book was published in 2009.

United Kingdom

O'Brien, Geoff and Paul Read, *Future UK Emergency Management: New Wine, Old Skin?* (Disaster Prevention and Management, 14/3, 2005), pp. 353–361.

This paper reviews the changes made to civil protection in the UK since the turn of the millennium, in the areas of legislation and capacity-building, that aim to make the UK more resilient. The authors discuss the meaning of the resilience concept adopted by the UK in the area of civil protection. They find that recent changes in UK civil protection are in many ways welcome, but that the promotion of more resilient communities requires a bottom-up as opposed to a top-down approach, which is not well reflected in the UK's new approach to resilience, with funding of local services – the building blocks of a resilient community – being a constant issue of tension.

Smith, James, *Civil Contingency Planning in Government* (Parliamentary Affairs, 56/3, 2003), pp. 410–422.

This article discusses the main features of arrangements for civil contingency planning in the UK. Using a variety of documentary sources, it identifies the key actors and institutions involved in this area and the related reform processes which have taken place over

the past two years. Attention is focused on the reorganisation of contingency capabilities at the heart of government in Whitehall and the ongoing reappraisal of legislation underpinning emergency planning across the country at large, as well as debates stemming from heightened media and parliamentary scrutiny following September 11.

Sommerville, Ian, Tim Storer and Russell Lock, *Responsibility Management for Civil Emergency Planning* (Risk Management, 11/3, 2009), pp. 179–207.

This paper presents a new approach to analyzing and understanding civil emergency planning based on the notion of responsibility modelling combined with HAZOPS-style analysis of information requirements. This paper aims to represent complex contingency plans so that they can be more readily understood, and so that inconsistencies can be highlighted and vulnerabilities discovered. Three authors outline the framework for contingency planning in the UK and introduce the notion of responsibility models as a means of representing the key features of contingency plans. A case study of a flooding emergency serves to illustrate this approach to responsibility modelling and shows how the proposed approach adds value to current textual contingency plans.



The **Center for Security Studies (CSS) at ETH Zurich** specializes in research, teaching, and information services in the fields of international relations and security policy. The CSS also acts as a consultant to various political bodies and the general public. The Center is engaged in research projects with a number of Swiss and international partners, focusing on new risks, European and transatlantic security, strategy and doctrine, state failure and state building, and Swiss foreign and security policy.

The **Crisis and Risk Network (CRN)** is an Internet and workshop initiative for international dialog on national-level security risks and vulnerabilities, critical infrastructure protection (CIP) and emergency preparedness.

As a complementary service to the International Relations and Security Network (ISN), the CRN is coordinated and developed by the Center for Security Studies at the Swiss Federal Institute of Technology (ETH) Zurich, Switzerland. (www.crn.ethz.ch)