



HOUSE OF LORDS

European Union Committee

6th Report of Session 2008–09

Civil Protection and Crisis Management in the European Union

Report with Evidence

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The European Union Committee

The European Union Committee of the House of Lords considers EU documents and other matters relating to the EU in advance of decisions being taken on them in Brussels. It does this in order to influence the Government's position in negotiations, and to hold them to account for their actions at EU level.

The Government are required to deposit EU documents in Parliament, and to produce within two weeks an Explanatory Memorandum setting out the implications for the UK. The Committee examines these documents, and 'holds under scrutiny' any about which it has concerns, entering into correspondence with the relevant Minister until satisfied. Letters must be answered within two weeks. Under the 'scrutiny reserve resolution', the Government may not agree in the EU Council of Ministers to any proposal still held under scrutiny; reasons must be given for any breach.

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The Members of the Sub-Committee which conducted this inquiry are listed in Appendix 1.

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(Q) refers to a question in oral evidence

(p) refers to a page of written evidence

Civil Protection and Crisis Management in the European Union

Introduction

1. Preserving the safety and security of its citizens is the first duty of every State. In the modern world that often requires them to act in concert with other States. In this short inquiry we have examined how the mechanisms set up by the European Union assist the Member States in supporting one another when faced with natural or man-made catastrophes, including those perpetrated by terrorists, and in supporting third countries in times of crisis. We have looked in particular at how these mechanisms work with other international organisations with a similar remit, often operating in the same place, at the same time and with a similar purpose.
2. This inquiry has been conducted by Sub-Committee F, a list of whose members is set out in Appendix 1. They did not issue a call for written evidence, but took oral evidence from witnesses in the Commission and the Council Secretariat, and from the United Kingdom Minister responsible for civil contingencies. A list of the witnesses is in Appendix 2. To all of them we are most grateful.
3. **We make this report to the House for information.**

Civil Protection: the Community Mechanism

4. In October 2001 a Council Decision was adopted establishing a Community Civil Protection Mechanism (the CCP Mechanism) “to facilitate reinforced cooperation between the Community and the Member States in civil protection assistance intervention in the event of major emergencies, or the imminent threat thereof, which may require urgent response action.”¹
5. This mechanism was intended “to help ensure better protection, primarily of people but also of the environment and property, including cultural heritage, in the event of major emergencies, i.e. natural, technological, radiological or environmental accidents occurring inside or outside the Community, including accidental marine pollution.” A Monitoring and Information Centre (MIC) was set up, accessible on a 24/7 basis, and a Common Emergency Communication and Information System (CECIS) for communication between the MIC and the contact points in the Member States.² Each Member State identified emergency intervention teams which could be despatched at not more than 12 hours’ notice. In the case of a

¹ Council Decision of 23 October 2001 establishing a Community Mechanism to facilitate reinforced cooperation in civil protection assistance interventions (2001/792 EC, Euratom) (OJ L 297, 15.11.2001, p 7). The Decision was based on a Commission proposal made in January 2001, but after the events of 9/11 there was political momentum in the Council for its adoption the following month.

² In addition to the 27 Member States, the three countries of the EEA (Iceland, Liechtenstein and Norway) participate. Recently Croatia has joined as a candidate country.

major emergency a Member State could request assistance either directly from other States or through the MIC.

6. In February 2006 the Commission proposed revising the 2001 Decision. The changes made to the CCP Mechanism in the recast Decision were not major. The Decision was adopted on 8 November 2007, and is the instrument now in force.³ Detailed rules are contained in a Commission implementing decision.⁴
7. One change made in the recast Decision was that, instead of referring only to natural emergencies, for the first time it also referred to man-made disasters and acts of terrorism.⁵ On the face of it, this appeared to be significant, but Mr Hans Das, the deputy head of the Civil Protection Unit, told us that this only reflected the reality of the situation since 2001; Member States had always agreed that terrorist attacks had the potential to lead to requests for assistance. (QQ 12, 18)
8. Because the CCP Mechanism was originally designed to deal principally with environmental disasters, within the Commission it was the Directorate-General for the Environment which took responsibility for it. This is still the case, despite the fact that the Mechanism is now intended to deal with disasters which could not be described as environmental. The two witnesses who came to explain to us the working of the Mechanism therefore came from DG Environment.
9. Mr Das explained to us that the MIC has three roles: monitoring ongoing disasters and new disasters; information sharing; and coordination, especially in the case of emergencies outside the EU, to avoid duplication and make the best use of available resources. (Q 1) For sharing information the MIC distributes to the Member States the *MIC Daily* to alert them to new and imminent emergencies. The MIC derives its information principally from the Member States, other organisations such as the UN, and non-governmental organisations (NGOs).
10. The operations of Member States' teams during an EU civil protection operation are managed entirely by the Member States; all offers of assistance are made on a wholly voluntary basis. It is up to each Member State to decide whether or not to offer assistance in response to a request. The MIC's involvement is limited to facilitating the coordination at European level of all of the Member States' operations, and to making sure that everything runs smoothly from a technical perspective, and that there is no duplication between the Member States themselves, or between Member States and other partners. (Q 1)
11. As an example of an emergency outside the EU, Mr Das mentioned the terrorist attacks in Mumbai which involved a number of European citizens.

³ Council Decision of 8 November 2007 establishing a Community Civil Protection Mechanism (recast) (2007/779 EC, Euratom) (OJ L 314, 1.12.2007, p. 9).

⁴ Commission Decision of 29 December 2003 laying down the rules for the implementation of Council Decision of 23 October 2001 establishing a Community Civil Protection Mechanism to facilitate reinforced cooperation in civil protection assistance interventions (2004/277 EC, Euratom) (OJ L 87, 25.3.2004, p.20).

⁵ Article 1(2): "The protection to be ensured by the Mechanism shall cover primarily people but also the environment and property, including cultural heritage, in the event of natural and man-made disasters, acts of terrorism and technological, radiological or environmental accidents, including accidental marine pollution, occurring inside or outside the Community, taking also into account the special needs of the isolated, outermost and other regions or islands of the Community."

There was also a large delegation of Members of the European Parliament in Mumbai. The French Presidency therefore decided to activate the MIC, and a Swedish medical emergency aircraft was despatched for the medical evacuation of a number of injured EU citizens, including United Kingdom citizens. (QQ 11, 14)

Crisis Management: the Joint Situation Centre

12. On two previous occasions we have examined the operation of the Joint Situation Centre (EU SitCen), and taken evidence from the Director, Mr William Shapcott. The first such occasion was an inquiry in 2002–03 by Sub-Committee C into the civilian crisis management capabilities of the then new European Security and Defence Policy (ESDP).⁶ The second was the more recent inquiry by Sub-Committee F into the EU's response to terrorism following the Madrid bombings on 11 March 2004.⁷ On that occasion Mr Shapcott gave a full explanation of the origins and development of SitCen up to that date.⁸
13. There have been developments since then, and in his evidence to us Johnny Engell-Hansen, the Head of the Operations Unit at SitCen, explained the current position. "I can broadly describe the role of the EU SitCen as to contribute to the early warning work of the Council and the European Union. We undertake situation monitoring 24 hours a day, seven days a week. We do situation assessment with a view to supporting EU policy-making. We provide facilities and organisational infrastructure for the crisis taskforces. We provide Brussels-based support and assistance to the EU field activities, including those of the Secretary General, High Representative, EU Special Representatives, EU ESDP missions, et cetera. In its work SitCen is assisted by the secondment of national experts in analytical functions who work side-by-side with Council officials. This arrangement allows SitCen to benefit from exchanges of information with Member States including with diplomatic services, intelligence and security services, and SitCen in Brussels also works closely together with the intelligence directorate of the EU military staff." (Q 92)
14. On crisis management, Mr Engell-Hansen explained that the EU Emergency Crisis Coordination Arrangements (CCA) were designed to ensure rapid and coordinated EU cross-sector policy responses in a serious crisis. The CCA provide Member States and their permanent representations with a political platform for exchange of information and coordination of action in the case of a serious emergency or crisis. "The criteria are normally that it should affect several Member States, the EU as such, and there should be an element of time criticality". It would then require an exceptional EU level policy response. The role of SitCen is "to provide the main operational and infrastructural backbone for supporting the EU Presidency and Member States in implementing these CCA arrangements in a crisis situation." (Q 92)

⁶ *EU—Effective in a Crisis?* (7th Report, Session 2002–03, HL Paper 53). The current Chairman of Sub-Committee F, Lord Jopling, was then Chairman of Sub-Committee C.

⁷ *After Madrid: the EU's response to terrorism* (5th Report, Session 2004–05, HL Paper 53)

⁸ Q 152: <http://www.publications.parliament.uk/pa/ld200405/ldselect/lducom/53/53.pdf>

Coordination of EU early warning mechanisms

15. We asked the witnesses from the MIC and SitCen about coordination between the two bodies: the first run by the Commission, the second part of the Council Secretariat. Both were emphatic that there was a clear distinction between their roles, that there was no duplication of effort, and that they worked well together. In the words of Mr Das, “The mandate of the Mechanism is very specific; it focuses on ... the facilitation of civil protection assistance in the case of major emergencies. SitCen’s role is probably much wider and different in that it focuses on early warning situation awareness and intelligence-gathering for a wide variety of political purposes.” (Q 22) Mr Engell-Hansen thought that many of the intelligence products used by SitCen were not relevant to the MIC; but where information was relevant, it was shared readily. (Q 110)
16. Mr Bruce Mann, the Head of the Cabinet Office Civil Contingencies Secretariat, agreed that there was a distinction between their roles. He said that during the Mumbai terrorist attack the delineation between the MIC and SitCen—that is, between the domestic consequences and the overseas consequences, especially in foreign policy and security policy—was very clearly understood and respected. (Q 51)
17. We accept that the roles of the two bodies are distinct. SitCen draws on information from a much greater range of sources, including the intelligence and security services, and assesses and analyses the information for the benefit of the Member States; and unlike the MIC, it plays no part in the facilitation and coordination of operations. But when a crisis does occur they are, in Mr Mann’s words, “both part of the same machinery for handling that crisis, both its overseas components and its domestic components”. (Q 51) There is a considerable danger of overlap in their work, and we think they must be vigilant to ensure that there is no duplication of effort.
18. Mr Mann did also have words of warning about any further elaboration of security mechanisms. “The Union has a whole range of early warning and alert mechanisms⁹ ... It came to a point where we were beginning to say, hang on a moment, we are proliferating alert mechanisms, there are financial issues inside there but more importantly perhaps there are operational issues ... Before we put substantial money into a new alert mechanism we just need to pause and look at all the other ones that are out there, and make sure that we can capture those who operationally need to know that an emergency is about to occur and that by proliferating mechanisms we do not get information lost in the fog.” (Q 60)

⁹ These include: Rapid Alert System for Food and Feed (RASFF), for exchange of information on measures taken to ensure food safety; Rapid Alert System for Non-Food Products (RAPEX), for exchange of information about serious risks to the health and safety of consumers; Rapid Alert System in case of Biological and Chemical Threats (RASBICHAT), for information exchange, consultation and co-ordination for the handling of health-related issues related to attacks; European Community Urgent Radiological Information Exchange (ECURIE) for information exchange about the status of the accident, meteorological conditions, national countermeasures taken etc.; Early Warning System on Communicable Diseases (EWRS), to alert public health authorities on outbreaks with greater than national dimensions; Commission General Rapid Alert System (ARGUS), for information exchange and political coordination in case of a major multi-sectoral crisis; Animal Disease Notification System (ADNS), for information exchange about outbreaks of infectious animal diseases; and Phytosanitary network (EUROPHYT), for exchange of information about interceptions of harmful organisms or of non-compliant or prohibited plants and plant products.

19. We have considerable sympathy with this view. **We believe the European Union, and in particular the Commission, should keep a watchful eye on the interfaces between the many existing alert mechanisms to ensure that they remain relevant and effective, and should resist any further proliferation. Coordination of the coordinators should be a priority.**

Relations with NATO and other bodies

20. The report of this Committee on “civilian ESDP” to which we referred in paragraph 12 recommended more effective cooperation between the EU and several key organisations, in particular NATO, the UN, OSCE, and relevant NGOs.¹⁰ We put to all our witnesses questions designed to discover whether, especially in the case of NATO, cooperation had improved. We do not overlook that the 26 members of NATO include five countries which are not Member States of the EU,¹¹ while six of the EU Member States are not members of NATO.¹²

NATO and the Management Information Centre

21. We drew to the attention of Mr Das a report adopted by the NATO Parliamentary Assembly on 14–15 November 2006 which pointed out that the MIC could be seen as the equivalent of the NATO Euro-Atlantic Disaster Response and Coordination Centre (EADRCC). Both organisations had their own early warning systems, their inventories of national capabilities and their mechanisms for sharing information and communicating during crisis. There were other similarities and overlaps, and in the event of a disaster many Member States would have to choose which organisation to use. Yet, at the date of that report, there was no structured division of labour or framework for co-operation between NATO and the EU either in the field of natural disasters or in the field of terrorism. Institutional rivalry remained strong. The report continued: “There is literally no institutional dialogue between NATO and the European Commission, and other EU institutions are very reluctant to allow any such contacts in the near future. The current situation, in which both institutions develop their own mechanisms independently from each other and with only minimum coordination, is clearly not satisfactory.”¹³
22. Mr Das accepted that the MIC and EADRCC had similar functions, and that some countries requested assistance through one of the systems while others did so through both simultaneously. But there were also important differences in how they operated. The EADRCC relied on a wider network of partner countries than the EU, but their mandate area was more limited because the MIC operated on a worldwide basis, responding to disasters all over the world while the EADRCC focused on emergencies within the NATO partner countries. The MIC routinely sent coordination teams on site to make sure that the European assistance was properly received and correctly distributed; it could support Member States with the transport of

¹⁰ *EU—Effective in a Crisis?* (7th Report, Session 2002–03, HL Paper 53), Chapter 3.

¹¹ Canada, Iceland, Norway, Turkey and the United States, though Iceland and Norway are part of the MIC.

¹² Austria, Cyprus, Finland, Ireland, Malta and Sweden.

¹³ *NATO and Civil Protection*, report 166 CDS 06, paragraph 87. The Special Rapporteur who drafted this report was Lord Jopling, a member of the NATO Parliamentary Assembly and the Chairman of Sub-Committee F.

assistance, and could provide co-financing for the transport. If a country was affected by a disaster and wanted to receive assistance very quickly, in reality it would often use all the channels available, and make a request for assistance to the United Nations, to NATO and to the EU MIC.

23. Mr Das told us that he had some good news to bring us. Cooperation between the MIC and the EADRCC had improved recently: “There is a full and clear understanding between all Member States that in all emergencies which simultaneously involve the MIC and the EADRCC we will be sharing information on the assistance that we are providing and the actions that we are undertaking ... That practical exchange of information has taken place already for several months. There is certainly scope for further cooperation in the future but that will also depend upon the political willingness of Member States to go in that direction.” But France, supported by a few other Member States, had particular concerns about cooperation between the MIC and the EADRCC being too close. (QQ 27–31)
24. The Minister was more sanguine. “Look, there was a problem between the way these two institutions communicated and shared information. I am assured that many of those problems have been ironed out under the leadership of President Sarkozy and the way that the French now engage with us.” But, he added, if the Committee felt that more effort needed to be put into making sure those institutional arrangements worked better, he invited us to say so in our report; if we did so, he would take that observation very seriously. (QQ 63–64)
25. We do indeed believe that more needs to be done to improve communication and cooperation between the MIC and the EADRCC; and we would say so even in the absence of an invitation from the Minister. There may have been some improvement since 2006, but it seems to us that there is still some way to go. **If, as appears, the stumbling block is political reluctance, the Government should emphasise to those States which continue to have concerns that the two bodies, instead of duplicating their work (with the financial consequences this entails), would do better to support and complement one another.**
26. **The overall aim should be, in this as in other areas of policy, to ensure a much closer working relationship between the EU and NATO than has ever existed in the past. We would hope that the NATO 60th anniversary summit in Strasbourg in April could endorse that objective.**

The Situation Centres of NATO and the EU

27. We asked Mr Engell-Hansen about cooperation between EU SitCen and NATO SitCen. He told us that while EU SitCen had good information exchanges with many international organisations—he mentioned the UN, the World Food Programme, UNHCR, UNICEF, OCHA (the UN Office for the Coordination of Humanitarian Affairs), the African Union—that was not the case with NATO. The structures were there, and EU SitCen contributed, but got practically nothing in return from NATO; and what they got was of very little value. The reason was probably that the NATO SitCen was under severe restrictions as to what it was allowed to share, and when; there were very elaborate release procedures for information which caused significant delay, so by the time it could contribute, the information was of little practical value.

28. Mr Engell-Hansen referred to the withdrawal by NATO of permission for EU SitCen officials to follow training courses at the NATO school in Oberammergau on the ground that EU security clearances were insufficient guarantee to allow EU officials to participate in NATO courses requiring a security classification. “As a Dane, I find it frustrating, perhaps even insulting, that the same kind of security clearance procedure is undertaken by the national Danish authorities and passed on to NATO and to the EU institutions but, just because the institutions have signed off, I could no longer participate in these courses; whereas officials from a partnership country in, say, central Asia, were allowed on those courses. My colleagues also could not.”
29. We find it extraordinary that an individual whose security clearance is otherwise adequate should be told that, because he works for the EU, his security clearance can no longer be accepted. As a matter of principle, it is unacceptable. As a matter of practice, if it impedes necessary exchanges of information between the Situation Centres of NATO and the EU, it has the potential to be harmful.
30. **The Government should look into NATO policy on security clearance. If NATO has genuine concerns about EU security clearance, those concerns should be declared and addressed. But unless there are good arguments to the contrary, the criteria used to assess the security clearance of individuals should be the same whether they work for national Governments or international institutions.**

United Kingdom participation in training exercises

31. We were concerned by the apparent failure of the United Kingdom to participate in exercises designed to test preparedness against CBRN attacks,¹⁴ and asked Tom Watson MP, the Parliamentary Secretary at the Cabinet Office with responsibility for civil contingencies, why the United Kingdom had not participated in one of NATO’s main annual exercises in Biograd, Croatia, in May 2007. The NATO official report on the exercise lists 19 States as having “participated in the exercise by deploying teams”; the United Kingdom is not among them but, so the Minister told us, “we provided expert training, we had expertise directing the exercise, and we were involved in the assessment of the response arrangements afterwards”. (Q 77)
32. Subsequently the Minister wrote to the Chairman of Sub-Committee F a letter which we print with the evidence at p 25, together with the detailed list which the Minister attached. From this it appears that the sole British participant was a person from the London Fire Brigade who “contributed to training on the NATO non-binding guidelines on CBRN for participants in the exercise, and acted as both Directing Staff and Assessor.” Later exchanges explain that “in his capacity as a member of the exercise Directing Staff, the UK expert covered the Local Emergency Management Agency. He also trained exercise participants in the run-up period, and acted as an Assessor.” From the NATO report it appears that “Staff positions in the Directing Staff (DISTAFF), On-site Operations and Co-ordination Centre (OSOCC) and Assessors Team” were also filled by persons from 23 other States.

¹⁴ Chemical, Biological, Radiological and Nuclear attacks.

33. “Participation” is an elastic word. To our witnesses it plainly signifies any sort of United Kingdom involvement other than as an observer only; even on that basis the United Kingdom has participated in only 11 of 31 EU or NATO exercises between 2000 and 2008. Using the NATO criterion, “participated in the exercise by deploying teams”, it seems that the United Kingdom has participated in none of the annual NATO exercises, and in only one of the EU exercises, Operation Torch, a CBRN disaster victim identification exercise which the United Kingdom hosted in October 2008. Mr Mann described this as “an EU-wide CBRN exercise had been held in the United Kingdom a month earlier to which Member States came.” It seems that only two Member States came: Germany and the Netherlands.
34. In November 2008 the French Presidency arranged a CBRN exercise, VAR 2008, in France, which it regarded as one of the major events of the Presidency in the field of civil protection. Mr Mann explained that the reason the United Kingdom had not participated in this was because of Operation Torch. A purely United Kingdom domestic CBRN exercise was held at the same time; as the Minister said, “we were quite stretched”. (QQ 77–79)
35. We are surprised that such similar exercises should have been arranged so close together. Yet it seems that the bunching of exercises in the spring and early autumn is not uncommon. Mr Mann said: “I think that is a point which we will certainly take up with the Commission and partner countries.” (Q 81) He should do so. **Holding similar exercises at similar times can bring little added benefit, and is wasteful of financial and other resources. We urge the Government to work for much better coordination of the timetables for exercises.**
36. We do not however see the bunching of exercises as a reason why the United Kingdom should have participated (in our use of the term) scarcely at all in EU or NATO exercises over the last nine years. **This is a country more susceptible than most to terrorist attacks, including perhaps CBRN attacks. The United Kingdom should be playing a full part in all major EU and NATO exercises. We find the current level of United Kingdom participation unacceptably low.**

Preparedness against biological attacks

37. We asked Mr Das to what extent the MIC was involved in monitoring the preparedness of the Member States against biological attacks, and in particular whether persons working in their emergency services were adequately vaccinated against such attacks. (Q 25) Mr Das replied that the MIC was not involved in this; within the Commission it was the responsibility of DG SANCO, the Directorate-General for Health and Consumers. The reply we subsequently received from them explained that vaccination and the monitoring of it were both the responsibility of the Member States. These questions had been discussed in the Health Security Committee between 2002 and 2004, but without coming to a conclusion. That Committee had also discussed the possibility of monitoring Europe-wide medicine sales on a daily basis as an indicator that a biological attack might have taken place. However there was no agreement on how such monitoring would be organised or funded, so here too there was no Commission involvement.

38. We accept that these are primarily matters for the Member States. For precisely this reason, we believe that there is a strong case for cooperation between them on the preparedness of their emergency services.

Security at the 2012 Olympics

39. There is considerable public interest about security issues at the Olympic Games in 2012, but most of it is confined to the Olympic venue itself. Not much is heard about security in the five London boroughs which are hosting the Games, and which seem to us to be at least as vulnerable. We asked Mr Das what the MIC might be able to do to assist. He explained that the MIC had in the past arranged to have European teams placed on standby during large sporting events, such as the Euro 2004 football championship where Portugal asked for CBRN decontamination teams to be kept on standby. The teams were kept on alert in their own countries but were ready to travel very quickly should the need arise. The Commission would be ready to help the UK in making the best possible preparations.
40. We felt it was not too early for these issues to be considered, and Ms Esmé Dobson, who also gave evidence for the MIC, agreed that it would be good to use the opportunity to prepare really well in advance. We were told that there had so far been no approach to the MIC by the United Kingdom, but this did not surprise Mr Das; he felt there was still sufficient time to put in place whatever contingency plans were necessary at European level. (QQ 32–38)
41. The Minister's comment was: "We can definitely learn using MIC through the French experience of the Rugby World Cup and the other Games and that process will take place. We are four years away from the Games but I am absolutely certain that we will be involved in that." Neither this, nor anything else he said, met our concerns about the need now to reassure local communities that appropriate action is being and will be taken. (QQ 83–88)
42. **We do not believe that it is too soon to involve the MIC in preparations for security issues, not just within the Olympic venue but also in the surrounding boroughs. We urge the Government to contact the MIC without delay to begin work on back-up support for our own national security arrangements, even if a formal request for assistance is not needed until nearer the time.**

APPENDIX 1: SUB-COMMITTEE F (HOME AFFAIRS)

The members of the Sub-Committee which conducted this inquiry were:

- Lord Avebury
- Lord Dear
- † Lord Faulkner of Worcester
- Baroness Garden of Frognal
- Lord Hannay of Chiswick
- Lord Harrison
- Baroness Henig
- Lord Hodgson of Astley Abbotts
- Lord Jopling (Chairman)
- Lord Marlesford
- Lord Mawson
- Lord Richard

† from 3 February 2009

Declarations of Interests:

A full list of Members' interests can be found in the Register of Lords Interests:

<http://www.publications.parliament.uk/pa/ld/ldreg.htm>

Interests declared by Members relevant to the inquiry:

- Lord Dear
 - Former Chief Constable, West Midlands Police*
 - Former HM Inspector of Constabulary*
- Lord Hannay of Chiswick
 - Chair, United Nations Association UK*
 - Member, Advisory Board, Centre for European Reform*
 - Member, Advisory Board, European Foreign Affairs Review*
- Baroness Henig
 - Chair of the Security Industry Authority*
 - President of the Association of Police Authorities*
- Lord Jopling
 - General Rapporteur to the Committee on Civilian Aspects of Security in the NATO Parliamentary Assembly*
- Lord Mawson
 - Promoting Water City, a vision for Olympic legacy in East London (non-remunerated)*

APPENDIX 2: LIST OF ACRONYMS AND ABBREVIATIONS

| | |
|--------------------------|--|
| CBRN | Chemical, Biological, Radiological or Nuclear |
| CCA | EU Emergency Crisis Coordination Arrangements |
| CCP Mechanism | Community Civil Protection Mechanism |
| CECIS | Common Emergency Communication and Information System |
| Civil Protection Unit | Civil Protection Unit, DG Environment, European Commission |
| DG Environment | Directorate-General for the Environment, European Commission |
| DG JLS | Directorate-General for Justice, Freedom and Security, European Commission |
| DG SANCO | Directorate-General for Health and Consumers, European Commission |
| DISTAFF | Staff positions in the Directing Staff of NATO |
| EADRCC | NATO Euro-Atlantic Disaster Response and Coordination Centre |
| EC | European Community |
| ESDP | European Security and Defence Policy |
| EU | European Union |
| EU SitCen Mechanism | Joint Situation Centre of the EU Council Secretariat Community Civil Protection Mechanism |
| MIC | Monitoring and Information Centre, Civil Protection Unit, European Commission |
| NATO SitCen | NATO Situation Centre |
| NATO | North Atlantic Treaty Organisation |
| NGOs | Non-governmental organisations |
| OCHA | UN Office for the Coordination of Humanitarian Affairs |
| OSCE | Organisation for Security and Cooperation in Europe |
| OSOCC | On-site Operations and Co-ordination Centre of NATO |
| UN | United Nations |
| UNESCO | United Nations Educational, Scientific and Cultural Organisation |
| UNHCR | United Nations High Commissioner for Refugees |
| UNICEF | United Nations International Children's Emergency Fund |

APPENDIX 3: RELEVANT REPORTS

Recent Reports from the Select Committee

The Treaty of Lisbon: an impact assessment (10th Report, Session 2007–08, HL Paper 62)

Relevant Reports prepared by Sub-Committee F (Home Affairs)

Session 2002–03

EU—Effective in a Crisis (7th Report, HL Paper 53)

Session 2004–05

After Madrid: the EU's response to terrorism (5th Report, HL Paper 53)

Session 2005–06

Behind Closed Doors: the meeting of the G6 Interior Ministers at Heiligendamm (40th Report, HL Paper 221)

Session 2006–07

After Heiligendamm: doors ajar at Stratford-upon-Avon (5th Report, HL Paper 32)

Schengen Information System II (SIS II) (9th Report, HL Paper 49)

Prüm: an effective weapon against terrorism and crime? (18th Report, HL Paper 90)

The EU/US Passenger Name Record (PNR) Agreement (21st Report, HL Paper 108)

Session 2007–08

FRONTEX: the EU external borders agency (9th Report, HL Paper 60)

The Passenger Name Record (PNR) Framework Decision (15th Report, HL Paper 106)

EUROPOL: coordinating the fight against serious and organised crime (29th Report, HL Paper 183)

Minutes of Evidence

TAKEN BEFORE THE SELECT COMMITTEE ON THE EUROPEAN UNION
(SUB-COMMITTEE F)

WEDNESDAY 14 JANUARY 2009

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|---------|-----------------------|-----------------------------|
| Present | Avebury, L | Hodgson of Astley Abbots, L |
| | Dear, L | Jopling, L (Chairman) |
| | Garden of Frognal, B | Marlesford, L |
| | Hannay of Chiswick, L | Mawson, L |
| | Harrison, L | Richard, L |
| | Henig, B | |

Examination of Witnesses

Witnesses: MR HANS DAS, Deputy Head of Unit, and Ms ESMÉ DOBSON, Policy Officer, Civil Protection, DG Environment, European Commission, examined.

Q1 Chairman: Mr Das and Ms Dobson, thank you very much for coming. I know you have come from Brussels to give evidence before us and we are most obliged to you. We are carrying out, as you may know, a really very short inquiry into these issues of the European Union's Civil Protection Mechanism which is of great interest to us. There will be a full transcript taken of everything which you say which we will publish on our website. You will have the opportunity to make minor corrections, if it is necessary. If, after the meeting, you wish to correct anything or add to it, then I hope you will not hesitate to write to me and we will deal with it in that way. Maybe I could begin and ask you whether you could explain the day-to-day workings of the Monitoring and Information Centre and how it is staffed, and, when the first news of an environmental or a man-made disaster reaches the MIC, what is the sequence of events thereafter? I may say, if you wish to make an opening statement, we would be glad to hear that, but maybe my question covers a good deal of what you might like to say in an opening statement, so, if you could incorporate anything else in your answer, that would be most welcome.

Mr Das: My Lord Chairman, I would like to thank you, first of all, and thank the Committee for the interest that you are taking in the work of the Civil Protection Mechanism and I would like to thank you for giving us the opportunity to give you the Commission's views on the work of the Mechanism. I think indeed I can combine a short opening statement and the answer to that first question. Let me just quickly introduce myself. My name is Hans Das and I am the Deputy Head of the Civil Protection Unit in DG Environment of the European Commission and I am joined today by my colleague, Ms Esmé Dobson, who is a Policy Officer in that Unit. The Community Civil Protection Mechanism is a very

young European instrument, it was only established in 2001, but it has very rapidly developed into one of the main instruments that we use in the response to disasters inside the EU and outside the Union. This Mechanism is increasingly used by both Member States and by third countries to co-ordinate the immediate civil protection assistance in the event of major emergencies, and this increased use of the Mechanism reflects a very simple reality, in our view. When disasters strike, national response capacities of countries may become overwhelmed. Even with the best possible preparations and the best possible prevention strategies, no country in the world today can pretend to be capable of dealing with each and every possible major emergency that may occur. When these major disasters occur, there is fortunately a tradition of solidarity between Member States. Member States are quite keen and very willing and certainly capable of coming to each other's aid in the case of major emergencies, and providing this immediate civil protection assistance, be it teams, experts or relief supplies, during emergencies is probably one of the most powerful and most tangible expressions of European solidarity, and it is this European solidarity that we try to encourage, and further develop, at EU level through the Mechanism. We do this by effectively supporting Member States in providing this assistance during emergencies and we do this by helping Member States to prepare for such interventions before emergencies take place. We also do this through training, exercises, exchange of experts and the establishment of a technical framework for modules, early warning systems, et cetera. Coming to your question, how does the Community Mechanism, the MIC, work on a day-to-day basis, let me first clarify that the MIC is the Monitoring Information Centre, shortly called the "MIC", and is the operational heart of this

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Community Civil Protection Mechanism. It is based in DG Environment in the Civil Protection Unit of the European Commission, and that Unit currently has approximately 40 staff members, a combination of Commission officials and detached national experts seconded by the Member States. The MIC is staffed by those members of the Civil Protection Unit and there is a duty system through which we ensure that the MIC is available on a 24-hour basis, seven days a week, and all members of the Unit take part in that duty system. The main task of the MIC is to facilitate, and to support, the mobilisation and the co-ordination of Member States' civil protection assistance in the event of major disasters and, to this end, the MIC has three main roles. The first role is monitoring. We monitor ongoing disasters and new disasters across the globe in order to anticipate possible disasters and possible requests for assistance, we give early warnings to our Member States' civil protection authorities so that they can start preparing for possible assistance interventions, and we ensure a timely response when a request for assistance is made. This information is shared with all Member States on a continuous basis. We have, for instance, a daily bulletin through which we inform Member States of the disasters currently taking place or currently requiring attention both inside the EU and in third countries. The second role of the MIC is information-sharing. During emergencies, good, reliable information is of vital importance. Member States need to be able to base their decisions as to how to help, and whether or not to help, on the best possible information about the circumstances on the site of an emergency, and that is a role we try to play by making sure that Member States have always up-to-date, reliable information on what is going on during emergencies. The third role is co-ordination. In particular, when it comes to emergencies outside the EU, the Commission's Monitoring and Information Centre has a role in ensuring the operational co-ordination of Member States' civil protection assistance. The aim of that co-ordination is very simply to avoid duplication, to make sure that we make the best possible use of all available resources and that we work in full complementarity with other actors on the ground. When the first news of an environmental or a man-made disaster reaches the MIC, our colleagues, the duty officers, will immediately make contact with a whole set of partners. They will make contact, if it is an emergency outside the EU, with other international organisations, with colleagues from other Commission services such as DG ECHO, which is responsible for humanitarian aid and DG RELEX, which runs a network of EC Delegations across the globe and we will make contact with the Presidency of the European Union, which is in charge of the overall political and strategic direction of the

intervention, and we will try to talk to as wide a possible set of partners. If a request for assistance is issued, then the MIC immediately passes on that request for assistance to all the civil protection authorities in the different Member States and the other countries participating in the Mechanism. In the Mechanism, we have the 27 EU Member States and we have three so-called EEA countries participating, so also there is Iceland, Liechtenstein and Norway, and we also have had very recently Croatia joining the Mechanism as a candidate country. Any request for assistance is immediately passed on to the civil protection authorities in those 31 countries with a request to check whether they can provide any assistance in response to that request. Member States then assess whether they are in a position, whether they can provide or offer the assistance which is needed, and the MIC will facilitate contacts between the Member States offering assistance and the country affected which is seeking assistance, and we will try to facilitate acceptance of those offers and we will try to facilitate a number of practical arrangements that need to be made for the delivery of that assistance. When it comes to emergencies outside the Member States, as a general rule, we tend to send immediately also assessment and co-ordination teams on the ground. We do not do this, as a rule, inside the EU because there we rely entirely upon our Member States to do the assessment and to co-ordinate the incoming relief from other Member States, but, when it is an emergency outside the EU, in particular in developing countries, but also in other third countries, we, as a rule, always send assessment and co-ordination teams to make sure that we are sending assistance which meets the needs on-site and which is really in accordance with the needs identified by our experts, and we send co-ordination people to make sure that the European assistance is correctly received and that it is correctly distributed in full co-ordination with other relief actors, such as the UN, and in support of the affected country. I have one final remark, if I may, in this respect. It is important to stress at this very early stage that the operations of Member States' teams during an EU civil protection operation are managed entirely by the Member States and that all the offers of assistance are made on an entirely voluntary basis. It is each Member State which decides whether or not it can offer assistance in response to a certain request. The MIC's involvement in the operational methods relating to this work concerns really facilitating the co-ordination at European level of all of these various Member States' operations. We try to make sure that everything runs smoothly from a technical perspective and we try to make sure that everything takes place in full complementarity and co-ordination with other partners. We make sure that there is no duplication

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between different Member States and we make sure that there is no duplication between Member States and what other partners are doing. By doing that, we try to make sure that the most important needs are met in the best possible way. I think that is the first answer to your question.

Chairman: That is an admirable opening, thank you.

Q2 Baroness Garden of Frognal: You have mentioned a number of authorities and agencies in your opening statement. I wonder if you could tell us what is the part played by the Common Emergency Communication and Information System in alerting the Member States?

Ms Dobson: CECIS is basically a secure web-based system for communicating between the Member States and the MIC which was a number of years in development, but has become operational since July 2007. It is a key tool that we use in alerting Member States. As soon as a request for assistance has arrived, we immediately despatch it to the 24-hour contact points of the civil protection authorities of the Member States, so alerting is definitely one of the key functions of the CECIS system. However, CECIS has a number of other functions. It is the tool we use for managing the emergency, for managing the request for assistance, the offers of assistance and the acceptance of these offers. We also have a database on this system whereby we have civil protection modules, intervention modules, which have been pre-registered by the Member States and this database is kept on the system. The CECIS is used slightly differently depending on whether the emergency is inside the European Union or outside the European Union. If the affected country is within the EU, the goal, and ideal, is that CECIS should be led, managed and run by the Member State, so they should open the emergency in the system, they should input what their needs and requests are, and other Member States respond to that request and that Member State says whether it accepts or refuses the offers. At the moment, the Commission is still playing the role of advising and training the Member States to become fully functional, but that is the end goal. When the emergency is outside the European Union, because it is a secure system to which only the 31 participating States have access, it is not accessible to all countries in the world, so, if the disaster is in a third country, the Commission, the MIC, “plays” the third country, so we open the emergency, input the request and liaise with the affected country by telephone or email or fax i.e. more traditional routes, and then input the information into the system.

Q3 Chairman: Can I just ask, when you alert Member States, are there any Member States who are not “alertable” 24 hours a day?

Ms Dobson: No.

Q4 Lord Marlesford: Going back to the beginning of your opening statement and the daily bulletin, the daily bulletin presumably includes the first notification of a disaster, but presumably your main source is media reports for all of this, and I would be interested to know if you have any other sources. Secondly, could you submit to us a few examples of your daily bulletin so that we can see how they are done?

Mr Das: Certainly, my Lord, and thank you for that question. The *MIC Daily* is the daily bulletin that we distribute to Member States and it is one of the ways in which we alert Member States to new and imminent emergencies. If there is an imminent emergency within the EU, we would actually send a more specific pre-alert to all Member States, separate from the *MIC Daily*. In doing these early warnings, we rely upon a number of tools, and media reports are actually a very small part of that. We find ourselves basing our work, to a large extent, upon either official information from governments or from relevant international partners, such as the United Nations and a number of other organisations, or upon a number of scientific tools which have been developed to identify natural disasters very early on. There is, for instance, a tool called GDACS, global disaster alert and co-ordination system, which is a tool which has been developed together by the United Nations and the European Commission, which allows us to identify very early on a number of different types of natural disasters which may lead to requests for assistance. We find it extremely important that we can inform our Member States very early on about the possibility of new disasters or new disasters happening which may develop into requests for civil protection assistance.

Q5 Lord Hodgson of Astley Abbots: Could you tell us what is on the *MIC Daily* today, number one, so that we get some idea of actually how it appears at the moment? Secondly, in your very interesting opening, you talked a lot about other parts of the Commission and you talked about the UN, but I did not hear any mention of voluntary groups and working with them. There are clearly some very substantial providers of emergency aid, the Red Cross, Oxfam, Médecins Sans Frontières and so on, so what links, if any, do you have with them?

Mr Das: What is on the *MIC Daily* today? I cannot give you a complete overview, but I know at least of two or three emergencies which are on there. First of all, the dispute on gas between Russia and Ukraine has led to a difficult humanitarian situation in a few Member States, although that seems to be largely under control, and in a few countries bordering the EU, and we currently have an operation ongoing in

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the Republic of Moldova. The Republic of Moldova had requested immediate assistance, in particular large-capacity heaters, generators, et cetera, to cope with this very difficult situation, pending a final resolution of the gas dispute, so this is something which you will find in the *MIC Daily* today. There will also be an update on the humanitarian situation in the Gaza Strip and there will probably be information on the meteorological situation in different parts of Europe, if there are any risks today. With respect to your second question, how we link up with NGOs, that requires a more complicated answer, I am afraid. Our system is set up to facilitate, and support, the assistance, the aid in kind, provided by Member States. We have no role in co-ordinating the work of NGOs or the work of voluntary groups. In providing our assistance, however, we attach a lot of importance to avoiding duplication and to working in full complementarity with others, as I said at the beginning, and obviously we also try to do that with the NGO community, so, whenever we have an emergency in a third country, we will try to have the maximum information possible on what all other actors are doing, be it the UN, the Red Cross and different NGOs. We will report on all of that assistance being made available by these different organisations to our Member States and we will try to avoid duplication and we will try to make sure that we complement what others are already doing. In particular, with the Red Cross, we have a very good working relationship. We have actually financed several projects carried out by the Red Cross and we have regular meetings in Brussels and we also receive information on a regular basis from the Red Cross on what they are doing in response to major emergencies. With the United Nations, we have an agreement in place and there has been an exchange of letters in 2004, setting out how we are going to co-operate, and co-ordinate, on the ground and at what level, and that is working very well.

Q6 Lord Hannay of Chiswick: On that last point on the United Nations, is there any way in which your agreement with the United Nations covers access to the CECIS system to enable the Department of Humanitarian Affairs in the UN to know what is going on amongst the Member States, and could you just say, for example, how you worked with the UN at the time of the cyclone in Burma last year?

Mr Das: CECIS, as my colleague explained at the very beginning, is a closed system. It is a secure system which only links the 31 countries participating in the Mechanism and the MIC, so external partners, the UN and any other external partners, do not have access to CECIS. That creates a certain problem because we find it very important that our external partners are aware of all of the assistance being channelled through the Mechanism. In order to

overcome that difficulty, we have developed two solutions or designed two solutions. We have, first of all, created a password-protected website which is called the “MIC portal” which would contain all relevant information on the assistance being channelled through the Mechanism for any particular emergency, and we give access to that portal, that website, to all of our international partners, so the UN today has access to all of the information about the available assistance through that MIC portal. We also include the United Nations in our distribution list of MIC messages. We regularly send updates to all the Member States in which we report on the assistance being provided through the work of our assessment and co-ordination teams, et cetera, and these messages are automatically copied to the UN so that they are aware of everything we are doing. Finally, the UN also runs a virtual tool called the “Virtual OSOCC”, the Virtual On-Site Operations Co-ordination Centre, which is a web-based database on which different partners can report on their actions in response to major emergencies, and of course the MIC contributes to that website as well and regularly posts information there.

Ms Dobson: UN OCHA has a tool called “UNDAC”, with which you may be familiar, the United Nations Disaster Assessment and Co-ordination teams, and in very many ways what we have, the MIC assessment and co-ordination teams, are a very similar structure to the UNDAC teams in that these are generally government civil protection personnel who are seconded on a short-term basis to go to a country to assist with assessment and co-ordination. The UNDAC team in Myanmar, as with many other humanitarian actors in this particular emergency, experienced difficulties in even gaining entry to Myanmar. Two of the team members, despite having visas in fact, were refused entry. They had difficulties, many humanitarian actors had difficulties and we also had difficulties, and we sent a much smaller team than we would under normal circumstances, so we had four people, two Swedish and two people from our Unit. However, once they were on-site, our team leader had daily co-ordination meetings with the team leader from the UNDAC team, so that is with regard to liaison with UN OCHA. We were also working with other UN agencies in that particular emergency because, despite the fact that we are normally a tool for state-to-state aid, there were concerns in this emergency about giving the assistance directly to the Government, so there were many efforts made to find different implementing partners and consignees to receive assistance. For example, the WHO and WFP took receipt of some of the assistance donated by our Member States for this reason, so there was very close co-operation on the ground in that emergency.

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Q7 Lord Richard: I have a very simple question to ask. What is your definition of a disaster? How do you decide what is a disaster and what is not a disaster? Is it physical, is it geographical, biological, economic? There is a whole host of things and, at some stage, you have to decide which it is that you are going to disseminate the information about, and I wondered how you did it.

Mr Das: Thank you very much for that question. In our legislation, you will find some description of the type of situations that may trigger a request for assistance through the MIC. There is no black-and-white definition of disasters and I think that is a very deliberate choice. In the end, it is up to each Member State to see, and to determine, when it wants to make an appeal for assistance and for which particular situation. The key factor in all of this is that, at some point in a crisis, national coping capacities and national response capacities may become overwhelmed, and the point where that is reached will be very different from Member State to Member State and it will certainly be different inside the EU from outside the EU, so a disaster which may be perfectly manageable for one country may become unmanageable for another country. The trigger for an activation of the Mechanism is always a request for assistance from a sovereign country, and it is the country which determines that its national response capacities are exhausted and, therefore, it requires help from other Member States. Whenever that request falls within the framework of civil protection assistance, the type of assistance that can be mobilised by civil protection authorities of the Member States, we will accept that request as a sufficient basis to activate the Mechanism and to check with Member States whether they can provide the requested assistance, keeping in mind of course that the decision whether or not to provide assistance and to offer assistance is a decision to be made by each individual Member State. That is not a decision made by the Commission, that is a decision made by the different Member States.

Q8 Lord Avebury: You have mentioned that OCHA has its own disaster co-ordination mechanism. In the particular case, say, of Burma, mentioned by Lord Hannay, how do you decide who takes the lead so that you do not have two separate co-ordination mechanisms functioning at the same time?

Mr Das: For disasters outside the European Union, as a general rule, the United Nations would have the lead on the international relief operations. Our legislation recognises that, for disasters outside the EU, the European co-ordination mechanism works fully in support of the lead role of the United Nations and recognises the central role of the UN. We would still be deploying an assessment and co-ordination team in many of those cases in order to make sure

that the European assistance is really co-ordinated by us in the best possible way, but that co-ordination will be fully in support of the overall global co-ordination ensured by the UN. Of course, inside the EU and, let us say, the closer neighbourhood of the EU, the situation is slightly different. There have been a few cases in the immediate neighbourhood of the EU where the UN was not present during a disaster and where the lead was fully taken by the EU Mechanism. That was the case, for instance, during the floods in the Ukraine and in the Republic of Moldova last year where there was no UN co-ordination team deployed and where the EU fully took the lead, but that is decided on an ad hoc basis, and I can add that the co-ordination and the co-operation with the UN is really excellent and very pragmatic as well.

Q9 Lord Mawson: How much face-to-face contact is there with the lead opposite numbers in the different States where there is not an emergency? You have got 40 staff, so how much actual contact and relationship is taking place because IT and websites are one thing, but actually having those lead member relationships in place before there is an emergency seems to me pretty critical. What is actually going on at those times?

Mr Das: Thank you very much for that question. I think the bulk of our work is really taking place before emergencies. It is about preparing for emergencies and, as I mentioned very briefly in my introductory statement, we have a very well-developed training programme with eight different types of training courses that we make available for experts from the Member States. Following this training programme is a pre-condition to be serving as a member of a MIC assessment and co-ordination team. Through this training, we make sure that the people that we send abroad for emergency response are aware of the rules and procedures, but also that they know each other and that they know the MIC and they know how the overall system works. We also finance, and help, Member States organise simulation exercises where teams from different Member States come together to train and to test procedures. We have a programme on the exchange of national experts where experts from one Member State can spend some time in another Member State to get acquainted with the civil protection system there. We have a lot of technical workshops and expert meetings in Brussels where representatives from the different Member States come together to discuss particular types of preparatory actions. One element I should certainly mention in that respect is the work that we are doing on modules. Based upon our new legislation from 2007, we have developed a technical framework for EU civil protection modules. For 13 types of different modules going

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from search and rescue to decontamination, high-capacity pumping, fire-fighting, et cetera, we have designed standards, norms, that need to be met and, whenever these standards are met, then Member States' intervention teams receive a label of EU civil protection module. By doing that, we try to make sure that the different teams from Member States are fully interoperable, that they can work together during an emergency and that, when they are called upon to work together during an emergency, they can do it efficiently. That preparatory work is extremely important and probably represents 75 per cent of the civil protection budget, so it is something we find is extremely important. It ensures daily contacts almost with representatives from Member States, and it needs to be further developed in the future.

Chairman: I think that brings to an end the general phase of this session and we now move to more specific questions, and we have a good many to ask.

Q10 Lord Harrison: My Lord Chairman, I have been relieved of the burden of asking my central question of the definition of an emergency, but I wonder if I can ask you whether Member States are involved in that decision about whether something is an emergency which should be shared or not, and also whether there is priority given to those emergencies within Member States rather than those outside? May I also ask Mr Das, who gave his interesting reply to the first question about definition and he reminded us that it had to be prompted by a request from the Member State for help, but what about the situation where an emergency arises within a Member State which may then spill over into other Member States and have implications for those? Would you do anything in terms of mobilising the necessary forces of aid and help, given that you have not actually had a request from the Member State where the emergency originally came?

Mr Das: Thank you for those interesting questions. On the question of the definition, let me just briefly refer to Article 1, paragraph 2 of the Decision establishing the Community Civil Protection Mechanism. As I said earlier, it does not contain a very strict definition of emergencies, but it describes the events that may trigger a request for assistance as follows: it refers to natural and man-made disasters, acts of terrorism and technological, radiological or environmental accidents, including accidental marine pollution occurring inside or outside the Community. That is all the description that is found in the legislation and it is against that background that each Member State then needs to decide whether, and when, to activate the Mechanism by making a request for assistance. The decision whether or not to request assistance is a decision obviously to be made by each Member State affected by a certain emergency and that is a decision that is

made in a sovereign way and a discretionary way by the affected Member State. There is no involvement of the other Member States in that decision. Once that request has been made, the MIC will immediately inform all of the Member States, all countries participating in the Mechanism, and then it is up to each Member State to decide whether they want to offer assistance or not, so, if no Member State offers assistance, there will be no MIC operation, there will not be an EU civil protection operation, but, if some Member States feel they can come to the help of the affected Member State, then the Commission would stand ready to facilitate, and launch, an EU civil protection operation to respond to that particular emergency. In the case of cross-border emergencies, if I understood your question correctly, then you are asking about the situation where an emergency starts in one Member State, but has a spill-over effect on another Member State and that second Member State would ask for assistance. That situation is possible. I think we have actually had a situation like that last year when floods started in the Ukraine and had a spill-over effect on the Republic of Moldova and Romania where Romania was the first country to activate the Mechanism. In that sort of situation, it is of course only for the impact on their territory that the second country can request assistance, but it is perfectly possible. The cause of the emergency does not necessarily need to be on your own territory, but, if the impact is such that you cannot cope with it nationally, you can try to explore the possibility of assistance with other Member States through our system. I hope that answers your question.

Q11 Lord Harrison: It answers another very interesting question. I actually was asking the question that, if the Member State within the EU had experienced a problem and others, including the MIC, could see that the problem could indeed spill over and have implications, taking the case of the floods where actually the necessity might be to turn off the tap in the original afflicted state, then does the MIC do anything about it and, from what you are saying, it would not do. The other question, and perhaps I gave you too many, was whether you prioritised those within the Member States of the EU or those outside.

Mr Das: Thank you very much for that clarification and my apologies if I partly misunderstood your question. In particular, in the case of floods, there is very often a need for bilateral or trilateral negotiations between the countries involved. The MIC would certainly be available to provide a framework for these discussions or for these negotiations and that has happened in a few very specific cases, but it is not a general rule, I would say. I remember that, for instance, in the case of the

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Prestige accident, the MIC played a very active role in bringing together the different countries and making sure that we had a common strategy to deal with the effects of that oil spill. Very briefly on the question of prioritisation, in principle, there is no difference in the importance that we attach to emergencies inside the EU and outside the EU. Just to add to that, very often emergencies outside the EU actually have a repercussion also on the EU citizens. For instance, during the attacks on Mumbai very recently, the MIC was activated also to help with the medical evacuation of European citizens and we managed, in that case, to deploy a Swedish aircraft to evacuate UK citizens and Spanish citizens from India, so we do not prioritise inside the EU over outside the EU, but there are slightly different procedures in those cases.

Q12 Lord Dear: I have a couple of questions and they may very well merge into one, and it is really about definition of the terms. As I understand it, in 2001, the procedures were set up, “for protection in the event of major emergencies, ie natural, technological, radiological or environmental accidents”, a list of four. When the Decision was revisited six years later in 2007 it added on “man-made disasters” and “acts of terrorism”. I can understand acts of terrorism because that would follow what happened on the east coast of America in 2001 and, I suppose to a lesser extent, Madrid, London and elsewhere, and Bali comes to mind as well, but man-made disasters particularly interest me because I would have thought that most of those original four definitions would arise from man-made, natural obviously not, but the other three, technological, radiological and environmental would come under man-made anyway, and I wonder why the terminology has been changed.

Mr Das: Thank you very much for that question. My Lord Chairman, if I may, I would like to reply very briefly to the two aspects and, first of all, with respect to terrorism. Terrorism was not mentioned explicitly in the 2001 Decision as one of the events that may trigger a request for assistance, but there has always been a very large consensus among Member States that terrorist attacks have the potential of leading to a request for assistance, so that is something we should take very seriously and systematically consider in our work. Therefore, in the 2007 recast, we have simply tried to bring the legislation into line with the actual practice that had developed by mentioning terrorism specifically in the legislation. With respect to man-made disasters, I think there is an increasing awareness that many natural disasters, or what we typically consider to be natural disasters, are actually caused by man and by the action of man, and an example would be arson leading to forest fires and another example is deforestation leading to

landslides, et cetera. By having it mentioned specifically, we simply wanted to remove any doubt about the classification or any doubt about the definition of emergencies. It is perhaps important to note in this context that different organisations use the term “man-made disasters” to mean different things. I believe the MIC uses the understanding of the International Federation of the Red Cross of the term “man-made disasters”: man-made disasters refers to all of these emergencies, not exclusively war or conflicts, because of the arson and landslides caused by deforestation, et cetera.

Q13 Lord Dear: The picture I get is that this was more a question of tidying up the language, and in fact my second question is to ask if your working practices changed as a result of that change of nomenclature or is it just for the sake of clarity that it has been made, or is it a question to address to a lawyer?

Mr Das: I think your impression is entirely correct. It was really a question of bringing the legislation in line with reality and it has not made any major change to our practice, which means that we continue to cover also terrorist attacks and other types of man-made disasters.

Q14 Lord Dear: I want to come in later perhaps when we move on to terrorism, but I just have one question on that. From my recollection, there have been no major terrorist incidents which would have required your intervention to date. Is that right?

Mr Das: Well, I probably need to give a few examples in order to answer that question. The Mumbai terrorist attack, for instance, at the end of last year, involved a number of European citizens, several of whom got wounded and injured during the attack, and there was also at that time the presence of a very large delegation of Members of the European Parliament in Mumbai. Based upon these facts, the French Presidency decided to activate the Mechanism for a very specific purpose, and the purpose it was activated for was to help with the medical evacuation of injured European citizens from Mumbai, so, in response to that, we were able to mobilise a Medevac, a medical evacuation aircraft, from Sweden to bring back some of the European citizens. In the 2004 attacks in Madrid and also in the attacks in London, the MIC was in immediate contact with the authorities of the affected countries in order to see whether there was any assistance required or whether there was any other way in which the MIC could assist. In both cases, it was clear that the affected countries could deal with the consequences of the attacks and the only role that the MIC played was in channelling validated information from the authorities of the affected countries to all of the other Member States, and I

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think that in itself was probably valuable because it meant that Member States would not have to bother the civil protection authorities of the affected Member States during these attacks to get further information.

Q15 Lord Dear: In effect, you are putting up a buffer?

Mr Das: Exactly.

Q16 Lord Dear: Which should be very helpful.

Mr Das: Yes.

Q17 Lord Mawson: How many attacks and major disasters do you think you could cope with if they happened all at once? If you had to co-ordinate a number of attacks happening in various countries, what is your capability?

Mr Das: That is a very interesting question, but very difficult to answer. I think there are two different levels. In terms of the MIC coping with simultaneous emergencies or simultaneous attacks, the MIC has been strengthened significantly over the last two years and the staffing has increased significantly. In the Commission Communication on Strengthening the EU Disaster Response Capacity of March last year the Commission made a number of proposals to continue to reinforce, and strengthen, the MIC with additional staffing and to further develop the role of the MIC, so, in that respect, a lot of work is on its way and needs to be further developed. We have had situations so far of three or four multiple, simultaneous emergencies which the MIC could handle. There is the possibility, in the case of really an overwhelming need, of reinforcing the MIC also with experts from the Member States which we are developing this year, and we will be organising training for experts from the Member States so that, in the case of a really overwhelming crisis situation, additional experts from the capitals of the different Member States could come to reinforce the MIC. The other part of the question is of course: to what extent can we make sure that there will be sufficient assistance available during multiple, simultaneous attacks or other types of emergencies, will we run out of resources at the EU-wide level, are we sufficiently prepared and collectively do we have all of the resources necessary to respond to multiple terrorist attacks? That is a very difficult question to answer. Our system is based upon voluntary contributions from Member States, so we depend entirely upon the assistance that Member States can make available for any given attack or for any given situation. Over the last few years, we have tried to do an assessment of the overall assistance that would be available, in principle, in the case of major terrorist attacks, so we have asked Member States to identify what type of assistance they would reasonably expect to be able to

provide in the case of major terrorist attacks. That has been a very difficult process and there are no firm conclusions from that work, but we have identified a number of areas where we feel that further work is required and where we feel that there may be insufficient assistance available. One very practical example of that is facilities for burns victims, and the possibility of treating very high numbers of burns victims is something that probably needs to be further developed.

Q18 Lord Avebury: You mentioned earlier on the case of Madrid where the MIC offered assistance, but it was not accepted, and there was another case in 2004 which was in Beslan where man-made attacks were the subject of offered assistance. How were you able to do that prior to the change in the terms of reference of the MIC in 2007?

Mr Das: During the Beslan attacks, the Commission was actually in the process of negotiating an administrative arrangement with our colleagues of EMERCOM in Russia and, within that framework, we felt it was our duty to also discuss this particular emergency with our Russian colleagues and to explore with them whether there was any scope for European help in that particular case. Our Russian counterparts made it very clear they had no need for European assistance and that was the end of it. Was that possible in view of the legal basis in place at the time? I think the legal basis did not mention terrorist attacks specifically, but it also did not exclude them. Moreover, we felt that there was a very large consensus among Member States that terrorist attacks were an event that might lead to a request for assistance even under the old legislation.

Q19 Lord Avebury: May I ask you about the constitution and the functions of the Committee which is referred to in Article 13 of the Decision. I did look at the reference there to Article 13 in the previous instrument and I find there that it simply says, "The Commission shall be assisted by a committee (the Committee)". If I may say so, that is not very informative.

Mr Das: Thank you for that question. The Committee that is referred to here is a standard committee, part of the comitology framework that we have in the EU. The role of that Committee is to assist the Commission in implementing the legislation and that Committee is made up of representatives of each Member State and it meets approximately four times a year. The role of the Committee is to approve, first of all, the Commission's annual work programme, and this is the programme which sets out how the budget is to be spent and what sort of activities are to be developed in any given year. The Committee is also fully involved in the development of implementing rules

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for our legislation, so that is a reference which you have identified in the legislation. For some parts of the legislation, there are further implementing rules and these are developed based upon an opinion from the Committee. The Commission also consults the Committee on any major new initiatives that we develop in terms of how the Mechanism works in practice and the Commission regularly reports to the Committee on any activities we conduct and on the progress we make with respect to calls for proposals and calls for tender.

Q20 Lord Avebury: Could you let us have a note on the Committee and where we can find it, for example, on the Commission's website? Where would we find the names of the persons who serve on the Committee and the terms of reference on the Commission's website?

Mr Das: That, I would need to double-check.

Q21 Lord Avebury: Not now. I mean later on.

Mr Das: Okay, we will do that.

Chairman: If you would be kind enough to correspond with us on that, that would be helpful.

Q22 Lord Dear: My Lord Chairman, I am really concerned, I think this Committee is concerned, about the degree of possible overlap between the work that you do and the work that other organisations are doing or are capable of doing. If you look at it within the EU context purely, are you satisfied that there is no overlap between what you do and what other bodies within the EU do? For example, there is a committee of the Council, is there not, SitCen, so do you co-ordinate with that? Is there a danger there that they may be doing the same work as you do? Following on from that, there is perhaps a bigger question of how are you going to work with the proposed Critical Infrastructure Warning Information Network, particularly in view of the amendments that were made to the Commission's proposal on that in December of last year?

Mr Das: Thank you very much for those two questions. Firstly, with respect to SitCen, there should not be any overlap or duplication between the work of SitCen in the Council Secretariat and the work of the MIC; I think we both have very different roles and mandates. The mandate of the Mechanism is very specific; it focuses on civil protection assistance and the facilitation of civil protection assistance in the case of major emergencies. SitCen's role is probably much wider and different in that it focuses on early warning situation awareness and intelligence-gathering for a wide variety of political purposes. I believe this Committee will hear evidence from a representative of SitCen at a later date, so I am sure he can elaborate on their mandate. I am fully satisfied that there is no overlap between what we do

and what SitCen does and there is actually a very clear distinction and definition of our respective roles. There is, however, a very important interaction between what we do and what SitCen does and I think there is interaction at four levels. First of all, there is mutual sharing of information on new or imminent emergencies, and there is a procedure in place through which the MIC receives any alerts and updates prepared by SitCen and, vice versa, the MIC also keeps SitCen informed of all the aspects of EU civil protection operations, so there is full co-ordination between the Council Secretariat and the Commission in that respect. The second area for interaction is with regard to the use of military assets in support of civil protection operations. As you may know, as a very last resort, sometimes the response to emergencies relies upon military assets and, when that is the case, there are procedures in place at European level to also explore the availability of military assets in support of EU civil protection operations and, whenever these are activated, SitCen is the interface between the MIC and the EU military staff. The third area of co-operation is the use of civil protection capacities to support consular evacuation operations. Consular co-operation is very much an area of intergovernmental co-operation in which SitCen will have a very important role of supporting the Presidency in making the right decisions. The fourth area of interaction is in the case of major emergencies with a strong political impact on the EU as a whole. In these cases, the Presidency has the possibility of activating so-called "crisis co-ordination arrangements" which are political co-ordination arrangements involving all Member States affected by the particular emergency. Again, SitCen would provide the overall infrastructure for these coordination procedures. Obviously, the MIC would be represented in this coordination simply to report on the activities that are taking place through our sectoral instruments and would be interacting with SitCen in that respect. Very briefly, on the second part of the question, we first of all need to clarify that it is another Commission directorate general which is responsible for critical infrastructure protection. For the purposes of this inquiry I have requested a written input from our colleagues from DG Justice, Freedom and Security. Perhaps I can very briefly read out what they have given me. As you rightly pointed out, the Commission adopted its proposal for a critical infrastructure warning information network at the end of October 2008 and this proposal is still at the very early stages of negotiation in the Council so it is impossible to predict what the final decision is going to look like at this particular point in time. The proposed system will assist EU Member States in exchanging good practices and other information on critical infrastructure protection activities, thereby

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contributing to and raising security standards across the EU. Negotiations are still ongoing, as I said. It is suggested that the MIC will work with CIWIN through the existing Commission-wide general rapid alert system called ARGUS. Within the Commission there is an ARGUS system which links all the existing rapid alert systems hosted by the Commission. Rapid alert information sent through CIWIN could therefore be made available to the MIC through this ARGUS system whenever the need arises. Conversely, if and when needed, information circulated by the MIC could be shared with critical infrastructure protection authorities by way of ARGUS and CIWIN. That is the answer I received.

Q23 Lord Hannay of Chiswick: I think I am right in saying that the SitCen is in receipt of information on a voluntary basis which it is not able to pass on to people who are not cleared for that information. Clearly this would be rather relevant in the case of an imminent terrorist threat but at the same time you have laid a great deal of emphasis on your preventive and anticipatory activity. How can you resolve this problem? How is this problem handled in a situation where the SitCen is in receipt of information which leads you to suppose there could be a terrorist outrage and how does that get through, if it does at all, to your activities?

Mr Das: It is indeed a difficulty in the response to major terrorist attacks. When information is needed to develop a good civil protection response to a terrorist attack and that information is categorised as confidential or secret, the sharing of that information, the technical part of that, may be a problem. Of course within our office there are different levels of security clearance as well. We have the possibility to receive EU confidential data already today up to that level. We have a secure room in the MIC where that sort of information can be safely received and treated. We are in the process of further developing our CECIS system in order to receive the classification also of EU confidential. That is not the case today but once we have upgraded our system CECIS should be able to operate EU confidential information also. Member States will have to play a very important role in this sort of situation. A lot of these problems will not be solved by sharing information at Brussels level. They will rather be solved by sharing information at capital level. It is important that the civil protection authorities of the different Member States have a procedure in place to receive this sort of information directly from their neighbouring counterparts in the intelligence world. Colleagues in the intelligence community will receive this information from SitCen and we can try to make sure that at Brussels level we have receipt of that information from SitCen but, at the same time, at Member State level, Member States will need to

make sure that there are procedures in place where that sort of information can be shared very quickly between the intelligence community and the civil protection actors responding to a request for assistance.

Q24 Lord Hannay of Chiswick: I was thinking that this was particularly likely to be important in the context of a threat of a biological attack of any kind where it is of course crucially important that the various antidotes are readily available to any Member State that was attacked in this way. This is presumably an area in which you have some potential involvement because a biological attack on a Member State would have very serious implications for the whole European Union. That is why I asked the question about whether the interface was really as transparent as it needed to be. You have given me an answer which I think amounts to saying, "Not quite" or, "Not yet." Could you just relate that to a situation where there was a threat of a biological attack?

Mr Das: You are right in saying that further work is required and further attention is needed for this particular issue. In the case of biological attacks, we have had a lot of political discussions over the past few years about the sharing of vaccines and antidotes. Our initial preference had been to share information at European level through the Commission on the vaccines and antidotes that are available for the response to major terrorist attacks. A number of European Member States had political difficulties with that. A number of Member States had practical difficulties with that because keeping that sort of information and regularly updating it is a major undertaking. The end result of these political negotiations was that solutions needed to be found at national level to make sure that information can flow very quickly from the intelligence community to the medical world, to the civil protection world. If there is a request for vaccines through the Mechanism we will be forwarding that request for vaccines to the civil protection authorities. The civil protection authorities will need to get information very quickly at national level from their medical counterparts to see whether their country is in a position to offer possible vaccines or other medical assistance. The civil protection authorities may also need to be in direct contact with the intelligence authorities to understand what the level of threat is for their particular country and for other countries in the region in order to be able to make an informed decision on how and when to help other Member States. We would still be perfectly prepared to support these solutions at European level by bringing the different communities together or by making sure that there are procedures in place to share that information also at European level, but I really believe that the first part of the solution lies at

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national level. Each Member State needs to make sure that procedures are in place to make that information run very smoothly.

Q25 Chairman: Bearing in mind that with a biological attack you very often do not know you have had it until victims appear with clinical symptoms, which is why the Americans' principal monitoring on this is to carry out daily assessments of how much Aspirin is sold in chemists' shops—it is done here too—do you concern yourselves? How many people in the emergency services—let us think of doctors, nurses, ambulance workers, hospital workers—have been vaccinated, let us say, for smallpox as an example in advance so that you do have a large number of people in the emergency services who are already protected against a potential biological attack? In the United Kingdom the situation I think is still lamentable. The last time I asked the total people in the emergency services vaccinated for smallpox was fewer than 200 which is idiotic. Could you tell me to what extent you monitor this and are concerned about it?

Mr Das: The daily, regular monitoring of these types of crises and possible causes and effects is not undertaken by the MIC. There are different systems in place within DG Sanco, which is the DG of the European Commission dealing with health. They for instance have a system called RASBICHAT, a rapid alert system for biological and chemical attacks. Through that system information is regularly shared and exchanged for the handling of health-related issues related to attacks in which biological and chemical agents might be used. They would also be the right people to provide answers to the second question on the smallpox vaccinations for emergency personnel. If you agree, I would suggest that I try to get a written reply from my colleagues on those questions and submit that to the Committee later on.

Q26 Lord Avebury: In the Council's report on the implementation of the European Security Strategy of 11 December—the reference is S40708—reference is made to attacks on IT systems, whether private or government. This is a serious threat which is growing all over the world. How do you relate to CIWIN in anticipating the threat? Do you have people in Member States who are prepared and expert in assaults on IT systems who could come to the assistance of Member States in the event of a large scale attack? Perhaps you do not need to answer that off the cuff. Could you let us have a note on it?

Mr Das: Perhaps that is best.

Q27 Chairman: In the course of your evidence to the Committee, when asked about cooperation with other bodies and overlap as you were a few moments ago, the word “NATO” has never crossed your lips.

I find that extremely surprising. I believe that your attention has been drawn to a report which was agreed by the NATO Parliamentary Assembly in 2006 which bears my name on the front of it and which was concerned with civil protection. It pointed out that NATO has the Euro-Atlantic Disaster Response and Coordination Centre which in many ways is identical and equivalent to the MIC. It pointed out that there were many other similarities and overlaps and that, in the event of a major disaster, Member States would have to choose which organisation, EU or NATO, to use for requests for offers of assistance. You never mentioned NATO so you presumably accept that Member States would have to choose between one or another. There was at that time no institutional dialogue between NATO and the Commission. What is the background for this extraordinary state of affairs where the one does not properly speak to the other and there is a huge overlap in the activities of the two organisations?

Mr Das: I have some good news to bring you on that particular front. It is certainly true that the MIC and EADRCC, the Euro-Atlantic Disaster Response and Coordination Centre, have similar functions. Some countries will request assistance through one of those two systems and some countries will request assistance through both systems simultaneously. At the same time, some countries will offer assistance in response to a request in some cases through both systems as well. It is a choice which is made by each Member State again whether to use the EADRCC, the MIC or both. There are however important differences in how the MIC and the EADRCC operate. Just to mention a few of those, obviously the EADRCC relies upon a wider network of partner countries than the EU. At the same time however their mandate area is more limited than the mandate area of the Mechanism in the EU because we operate on a worldwide basis. We respond to disasters all over the world while the EADRCC focuses on emergencies within the partner countries. There are differences in how we work also in the sense that we automatically, routinely send coordination teams on site to make sure that the European assistance is properly received and correctly distributed. We have the possibility of supporting our Member States with the transport of assistance. We can provide co-financing for the transport. We also have a dedicated communication and information system and we have developed a technical framework for intervention modules. These are a few reasons why some countries may be more inclined to work through the Mechanism, while I am sure there are also other countries which may be inclined to work more through NATO's EADRCC. The reality is that if a country is affected by a disaster and it really wants to receive assistance very quickly, they will often use all the channels available. What you very often will see

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is that affected countries make a request for assistance to the United Nations, to NATO and to the EU MIC. That of course brings me to the question of how we cooperate and is there an institutional dialogue between the MIC and the EADRCC. The background to the situation here is that decision making within the field of civil protection at European level requires the unanimity of all Member States. In the past, that unanimity has been difficult or impossible on this very issue of having an institutional dialogue between the MIC and EADRCC. This situation has however improved somewhat recently with the increased use of the Mechanism. There is a full and clear understanding between all Member States that in all emergencies which simultaneously involve the MIC and the EADRCC we will be sharing information on the assistance that we are providing and the actions that we are undertaking so that we are both fully aware of what the other organisation is doing and so that we both have the possibility of making sure that we do not duplicate and that we work in full complementarity. That practical exchange of information has taken place already for several months. It has taken place for various emergencies over the past few years and it is working well. That is at least my understanding of the situation.

Q28 Chairman: If this cooperation is improved—you said you had good news for us—let me test you with one particular activity. You carry out civil protection exercises. I have a list here of the ones which you have done between 2002 and 2007. I will not elaborate because you will be only too well aware of them. NATO carries out extremely elaborate exercises. I was an observer three years ago at one in Croatia where there were emergency services from as far away as Finland, not military, but fire, ambulance, civil protection people who came, where there was a simulated air hijack, a biological attack, an earthquake, a major chemical leak and a whole raft of emergencies. It was a very big affair indeed. You do very much the same thing. Does this good news extend to the fact that in future you will be cooperating in these exercises? If not, is it not absurd to be doing these things in parallel lines?

Mr Das: The good news I was bringing to the Committee relates to the very practical exchange of information during emergencies. That is the scope of the understanding that has been reached with all Member States. This is what we are implementing today. On a very practical basis, we do exchange information with NATO and with other organisations such as the UN on the other activities that we are carrying out. We meet with colleagues from NATO's EADRCC every now and then, not on a regular basis but occasionally. We will inform them about the exercises that we are organising and they

will regularly inform us on theirs. The exercise that my Lord Chairman is referring to is an exercise which the MIC also attended. We did not participate with teams but a representative of the MIC was present at that exercise as an observer. I also know that in several of the exercises that we have financed over the past few years the organising countries have invited observers from NATO to these exercises. These are promising first steps. There is certainly scope for further cooperation in the future but that will also depend upon the political willingness of Member States to go in that direction. It is a reality that all the organisations dealing with these issues organise exercises. We believe that that is extremely important. It is probably a good thing to have many training opportunities for Member States. What we need to make sure of as a very minimum is that we train the same types of procedures and competences and that, as an end result, we have exercises which are leading to a better, more uniform and more compatible response from all organisations.

Q29 Chairman: Who are the Member States who are blocking this?

Mr Das: I deliberately tried to avoid mentioning them.

Q30 Chairman: That is why I have asked you.

Mr Das: If the Committee insists, I think it is not a secret that France supported by a few other Member States had particular concerns about the close cooperation between the EADRCC and the MIC. These concerns were partly institutional, partly political and partly legal, I understand. For further information I would really need to refer you to the countries involved.

Q31 Lord Mawson: In June 2008 the Future Group of Presidency States issued its report on the future of European home affairs policy. Paragraph 128 suggests that the MIC should be upgraded to become a central coordination point with a more operational role. Could you comment on this? Should operational matters not be left to the Member States?

Mr Das: It all depends on the definition of "operational". It is the Member States who take the operational decisions whether to offer assistance or not in any given disaster and who then also take care of the operational management of their assistance. In terms of the European coordination of that assistance, however, in particular for emergencies outside the EU, there is a division between political and strategic coordination on the one hand and operational coordination on the other. This division of responsibilities was discussed in the course of the negotiations in the Council on the 2007 legislation. The outcome of these negotiations was that it is the presidency of the Council of the European Union

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which is responsible for political and strategic coordination of civil protection interventions and it is the Commission which is responsible for the operational coordination. What do we mean by “operational coordination”? I would simply give you a few ideas of the tasks involved. First of all, we despatch on site assessment and coordination teams *inter alia* to facilitate the very operational cooperation and coordination on site of the assistance channeled through the Mechanism. We establish needs assessments to make sure that the offers of assistance that we make meet the technical requirements of the affected country. We provide overviews and analysis of the assistance available through different sources in order to enable an informed decision on operational issues. We advise Member States of the type of assistance required and we advise Member States of the various transport and logistical options. We advise Member States on how to share transport capacities and we try to promote the sharing of logistical capacities too. In very general terms, we try to assist Member States to the best of our abilities in overcoming any practical difficulties there may be in the delivery of assistance. I am thinking of transit and Customs etc. Operational coordination also involves liaising with an affected third country on technical details, on arrangements for local reception and arrangements for distribution of assistance on site. Finally, it involves facilitating a smooth hand over to other actors who will be involved on a more long term basis in the response. In addition to this operational coordination there is also a need to actively monitor emergencies and to anticipate possible needs for EU civil protection support. That requires developing scenarios and developing operational plans for engagement. How can we use the available resources in the best possible way? It is in this spirit that we believe the MIC should be further developed and should be developed into an operational coordination centre. Very clearly, the development of the role played by the MIC in that respect does not involve substituting operational competences of the Member States; nor does it involve creating any operational command powers of the MIC over the experts in the teams made available by the Member States.

Q32 Baroness Henig: You said earlier that the bulk of the work of the MIC is preparing for emergencies. In that connection therefore with the United Kingdom facing potentially an increased terrorist threat at the time of the 2012 Olympics, I was wondering what part the Community Mechanism could play in helping to minimise the threat and whether you were already involved and, if so, what form that liaison is taking.

Mr Das: On similar occasions in the past, the MIC has arranged to have European teams placed on standby during large sporting events. There was a case for instance for the Euro 2004 football championship where Portugal asked for certain chemical, biological, radiological and nuclear decontamination teams and other facilities to be kept on standby. A similar request was received for the Olympic Games in Athens. In that case the request was made of the EADRCC and the MIC. In these cases the teams were always kept on standby within their own respective countries and were ready to travel very quickly should the need arise. The Commission will certainly be ready and would welcome the opportunity to help the UK in making the best possible preparations for this important event. If there is an interest from the UK side, we can certainly look into the possibility of organising extra capacity to be on standby from other European countries. If preparations were to start sufficiently early, we could perhaps try to go a little bit further than we did on these previous occasions and try to investigate the possibility of also having teams on standby in the UK already during the event. This would minimise the time to mobilise the assistance and make sure that an immediate response could be provided. These are very initial ideas. I simply wanted to put them on the table. Obviously there would be a need for a lot of detailed discussion with the authorities of your country.

Q33 Baroness Henig: You are suggesting that stage has not yet been reached?

Mr Das: We have not yet started these discussions.

Q34 Lord Mawson: I should declare an interest because I am involved in some of this stuff in that area and have been for some 25 years. I am also aware, having visited the stadium in Australia for example that it is on the outside of the city whereas this Olympic development is at the heart of the new metropolitan district of London where representatives from virtually every part of the world live within yards of the Olympic site. At the moment we have an 11 mile blue fence around this Olympic site and the relationships with the local communities that surround it are not great. If I was going to launch an attack on east London, I would probably do it in those communities outside that fence rather than inside. I know there is concern in east London about this lack of engagement on a number of different levels in the area that you are concerned with. How do we ensure that relationships are built with these communities? Bringing in a team is one thing but my experience in east London is, if you are plugged into those communities in detail, you get a pretty good idea of what is going on. If you have just arrived, you have no idea what is going on. How do we ensure that

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these sorts of relationships and connections are starting to be put in place now? My colleagues in the public sector and elsewhere are very concerned. Just to give you one example, the partners I work with are responsible for a billion pound development on an area of land the same size as the Olympic site 200 yards across the road. To date there have been no strategic conversations between the Olympic development and the people whose lives we are responsible for. I wonder how we can handle the situation and what your role could be in building some close relationships.

Ms Dobson: Should a request come from our counterparts in the UK for us to facilitate preparation work, we would very much welcome this. By way of answer to the first part of your question, preparations need to be done sufficiently well in advance so that there is a plan in place and the local community is aware of this plan. In these large sporting events in the past, these teams have been on standby in their country, as Mr Das has said. We might suggest in the case of the 2012 Olympics that we start much earlier, that we go slightly further, that the UK has a proper plan in place and that the local communities are very much aware of this plan. Beyond that, I think the kind of thing you are talking about goes slightly beyond the mandate of our work in terms of setting up contingency plans. We would be very willing to facilitate and work with the UK authorities in tapping into what other Member States could do to assist. This is a situation where it does not happen very often. You would not want to invest resources to only deal with this one event. It is beyond the normal coping capacities of one country but it is a potential disaster which could be planned for. If it was going to happen, we would know when. It would be good to use the opportunity to prepare really well in advance.

Q35 Lord Dear: I have been taking an increasingly close interest in the preparatory work which I hope is taking place for the Olympics so I ask this question recognising you have already largely answered it but I want to get it on the record specifically. Nobody would be surprised if there was an attempt at a major terrorist attack on the Olympics in 2012 in London. Any international terrorist was never really going to attack Beijing clearly, for all the obvious reasons which I need not parade. I take it from your answer that you have not yet received any request at all from the UK to begin preparatory planning from your point of view. Is that right?

Ms Dobson: That is correct.

Q36 Lord Dear: Does that surprise you?

Mr Das: Our role is limited to the planning for possible European assistance and support.

Q37 Lord Dear: I understand that and that is precisely why I am asking the question. With everything that has been said to date, your organisation is in a position to give assistance if required cross border. I understand that, so I pose the question again: does it surprise you that, given the very sensitive nature of the Games in 2012 and the strong possibility that it must be well up on the terrorist schedule for an attack, there has been no request to date?

Mr Das: No, it does not surprise me in that there is still sufficient time to put in place whatever contingency plans are necessary at European level. We have very good coordination with our counterparts in the civil contingency secretariat and I am sure they will be in touch with us on that particular issue in due time.

Q38 Lord Dear: You are sure that they will or you hope that they will?

Mr Das: I hope they will.

Q39 Lord Hodgson of Astley Abbotts: How far ahead of the Greek Olympics did the Greek Government ask for assistance?

Mr Das: The Greek Olympics are an example I can give very little comment on because in that case the request for standby capacities was primarily addressed to NATO's EADRCC and the MIC came in as a second fallback option. In the case of the Portuguese Euro 2004 football championship, I believe the request probably came in only a few months before the event. It is not that in that case there was a plan a few years an advance.

Q40 Chairman: Do you find that large countries who have a greater capacity to deal with catastrophes internally without external assistance tend to be less enthusiastic about your work than some of the smaller ones who would find it very difficult themselves to cope? I notice, looking at countries that have taken part in your exercises, that some of the bigger countries participated only intermittently. Is that a trend which you are aware of?

Mr Das: That is probably too general a statement. Logically, smaller Member States rely more on coordination with their neighbours in order to deal with all potential risks and emergencies. There is certainly a very strong interest from small and new Member States of the EU in further developing this European mutual assistance mechanism. All large Member States have also come to realise that coordination during major emergencies is inevitable and that every country may be faced with situations where it may have to rely upon assistance coming from other Member States. To give you one example,

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France has asked for assistance for floods in 2003. It has also asked for the Mechanism to be on standby for certain large scale sporting events etc., if I remember correctly. The best example I can give is that the United States of America have asked for assistance in the case of Hurricane Katrina. I believe there is an increasing awareness of all Member States that mutual assistance is part of preparing for possible threats. What is important in that respect, in my view, is that Member States not only make that political realisation that assistance may be needed but also practically prepare for the possibility of receiving assistance. Receiving assistance from other countries requires preparation. It requires that you have procedures in place about how you are going to manage that assistance and how that assistance is going to feed into your national systems. One needs to look at legislation and see if there are any obstacles in bringing certain types of items into the country etc. Preparation is really key in this respect.

Q41 Lord Marlesford: In all this discussion we have had about assistance by countries to other countries, it has always been assumed the assistance will be provided as it may be needed and available to be provided by the expertise of any particular country. What about the resource implications because there must be occasions when countries have facilities for helping but it may be that they cannot afford to do it on their own budgets. Are there any central EU funds which can be made available to recompense countries which help other countries in emergencies?

Mr Das: The only possibility we have today is to help Member States with the transport costs of providing assistance. Very often that represents the bulk of their costs. Since the 2007 legislation we have the possibility to co-finance the transport of assistance when a number of conditions are met. The conditions are relatively strict. That is the only financial support we can provide at this stage under our current legislation for this purpose. The Commission would be keen to further develop this in the future and we are currently, with the help of the Parliament, conducting a number of pilot projects and preparatory actions to see to what extent we can go further and to what extent there can also be financial support for certain modules or intervention teams that are kept on standby or financial support for hiring additional capacities from the commercial markets to respond to particularly grave emergencies. This is still in the testing and experimental phase and it will lead to further legislative or policy proposals in the years to come. Member States will have an opportunity to negotiate and Member States will be consulted on these legislative proposals when the experiments have been finalised.

Q42 Baroness Henig: In the report that was cited in Lord Mawson's previous question, there was a suggestion that greater attention should be given to the role of civil protection in preventing and managing the consequences of terrorism and that measures to deal with this could be further developed, but no details were given. I wondered whether you had any suggestions for how that could be done.

Mr Das: The short answer is that measures to deal with the consequences of terrorist threats should systematically be considered within the framework of the Civil Protection Financial Instrument and the Community Civil Protection Mechanism. Through our legislation we develop activities covering all phases of the crisis management cycle going from prevention to preparedness to response and recovery. In all of these phases, we need to consider systematically the terrorism dimension and the different implications it may have on all of our activities. We would certainly be open to specific training for the response to CBRN threats. We have already organised a lot of exercises for this response and we need to continue to do this. Within the framework of our modules, we have developed a technical framework for several types of modules that would be used during terrorist attacks or in response to terrorist attacks. These are for instance decontamination modules and detection facilities. One issue that we certainly need to look at is the possibility of having scientific support for detection and decontamination teams that are sent into a specific contaminated zone. There are quite a lot of capabilities available to send teams into a contaminated zone, to take samples, to analyse and so on. In some cases, more scientific backstopping will be required and we need to look at how we can link our work with the different laboratory facilities across Europe to make sure that we can get these analyses very quickly. A lot of work can be done on all of these different phases.

Lord Mawson: That whole area could be very interesting because it is such a densely populated place with a global community cheek by jowl with this site. Perhaps you could work closely with some of the borough leaders and others who are concerned about these things. Perhaps you could turn it into a very creative thing and action immediately in connection to a whole range of communities. It might be very useful in terms of knowing what is actually going on around that site. It might be a very practical thing for London because there are a lot of communities in London unconnected to these Games in a way and at the moment this is not happening.

Q43 Lord Hannay of Chiswick: When the Treaty of Lisbon comes into force that will bring into force Article 196 of the TFEU which encourages

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coordination of the Member States to improve the systems for preventing or protecting against man-made disasters. Will that in fact make any difference to the functioning of the MIC and the Civil Protection Mechanism or will it largely simply provide the underpinning for what you are already doing? I think you have already dealt with the question of operational role for the MIC in your earlier answer so I will not pursue that any further in this context.

Mr Das: As you know today, European civil protection coordination is based on Article 308 of the Treaty establishing the European Community. This is a very general Article which makes it possible for the Council to take action where this is necessary to attain, in the course of the operation of the common market, one of the objectives of the Community and where the Treaty has not provided the necessary powers to do so. In using Article 308, the Council acts unanimously, based on a proposal from the Commission and only after consultation with the European Parliament. The Lisbon Treaty will change that legal situation and it will create a specific legal basis for civil protection. That legal basis will make it possible to carry out actions to support, to coordinate and to supplement the actions of the Member States in the field of civil protection. It is Article 196 of the new Treaty on the Functioning of the European Union which deals with civil protection. I can only note that this Article has a very wide scope. It refers to prevention, preparedness and response to all types of disasters. As such, it seems to allow the Commission and the Member States to continue all the actions that are currently carried out in the framework of the Community Civil Protection Mechanism and also to further develop this Mechanism in the future. We do not believe that the Lisbon Treaty would be an obstacle. Quite to the contrary. It would allow us to further develop the Mechanism and the type of work we are doing through the Mechanism. It will change the decision-making procedures in that it makes civil protection one of the fields where decisions will be taken by qualified majority and in co-decision with the European Parliament.

Q44 Lord Richard: This question has been bothering me since the discussion we had on definitions. Do you ever turn down an application for assistance? As I understand it, what you were really saying was that whether there was a disaster or not was a matter for the individual Member State and they would then come to you. Have you ever said no?

Mr Das: Within the EU there has never been a case where a Member State has requested assistance and there has not been any offered. Perhaps there is one exception but I will come back to that. Outside the EU, it has happened a few times that a third country made a request for assistance, which we passed on to all Member States, but there were no offers of assistance forthcoming from Member States. In that case, no further follow-up is given to this request. I guess that comes down to turning it down, although we would put it in more polite terms than that. The one exception inside the EU where there has been a request for assistance and no follow-up was during the forest fire season in 2007, where we had simultaneous requests from several European Member States, including Bulgaria. The problem was that we had reached a point where all of the available forest fire fighting assets—aeroplanes, etc.—were exhausted and were being used already in different Member States. Bulgaria made its request for assistance and there were simply no further means available. Unfortunately, no follow-up could be given to that. This simply shows the limits of a system which is based entirely on voluntary contributions of course. Apart from that very unfortunate case, all the requests for assistance from Member States have been given a positive follow-up.

Q45 Lord Mawson: When one shares assets and things like that, who pays for what?

Mr Das: In practice most Member States offer the assistance for free to the affected country. It is fair to say that at least 90 per cent of all the offers of assistance that we receive through our systems are offers which do not involve any payment by the affected country. In the implementing rules there is however a more detailed system set out where there is the possibility for Member States to have certain costs covered by the affected country. Perhaps I should give you a written response also on that particular point, just to make sure there is no confusion about it. In practice, 95 per cent of our assistance is provided for free and the costs are covered by the country offering the assistance.

Chairman: Thank you. That brings this session to an end. On behalf of the entire Committee I want to give very warm thanks indeed to you both because I think you have given very full and frank answers which we do not always get and we certainly appreciate it when we do. You have given us a most excellent kick start to our inquiry. Thank you very much. Can I ask that your promises of correspondence and answers to some of the questions which you have offered kindly to make available could be within the next week? That would be a big help. We are all most grateful to you.

WEDNESDAY 21 JANUARY 2009

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| Present | Avebury, L Dear, L Garden of Frognal, B Hannay of Chiswick, L Harrison, L | Henig, B Hodgson of Astley Abbots, L Jopling, L (Chairman) Mawson, L Richard, L |
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Examination of Witnesses

Witnesses: MR TOM WATSON, a Member of the House of Commons, Parliamentary Secretary, MR BRUCE MANN, Head of the Civil Contingencies Secretariat, and DR SIMON STRICKLAND, International Team Leader, Civil Contingencies Secretariat, Cabinet Office, examined.

Q46 Chairman: Minister, we are most grateful to you for the time that you are prepared to spend with us this morning. As you will be aware, the Committee has embarked on a very short inquiry into the civil contingencies work of the European Union. We had an evidence session last week and I know your officials were present at that so no doubt they have been able to brief you on the issues which the Committee is concerned about and also the wider implications of the civil protection work of the Union. I think you will be aware that this is an open session which is broadcast, as I understand it, and that we are taking a verbatim transcript of what you say. We will send you a copy of that transcript in the next few days, and if you want to make any corrections we would be obliged if you would do it as soon as possible. If you want to send us any supplementary evidence after the session, again, if that could be done as soon as possible because we would like to look at the first draft of our report at our meeting here next week. I am sure that you are familiar with these rules and that you will speak up because the acoustics are appalling. Minister, I do not know if you want to make an opening statement but perhaps, if you do, you would like to do it in conjunction with the first question I would ask you, namely: what is your assessment of the Community Civil Protection Mechanism as an instrument for assisting Member States in the event of natural disasters within the EU? Also what specific assistance has been given in the case of natural disasters in the UK, and has the Mechanism been of any assistance, in your view, in the fight against terrorism?

Mr Watson: Good morning and thank you. First of all, could I welcome this inquiry and say that the drilling down into the detail of this Mechanism will help inform us going forward and any practical advice that you can give us as to how we can improve it will be welcomed by the Cabinet Office. My view is that the Mechanism works well but it is still relatively young and has further to grow. We are blessed in the United Kingdom with a climate that does not lend itself to the sort of natural disasters that take place in

other parts of Europe, but in the case of the floods in 2007 we asked for information on protective barriers in case our civil protection would have been overwhelmed, but in the end we did not require that. I would say that the knowledge-sharing and experiences of each natural disaster help inform our preparedness but we have not drawn down on it recently.

Chairman: Thank you. Lady Henig?

Q47 Baroness Henig: What do you think has been the value of the Mechanism in the case of environmental disasters outside the EU?

Mr Watson: It has actually been used on nearly 30 occasions now. We have a new President who has made it clear that in an inter-connected world the blurred edges between home and abroad have to be understood, and I would say that the consequences of natural disasters in a global economy do have an impact at home, so we have taken a strong view that we should be involved in using the Mechanism. My officials might be able to talk about some of the practical expression that that has shown in those disasters, but certainly in the evacuation of the Lebanon, in the China earthquake and the Moldova floods it was very useful indeed, I would say.

Q48 Baroness Henig: I wonder if you could elaborate.

Mr Mann: If I could supplement what the Minister has said. The Mechanism has been used 30 times in the course of the last three years but 13 times in 2008, so the trend is upwards, and I think that demonstrates a real and practical utility to it. It demonstrates the fact that within Europe we are blessed across EU Member States with a range of good and advanced response capabilities which we ought, if they can be useful to countries outside the Union, to put at their disposal to save life and reduce suffering. What is really quite striking to me is the way in which that has been used in a whole range of different types of disasters from floods to earthquakes and so on. What I would say, as you will

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have seen from the legislation that has gone through, is that this has now been absorbed within what started as a vehicle for assistance between Member States and has become a much broader mission for using exactly the same capabilities for exactly the same purposes—to save human life—but across a much broader piece because there is no distinction between home and abroad any more.

Q49 Lord Hannay of Chiswick: I wonder if you could just hazard a guess—and I can see that one cannot answer this question in any precise way—as to whether the existence of this Mechanism and the way it is being used more and more by the Member States outside the European Union has in fact increased the effectiveness and efficiency with which the 27 Member States have come to the assistance of countries that have asked for it?

Mr Mann: Yes, undoubtedly, and I can say that from national experience as well. Every six months I get together with my colleagues, there is a formal meeting of all of the so-called directors of civil protection, and inside the agenda for those meetings is usually a presentation on things that have happened, either within the Union, or indeed by those whom the Union has assisted. A key part of those sessions is to try to learn the lessons, and the Union has indeed now put in place a mechanism to pull out the major lessons of operations, whether at home or outside the Union, which can be of utility to Member States as they take forward their preparedness plans, and we have done that in some cases, especially with flooding scenarios inside the Union and outside, so yes, absolutely, that is what we do at 27 and we bring some of the key conclusions back into our own preparedness plans.

Q50 Lord Hodgson of Astley Abbots: You both have emphasised the value of the accumulation of experience in what you have been saying. Some of us can be a little cynical about how that experience is maintained and kept up-to-date and how it is known by the people who really need it at the moment of crisis. Could you say a little bit more about how we avoid having a series of files in dusty drawers that were relevant once but are never looked at again and how, when you and your staff inevitably rotate to other jobs, the collective memory is refreshed?

Mr Mann: Firstly, there is something about this business which means that people stay in it for a long time. I have been in this job for the thick end of five years so staff do not rotate quite as quickly as they might, in my experience. Secondly, however, I entirely take your point about corporate memory, if I can call it that. Within the UK—and we are encouraging the Union to go down this path—we essentially take three steps, the first of which is, as I said to Lord Hannay, a systemic process to pull out

the lessons because if you do not have that, you are not going to get anywhere. Secondly, it is sharing those and validating those across all of the Member States so that the corporate memory is not just one Member State, it is 27, and when we consult each other in a crisis, as we do, there are therefore 27 pools of experts who might just remember that thing that happened three years ago. Thirdly, it is then being rigorous about making sure that if you pull out a good idea that is actually embedded in emergency preparedness and planning and that means having the systems and processes (which the Union has not quite got to) to go back and check that that good idea has been translated into new procedures, new equipment, new training, or whatever it happens to be.

Q51 Lord Richard: One of the things that we were worried about which emerged last week was the possibility that there were various different bits of the EU structure which were doing the same job, particularly the MIC and SitCen. Who do you actually deal with? Which one do you deal with? Have you come across any possibility of an overlap?

Mr Mann: No, but as a result of the UK initiative during our Presidency, we have taken steps to make sure that what you describe, which I think is a theoretical possibility at the moment, does not occur. Let me open that up. First, let me say, there is a range of different actors inside this field. There are Union institutions, SitCen and the mechanism of MIC in particular. There is a range of different directors-general within the Commission with different responsibilities, so health crises, environmental crises and so on go to different directors-general. Therefore, we need a mechanism—and the initiative we took was to mimic what we have inside the UK—to bring together in a crisis everybody who has an interest in that crisis and has a role to play, and that was the so-called Crisis Co-ordination Arrangements which we took through the Union, and indeed were activated for the Mumbai crisis last year, so to a degree we hope we have reduced the theoretical possibility. I would say in my experience and certainly during Mumbai the delineation between on the one hand the MIC and the SitCen, as it were in the domestic consequences, if I can use shorthand, and the overseas consequences, especially in foreign policy and security policy, was very clearly understood and respected. That said they were both part of the same machinery for handling that crisis, both in its overseas components and in its domestic components.

Q52 Lord Richard: When you say “domestic” do you mean within the EU?

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Mr Mann: I mean within the EU and indeed within the UK because there were a number of British nationals caught up in that. It shows the inter-connectiveness point which the Minister made. We have national issues, we have European Union issues and we have foreign policy issues, all of which have to be addressed in response to the same crisis.

Q53 Lord Richard: Can I ask one final question on that. You talk about a co-ordinating body which everybody turns up for including all the DGs and all the rest of it. Who calls that? Is it part of the Council mechanism or the Commission or joint?

Mr Mann: Formally it is between the Presidency, the Council Secretariat and the Commission, so there are, as it were, three organisations which can call. It depends on the activism of the Presidency sometimes as to whether that mechanism is called into play, but our expectation is that it would be the Presidency in the main that would activate that mechanism, and that certainly was the case with Mumbai.

Q54 Lord Harrison: Good morning, gentlemen. As I understand it, and largely as a result of the Government's action, the scope of the Directive on Critical Infrastructure Protection has been reduced from the original proposal. I understand, too, that the same is true of the proposal for a critical infrastructure warning information system. How is this consistent with a greater EU involvement in civil protection and indeed crisis management?

Mr Watson: I think a number of Member States were keen that we strike the right balance in that Directive. Information-sharing and collaborative working must add value but Member States want to reserve judgement on an issue-by-issue basis, so we were very in favour of this and the Directive allows us to do lots of cross-border infrastructure networking, but we just wanted to make sure that we had a right to share information where appropriate, not an obligation, and my advice is that is working pretty well.

Q55 Lord Harrison: You are saying that the scope has been reduced. Was that at the request of the British Government because the other elements that were excluded were redundant?

Mr Watson: My understanding is that there were a number of Member States that had concerns in areas where there was sensitive national information that needed protecting.

Q56 Lord Harrison: But did we have concerns?

Mr Watson: We did, yes, and other Member States did too, or so I understand.

Q57 Lord Harrison: And the concern was?

Mr Watson: That there would be an all-encompassing obligation to share information, and we would like the right to be able to do so where appropriate.

Q58 Lord Harrison: I understand your explanation but in this case it would be true to say then, would it not, that greater EU involvement was snagged or was prevented?

Mr Watson: I think the objectives of the Directive to add value through collaborative working and information-sharing have not been undermined by the position we took. Indeed, it could well be argued that it has been strengthened because nation states have got a right to protect information that they deem sensitive to their own interests. I think the Mechanism itself is working pretty well.

Q59 Lord Harrison: That is true of the second one as well, is it?

Mr Watson: I think so. My officials might like to tease out some of the nuances a little more with you, but yes.

Q60 Lord Harrison: I am ready to be teased!

Mr Watson: Or allow you to tease out the nuances!

Mr Mann: The balance we had to find was, on the one hand, after the experience of a number of cross-European emergencies; so, for emergencies that started in one country but cascaded into other countries which caught those countries out because it was an emergency that they were not expecting, in retrospect there ought to have some better mechanism for sharing information about how an emergency in one country can affect a range of other countries; and, secondly, some notification mechanism from the first country to tell those who might be affected that they might be affected. On the one hand, that is a self-evident good which we have got to try to capture inside this process. There are three things which we need, however, to put into that equation: firstly to protect what is very sensitive information, especially to terrorist groups, in other words, if you attack this target it will have a cascading effect across the whole of Europe. That is desperately sensitive information. Secondly, to protect the fact that the security of its infrastructure is a Member State need. I do not think that was ever particularly at issue but we needed to make sure that that was respected and that was part of the negotiation. Thirdly and bluntly, there are financial issues. The Union has a whole range of early warning and alert mechanisms and I could give you a very long list if you wanted. It came to a point where we were beginning to say, hang on a moment, we are proliferating alert mechanisms, there are financial issues inside there but more importantly perhaps there are operational issues in as much as we do not

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know in all of these mechanisms that they are going to the right people, they are connecting the right people and so on because there are so many each within their own particular stove-pipes. Before we put substantial money into a new alert mechanism we just need to pause and look at all the other ones that are out there, and make sure that we can capture those who operationally need to know that an emergency is about to occur and that by proliferating mechanisms we do not get information lost in the fog.

Q61 Lord Avebury: You have talked about the cascading effects on the neighbours of an attack on one country. Does that refer particularly to attacks which are foreseen on IT systems that are referred to in the European Security Strategy Document as being of great significance? Would you be reluctant to share information about potential attacks on IT systems and would this not inhibit the responses that we can make collectively?

Mr Mann: The answer to your first question is no. The most likely causes of cascading failure are in the energy and transport sectors. We have seen a number of energy episodes—three in my time in this job—where the energy outage, usually electricity in one country, has affected a whole range of other countries, so that is an obvious area of attack. Secondly transport and especially things like European air traffic control where if that was taken down a complete network starts to break down, so those were the obvious first areas to look at because we have such strong inter-dependencies, including with multi-national energy companies. That said, there is a range of other areas where absolutely we are inter-connected. Multi-telecommunication systems, especially because again they are run by companies which tend to be multi-national, are indeed potentially on the list and, although not within the Mechanism, there is a separate piece of activity which involves Member State looking at how best to protect IT systems so that they do not get taken down in the first place.

Q62 Lord Avebury: Not within the Mechanism?

Mr Mann: Not within the Mechanism because this issue is essentially about security as opposed to the Mechanism which is about managing emergencies. This is about security systems more than it is about responding to disasters, which is what we are talking about. Certainly cross-European telecommunications (I have pulled it away from IT) is potentially on the list.

Q63 Chairman: Minister, I think you may be aware or your attention may have been drawn to a report in 2006 in the NATO Parliamentary Assembly, which I modestly say has my name on the front of it, pointing out that the NATO Euro-Atlantic Disaster Response

Co-ordination Centre (EADRCC) has functions almost exactly equivalent of the European Union's Monitoring Information Centre and that there are many other similarities and overlaps between them. It seems that the problem is that many Member States would have to choose which organisation to use for requests for assistance in the event of a national catastrophe, whether natural or whether terrorist-based. It does seem to me that there is a very serious overlap here yet there seems to be practically no institutional dialogue between NATO and the Commission. Certainly it was so then and I suspect it is largely still so, it may have improved a bit, but it does seem to me that there is the most lamentable overlap of powers and activities between NATO and the EU. Would you like to tell us what your view is about this?

Mr Watson: It is a very fine document, if I may say so.

Q64 Chairman: How kind of you to say!

Mr Watson: Look, there was a problem between the way these two institutions communicated and shared information. I am assured that many of those problems have been ironed out under the leadership of President Sarkozy and the way that the French now engage with us. However, if you feel that there needs to be more effort put into making sure those institutional arrangements work better, then I would definitely like to see that in a report and we will take that observation very seriously.

Q65 Chairman: So you are inviting us to say that?

Mr Watson: I could not possibly advise you that way but if those are your findings I think we would do what we can to make sure we act on them.

Chairman: I think you have made yourself very clear, thank you. Lord Hannay?

Q66 Lord Hannay of Chiswick: On this same point, presumably time is a little bit of the essence since France is about to rejoin the integrated structure of NATO, probably at the summit in April, and presumably this is the sort of strengthening of the interface between various institutions which ought to come about in that framework. Is that how you would see it?

Mr Watson: Yes, and I think it is probably fair to say that that strengthening is already taking place. This is about experts talking to experts and I am told that that has already been happening even before the European Council discussion last month.

Q67 Lord Mawson: Minister, when you say you are assured, assured by whom, and what are you doing to go out and have a look at the devil in the detail about whether these things are actually happening on the ground? I know having myself dealt with lots of government ministers that I was assured of all sorts

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of things but when I looked at the detail it was not actually happening. I suspect the general public would be quite concerned if they understood this state of affairs with regard to their security. I am wondering what you are going to do to have a look at this yourself in terms of the detail.

Mr Watson: I know the point you are making and it is a very serious point. I have to rely on the ability of officials and our experts in this field because this is a detailed profession and I am pretty convinced that if there were a problem that they thought would threaten our civil protection preparedness they would raise it. On a strategic level, if you are saying to me that you think there is a concern between the way these two institutions are working, then we will look at it and we will try and strengthen that. The officials that do this stuff day-to-day tell me that they have dealt with it.

Q68 Lord Mawson: Can I just come back at the Minister. We are in the middle of a major banking crisis, a major problem, and these things were not alerted and no one it seems to me as I hear, actually got hold of the details in time. I think issues like this require more than just relying on what officials are saying, do they not?

Mr Watson: I am trying to work out how the banking crisis relates to the inquiry into our emergency preparedness, but if you would give me a bit more understanding of the point you are trying to make.

Chairman: Do you want to come back?

Q69 Lord Mawson: I am really saying if there were a major concern here, as there are in other fields, it seems to me that ministers have to get involved in some of the detail of this to really check that the mechanics and nuts and bolts are actually happening because simply receiving advice from officials, in my experience, can sometimes be not very reliable and sometimes one has to actually dig down into the reality to really check that what one is hearing and what is actually happening is the same thing.

Mr Watson: I accept that and I also hope that I have said to the Committee in the detailed inquiry you are doing that if the collective wisdom of this Committee can be applied to policy changes, then I will take it very seriously.

Q70 Baroness Garden of Frognal: Would there ever be an occasion where an organisation approached you and you recommended that they approached NATO for a disaster response?

Mr Mann: No, the country concerned—and these things are always at the request of a country—will automatically go to its preferred institution, where it has a choice, otherwise to the institution to which it belongs. So for non-EU members who are members of NATO they will automatically go to NATO

because that is, as it were, the only organisation from which they can seek assistance; and that is our experience in many of the crises that they have been through in the course of the last few years. Then it is up to the machinery to make sure that the connections are made and there is mobilisation of assistance. If I can give as an example of that the Pakistan earthquake. There is a serious issue inside here and sometimes we find ways of making the machinery work. Again, when we were the Presidency that involved the mobilisation of assistance from within the European Union but also the mobilisation of NATO assets, especially air movement assets, in fact brought down from Afghanistan to move the assistance provided by the European Union up into the mountains where the earthquake had happened. We were the Presidency and we took a strong role in making sure that happened. I have to say that for the first 72 hours of that an institutional debate about institutional competences and so on did not feature in that response. It was a case of finding the assistance and finding the air assets to get that assistance up into the mountains. We had American helicopters and all sorts of assistance coming together on the ground to help the people. My experience is that we do find a way through when it comes to an emergency. The irritation of the last three years, to be candid, has been in the preparedness planning. It is not so much in an emergency; it is before an emergency happens. For example, the European Union is relatively short of air movement assets but NATO has got a very good capability to take up air movement assets and to mobilise them and to organise how they get into a country, and it is the ability—and I give that as one cameo of what I would have liked to have seen and what I hope we would now see—of the European Union in the planning stage going to an arm of NATO and saying, “If we need to move stuff in a hurry please can we draw on your skills, your capabilities and your assets to move it?” rather than re-creating a whole new structure of its own.

Q71 Lord Avebury: Maybe it is this kind of arrangement which was ad hoc, as you say, in the case of the Pakistan earthquake that the European Council had in mind when it was saying in the report on the implementation of the European Security Strategy issued in December that: “The EU and NATO must deepen their strategic partnership for better co-operation in crisis management.” Are you now telling us that you are perfectly happy with the ad hoc arrangements that can be made or do you think that more could be done, as you have just told us, in formal preparedness planning between the EU and NATO and that that is how we should interpret this sentence in the report that I have just quoted?

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Mr Mann: Yes, it is certainly how I would interpret it. As you have heard from what I have said, it is what I think we would hope to see. We have had over the last years Staff-to-Staff Talks between the EU and NATO. We have had joint participation in exercises. We have had the sharing of information between crisis centres for all of those outside the EU operations that I have described. That is positive and helpful, but I would like now to see us move to protocols and procedures of the sort that I have described on air movement which really would short-circuit some of the ad hoc debate we would otherwise have to engage in in a crisis. If we can short circuit that and save time and save people's energy so that they can devote it to other things when a crisis arises, to me that has got to be an advantage.

Q72 Lord Avebury: Has this discussion got any formal structure or is it purely an ad hoc discussion between the EU and NATO?

Mr Mann: It has a formal structure and we can provide you with the detail in a note if you would find that helpful.

Q73 Lord Avebury: Yes please.

Mr Mann: It is quite detailed and technical so let us, if you will, provide you with a note.

Q74 Lord Avebury: Does it also embrace the recommendation made in the same document that I have just referred to, this is on page 11, which says that we need to strengthen this strategic partnership between the European Union and NATO in service of our shared security interests, or is that a completely different dialogue?

Mr Mann: I am no longer an expert in this field. I think that goes very much more broadly than security and has a much wider interpretation than civil protection.

Q75 Chairman: Minister, I want to follow this up because you are the politician and we were told last week in the evidence we had from officials from Brussels, that it depended upon the political willingness of Member States to go in these directions for a better understanding, and we asked them who were the Member States who were blocking this, and the officials actually named France, supported by a few other Member States, so that is a quote. What do you think can be done in political terms to try to get over this impasse which seems to be holding up far better co-operation between NATO and the EU? It is clear there is a lot of politics in this and you have not really explained this to us so far.

Mr Watson: I have not really explained that to you so far because, if I am being honest, the lead on this is the Foreign Office. Our position is that we obviously want the EU and NATO to be mutually reinforcing.

We have made this position clear to our EU partners. I am afraid, Chairman, I would have to follow this up with a note about how we have engaged our European partners for more detail if that is of specific interest.

Q76 Chairman: Do you go yourself? Who goes from the Department to meetings of the Council when these matters are discussed?

Mr Watson: There are no hard and fast rules on this. I have not attended any of these meetings.

Chairman: I see. Let us move on then. Lord Dear?

Q77 Lord Dear: Gentlemen, this Sub-Committee is a little bit concerned at what would appear to be on occasions a lack of participation by the UK in exercises in Europe. For example, in May 2007, if our information is correct, there was an exercise in Croatia conducted by NATO testing disaster response recovery and so on and a couple of months ago in November last year the French Presidency put up an exercise testing response to CBRN attacks and, as we understand it, we were not represented and did not participate in either of those. Was there a reason for that?

Mr Watson: On the Croatia one we were involved with that. We provided expert training, we had expertise directing the exercise, and we were involved in the assessment of the response arrangements afterwards. On CBRN training, whilst it is true that we were not involved in the one in France, we have been involved in a number of exercises. We have good bilateral relations with the French on this, and I think at the time the French had said that they were happy with us not to be involved in that particular one because we were quite stretched because we were involved in Operation Green Star and Operation Torch.

Q78 Lord Dear: The CBRN exercise interests me particularly because this country, as everyone knows, is probably well on the list of nations at risk of extreme terrorist activity for obvious reasons and I know that CBRN attacks exercise the minds of planners here. It would seem to have been a golden opportunity with the Olympics looming to become involved in something like that. Have we followed that general line up before?

Mr Watson: We are very involved in CBRN exercise planning and we have got good bilateral arrangements with our allies and there are lots of arrangements in place. Again, if you need some more detail perhaps we could write to you.

Q79 Lord Dear: But we have missed the opportunity to take part on this occasion.

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Mr Mann: Let me set the background because at the same time we had, as the Minister said, Operation Torch. It was an EU-wide exercise in the UK to which Member States came which was actually about a month before the French CBRN exercise. At the same time we had a purely UK domestic CBRN exercise, and therefore, to be honest, first because we had a European-wide exercise for all Member States and, secondly, because our CBRN experts were doing two things simultaneously, both the national and the EU-wide exercise, we spoke to our French opposite number and said, "Is there any utility in our coming down to your exercise as well?" and our French opposite number said, "On the basis of what you have done already we do not believe there to be so," so that was very much a specific case because we would have had three CBRN exercises within the space of about six weeks. I do not think you should extrapolate from that to our engagement in the exercise programme more broadly.

Lord Dear: I guess that NATO have put up quite lot of these exercises over the years. It might be helpful to us if you could give us a schedule or a list of the exercises that have been put up over the last five years and those where we have taken an active role, not just observer status, which is one thing but an active participating role either as a participant per se or as members of what I used to call the directing staff, the directors of the exercise, both of which have a great value. Would that be possible?

Q80 Chairman: I think if you would do that it would be very helpful.

Mr Mann: Yes.

Q81 Chairman: We are hoping to look at the first draft of this next week and if we could have it very quickly it would be helpful. Lord Hannay?

Lord Hannay of Chiswick: Do your joint replies to this question not demonstrate that the excellent co-ordination between the various institutions does not actually extend to the planning of exercises because if it did you would not have planned three exercises on the same subject within six weeks? If that is the case, perhaps the co-ordination could also be extended to the planning of exercises. Is it not also the case that the value of these sorts of exercises is crucially derived from participation, from getting to know the people in the other Member States who are working on the same problems as you are, and that therefore the sort of theoretical overlap about which you speak ought to be outweighed by the practical experience of working together, so it should surely be very much the exception and the rule should be that a large Member State like us should participate in these exercises to increase the amount of joint working experience that exists?

Mr Mann: Taking those questions in turn, Lord Hannay, on the first I have some sympathy. We have just had notification of two exercises (which tend to be sponsored by individual Member States) next year both of which fall within May, and as I look down the schedule in front of me of past exercises it is fairly easy to see that they tend to bunch at the predictable periods of early autumn and spring, and I think that is a point which we will certainly take up with the Commission and partner countries. On the second point, yes, from personal experience it is absolutely all about personal contacts and so on. I think the circumstances when we had the bunching of the French EU-wide exercise and a British EU-wide exercise and then a British domestic exercise was exceptional for what is a relatively small community of CBRN experts, and there is something in here akin to what the military adopt which is to give the guys a rest as opposed to constantly going on exercises or operations. I think the assembly of what would have been three CBRN exercises in a very short space of time was, with hindsight, something we ought to try to avoid; but I still think, given all the EU experts who came to the British exercise, that it was the right decision which we took with the French; and that their having made contacts enabled us then to give them a rest and not to invite them to go to the French exercise.

Q82 Chairman: Minister, I wonder if you could just clarify one answer you gave a moment ago going back to the Croatia exercise in 2007. I was actually present throughout that and, as I recall from my memory, which may be wrong, the UK was not among the official participants. I am not asking you to do it now but I wonder whether you could look again at your answer. It may have been that they were observers or something but my memory very strongly leads me to believe that the UK was not down as one of the official participants. Perhaps you could look at that.

Mr Watson: We will do that.

Lord Dear: On that last point could I again underline what I said before in the list that I invited you to put forward, I think the list would be most helpful if it did not comment on those exercises where we had observers, only those where we participated or were members of the directing staff, which we see as having a dual value.

Q83 Lord Mawson: The United Kingdom potentially faces an increased terrorist threat at the time of the 2012 Olympics. We were told last week by witnesses from the Commission Monitoring and Information Centre that there had as yet been no contact between the UK security services and the MIC to plan for the threat to the surrounding east London communities. You will be aware that every

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community on earth is represented in those communities around the Games. Would the Mechanism and MIC not have an important part to play?

Mr Watson: Look, we are continually doing risk assessments on terrorist threats to the UK, but I do not see the MIC as the actual mechanism in which we share that intelligence information; there are other vehicles with which we do that. Considerable effort is being devoted to securing the 2012 Games and I am absolutely certain that those risk assessments going forward in the run-up to the Games will be taken and, where appropriate, we will share information.

Q84 Lord Dear: I do not think it is so much sharing high grade intelligence as the relationship between MIC and this country in terms of what does one do if it happens.

Mr Watson: We can definitely learn using MIC through the French experience of the Rugby World Cup and the other Games and that process will take place. We are four years away from the Games but I am absolutely certain that we will be involved in that.

Lord Dear: With respect, we are three years away from the Games and the clock is ticking.

Q85 Lord Hannay of Chiswick: I do not know, Minister, whether you or your officials have had the opportunity—and I suspect that you will not have done—read the evidence that was given to us by the Commission last week. I think it might be worth your while to look at it because what they said was that informal contact with the MIC about the preparations for the Olympics—and this is nothing to do with intelligence at all—would actually greatly facilitate their work in building up potential support arrangements if we were to ask at the time for support and that the longer notice they had in advance the more they could do and that, moreover, they were anxious to consider both offshore back-up and also the possibility of actual back-up in London at the time. I think these things are all very complex but I do not know whether you would agree that that request seemed to me a pretty straightforward and justified one and not one that we should ignore.

Mr Watson: Okay. I will take your advice and I will raise it with Home Office ministers who are leading on this.

Mr Mann: Could I just add, if we are talking only about preparedness planning rather than intelligence, as well as what the Minister has talked about in terms of sharing others' experience in terms of organising preparedness planning for the Games, we do already have in our planning areas where we would expect to turn to European partners for assistance in some particular niche capabilities, which I can amplify if it helps; and that is already there in our planning for emergencies, as it were,

whether Olympics-related or not. As we take forward preparedness planning for the Olympics over the course of the next year or 18 months, I am certain that at least in those areas which we have already identified, but possibly in some other areas, absolutely, we would turn to the MIC and, as it were, provide them with early warning that if something were to happen that required these capabilities we would be turning to our partners.

Q86 Chairman: If I just ask you following that, in view of NATO's involvement in the Athens Games, does what you have just said also apply to NATO?

Mr Mann: It does.

Q87 Lord Mawson: I have operated down in east London 200 yards from the Olympics site for about 25 years so I am aware that we are all being told that everything is wonderful and fine, but I also know as a matter of fact that there is quite a serious disconnect going on between what is happening on the inside of the 11-mile blue fence and what is happening in the communities immediately around it where you have a global community. Have discussions yet taken place with the UK security services and the five host Olympics boroughs about the practical responses to any threat posed by the Games to the surrounding communities in East London? If so, what level of detail have these discussions reached? Have you yourself been down there? Have you walked around some of those communities around that site? Have you met with Sir Robin Wales to get the view from the boroughs about what they are facing?

Mr Watson: I have been down there but the lead responsibility for security at the Olympics is the Home Office. I think you can be reassured that our intelligence services are doing all they can to ensure that the threats in that area are being kept in check.

Q88 Lord Mawson: What does that mean in practice?

Mr Watson: All measures that need to be taken have been taken and there is lots of information sharing and dialogue with the local authorities.

Q89 Lord Mawson: That is not what I hear from the Mayor of Newham.

Mr Watson: Okay, well, I will probably need to take that away then. What is the Mayor's specific point?

Q90 Lord Mawson: There are a number of points but, generally speaking, east London feels itself quite disconnected from some of these things that are going on around the Games. This whole area of security is obviously very critical for those communities that are living cheek-by-jowl with the games because if one is going to make an attack one might not make an attack inside the fence but might make it in some

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strategic areas outside. There are a number of strategic areas outside, including the station, the developments at Stratford et cetera and in fact the Mayor of Newham's office has prepared a paper for us on this. This is the point about delving into the detail it seems to me and ministers if they are going to lead on some of these things actually need on occasions like this to go down and make the connections to really check that the devil in the detail is actually covered. I am reading in the press all sorts of things at the moment that everything seems fine, but I know from the details on the ground that something quite different is going on. I am just checking in this case whether this is another example where one is being told one thing but the reality underneath is something quite different.

Mr Watson: I think I had better delve into the detail a bit more then so I will pay a visit and I might even bring a Home Office minister with me as well.

Lord Mawson: I am sure Sir Robin would be willing to show you round and explain his concerns.

Q91 Lord Hodgson of Astley Abbotts: Could I ask one question because I am interested in collective memory and the preservation thereof. Many years ago I attended a Home Defence College at Easingwold in Yorkshire; does that still exist?

Mr Mann: It does, it is part of my command. It is now the Emergency Planning College at Easingwold. It has moved on from civil defence to being 21st century civil protection.

Chairman: Are there any more questions? Minister, thank you very much for coming. We appreciate this. You have helped us very much with our inquiry and, as I said earlier, if you want to add anything we shall look forward to hearing from you. Thank you for coming.

Supplementary evidence: Letter from Tom Watson MP Parliamentary Secretary, Cabinet Office

Thank you again for the opportunity to give evidence to the House of Lords Select Committee on the European Union Sub-Committee F (Home Affairs) on Wednesday 21 January.

At the hearing, I agreed to provide further information in writing about three issues:

- a. The structure of dialogue between the EU and NATO;
- b. UK participation in NATO 2007 Exercise Idassa in Croatia; and
- c. a schedule of international civil protection exercises over the past five years including details of UK participation.

I have attached further detail on these issues for your information; I hope this assists the Committee in the compilation of their final report.

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a. Dialogue between NATO (EADRCC) and EU (MIC) taking a longer term view of the strategic partnership between organisations

- Staff-to-Staff Talks have been held between NATO Civil Emergency Planning and EU representatives from the Secretariat of the Council and the European Commission.
- A substantial meeting was held involving a wide range of Staffs on 9 January 2008, which involved NATO Civil Emergency Planning (International Staff) and the EU Council Secretariat (hosts), European Commission, and EU Military Staff. Representatives were present from:
 - Council Secretariat DG E: External Economic Relations, Political and Military Affairs: DG8 (Defence Aspects) and DG9 (Civilian Crisis Management).
 - EU Military Staff.
 - Commission DG ENV.
 - Commission DG RELEX.
 - Commission DG SANCO.
 - Commission DG JLS.
 - Commission DG ECHO.
 - EU Civil-Military Cell.
 - NATO Civil Emergency Planning (International Staff) (four representatives).
 - Euro-Atlantic Disaster Response Coordination Centre (one representative).

- A further informal meeting was held on 21 February 2008 by EADRCC (hosts) and the MIC.
- And in July 2008, NATO Civil Emergency Planning (International Staff) met DG Justice, Liberty and Security counterparts to discuss CBRN-related issues.
- The MIC now routinely shares situation reports where both EADRCC and MIC organisations are activated eg on 2008 floods in Moldova and the Ukraine.
- The European Council of December 2008 reaffirmed the goal of strengthening the strategic partnership between the EU and NATO and the setting up of an informal EU-NATO high-level group to improve practical and operational cooperation between the two organisations.
- We continue to urge closer practical joint cooperation including under United Nations coordination where present; and to recommend European Commission contact with NATO's Movements Coordination Centre—Europe (MCC-E) at Eindhoven in the Netherlands so as to enable take-up of military assets for moving disaster aid. We will continue to work with Allies and European partners to further this goal and other areas of practical cooperation.

b. *UK participation in 2007 NATO Exercise Idassa*

- The UK participated in NATO Exercise Idassa in Croatia through expert training, direction of the exercise, and assessment of the response arrangements tested.
- NATO's exercise Report of 31 October 2007 (Ref. EAPC(SCEPC)N(2007)0025-REV 2, paragraph 1.2 as attached at Appendix A) lists the UK among those nations contributing to the Directing Staff, the On-site Operations and Co-ordination Centre, and the Assessors Team.
- The British participant was Mr Mark Wolf from the London Fire Brigade. He contributed to training on the NATO non-binding guidelines on CBRN for participants in the exercise, and acted as Directing Staff.

c. *UK participation in past and planned EU and NATO exercises 2000–10*

The table below lists the EU and NATO exercises since 2000 including those now planned where known, and shows UK participation (defined as resource deployment or exercise direction, assessment and training, but excluding observer-only status as requested). Of the total 36 exercises listed, the UK has participated in 14. This compares with Germany 15, and France 13.

UK PARTICIPATION IN PAST AND PLANNED EU AND NATO EXERCISES 2000–10

Total number of EU and NATO exercises since 2000: 36. Exercises in which UK participated (meaning resource deployment or exercise direction, assessment and training, but excluding observer-only participation): 14.

| <i>Organisation</i> | <i>Date</i> | <i>Exercise</i> | <i>Host authorities</i> | <i>Participating Countries apart from UK</i> | <i>UK Participation</i> |
|---------------------|-------------|--|-------------------------|---|-----------------------------|
| NATO | Sep 2000 | TRANS-CARPATHIA: Nuclear Accident | Ukraine | Austria, Belarus, Croatia, Hungary, Moldova, Poland, Romania, Slovakia, Slovenia, Sweden, Switzerland | |
| NATO | May 2002 | TAMING THE DRAGON: Forest Fires | Croatia | Albania, Austria, Bosnia and Herzegovina, Bulgaria, Croatia, Italy, FYR Macedonia, Poland, Romania, Slovakia, Slovenia, Sweden, Ukraine | |
| NATO | Sep 2002 | BOGODORSK: N/K | N/K | N/K | |
| EU | Oct 2002 | EUROTOX: CBRN attack | France | Austria, Spain, Italy, Greece, Sweden | |
| EU | Oct 2002 | COMMON CAUSE: CBRN attack; table-top exercise | Denmark | Belgium, Italy, Sweden | Counter-terrorism expertise |
| EU | Feb 2003 | FLORIVAL II: CBRN incident | Belgium | Germany, Finland, France, Greece, Sweden | |
| NATO | Apr 2003 | FERGHANA: Earthquake | Uzbekistan | Armenia, Croatia, Denmark, Estonia, Finland, France, Georgia, Germany, Hungary, Kazakhstan, Kyrgyz Republic, Poland, Sweden, Switzerland, Russia, Tajikistan, Turkey, Ukraine, United States | |
| NATO | Oct 2003 | DACIA: Terrorist Attacks | Romania | Armenia, Austria, Azerbaijan, Belgium, Bulgaria, Croatia, Finland, Hungary, Italy, Moldova, Norway, Portugal, Slovak, Republic, Slovenia, Switzerland, Turkey, Ukraine, Uzbekistan, United States | |
| EU | Apr 2004 | FOREST FIRE | France | Austria, Belgium, Germany, Spain, Greece, Italy, Netherlands, Portugal, Slovenia, Sweden | |
| EU | Oct 2004 | EU DREX: Earthquake and chemical incident | Austria | Bulgaria, Czech Republic, Latvia, Poland, Slovakia and the UN | |
| EU | Nov 2004 | EU ESCEX: Non-EU earthquake | Finland | Belgium, Denmark, Estonia, Poland, Sweden | |
| EU | Apr 2005 | EURATECH: Chemical release caused by explosion | France | Belgium, Czech Republic, Germany, Italy | |

| <i>Organisation</i> | <i>Date</i> | <i>Exercise</i> | <i>Host authorities</i> | <i>Participating Countries apart from UK</i> | <i>UK Participation</i> |
|--|-------------|--|-------------------------|--|--|
| EU | Jun 2005 | EUPOLEX: Earthquake in 3rd country | Poland | Belgium, Czech Republic, Germany, Denmark, Estonia, Finland, France, Sweden, Slovakia, Slovenia, Ukraine | Urban Search and Rescue Team |
| NATO | Oct 2005 | JOINT ASSISTANCE: CBR incident | Ukraine | N/K | |
| EU | Oct 2005 | PO: Floods | Italy | None. Exercise was for NGOs | |
| EU | Oct 2005 | EUROSOT: Earthquake and chemical incident | Italy | France, Greece, Portugal, Sweden | Urban Search and Rescue Team |
| EU | Jul 2006 | EU-TACOM-SEE: Terrorist Incident | Bulgaria | Greece, Hungary, Romania, Slovakia, Slovenia | |
| EU | Sep 2006 | EUDANEX: Terrorist Incident & Severe Weather | Denmark, Sweden | Estonia, Hungary, Slovenia, Germany, Lithuania | Two EU trained experts in the on-site operations and coordination centre (OSOCC) |
| NATO | Oct 2006 | LAZIO: Radiological Attack | Italy | Austria, Croatia, Hungary, Romania, Russia | |
| EU | Oct 2006 | MESIMEX: Volcanic Eruption | Italy | France, Spain, Portugal | FCO Consular Rapid Deployment Team |
| EU Crisis Coordination Arrangements Exercise | Oct 2006 | CCAEX06: Simultaneous conventional terrorist attacks | EU table-top exercise | Affected countries: Austria, Germany, Finland, Portugal | Affected country. |
| NATO | May 2007 | IDASSA: Earthquake | Croatia | Armenia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, Estonia, Finland, France, Former Yugoslav Republic of Macedonia, Georgia, Germany, Kazakhstan, Lithuania, Moldova, Montenegro, the Netherlands, Norway, Poland, Romania, Russian Federation, Serbia, Slovakia, Slovenia, Spain, Sweden, Ukraine, United States | Directing and assessing exercise, and training in CBRN non-binding guidelines |
| EU | Jun 2007 | EULUX: Simultaneous major accidents | Luxembourg | Belgium, France, Germany, Hungary, Netherlands, Poland, Portugal | |
| EU Crisis Coordination Arrangements (CCA) Exercise | Sep 2007 | CCAEX07: Simultaneous Biological Attacks | EU table-top exercise | Affected countries: Finland, France, Netherlands, Spain, Sweden | Affected country. |

| <i>Organisation</i> | <i>Date</i> | <i>Exercise</i> | <i>Host authorities</i> | <i>Participating Countries apart from UK</i> | <i>UK Participation</i> |
|--|-------------|--|-------------------------|--|--|
| EU | May 2008 | EU-ALBIS: Cross-Border Floods | Germany | Czech Republic | |
| NATO | Jun 2008 | UUSIMAA: Severe weather | Finland | Armenia, Austria, Azerbaijan, Belgium, Bosnia and Herzegovina, Croatia, Estonia, Georgia, Iceland, Latvia, Lithuania, Norway, Poland, Portugal, Russian Federation, Sweden, Ukraine, United States | Four UK-CBRN technical advisers, and one head of independent assessment team |
| EU | Sep 2008 | HUROMEX: Floods | Hungary, Romania | Austria, Bulgaria, Croatia, Germany, Slovakia, Slovenia | |
| EU Crisis Coordination Arrangements (CCA) Exercise | Sep 2008 | CCAEX08: Twin Storm | EU table-top exercise | Affected countries: Belgium, Denmark, Finland, France, Germany, Lithuania, Netherlands, Spain, Sweden | Affected country. |
| EU | Oct 2008 | ERMES: Earthquake | Italy | Malta, Romania | |
| EU | Oct 2008 | TORCH: CBRN Disaster Victim Identification | UK | Germany, Netherlands | Hosted; deployed disaster victim identification teams |
| EU | Nov 2008 | VAR: CBRN Terrorism | France | Belgium, Czech Republic, Germany, Italy, Luxembourg, Portugal, Sweden | |

PLANNED EXERCISES

| <i>Organisation</i> | <i>Date</i> | <i>Exercise</i> | <i>Host State(s)</i> | <i>Participating Countries apart from UK</i> | <i>UK Participation</i> |
|--|-------------|--|-----------------------|--|--|
| EU | May 2009 | HUNEX Decathlon: Floods | Hungary | Italy, Poland, Slovakia, Slovenia | |
| EU | May 2009 | SWENOREX: Earthquake Outside EU | Sweden | Open to all MS to send participants | |
| NATO | Sep 2009 | ZHETSYU: Earthquake | Kazakhstan | Preliminary offers: Armenia, Austria, Azerbaijan, Belgium, Bosnia and Herzegovina, Bulgaria, Estonia, Finland, Germany, Hungary, Italy, Latvia, Lithuania, Moldova, Poland, Portugal, Romania, Russia, Slovenia, Spain, Sweden, the former Yugoslav Republic of Macedonia, Turkey, United States | Attended Initial Planning Conference; plan to attend Main and Final Planning Conferences; will provide assessment staff and trainer on CBRN non-binding guidelines |
| EU Crisis Coordination Arrangements (CCA) Exercise | Sep 2009 | CCAEX08: Terrorist attacks targeting EU nationals in a third country | EU table-top exercise | Affected countries: To be decided | Expressed interest in taking part. |
| EU | 2010 | EU FLOODEX: Floods | Netherlands | Estonia, Germany, Poland | Extent of participation currently under discussion with the Netherlands; considering Fire Service assets & expertise |

APPENDIX A**EXTRACT FROM NATO REPORT ON EXERCISE IDASSA 2007**

Ref: EAPC(SCEPC)N(2007)0025-REV-2

Issued: 6 September 2007

REPORT ON EXERCISE “IDASSA 2007”**1. INTRODUCTION**

1.1 From 19 to 24 May 2007, the Croatian—Euro-Atlantic Disaster Response Co-ordination Centre (EADRCC) exercise “Idassa 2007” was conducted in Croatia in the area of Biograd and Zadar which is located 300 km South of Zagreb. The event was a Croatian contribution to the Partnership Work Programme (PWP). The Exercise “Idassa 2007” was the second EADRCC field exercise hosted by Croatia.

1.2 In addition to the host nation the following nineteen EAPC nations participated in the exercise by deploying teams: Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Finland, Georgia, Hungary, Kazakhstan, Lithuania, Moldova, Montenegro, Poland, Romania, Serbia, Slovakia, Slovenia, Sweden, Ukraine and the United States. Staff positions in the Directing Staff (DISTAFF), On-site Operations and Co-ordination Centre (OSOCC) and Assessors Team were filled by the following EAPC nations: Armenia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, Estonia, Finland, France, Germany, Montenegro, Norway, Poland, Romania, Russian Federation, Spain, Slovakia, Slovenia, Sweden, the former Yugoslav Republic of Macedonia, The Netherlands, United Kingdom, Ukraine, and USA. The representative of the United Nations Office for the Co-ordination of Humanitarian Affairs (UN-OCHA) and EADRCC staff also took up positions in the staff elements.

Examination of Witness

Witness: MR JOHNNY ENGELL-HANSEN, Head of Operations Unit, EU Joint Situation Centre (SitCen), General Secretariat of the Council of the European Union, examined.

Q92 Chairman: Mr Engell-Hansen, thank you very much for coming. You have come from Brussels and we very much appreciate it. We have kept you waiting a little time and I am sorry for that. As you may know, the Committee is involved in this very short inquiry into the Civil Protection Mechanism of the EU and we had an evidence session last week, we have just had the Minister in here, as you know, and you will be the final witness in this inquiry, and we shall be looking, we hope, next week into the first draft of our report. We have just had these two evidence sessions. You will know that a transcript is being taken of what you say to us and the questions we ask. This will be put onto the Parliamentary website. If after the session is over you wish to make amendments or to add anything we shall look forward to hearing from you. The acoustics in this room are terrible and we would be most obliged if you would speak up. I do not know if you would like to make an opening statement but perhaps if you do you would combine it with my first question: could you explain when and why SitCen was set up, what its legal basis is, and what its role is in crisis management and how it operates? I think that might fit with an opening statement if you wish to make one.

Mr Engell-Hansen: Thank you, my Lord Chairman, and thank you for the invitation to come before this Committee to give evidence. Maybe I will start by introducing myself. My name is Johnny Engell-Hansen and I am a Danish citizen. I have worked for the European Union, the General Secretariat of the Council since 1994. I came to the EU Joint Situation Centre, which is commonly referred to as EU SitCen, in 2003. I became Head of the Operations Unit in the EU SitCen in 2004. To answer your questions, the origin and the status of the EU Joint Situation Centre can be traced back to the creation of the Office of the EU High Representative in 1999 where the first embryonic SitCen saw the light of day. The EU SitCen as a distinct entity was created and established through an administrative decision by the Secretary-General / High Representative in 2000. It is and has always been directly attached to the Office of the High Representative, and as an integral part of the General Secretariat of the Council its legal basis is the same as the General Secretariat of the Council. That is Article 207(2) of the Treaty of the European Communities. Our functioning is thus governed by the same procedures that apply to the Council Secretariat. I can broadly describe the role of the EU SitCen as to contribute to the early warning work of the Council and the European Union. We undertake situation monitoring 24 hours a day, seven days a week. We do situation assessment with a view to supporting EU policy-making. We provide facilities and organisational infrastructure for the crisis

taskforces. We provide Brussels-based support and assistance to the EU field activities, including those of the Secretary-General / High Representative, EU Special Representatives, EU ESDP missions, et cetera. In its work SitCen is assisted by the secondment of national experts in analytical functions who work side-by-side with Council officials. This arrangement allows SitCen to benefit from exchanges of information with Member States including with diplomatic services, intelligence and security services, and SitCen in Brussels also works closely together with the intelligence directorate of the EU military staff. On crisis management I think I would answer the question in this way: on 1 June 2006, after the preparatory work of the then UK Presidency of the European Union, the Council approved the EU Emergency Crisis Co-Ordination Arrangements (they are normally referred to by the acronym CCA). Without prejudice to existing EU crisis management arrangements these arrangements are designed to ensure rapid and co-ordinated EU level policy responses across the board, that is cross-sector policy responses, in a serious crisis situation. Essentially the CCA provides Member States and their permanent representations in Brussels with a political platform for exchange of information and co-ordination of action in the context of an emergency or crisis whose nature is deemed to be sufficiently serious. The criteria are normally that it should affect several Member States or the EU as such, and there should be an element of time criticality in it. It would then require an exceptional EU level policy response. The EU SitCen role in this is to coordinate and to provide the main operational and infrastructural backbone for supporting the EU Presidency and Member States in implementing these CCA arrangements in a crisis situation. In such a situation one of our roles would be to provide all actors as complete and comprehensive a situation overview as possible throughout the crisis, and making that available to all actors. In preparation for this session I studied a little bit the concept of operation in the UK COBR system. Without taking the analogy too far, the role of the EU SitCen in support of the EU crisis coordination arrangements is very similar to the structures that provide the main organisational support for the COBR arrangements in the UK system.

Q93 Lord Avebury: When Mr Shapcott gave evidence to us in 2005 he gave us an explanation of where SitCen had got to at that point. There were certain developments that were taking place, particularly that SitCen would provide evaluations intended to assist policy makers based on fusing the inputs from internal and external services. Has that

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development now been completed and are there any other changes that we should note since the evidence Mr Shapcott gave?

Mr Engell-Hansen: There has been an improvement in terms of the quality and quantity of intelligence provided by Member States. Our responsibilities have grown significantly in the area of counter-terrorism assessments. There has been an improvement in the cooperation between the SitCen analysts and the analysts from the EU Military Staff Intelligence Directorate. They are now forming a virtual body which is known as the Single Intelligence Analytical Capability. We have also become better at tapping into diplomatic reporting. We have improved our cooperation with other international organisations. We are better at combining that information with intelligence. We have established our own open sources intelligence capability within the Situation Centre. Essentially, we are now able to fuse open sources information, diplomatic reporting, military and civilian intelligence into all-sources situation assessments.

Q94 Lord Avebury: Is there a uniform system of reporting by EU diplomatic missions that you have developed or is it *ad hoc*?

Mr Engell-Hansen: It is *ad hoc*. As a rule, we get reporting from EU delegations around the world. Member States diplomatic reporting, we do not get. It is a question of, if there were a crisis evolving, we will look at the map. Depending on where in the world the crisis takes place, there are always one or two EU Member States who for historical reasons maybe have a better insight into aspects of the crisis. We very often contact that Member State, the embassy on the ground or the capital, and request information. We have always been met with a quite positive response and a valuable contribution from Member States in this respect.

Q95 Lord Harrison: In your reply to Lord Avebury you did touch upon the EU counter-terrorism coordinator. Do you regard it as working successfully? Is there more that you would like to tell the Committee about the part that he or she plays with SitCen?

Mr Engell-Hansen: The EU counter-terrorism coordinator has no managerial or hierarchical relationship with SitCen and its staff. That said, he is the key interlocutor for EU SitCen in the CT area and whenever there is a significant event with a possible terrorism aspect the EU counter-terrorism coordinator is instantly alerted and kept informed throughout the crisis about the situation by the EU SitCen. The EU counterterrorism coordinator can also at any given time request additional assistance.

The counter-terrorism action plan and all the other CT policy papers serve as the guiding framework for the assessments that the EU SitCen writes in this area.

Q96 Lord Harrison: That is a successful arrangement, is it?

Mr Engell-Hansen: I think it works well, yes.

Q97 Baroness Garden of Frognal: You have given a very helpful explanation about the role of SitCen but could I ask you specifically about the event of an actual or anticipated CBRN attack on one of the Member States and what would be the role of SitCen in that eventuality?

Mr Engell-Hansen: I have to stress we are an analysis centre so operational intelligence will not come to the EU Situation Centre. In the case of an anticipated terrorism attack, the operational activities will take place through the Member States concerned directly, without our involvement. If the attack were of such magnitude that the EU Presidency would decide to trigger the EU Emergency and Crisis Coordination Arrangements, our role would be to support this, as I already outlined in my previous answer. Irrespective of this, we would of course in any serious crisis situation liaise with the Member States concerned and the services that would have information. We would strive to compile a comprehensive situation overview and make this overview available to Brussels based players so that they could be kept informed about the situation which is unfolding.

Q98 Lord Dear: I am not sure if this is altogether a fair question or one that you can answer so if you are not in a position to answer it of course you must say so. From your position do you think that the readiness of Member States to deal with this particularly dangerous and difficult to manage risk of CBRN is up to speed and that Member States are in a position to handle that sort of threat or would you like to see more done in that regard?

Mr Engell-Hansen: I have to choose the option that I am not capable of answering that question.

Q99 Lord Dear: If it is not part of your remit, I apologise for putting it to you but would you have that sort of information available to you back at your office that you could provide us with or is it something that you would not be able to measure anyway?

Mr Engell-Hansen: I would not have that kind of information.

Lord Dear: In which case I am sorry to embarrass you.

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Q100 Baroness Henig: Could you tell us about the way SitCen organises, either on its own or with the authority of the Member States, exercises to test the readiness of Member States to cope with severe and unexpected emergencies, including terrorist attacks? Could you give us some examples?

Mr Engell-Hansen: In the context of the CCA, we have since 2006 organised or assisted the EU Presidency in organising annual exercises to test the readiness and preparedness. I would say though that it is more to test the readiness and preparedness of Brussels based players and not the Member States. Member States are autonomous in testing their own readiness. The 2006 scenario was a terrorism attack similar to the 9/11 in the US, although in this case it struck several European capitals. The 2007 scenario was a bio-terrorism scenario with a deliberate spread of monkey pox and the 2008 scenario was a very strong twin storm which wreaked havoc across the European Union. The main lessons learned over those three years are that we have practically reached cruising speed in terms of the technicalities, the mechanics. We know how the procedures operate. Member States, EU institutions, all the actors and players are familiar with the processes and procedures and are able to apply these. Of course there is still room for improvement, better use of technology, websites, etc. There is scope for further integration for instance of all available information which is now spread across a couple of websites, one used by us and others by the EU Commission. It could be useful to integrate these into a single website. The challenges ahead are in three areas: the relationship between EU institutions, the relationship between Member States' permanent representations and Member States' capital based bodies and the relationship between EU institutions and Member States. If you agree, I would like to elaborate on each area. Between EU institutions, the Council Secretariat and the Commission do not see fully eye to eye about exactly how the *ad hoc* support structures should be pulled together and support the decision making machinery in a crisis situation and how this should operate. Our view is that we should put all the experts together into some single physical or virtual location. This would be the *ad hoc* secretariat. The Commission view is more that the Commission is a separate, autonomous identity. They do their inner coordination and, once they have done their inner coordination, they bring it as a coherent contribution into the support machinery. That is where we are right now. On the relationship between Member States' capitals and permanent representations, the mandate that we have been given is to interact with permanent representations in Brussels. However, the main capabilities of Member States are of course not Brussels based and I am not fully convinced that all Member States have tailored

their permanent representations in terms of manpower, processes and procedures to play this role of interconnecting. In a sense, the permanent representatives could become an obstacle to facilitate the easy flow of information instead of a conduit. Of course, it is for Member States to decide how they will take this forward. Finally, between Member States and EU institutions, I would not exaggerate this point but there are politics in this. There are differences of opinion between Member States. How much responsibility should be with the institutions and how much should be directly with Member States in bilateral cooperation? A bigger degree of clarity about what Member States require from EU institutions would also facilitate our role in meeting those requirements.

Q101 Lord Hannay of Chiswick: The first of those categories you spoke about certainly sounded familiar with the Commission exercising an autonomous role and not being prepared to see itself as a fully integrated player. That would presumably be affected by the entry into force of the Lisbon Treaty when the fusing of the vice-president of the Commission and the EU special representative would presumably introduce a completely new dynamic to this situation. Is that how people in the Council Secretariat would see that?

Mr Engell-Hansen: In so far as a crisis would take place mainly in the second pillar area, I think that would be the case, but the EU Emergency and Crisis Coordination Arrangements apply across the board. It could be first, second, third pillar issues or outside any pillar. You are right. There would be significant improvement in the second pillar, some improvement in the third pillar, but if it is a significant crisis there could be civil protection issues, there could be relations with foreign countries, there could be terrorism issues that would cut across many pillars, many sectors, and we would still then have this difficulty in coordination.

Q102 Lord Hodgson of Astley Abbotts: You will probably have heard on the grapevine that I rang your Mr Vitali last night. He was extremely kind and courteous to me and I would congratulate him on answering the telephone within three rings. Some of my question covers the ground we have been looking at but it is the specific example of the French Presidency's exercise plan for last September. Perhaps you could tell us how well you think the practical coordination measures worked and how successful the exercise was. In particular, could you tell us how much advance warning is given? A lot of these plans look great on paper when everyone knows they are going to happen. It is when they happen unexpectedly that the tensions and difficulties emerge. The military have a saying "Your battle plan

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never survives the first contact with the enemy.” Perhaps you can tell us how this was all set up, the timing and the preparation and how it worked.

Mr Engell-Hansen: Thank you very much for your kind words about the functioning of my duty officers. I will take those words back. I would have been very disappointed if you had not been given sufficient reply to your call. That said, there was the EU level exercise last September. To that exercise a number of Member States attached national exercises. I am not sure whether you refer to the EU exercise or the national French exercise. If it is the national French exercise, we were not involved in any kind of planning or assessing of this outcome.

Q103 Lord Hodgson of Astley Abbotts: Was it just reached independently?

Mr Engell-Hansen: It was done completely independently, not only for France but I think maybe 15 or 16 EU Member States ran parallel exercises to test their national preparedness in the framework of the EU exercise. There was no EU involvement in the national planning. There was a national responsibility to ensure that the national scenario was consistent and coherent with the EU scenario.

Q104 Chairman: Like the witnesses we had from MIC last week, you have managed to get to this point in our discussion without mentioning NATO once, I think I am right in saying. It does seem that NATO has a very elaborate organisation to deal with crisis management, whether it is natural crisis or a terrorist led crisis. There is this extraordinary stand off between the EU and NATO. We were told last week that there are a lot of politics behind it and the witnesses told us that this was a stand off which was perhaps orchestrated by the French as well as others. I wonder if you could just discuss with us this twin pronged, parallel approach to crisis by the EU and NATO, without the two seeming very often to talk to each other or exercise together. This gives rise to problems whereby, in the event of a major emergency, Member States of both NATO and the EU would have to choose very largely who they went to for assistance if they were sufficiently stricken that they had to do that. I know you say you are not in the business of politics. Maybe not, but I think it would be helpful if you would tell us to what extent this political stand off is inhibiting the capacity of the nations of both NATO and the EU to cooperate to the best possible extent in the event of the sort of catastrophes which concern us all.

Mr Engell-Hansen: I can only comment to the degree that I have personal experience in this. I have two personal experiences, one in the cooperation between the EU Situation Centre and the NATO Situation Centre and the other one is training activities undertaken by the NATO school in Oberammergau

in Germany. I will come back to those two. At the political level, I do not see the institutional rivalry as having any serious impact on the functioning of the EU Crisis Coordination Arrangements. The existence of NATO has neither negative nor positive impact on the functioning of those procedures. They are purely EU and they function irrespective of whatever takes place in NATO. The problem I have encountered personally in relation to NATO is that we have quite an elaborate cooperation with international organisations. We cooperate as a sort of SitCen to SitCen cooperation with the UN Peacekeeping SitCen; we cooperate with the World Food Programme, UNHCR, UNICEF, OCHA, the African Union etc. With many of these organisations, with due respect to the obligation to protect EU classified information, we have a good information exchange. Alas, that is not the case with NATO. The structures are there. We have a secure hotline. We have a website where we are both present, where we can contribute. We contribute and we get practically nothing in return from NATO. What we get is of very little value. If I could guess from the reasons that I have heard from my NATO colleagues, their SitCen is under severe restrictions as to what they are allowed to share with us and, when they are allowed to share with us, there are very elaborate release procedures for this information which cause significant delay. Of course, crisis information is a precious commodity which rapidly deteriorates so, by the time they can contribute, it is of little practical value. The other example I have personally is that, in my early days in 2003–04, I negotiated an agreement with the NATO school in Oberammergau whereby officials from EU SitCen could follow training courses undertaken by the NATO school. However, this possibility was closed by NATO in late 2004/early 2005 based on the reason that EU security clearances were insufficient guarantee to allow EU officials to participate on NATO courses requiring a security classification. As a Dane, I find it frustrating, perhaps even insulting, that the same kind of security clearance procedure is undertaken by the national Danish authorities and passed on to NATO and to the EU institutions but, just because of the institutions that have signed it off, I could no longer participate in these courses; whereas officials from a partnership country in, say, central Asia, were allowed on those courses. My colleagues also could not. I have raised the issue both internally in the EU system and with NATO colleagues. So far, I do not think anyone has found it worth doing something about. That is perhaps where the EU/NATO coordination as I see it lies now. It is not very good but the consequences of it not being good are also not felt very much.

Chairman: This Committee has had cause quite recently in our examination of Europol to become familiar with the problem of inadequate security clearance by officials.

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Q105 Lord Avebury: I was concerned with the possibility of overlaps within the European Union. I noted that apart from SitCenthere are three other intelligence agencies. Those are the intelligence division of the European military staff, INTDEF, the European Satellite Centre and Europol. Then there are all the NATO intelligence agencies we have just been talking about. How much of the information that is collected by all these bodies is common? From what you have already said about NATO, there does not seem to be any mechanism for ensuring that duplicates of information are not stored on many of these different systems.

Mr Engell-Hansen: We do not have any autonomous collection capability so all the information that we receive comes from EU Member States. I think to a large extent that is also the case for NATO. The intelligence received at NATO comes from Member States. There has been some degree of sharing of analytical intelligence product between EU SitCen and NATO when it concerns specific operations. Off the top of my head, there has been an exchange on Kosovo and Sudan, if I remember correctly. There may be others. I admit, it is not very much. I am not Head of Unit for the analysis unit so I am not Head of Unit for the intelligence analysts, but as far as I know the quality and the quantity of information that is provided to EU SitCen combined with the information provided to the EU Military Staff Intelligence Directorate is better and more comprehensive than that provided to NATO.

Q106 Lord Avebury: Are you saying that information provided to INTDEF is the same as the information provided to you by Member States and that each of you sources the same information?

Mr Engell-Hansen: No. The Intelligence Directorate of the EU Military Staff is linked to defence intelligence organisations, whereas the Situation Centre has links to external intelligence organisations in Member States and internal security organisations.

Q107 Lord Avebury: And Europol?

Mr Engell-Hansen: In Europol there is a memorandum of understanding for exchange of information. I am not very familiar with the degree of exchanges and I think it is not very much but Europol has the possibility of receiving our products. There is a security agreement in place which enables us to give our analytical products to Europol.

Q108 Lord Avebury: I was not so much thinking of the analytical products as the information that comes from Member States. You said you only have the information that comes from Member States and you work on that to produce your analyses. If the same is being carried out in all these other three agencies and

they are producing their analytical products, my question was: to what extent is the raw material that is provided to you by Member States the same in each case?

Mr Engell-Hansen: I would not know because, when we get products from Europol, they are finished products and likewise we, in the Situation Centre, are obliged to protect the national contributions and only distribute our own products.

Q109 Lord Avebury: Taking the extreme case, all the four intelligence agencies that I have mentioned would be picking up the same information from Member States and conducting different analyses and producing different results from them.

Mr Engell-Hansen: Possibly but there is some coordination in relation to the respective work programmes. For the purpose of intelligence analysis, the EU SitCen establishes together with the Intelligence Directorate of the EU Military Staff an annual or six month rolling work programme. That is shown and discussed with for instance Europol. If they know that there is a product being elaborated that also suits their requirements, logically, they would not commission a similar product within their own structures and vice versa.

Q110 Lord Hannay of Chiswick: You referred to the lack of product coming from NATO to the EU. Is that to any extent a victim of the problems over Cyprus and Turkey and Turkey's attitude to the passing of any sensitive information to the EU which could then get to Cyprus and Malta, which are not members of NATO? Is that issue which has bedevilled much operation on the military side at the root of some of this problem? The second question is: presumably, some of your material, both what you receive from Member States and the analyses you produce, is fairly sensitive and therefore has certain inhibitions on who it can be passed to. Does this affect SitCen's cooperation with the MIC who are not presumably all cleared for seeing these things, or is there not such an inhibition?

Mr Engell-Hansen: On your first question, I am not sure. I think we should distinguish between daily exchanges and crisis information exchange which would probably be classified "Restricted" as a maximum where we could share that over a secure website or by software encryption. I am not talking about intelligence products now. My understanding is that the problem for NATO is that they have strict rules of security which say that only those who are approved and accredited by NATO security can receive these products. Even NATO unclassified is a classification so release procedures even apply to NATO unclassified information and of course it can become more elaborate. The foundation of the problem is very technical. However, I can assume

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that the willingness to address this problem and to do something about it to improve it, could very much be linked to the policy implications that you have referred to. On your other question about our relations with MIC, many of the intelligence products that we have are not relevant for the MIC and therefore there is no need to share them with the MIC. On the couple of occasions where I think they have been given relevant products, that is done through the appropriate procedures whereby it is released to people or services within the Commission who are approved and have demonstrated that they will protect the information in accordance with the regulations. When we talk about crisis information, not intelligence but obviously not unclassified, there is a fairly good flow of information and it works well. We use each other's information for our own purposes and share it quite readily.

Q111 Lord Hannay of Chiswick: You feel that, in a crisis situation or the threat of a crisis situation, a terrorist attack or something in which you had usable analysis and information, it would get to the MIC and to the 27 cooperating parts of the MIC without inhibition because of all the worries about sourcing?
Mr Engell-Hansen: If we were talking about an imminent terrorist attack, we would not have this kind of information because we produce intelligence analysis and not really alerts on imminent terrorist attacks. That would be operational intelligence.

Q112 Lord Hannay of Chiswick: I did not mean an individual attack but a threat of terrorist activity either in a particular part of the EU or in particular sections of the economy, cyber attacks or whatever it is, when presumably it is quite important, particularly for Member States with rather weak organisations, to be tipped off that there really is this risk around.

Mr Engell-Hansen: I do not see any inherent inhibitions in relevant information, including intelligence flowing to the relevant Member States and bodies within the Commission as well, provided that they have the security clearance to handle it.

Q113 Lord Richard: From the evidence that you have given us this morning, which I have found very interesting indeed if I may say so, it does seem to me that you are very much an analysis centre, not an operational centre. What role do you have in natural disasters? Any at all?

Mr Engell-Hansen: I would agree that, yes, it is an early warning, alerting and analysis centre. Our main role is basically to provide decision makers with an up to date and comprehensive situation overview, whether it is an SMS alerting that something has happened here or now or a long term assessment

about a threat to transport infrastructures. The products will be tailored accordingly.

Q114 Lord Richard: Earthquakes you do not have anything to do with?

Mr Engell-Hansen: If the incident is big enough to have political implications, we would pick it up and report through our channels, but it is of that magnitude, a tsunami or an enormous earthquake, where there could be a requirement for EU level policy responses beyond the civil protection assistance that the MIC could facilitate.

Q115 Lord Dear: Can I turn your attention to the report of the Future Group of Presidency States which in the summer of 2008 reported on the future of the European home affairs policy? We are told at paragraph 131 of that report that greater attention might be given to the role of civil protection in preventing and managing the consequences of terrorism; the measures that deal with that could be further developed to some advantage but they did not give us any details of that and I wonder if you have any suggestions that would help us on how this might be done.

Mr Engell-Hansen: I am afraid I am not that familiar with the work of this group. I am also not an expert really on civil protection issues. The only angle where I could reply possibly is as far as EU SitCen is concerned. We do have a counter-terrorism analytical task force within the SitCen. They regularly draft threat assessments on various CT issues. These analyses are elaborated through contributions from Member States' internal security services. This is a relatively new thing. Though information provided to SitCen by these internal security services is already extensive, it goes without saying that better quality and better quantity of this kind of information would allow the EU SitCen to produce better threat assessments, which in turn could or should contribute to better informed policy making at EU level. I am afraid I can only answer on the fringe of your question.

Q116 Lord Dear: I realise that probably you are not in a position to answer that question. The question, I take it, might be better answered if we were to approach the Future Group itself and ask it what it meant by future developments. Would that be an angle that we could follow or would there be somewhere else? It is one thing to comment, you understand, on the present situation but we are particularly interested in anyone who says, "But you can develop the future to advantage." That is left hanging in the air. We would need to know what was behind that statement. I accept that if you cannot help us I apologise for embarrassing you but are you

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saying that we should turn back to the Future Group and ask them if they can help us?

Mr Engell-Hansen: I think that would be a good thing, yes.

Q117 Lord Avebury: There is another reference to SitCen in the same report at paragraph 11. They suggest that in the context of improving information flow with regard to terrorism between Eurojust and Europol, the role of SitCen should be analysed with particular consideration. Then there is a vague reference to institutional architecture in the same paragraph. I wonder if that is a matter which needs to be considered either by SitCen itself or maybe at the level of the Commission. I do not know where that recommendation comes to rest but we ought to be able to find that out. Could we ask you to have a look at those references in the report and later on let us have your observations on whether you can say something about them or whether you think we should direct our inquiries elsewhere?

Mr Engell-Hansen: Yes.

Q118 Lord Richard: This is a similar point to the one you have just been considering. When the Treaty of Lisbon comes in, Article 222, the so-called solidarity clause, will require the Union and the Member States to “act jointly in a spirit of solidarity if a Member State is the object of a terrorist attack or the victim of a natural or manmade disaster.” That can be read either as a general declaration of political hope and intent or as something specific, that there is an intention of looking at the machinery of the EU and perhaps altering it to deal with that. Do you think it is political intent or do you think it means more than that?

Mr Engell-Hansen: It is always more a philosophical than a legal question. I would assume that once there is an explicit legal basis for solidarity adopted, EU bodies would start work on putting flesh on and developing policies in that area. The more we develop policies in this respect, that will probably go some way to enhance the sense of obligation to show solidarity in a crisis situation. Equally important will probably be a gradual, bottom up approach whereby actual solidarity on a case by case basis will be built upon to create a precedent for future solidarity. I think it will be a gradual more than a one off, sudden increase in solidarity.

Q119 Lord Mawson: In the event of such a terrorist attack or disaster the Member States will be required to “coordinate between themselves in the Council”. Will SitCen play any part in this coordination?

Mr Engell-Hansen: I think I have already largely answered that one when I explained and outlined the EU emergency and crisis coordination arrangements. To the extent that this arrangement will be triggered, we will play the role that I have already outlined. Even in a lead up to such a crisis, when a crisis starts, we do not know whether it will lead to the triggering or not of a CCA situation, so we get ourselves in crisis mode in anticipation that the Presidency may trigger the CCA. We can move to something called CCA alert mode, which we did during the Mumbai terrorist attack, which means that we open a secure website through which Member States can communicate and keep themselves informed, where we for instance kept a comprehensive overview of the consular situation for each and every Member State in Mumbai. As if it was a real CCA situation, we would start elaborating comprehensive situation overviews, drawing on all possible sources and making them available. If we then moved to the CCA situation, we would continue to do that and also provide the organisational infrastructure for the functioning of the CCA structures.

Q120 Lord Mawson: How many staff have you? What is the mixture of people that you have with practical and theoretical experience?

Mr Engell-Hansen: I am afraid that is classified information which I cannot reveal in an open hearing.

Q121 Chairman: You cannot reveal how many staff you have?

Mr Engell-Hansen: No.

Q122 Chairman: Extraordinary.

Mr Engell-Hansen: Not in a public hearing.

Chairman: That brings this session to an end. We really appreciate you coming all this way to give us your evidence. It has been very helpful indeed. It concludes our inquiry and we shall be starting to look at a short, draft report in the very near future. When we publish our report, we shall of course send you a copy but in the meantime we want you to understand how much we appreciate your visit to us. Thank you very much.