Session 10: The Role of Governments in Combating Terrorism

The Role of National Governments in Providing Models for Continuity and Sustainable Growth: Terrorism’s Challenges to the Rule of Law

CONTINUITY OF GOVERNMENT

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Introduction

A national government based on fundamental principles of democracy and the rule of law must be ready to confront the difficult issue of continuity of government when it is faced with the challenges of terrorist threats, catastrophic emergencies, major disasters and other upheavals, manmade and natural.

Constitutional Democracy and the Rule of Law

The question we consider in this presentation is the mother of all dilemmas: how should a nation that considers itself a constitutional democracy respond to major disasters and emergencies\(^1\) and still adhere to the rule of law and remain faithful to those fundamental democratic values?

Abraham Lincoln captured its essence in the opening days of the Civil War when he asked the rhetorical question

\[
\text{[A]re all the laws but one to go unexecuted, and the Government itself go to pieces, lest that one be violated?}^{\text{2}}
\]

By assuring the continuity of a national government’s ability to deliver essential governmental services, we necessarily identify benchmarks and guideposts for other democratic countries facing upheaval, chaos and disruption in the face of terrorism, national emergencies, and natural disasters.
Ensuring the Survival of a Constitutional Form of Government

When we speak of continuity of government, we are focusing on plans to ensure the survival of a constitutional form of government and the continuity of essential governmental functions and services. At the core of such functions and services is the conducting of regularly scheduled elections. Could, or should, elections be postponed or dispensed with in a constitutional democracy, a nation committed to the principles of the rule of law, in the aftermath of a terrorist attack or national disaster?3

Continuity of government is thus a critical policy concept that enjoys an integral relationship with the concept of enduring constitutional government and continuity of operations. Broadly speaking, continuity of government has been described as a coordinated effort within each branch of government to ensure the capability to continue its minimum essential responsibilities in a catastrophic emergency, to relocate essential personnel and functions to alternate work sites, and to reasonably sustain the performance of minimum essential functions at the alternate work site until normal operations can be resumed.

The U.S. Model for Continuity of Government

We will first examine the U.S. Model for continuity of government, which is based in part on President George W. Bush’s Executive Directive 51 (National Security Presidential Directive NSPD-51/Homeland Security Presidential Directive HSPD-20). NSPD-51 was signed by the President on May 4, 2007.

In it the President specified the procedures for continuity of the federal government in the event of a "catastrophic emergency," which could include "any incident, regardless of location, that results in extraordinary levels of mass casualties, damage, or disruption severely affecting the U.S. population, infrastructure, environment, economy, or government functions." All federal agencies and all 50 states in the United States of America have corresponding provisions that address continuity of government, but a uniform standard or protocol still remains an elusive goal.

We will then consider other models and plans for the continuity of government and for dealing with national emergencies and disasters in Germany, France, Denmark, Ireland, the United Kingdom and other EU member states4, Australia5, New Zealand, and other constitutional democracies. This will be followed by an examination of the plans or frameworks for continuity of essential government services and emergency/disaster planning and response in Russia, Cuba and the Peoples Republic of China. Finally, we will touch on emergency management and disaster preparedness as a profession, the role of the United Nations, the World Bank, Red Cross and Red Crescent and NGO’s in carrying out critical emergency management functions that relate to mitigation, preparedness, response and recovery.
On the eve of the 2004 Presidential Election, the first such election since the World Trade Center and Pentagon attacks of September 11, 2001, many people feared a terrorist attack would be launched. They were aware that the 9/11 attacks occurred during a mayoral primary election in New York City.

Indeed, the March 2004 Madrid train bombings were fresh on the minds of many American citizens. Many were acutely aware that it was just a few days before Spain’s national elections when a terrorist-spawned attack killed almost 200 people when ten bombs detonated almost simultaneously.

Very little planning and even less solid academic study had been devoted to the possibility of a Presidential Election being derailed by terrorists. This air of uncertainty was exacerbated by perceived attempts by high level officials to prepare for the remote contingency of a terrorist attack. For example, in 2004, the U.S. Election Commission’s Chair wrote a letter to the Department of Homeland Security in which there was pointed discussion of postponing the Presidential Election in case there was a terrorist attack. This communication also noted that there was no agency or governmental body with authority to effectuate such a postponement.6

It was thus natural for people to ask what were the contingency plans for holding or postponing a national election in the midst of a traumatic national emergency?

Presidential directives that delineate how the executive branch of our United States government would remain intact in case of a major national emergency have existed since the Cold War.

When President George W. Bush signed NSPD-51 in May 2007, the blogs filled with dire predictions that this Presidential Directive was a “blueprint for a coup in the guise of plans for "continuity of government" in the event of a national emergency (such as a terrorist attack during an election campaign).” http://www.slate.com/id/2176185/. On the whole, however, civil liberties groups like the ACLU as well as experts in this field of law and policy generally agreed that an executive plan for continuity of government after a major disaster was neither new nor an unwarranted power grab by the executive branch.

The executive plan went far beyond the Cold War scenario of a long-range nuclear missile attack that could presumably be detected in time to evacuate the President, Cabinet and other top government officials. Much media criticism was generated, contributing to the zealous hype that filled the web logs as soon as NSPD-51 was announced.

United States Policy Underlying NSPD-51

NSPD-51 sets forth the policy of the United States in direct, unambiguous terms:
to maintain a comprehensive and effective continuity capability composed of Continuity of Operations and Continuity of Government programs in order to ensure the preservation of our form of government under the Constitution and the continuing performance of National Essential Functions under all conditions. http://www.whitehouse.gov/news/releases/2007/05/20070509-12.html

One outspoken critic of the Bush Administration, Naomi Wolf (the same Naomi Wolf who eight years ago helped then Vice-President Al Gore sort out his Alpha and Beta sweaters7) wrote for the Huffington Post:

Scenario for 2008: Sometime in middle to late summer, perhaps early fall, a "terrorist attack," or a natural disaster occurs, allowing Bush to suspend the elections in the name of "national security," and take the control of the government via the "National Security Presidential Directive/NSPD 51" and "Homeland Security Presidential Directive/HSPD-20," released by the WH May 9th of this year. He could remain in control as long as he wanted. Now, wouldn't THAT be an interesting nightmare?

This reaction was neither unique nor a recent phenomenon. Other shrill critics complained that this executive plan was a pretext or conspiracy to bring about a massive suspension of constitutional rights and democratic government, one stating in George Washington’s Blog on April 11, 2008:

Remember that Continuity of Government plans -- that is, the measures that go into effect in case of emergency -- suspend the Constitutional form of government, cut elected officials out of the loop, and may even allow the government to tell the media what it can and cannot report…. Remember also that the entire Homeland Security Committee of the U.S. Congress has been denied access to the government's Continuity of Government Plans even though it has clearance to view such plans (video; or here is the transcript). Indeed, a member of that Committee has said "Maybe the people who think there’s a conspiracy out there are right" 8

We are living in a decade that seethes with paranoia. Similar fears and expressions bordering on paranoia filled the internet blogs on the eve of the 2004 Presidential Election, with predictions that some kind of terrorist attack might be seized upon as a pretext for cancelling the elections and thereby preserving the “continuity” of the Bush administration.

Secret Plans to Cancel the 1972 Election?

Indeed, a rumor surfaced as far back 1970, two years before President Richard M. Nixon's 1972 re-election campaign got underway, while the USA was enduring the end stages of the Viet Nam war amidst an anti-war movement that was dividing the nation,
that President Nixon was developing a secret plan to cancel the 1972 presidential election. Reports surfaced that the Nixon administration was pursuing a study by the RAND Corporation on 'rebellious factions using force or bomb threats would make it unsafe to conduct an election' and how the President might respond. The Administration denied these reports, and the 1972 Presidential Election was held. Reality outran fiction, unfortunately. We now have the legacy of the Nixon administration’s plans to use dirty tricks and an assortment of illegal actions to subvert that Presidential Election. History now archives these events under the heading “Watergate,” a national nightmare that began in June 1972 and ended with Nixon’s resignation in August 1974. David Greenberg, Nixon’s Shadow: The History of an Image (W.W. Norton 2004).

**Questioning Government’s Motives**

Vigorous debate in the marketplace of ideas can produce sharp disagreements over the government’s true motives for planning for "continuity of government." This is especially so in the nuclear age when rogue states, asymmetrical attacks by terrorist organizations, and post-9/11 fears are rampant.

The bottom line is that planning for continuity does not equate to plotting a coup. Our nation and other democratic nations throughout the world must face the unfortunate reality of the times in which we live. It is not beyond the realm of possibility that New York, Chicago or Los Angeles could be targeted for an al-Qaida attack on the eve of a national election. Such an attack could plausibly take the form of a dirty bomb or other nuclear device being detonated the weekend before the November 2008 Presidential Election, followed by issuance of a warning through [http://aljazeera.net](http://aljazeera.net) that other cities will be hit on Election Day.

**The Need for Continuity of Government and Rule of Law**

The need for continuity of government is an unavoidable issue. There must be in place a capability for making decisions, for example, whether the elections in such heavily Democratic states as New York, Illinois and California should be postponed or whether the entire Presidential Election should be postponed. There must be in place a capability for making the decision about how long such postponement should last.

At the same time, the rule of law demands that any plan for continuity of government pass constitutional muster and provide a fundamentally fair, understandable, and workable mechanism for continuity of government. NSPD-51 includes a number of such mechanisms that have not yet been exposed to legislative debate and public discussion. Some of those mechanisms are discussed below.

**Classified Continuity Annexes**
NSPD-51 says the following, and no more publicly, about Classified Continuity Annexes:

Annex A and the classified Continuity Annexes, attached hereto, are hereby incorporated into and made a part of this directive.

Security. This directive and the information contained herein shall be protected from unauthorized disclosure, provided that, except for Annex A, the Annexes attached to this directive are classified and shall be accorded appropriate handling, consistent with applicable Executive Orders.

The content of “classified continuity annexes” reportedly was not revealed to the House Committee on Homeland Security, yet this is one of the mechanisms that would be put into play in the event the continuity of government directive is triggered. The Boston Globe (June 2, 2007).

SAP Johndroe Press Conference

The existence of "classified continuity annexes" first came to light when NSPD-51 was signed into law in May 2007. The unclassified portion of the NSPD-51 was posted on the White House website on May 9, 2007, without any further announcement or press briefings, although Gordon Johndroe, Special Assistant to the President, shed some light on the matter during a press conference in early June 2007.

Maintenance of Government Control

NSPD-51 was initially seen by many in the media as an effort to maintain governmental control in the wake of an apocalyptic terrorist attack or overwhelming natural disaster, such as a terrorist nuclear bomb exploding without warning and wiping out much of the nation’s top leadership.

The major difference in 2007 was that such doomsday planning was now being moved from FEMA, the Federal Emergency Management Agency, to officials inside the White House. NSPD-51 broadly directed that all government agencies have clear lines of succession in the event top officials were killed and be prepared within 12 hours of a catastrophe to operate from a new headquarters. These agencies were to be prepared “to lead and sustain the nation during a crisis,” provide leadership visible to the nation and the world, and bring perpetrators of crimes or attacks to justice.

Classified Portions of NSPD-51

While the unclassified portion of NSPD-51 was posted on the White House website on May 9, 2007, classified portions were kept secret, and to this day remain secret. The policy statements contained in this Presidential Directive emphasized that we were now
dealing with an asymmetric threat environment in which it might not be possible to provide an adequate warning of potential emergencies posing a significant risk to the homeland, and that all continuity planning would thus have to be based on the assumption that no warning would be received. The underlying policy emphasized “geographic dispersion of leadership, staff, and infrastructure in order to increase survivability and maintain uninterrupted government functions.”

Concerns began to surface that the policy might have been crafted so as to make it too easy to invoke martial law and other emergency presidential powers.

**National Continuity Coordinator**

NSPD-51 also created a “National Continuity Coordinator” an office within the White House, charging this official with ensuring all executive agencies had a plan by Aug. 4, 2007 to keep functioning in the event their leadership perished in an attack. The National Continuity Coordinator was also required to assist Congress, the United States Supreme Court, and state and local leaders prepare for a worst-case scenario, in consultation with the National Security Advisor and the Vice-President.

The unclassified part of the “National Continuity Policy” gave scant details about how surviving officials would invoke emergency powers, or when emergency powers would be deemed no longer necessary so that our elected democracy could resume. Some media commentators suggested that NSPD-51 was a recipe for the President to seize “dictatorial powers” since it made no provision for consulting Congress over when to invoke emergency powers or when to terminate those powers.

In response to growing alarm among the media that the Bush administration should have told the public this new policy was coming and why it was changing, as well as concerns that the subject of emergency governmental powers was a very sensitive issue for many people, White House spokesman Gordon Johndroe replied because of the 9/11 attacks, the American public needed no explanation. He emphasized that it was common knowledge to the American people in this post-9/11 world that the Vice-President, for continuity-of-government reasons, was in a secure, undisclosed location for a period of time at the time of the terrorist attacks on the Pentagon.

Others were critical of NSPD-51 for not clarifying what circumstances would trigger implementation of the continuity of government plan and what legal limits on it own emergency powers were recognized by the White House.

**“Catastrophic Emergency” as the Trigger**

The triggering event for the continuity of government plan is designated in NSPD-51 as a “catastrophic emergency” which in turn is defined as “any incident, regardless of location, that results in extraordinary levels of mass casualties, damage, or disruption severely affecting the U.S. population, infrastructure, environment, economy, or government functions.” This definition was attacked by some D.C. think tanks as too
broad, raising concerns over when and how a “catastrophic emergency” might be used to authorize unchecked executive action.

White House spokesman Johndroe defended a loosely-worded definition of “catastrophic emergency” as necessary because the government could not anticipate and be sure what kind of emergency might arise, and the President did not need to have his hands tied so as to limit his ability to implement emergency action.

**Consistent with Applicable Law**

NSPD-51 broadly stated that it was to be “implemented consistent with applicable law” but did not refer directly to existing statutes, such as the National Emergencies Act, which gave Congress the right to override the President’s determination that a national emergency still existed, nor did it refer to or cite other laws in which Congress had imposed checks and balances on the president’s power to impose martial law, activate emergency powers or take other extraordinary measures.

When Johndroe was asked if the White House believed the National Emergencies Act was a constitutional constraint on executive power and thus applicable, he responded that “Anything developed would be consistent with all applicable laws.”

**Management of Critical Service Delivery**

From the U.S. perspective, the national, state and local governments must develop an overarching legal foundation to manage critical service delivery in an electronic environment. Prior to establishing a foundation, decision-makers must first adopt a philosophy that focuses and harnesses expressions of law and public policy. The research and development community must support the nation’s efforts with programs designed to aid in the risk assessment process. These programs must focus on identifying better ways to quantify risk, understanding infrastructure interdependency, and measuring cascading damages flowing from service outages. Finally, State and local leaders should adopt security guidelines for industry and government service providers.

In the United States, federal operations and facilities have been disrupted by a range of events, including the terrorist attacks on September 11, 2001; the Oklahoma City bombing; localized shutdowns due to severe weather conditions, such as the closure of federal offices in Denver for 3 days in March 2003 due to snow; and building-level events, such as asbestos contamination at the Department of the Interior’s headquarters. The destruction caused by Hurricanes Katrina and Rita in August 2005 most recently reminded us that we in the United States are not adequately prepared for such catastrophic disasters.
Such disruptions, particularly if prolonged, can lead to interruptions in essential government services. Prudent management, therefore, requires that federal agencies develop plans for dealing with emergency situations, including maintaining services, ensuring proper authority for government actions, and protecting vital assets.

**Emergency Management**

Emergency management (or disaster management) is the discipline of dealing with and avoiding risks.\(^\text{11}\) It is a discipline that involves preparing for disaster before it happens, disaster response (e.g., emergency evacuation, quarantine, mass decontamination, etc.), as well as supporting, and rebuilding society after natural or human-made disasters have occurred. In general, any emergency management is the continuous process by which all individuals, groups, and communities manage hazards in an effort to avoid or ameliorate the impact of disasters resulting from the hazards. Actions taken depend in part on perceptions of risk of those exposed.\(^\text{12}\) Effective emergency management relies on thorough integration of emergency plans at all levels of government and non-government involvement. Activities at each level (individual, group, community) affect the other levels. It is common to place the responsibility for governmental emergency management with the institutions for civil defense or within the conventional structure of the emergency services.

Emergency Management is one of a number of terms which, since the end of the Cold War, have largely replaced “Civil Defense”, whose original focus was protecting civilians from military attack. Modern thinking focuses on a more general intent to protect the civilian population in times of peace as well as in times of war. Another current term, “Civil Protection” is widely used within the European Union and refers to government-approved systems and resources whose task is to protect the civilian population, primarily in the event of natural and human-made disasters. Within EU countries the term “Crisis Management” emphasizes the political and security dimension rather than measures to satisfy the immediate needs of the civilian population. The academic trend is towards using the more comprehensive term “disaster risk reduction”, particularly for emergency management in a development management context.

The nature of emergency management is highly dependent on economic and social conditions local to the emergency, or disaster. This is true to the extent that some disaster relief experts believe that the only real disasters are economic.\(^\text{13}\) The cycle of emergency management must include long-term work on infrastructure, public awareness, and even human justice issues. This is particularly important in developing nations. The process of emergency management involves four phases: mitigation, preparedness, response, and recovery.
Four Phases of Emergency Management for State and Local Government

Mitigation

Mitigation efforts attempt to prevent hazards from developing into disasters altogether, or to reduce the effects of disasters when they occur. The mitigation phase differs from the other phases because it focuses on long-term measures for reducing or eliminating risk.\textsuperscript{14} The implementation of mitigation strategies can be considered a part of the recovery process if applied after a disaster occurs.\textsuperscript{15} However, even if applied as part of recovery efforts, actions that reduce or eliminate risk over time are still considered mitigation efforts.\textsuperscript{16}

Mitigative measures can be structural or non-structural. Structural measures use technological solutions, such as flood levees. Non-structural measures include homeland security legislation, land-use planning (e.g. the designation of nonessential land-like parks to be used as flood zones), and insurance. Mitigation is the most cost-efficient method for reducing the impact of hazards. However, mitigation is not always suitable and structural mitigation in particular may have adverse effects on the ecosystem.

A precursor activity to the mitigation is the identification of risks. Physical risk assessment refers to the process of identifying and evaluating hazards.\textsuperscript{17} In risk assessment, various hazards (e.g., earthquakes, floods, riots) within a certain area are identified. Each hazard poses a risk to the population within the area assessed.\textsuperscript{18} Catastrophe modeling tools are used to support the calculation. The higher the risk, the more urgent that the hazard specific vulnerabilities are targeted by mitigation and preparedness efforts. However, if there is no vulnerability, there will be no risk, e.g., an earthquake occurring in a desert where nobody lives.

Preparedness

In the preparedness phase, emergency managers develop plans of action for when the disaster strikes. Common preparedness measures include:

- communication plans with easily understandable terminology and chain of command
- development and practice of multi-agency coordination and incident command
- proper maintenance and training of emergency services
- development and exercise of emergency population warning methods combined with emergency shelters and evacuation plans
- stockpiling, inventory, and maintenance of supplies and equipment

An efficient preparedness measure is an emergency operations center (EOC) combined with a practiced region-wide doctrine for managing emergencies. Another preparedness measure is to develop a volunteer response capability among civilian populations. Since
volunteer response is not as predictable as a professional response, volunteers are most effectively deployed on the periphery of an emergency.

**Response**

The response phase includes the mobilization of the necessary emergency services and first responders in the disaster area. This is likely to include a first wave of core emergency services, such as firefighters, police and ambulance crews. They may be supported by a number of secondary emergency services, such as specialist rescue teams.

In addition volunteers and non-governmental organizations (NGOs) such as the local Red Cross branch or St. John Ambulance may provide immediate practical assistance, from first aid provisions to providing tea and coffee. A well rehearsed emergency plan developed as part of the preparedness phase enables efficient coordination of rescue efforts.\textsuperscript{19} Emergency plan rehearsal is essential to achieve optimal output with limited resources. In the response phase, medical assets will be used in accordance with the appropriate triage of the affected victims.

Where required, search and rescue efforts commence at an early stage. Depending on injuries sustained by the victim, outside temperature, and victim access to air and water, the vast majority of those affected by a disaster will die within 72 hours after impact or attack.\textsuperscript{20}

Individuals are often compelled to volunteer directly after a disaster, yet volunteers can be both a help and a hindrance to emergency management and other relief agencies.

**Recovery**

The aim of the recovery phase is to restore the affected area to its previous state. It differs from the response phase in its focus; recovery efforts are concerned with issues and decisions that must be made after immediate needs are addressed.\textsuperscript{21} Recovery efforts are primarily concerned with actions that involve rebuilding destroyed property, re-employment, and the repair of other essential infrastructure.\textsuperscript{22} An important aspect of effective recovery efforts is taking advantage of a ‘window of opportunity’ for the implementation of mitigative measures that might otherwise be unpopular. Citizens of the affected area are more likely to accept more mitigative changes when a recent disaster is in fresh memory.

In the United States, for example, the National Response Plan dictates how the resources provided by the Homeland Security Act of 2002 will be used in recovery efforts.\textsuperscript{23} It is the Federal government that often provides the most technical and financial assistance for recovery efforts in the United States.\textsuperscript{24}
Four Phases of Emergency Management for Individuals

Although state and local governments are in the most powerful position to protect their citizens from turmoil, violence, and terrorism, governments should instruct individuals regarding the four phases of emergency management as applied to them.

Mitigation

Individual mitigation is mainly about knowing and avoiding unnecessary risks. This includes an assessment of possible risks to personal/family health and to personal property.

One example of mitigation would be to avoid buying property that is exposed to hazards. Hazards include natural as well as man-made (e.g. buying in a flood plain, in areas of landslides to buying in areas of political unrest). Homeowners may not be aware of a property being exposed to a hazard until it strikes. However, specialists can be hired to conduct risk identification and assessment surveys, and common sense is also necessary to mitigate potential harm. Purchase of insurance covering the most prominent identified risks is a common measure.

Structural mitigation in earthquake prone areas includes installation of an Earthquake Valve to instantly shut off the natural gas supply to a property, seismic retrofits of property and the securing of items inside a building to enhance household seismic safety. The latter may include the mounting of furniture, refrigerators, water heaters and breakables to the walls, and the addition of cabinet latches. In flood prone areas houses can be built on poles, as in much of southern Asia. In areas prone to prolonged electricity black-outs, installation of a generator would be an example of an optimal structural mitigation measure. The construction of storm cellars and fallout shelters are further examples of personal mitigative actions.

Preparedness

Unlike mitigation activities, which are aimed at preventing a disaster from occurring, personal preparedness focuses on preparing equipment and procedures for use when a disaster occurs, i.e., planning. Preparedness measures can take many forms including the construction of shelters, installation of warning devices, creation of back-up life-line services (e.g. power, water, sewage), and rehearsing evacuation plans. These prepared measures apply to both natural and man-made disasters. Two simple measures can help prepare the individual for sitting out the event or evacuating, as necessary. For evacuation, a disaster supplies kit may be prepared and for sheltering purposes a stockpile of supplies may be created. The preparation of a survival kit, commonly referred to as a "72-hour kit", is often advocated by authorities. These kits may include food, medicine, flashlights, candles and money.
Response

The response phase of an emergency may commence with search and rescue but in all cases the focus will quickly turn to fulfilling the basic humanitarian needs of the affected population. This assistance may be provided by national or international agencies and organizations. Effective coordination of disaster assistance is often crucial, particularly when many organizations respond and local emergency management agency capacity has been exceeded by the demand or diminished by the disaster itself.

On a personal level the response can take the shape either of a home confinement or an evacuation. In a home confinement situation, a family would be prepared to fend for themselves in their home for many days without any form of outside support. In an evacuation, a family leaves the area by automobile (or other mode of transportation) taking with them the maximum amount of supplies they can carry, possibly including a tent for shelter. If mechanical transportation is not available, evacuation on foot would ideally include carrying at least three days of supplies and rain-tight bedding, a tarpaulin and a bedroll of blankets being the minimum.

Recovery

The recovery phase starts after the immediate threat to human life has subsided. During reconstruction it is recommended to consider or reconsider the location of the property and/or its construction material.

The most extreme home confinement scenarios include war, famine and severe epidemics and may last a year or more. Then recovery will take place inside the home. Planners for these events usually buy bulk foods and appropriate storage and preparation equipment, and eat the food as part of normal life. A simple balanced diet can be constructed from vitamin pills, whole-meal wheat, beans, dried milk, corn, and cooking oil. One should add vegetables, fruits, spices and meats, both prepared and fresh-gardened, when possible.

Emergency Preparedness As a Profession

In the past, the field of emergency management has been populated mostly by people with a military or first responder background. Currently, the population in the field has become more diverse, with many experts coming from a variety of backgrounds and having no military or first responder history at all. Educational opportunities are increasing for those seeking undergraduate and graduate degrees in emergency management or a related field.

Professional certifications such as Certified Emergency Manager (CEM) and Certified Business Continuity Professional (CBCP) are becoming more common as the need for high professional standards is recognized by the emergency management community, especially in the United States.
In recent years the continuity feature of emergency management has resulted in a new concept, Emergency Management Information Systems (EMIS). For continuity and interoperability between emergency management stakeholders, EMIS supports the emergency management process by providing an infrastructure that integrates emergency plans at all levels of government and non-government involvement and by utilizing the management of all related resources (including human and other resources) for all four phases of emergencies.

**International Organizations Providing Emergency Management Services**

Although international aid agencies are rarely involved in the mitigation and preparedness stages of emergency management, including the fight against terrorism, international aid agencies help significantly with the response and recovery aspects.

**International Association of Emergency Managers**

The International Association of Emergency Managers (IAEM) is a non-profit educational organization dedicated to promoting the goals of saving lives and protecting property during emergencies and disasters. The mission of IAEM is to serve its members by providing information, networking and professional opportunities, and to advance the emergency management profession. There are now fourteen IAEM regions, including Oceania and Europe.26

**International Red Cross and Red Crescent Movements**

The International Red Cross and Red Crescent Movement is an international humanitarian movement with approximately 97 million volunteers worldwide whose stated mission is to protect human life and health, to ensure respect for the human being, and to prevent and alleviate human suffering, without any discrimination based on nationality, race, religious beliefs, class or political opinions.

The movement consists of several distinct organizations that are legally independent from each other, but are united within the Movement through common basic principles, objectives, symbols, statutes, and governing organs. The Movement's parts:

- The **International Committee of the Red Cross** (ICRC) is a private humanitarian institution founded in 1863 in Geneva, Switzerland. Its 25-member committee has a unique authority under international humanitarian law to protect the life and dignity of the victims of international and internal armed conflicts.27
- The **International Federation of Red Cross and Red Crescent Societies** (IFRC) was founded in 1919 and today it coordinates activities between the 186 National Red Cross and Red Crescent Societies within the Movement. On an international
level, the Federation leads and organizes, in close cooperation with the National Societies, relief assistance missions responding to large-scale emergencies. The International Federation Secretariat is based in Geneva, Switzerland.

- **National Red Cross and Red Crescent Societies** exist in nearly every country in the world. Currently 186 National Societies are recognized by the ICRC and admitted as full members of the Federation. Each entity works in its home country according to the principles of international humanitarian law and the statutes of the international Movement. Depending on their specific circumstances and capacities, National Societies can take on additional humanitarian tasks that are not directly defined by international humanitarian law or the mandates of the international Movement.

**United Nations**

Within the United Nations system responsibility for emergency response rests with the Resident Coordinator within the affected country. However, in practice international response will be coordinated, if requested by the affected country’s government, by the UN Office for the Coordination of Humanitarian Affairs (UN-OCHA), by deploying a UN Disaster Assessment and Coordination (UNDAC) team. OCHA has some 1,064 staff, distributed across the world with some support staff in New York City and Geneva. Major OCHA country offices are located in Burundi, Central African Republic, Chad, Colombia, Guinea, Ivory Coast, the Palestinian territories, and Sudan (including a sub-office in Southern Sudan's capital Juba). Regional offices are located in Panama City, Dakar, Nairobi, Johannesburg, Dubai, and Bangkok.

**World Bank**

Since 1980, the World Bank has approved more than 500 operations related to disaster management, amounting to more than US$40 billion. These include post-disaster reconstruction projects, as well as projects with components aimed at preventing and mitigating disaster impacts, in countries such as Argentina, Bangladesh, Colombia, Haiti, India, Mexico, Turkey and Vietnam, to name only a few.

Common areas of focus for prevention and mitigation projects include forest fire prevention measures, such as early warning measures and education campaigns to discourage farmers from slash and burn agriculture that ignites forest fires; early-warning systems for hurricanes; flood prevention mechanisms, ranging from shore protection and terracing in rural areas to adaptation of production; and earthquake-prone construction.

In June 2006, the World Bank established the Global Facility for Disaster Reduction and Recovery (GFDRR), a longer term partnership with other aid donors to reduce disaster losses by mainstreaming disaster risk reduction in development, in support of the Hyogo Framework of Action. The facility helps developing countries fund development projects and programs that enhance local capacities for disaster prevention and emergency preparedness.
National Organizations

Despite the availability of international organizations to aid in times of crisis, often the most immediate and effective emergency management comes from national organizations within the affected country.

- **Australia**

The key federal coordinating and advisory body for emergency management in Australia is Emergency Management Australia (EMA). Each state has its own State Emergency Service. The Emergency Call Service provides a national 000 emergency telephone number to contact state Police, Fire and Ambulance services.

Australian state and territory authorities have a constitutional responsibility, within their boundaries, for coordinating and planning for the response to disasters and civil emergencies. When the total resources (government, community and commercial) of an affected state or territory cannot reasonably cope with the needs of the situation, the state or territory government can seek assistance from the Australian Government. On request, the Australian Government will provide and coordinate physical assistance to the States in the event of a major natural, technological or civil defense emergency. Such physical assistance will be provided when State and Territory resources are inappropriate, exhausted or unavailable.

In addition, EMA runs the Australian Emergency Management Institute at Mt. Macedon in Victoria. The Institute conducts extensive emergency management education and training courses from the Public Safety Training Package, including Emergency Coordination Center Management, Exercise Management, Undertake Emergency Planning, Risk-based Land Use Planning, Business Continuity Management, Emergency Management for Local Government and four programs in Recovery Management. Members of the State Fire, Police, Ambulance, State Emergency Service (SES) and other Emergency Services attend these accredited courses, along with representatives from all levels of Government (From local through to federal), NGOs such as the Red Cross and representatives of the private sector deemed "critical infrastructure" (i.e. water/power/transport).

As for the main body to combat terrorism, Special Response and Security (SRS) is part of the Australian Governments National Anti-Terrorism Plan which requires, since 1978 each State/Territory Police Force to maintain a specialist counter-terrorist and hostage rescue unit with specialist capabilities. The SRS fulfils this role within the Australian Capital Territory. Originally known as the Special Operations Team (SOT) the unit underwent significant changes in 2002 and was renamed to reflect the changes in early 2003 to Specialist Response and Security.
• **New Zealand**

In New Zealand the Ministry of Civil Defence & Emergency Management (MCDEM) has statutory authority for managing any state of emergency declared by the central government. Local government bodies, such as city and regional councils, have their own emergency management agencies to manage localized states of emergency, but these all defer to the MCDEM in the event of a national state of emergency. The Wellington Emergency Management Office (WEMO) occupies a purpose built building with its own water, electricity, communications and sewerage facilities to ensure continued operations in the event of an emergency or disaster.

• **Canada**

Public Safety Canada (PSC) is Canada’s national emergency management agency. Each province is required to set up their Emergency Management Organizations. PSC coordinates and supports the efforts of federal organizations, ensuring national security and the safety of Canadians. They also work with other levels of government, first responders, community groups, the private sector (operators of critical infrastructure) and other nations. PSC’s work is based on a wide range of policies and legislation through the Public Safety and Emergency Preparedness Act which defines the powers, duties and functions of PSC are outlined. Other acts are specific to fields such as corrections, emergency management, law enforcement, and national security.

The department was created to have a single entity with responsibility for ensuring public safety in Canada and is a direct result of lessons learned from the September 11, 2001, terrorist attacks on the United States. The department is in many ways similar to the U. S. Department of Homeland Security, though it does not cover the protection of maritime sovereignty.

The Emergency Response Team (ERT) (French: Groupe tactique d'intervention) is the paramilitary tactical police arm of the Royal Canadian Mounted Police. The ERT is called in to deal with situations that are beyond the abilities of regular police personnel, including serious crime arrest warrants, hostage rescue, armed barricaded subjects, protective duties, and counter-terrorism.

Most interestingly, Canada has a website that lists separate emergency management plans for every single geographic area of the country. All citizens have to do is go online and download their individual plan.

• **India**

The Indian government spends a great deal in managing disasters through National Disaster Management of India under the Ministry of Home affairs. There has been a shift from response and recovery to strategic risk management and reduction, and from a government-centered approach to decentralized community participation. Recently the Government has formed the Emergency Management and Research Institute (EMRI).
The Institute provides comprehensive emergency management services for Medical, Police and Fire using a single 3-digit toll-free number 1-0-8.\textsuperscript{44}

EMRI is also involved in research activities in the areas of medicine (prevention, diagnosis and treatment), crime, traffic disorders, fire, chemicals, pharmacology and biotech. EMRI also provides Emergency Management Training programs for medical professionals, policy makers, public, volunteers and students. Its goal is to be the best in the world in Emergency Response. Throughout the journey, from conception to completion, a set of guiding principles and management concepts have been helpful to focus and deliver a world-class emergency management system that has received praise from international experts.

- **Germany**

In Germany the Federal Government controls the German Katastrophenschutz (disaster relief) and Zivilschutz (civil defense) programs. The German fire department and the Technisches Hilfswerk (Federal Agency for Technical Relief, THW) are part of these programs. 99\% of its members are volunteers.\textsuperscript{45}

The tasks of the THW are described in a law called Helferrechtsgesetz. These tasks are:

- technical relief in Germany as part of the civil defense;
- technical or humanitarian relief in foreign countries, with assignment by the government; and,
- technical and logistical relief for other (German) GOs, NGOs or other authorities like fire brigades, police or the custom authorities.

The German Armed Forces (Bundeswehr) can be deployed for disaster relief operations.

The THW is stationed all over Germany in 669 local bases, called Ortsverbände. 80,000 people work for this organization. The majority of those are volunteers, while about 800 work full-time in administration. Each Ortsverband maintains one or more Technische Züge (technical platoons), each consisting of one Zugtrupp (command team), comprising four volunteers, two Bergungsgruppen, comprised of nine to twelve volunteers, and one to three Fachgruppen, comprised of four to eighteen volunteers.\textsuperscript{46}

The Fachgruppen (specialized squads) include disaster management officers specializing in:

- Infrastructure
- debris clearance
- electric supply
- illumination
- water-damage / pumping
- oil pollution
- water-hazard

- logistics
- water supply and treatment
- technical unit command, control and communications
- hazard detection
Germany also has a branch of its civil defense specifically to offer relief in foreign countries. There are four Schnelleinsatzeinheiten Bergung Ausland or SEEBA (rapid deployment unit search and rescue) units, able to go airborne within six hours, \(^47\) and five Schnelleinsatzeinheiten Wasserversorgung Ausland or SEEWA (rapid deployment water supply and treatment) units. \(^48\)

In Germany, military service is mandatory for adult males. Instead of joining the military for nine months full-time, one of the alternatives is to join a non-combatant volunteer organisation of the German Katastrophenschutz (disaster relief) or Zivilschutz (civil defense) for a minimum of six years. The THW is one of those organizations, as well as volunteer fire brigades or various organizations engaged in emergency medical service.

- **Russia**

In Russia the Ministry of the Russian Federation for the Affairs of Civil Defense, Emergency Situations and Disaster Relief (EMERCOM) (Министерство по чрезвычайным ситуациям - МЧС России) is engaged in fire fighting, Civil Defense, Search and Rescue, including rescue services after natural and human-made disasters.

According to an EMERCOM publication, the Ministry is an agency of Federal Executive Power with the following tasks:

- developing proposals and initiatives in the sphere of State policy on issues within the Ministry's competence;
- managing the Civil Defense and Search and Rescue Service in the Russian Federation;
- providing for the functioning and further development of the Russian System of Disaster Management (RSDM);
- directing activities aimed at eliminating the consequences of large-scale disasters, catastrophes and other emergencies;
- conducting special submarine activities;
- supervising the use of finance resources allocated to the Government for disaster management and response;
- organizing the training of the population, and governing agencies and the RSDM forces for disaster management and response; and
- and organizing international cooperation in the fields of the Ministry's competency. \(^49\)

EMERCOM considers itself as one of the five Russian "power" ministries (the others being Defense, the Ministry of Internal Affairs, the Counterintelligence Service, and the External Intelligence Service). The Ministry deploys teams outside the territory of Russia on occasion, but for the most part focuses its efforts within the confines of the Russian border. Its troops are armed only with small arms for self-protection and have no heavy weapons. The Ministry has no wartime role, only peacetime, and does not consider itself
to have a political agenda or has no aspirations to align with a political organization. EMERCOM helps everyone without concern for religion or nationality. In the Russian internal struggle for Chechnya, EMERCOM reported that the Chechens have not bothered their convoys and are accepted all aide delivered by the Ministry.50

- The Peoples Republic of China

As one of the largest and most populated countries in the world, China frequently experiences various types of severe natural disasters which result in considerable loss of life and extensive economic damage. In recent years, the annual economic loss caused by natural disasters approached about US $11.5 billion, which approximately equals 25 percent of the total GNP. The human and social cost of these disasters in terms of life and property loss, as well as the disruption of communities and livelihood, has also placed a considerable strain on the social fabric of the affected areas and China's ability to recover and further develop.51

In order to mitigate the impact of natural disasters, China has adopted a national policy for strengthening and promoting natural disaster information gathering, prevention, mitigation, and management capabilities. The government has also committed substantial resources for the development of national capabilities and has made considerable advances in natural disaster monitoring, prevention, and management. Bilateral cooperation has also resulted in significant progress. However, a systematic strategy has not yet been fully developed resulting in continued human and economic loss. This is in part due to a lack of funds, data gathering technology, and expertise.52

For example, in late January and early February 2008, massive snowstorms and freezing rain in China caused 53.8 billion yuan (7.5 billion dollars) in damages and forced 1.76 million people to leave their homes. At least 223,000 buildings were destroyed and 862,000 others damaged.53

Currently, the most pressing concern of emergency management officials in China is security for the summer 2008 Olympic Games. The massive scheme involves the participation of almost all the security organizations around the city. It includes public security, national security and the armed police. Safety departments at various work units and even drivers of subway trains, buses and taxis will be involved. Beijing will also work with the security organs of other countries - such as the United States, Germany, Britain, France and Russia - to enhance its defense against riots or terrorist attacks. The master plan contains all-round protection in the air, on land and at sea for the Games. Athens, which hosted the Olympic Games in 2004, spent more than 1 billion euros (US$1.3 billion) on security.54

China's security program will include security features similar to those used in Athens, which had a vast computer surveillance network with thousands of hidden cameras and microphones that analyzed dozens of languages. In fact, security officials have carried out a seven-year language training program, which started in 2001 when Beijing was picked to host the 2008 Summer Olympics. Beijing police will encounter thousands of
people who do not speak any Chinese during the 2008 Olympics. Due to this potential barrier, the Olympic security team published a textbook of “Olympic Security English” which mainly focuses on the handling of every possible problem that may happen during security work for the Games.55

- **Cuba**

Cuba is the largest and most populated island in the Caribbean, yet it consistently experiences the lowest death tolls during hurricane season.56 According to United Nations, this is not because Cubans are lucky but because they’re prepared.57 From 1996-2002, only 16 people were killed by the six hurricanes that struck Cuba.58

Cuba has a world-class meteorological institute, with 15 provincial offices. They share data with US scientists and project storm tracks. Around 72 hours before a storm’s predicted landfall, national media issue alerts while civil protection committees check evacuation plans and shelters. Hurricane awareness is taught in schools and there are practice drills for the public before each hurricane season.59

State run television and the civil defense authority broadcast to the population with information and instructions about what measures to take. Each residential block has a person assigned to take a census on who is being evacuated to which shelter, with special attention paid to the elderly and pregnant women, and as efforts are organized locally, compliance is increased.60

The response system has four stages. In Stage I, which takes place 72 hours before landfall, the Civil Defense Structure is placed on an alert, and the media begins broadcasting warnings of the impending storm. At Stage II, 48 hours before the storm, the DCN (National Civil Defense) in each municipality or zone begins to organize hurricane preparation efforts, such as sending students home from schools. Shelters are inspected and supplied, and evacuations begin. Once the hurricane makes landfall, Stage III begins, during which the media continues to provide coverage of the hurricane, and the DCN attempts to maintain lines of communication. After the hurricane has passed, Stage IV begins, and people return to their homes, after they have been certified as sound by the DCN. Rescue operations and tallies of damages begin.61

- **Denmark**

The Danish Emergency Management Agency (DEMA) (Danish: Beredskabsstyrelsen) is a Danish governmental agency under the Ministry of Defense. Its principal task is to manage the National Rescue Preparedness Corps (Beredskabskorpset or Det statslige redningsberedskab in Danish), who work out of six Emergency Management Centers, to supervise the national and municipal rescue preparedness and to advise the authorities on matters of preparedness. DEMA works in closely structured co-operation with the EU, UN, NATO and several neighboring countries.62
DEMA is capable of deploying abroad on request from another state or an international organization. The decision to render assistance is taken in co-counsel with the Danish Foreign Ministry. DEMA can give support in instances of natural disasters and accidents, technological events and crises and civil wars. It is able to react quickly in acute situations and leave its home base within 12 hours. By means of a number of political agreements supported widely by the parties in the Danish Parliament, the rescue preparedness has been continuously developed and adapted to the changing demands made by the society and the changes in the security-policy situation.63

- **France**

France divides its emergency plans into three major categories: Orsec plan, Red plan, and White plan.

The Orsec plan (plan Orsec) is the French generic emergency plan in case of disaster, when the local means are not sufficient (catastrophe à moyens dépassés, CMD). "Orsec" stands for organisation des secours, i.e. "rescue organization". The Orsec plan is for widespread or long lasting disasters such as floods, storm, earthquakes or major industrial disaster (e.g. the explosion of the AZF factory in Toulouse). This does not necessarily mean a lot of casualties, as there can be an Orsec plan even when there are no wounded.64

The French red plan (plan rouge) is a French emergency plan used if an emergency has a significant number of casualties in a limited area. Its aim is to organize the rescue resources to cope with the concentrated casualties. In case of a red plan, it is necessary to simultaneously: (a) fight the initial disaster and its direct and indirect consequences; (b) extract the casualties from the hostile environment; and (c) care for the casualties.65

The French white plan (plan blanc) is the emergency plan to face a sudden increase of activity in an hospital, such as a massive arrival of casualties due to an accident or a disaster (who may come by their own means to the emergency department or are evacuated by a red plan), an epidemic or a lasting climatic event that becomes deadly for fragile people, such as a heatwave. The white plans are defined by each health institution, public or private, by a person chosen by the institution. The scheme of the white plans for the department is made by the local director of public health with the technical collaboration of the SAMU (French emergency medical service).66

- **Ireland**

The Emergency Response Unit (Irish: Aonad Práinnfhreagartha) (ERU) of An Garda Síochána is a specialist armed intervention unit,67 formed to deal with situations that cannot be handled by regular Garda officers. Its duties include armed support during criminal/subversive operations and specialist search techniques including forced entry.68 Most recently the ERU has been deployed to trouble spots in Dublin and Limerick to tackle gun crime. One incident in the latter half of 2006 involved an ERU team pursuing armed suspects in Limerick after a shooting incident in the city. The ERU stopped and
arrested the suspects after a chase which the media reported reached speeds of 240km/h near the village of Croom.69

The membership of the ERU consists exclusively of serving members of An Garda Síochána. It undergoes intensive training including proficiency in firearms, tactics, specialist skills, physical fitness and hostage rescue. The ERU consists of 50 members as of October 2004.70

- United Kingdom

The United Kingdom adjusted its focus on emergency management following the 2000 UK fuel protests, severe UK flooding in the same year and the 2001 United Kingdom foot-and-mouth crisis. This resulted in the creation of the Civil Contingencies Act 2004 (CCA), which legislated the responsibilities of all Category One responders regarding an emergency response. The CCA is managed by the Civil Contingencies Secretariat through Regional Resilience Forums and at the local authority level.71

Disaster Management training is generally conducted at the local level by the organizations involved in any response. However, professional courses are offered at the Emergency Planning College. In fact, the United Kingdom awards diplomas and undergraduate qualifications in emergency management.72 Further, the UK has formed the Institute of Emergency Management as a charity organization, established in 1996, to provide consulting services for the government, media and commercial sectors.73

The UK has its own emergency planning society, appropriately called The Professional Society for Emergency Planners. They carried out their largest ever emergency exercise on 20 May 2007 near Belfast, Northern Ireland. It involved the scenario of a plane crash landing at Belfast International Airport. Staff from five hospitals and three airports participated in the drill, and almost 150 international observers assessed its effectiveness.74

The United Kingdom Special Forces (UKSF) was formed in 1987 to draw together the Army's Special Air Service (SAS) and the Special Boat Squadron Royal Marines (SBS). This is Britain’s main counter-terrorism unit. Counter-terrorism efforts in Britain have been expanded with the creation of the Joint Special Forces Aviation Wing, the Special Reconnaissance Regiment and the Special Forces Support Group.75

- United States

Under the Department of Homeland Security (DHS), the Federal Emergency Management Agency (FEMA) is the lead agency for emergency management. Until relatively recently, continuity planning was generally the responsibility of individual agencies. FEMA was an independent agency until March 2003, when it became part of the Department of Homeland Security, reporting to the Under Secretary for Emergency Preparedness and Response.
The United States and its territories are covered by one of ten regions for FEMA’s emergency management purposes. Tribal, state, county and local governments develop emergency management programs/departments and operate hierarchically within each region. Emergencies are managed at the most-local level possible, utilizing mutual aid agreements with adjacent jurisdictions. If the emergency is terrorist related or if declared an "Incident of National Significance", the Secretary of Homeland Security will initiate the National Response Plan (NRP). Under this plan the involvement of federal resources will be made possible, integrating in with the local, county, state, or tribal entities. Management will continue to be handled at the lowest possible level utilizing the National Incident Management System (NIMS).76

Further, since the terrorist attacks of September 11, 2001, the Department of Homeland Security formed the Citizen Corps. The Corps is an organization of volunteer service programs, administered locally and coordinated nationally by DHS, which seek to mitigate disaster and prepare the population for emergency response through public education, training, and outreach. It creates opportunities for individuals to volunteer to help their communities prepare for and respond to emergencies by bringing together local leaders, citizen volunteers and the network of first responder organizations, such as fire departments, police departments and emergency medical personnel. The goal is to have all citizens participate in making their communities safer, stronger, and better prepared for preventing and handling threats of terrorism, crime, and disasters of all kinds.77

FEMA also distributes free computer software to local emergency management agencies to mitigate risk and help in risk assessment. HAZUS (abbreviation for HAZards United States) is a GIS-based natural hazard loss estimation software package. The current version is HAZUS-MH MR3, where MH stands for 'Multi-Hazards'. Currently HAZUS can model three types of hazards: flooding, hurricanes, and earthquakes. The model estimates the risk in three steps. First, it calculates the exposure for a selected area, second, it characterizes the level or intensity of the hazard affecting the exposed area, and third, it uses the exposed area and the hazard to calculate the potential losses in terms of economic losses, structural damage, etc.78 Although it was developed with the US continent in focus, the HAZUS toolset has been adopted by emergency management organizations worldwide.

**Conclusion**

Continuity of government plans can certainly put a nation’s dedication and commitment to the rule of law to the ultimate test. In a post-9/11 environment, all democratic nations face a new paradigm for addressing the threat of terrorism and the upheaval that can result from a massive natural disaster. The daunting task for all of us is to stay abreast of the essential planning and policy developments that must be in place before, not after, a cataclysmic event. Government under the rule of law can and must stay ahead of the power curve and “anticipate the unforeseeable.”
The linchpin for an effective plan for continuity of government is the on/off switch, if we can use a familiar image. It can be found in its triggering mechanism for a continuity plan and in its recognition that there must be a time for return to normalcy and the status quo of a democratic government grounded on the rule of law.

Continuity of government bespeaks a plan for continuing and maintaining essential governmental services and functions. When we focus upon elections and consider the core values of democracy, transparency and the rule of law that are implicit in the electoral franchise, continuity of government takes on a concrete meaning. When we consider how Spain’s voters became overwhelmed by a May 2004 terrorist attack immediately before its national election, we know that the trauma of a terrorist attack can catapult a nation into a chaotic constitutional crisis. Such a catastrophic disruption, while perhaps not preventable in every instance, can be mitigated and its effects minimized to an extent by having a plan in place, a plan to continue the government, a plan to keep maintaining the functions and services that are deemed essential.

In a similar sense, effective emergency management must be based on thorough planning, preparation, practice and execution in the face of the worst of emergencies and disasters that may confront a nation and its constituent states. Effective emergency management relies on thorough integration of emergency plans at all levels of government and non-government involvement.

Emergency plans must include management for natural and man-made disasters, including the recent growth of terrorism as a subcategory. State and local governments must have adequate plans to protect their citizens, and these plans should allocate resources for mitigation, preparedness, response, and recovery. State and local governments should also encourage the individuals they serve to have their own emergency management plans. Although there are many international aid organizations capable of assisting with disaster relief as well as national security, often the greatest assistance comes from state and local governments themselves as first responders.

Within the national framework, each state and local government should have some sort of emergency preparedness plan, with each agency knowing exactly the duties expected of them. Only then will resources be used most efficiently and practically for such governing bodies to mitigate, prepare, respond, and recover.
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1 “In the simplest understanding of the term, the dictionary defines an emergency as “an unforeseen combination of circumstances or the resulting state that calls for immediate action.” In the midst of the crisis of the Great Depression, a 1934 Supreme Court majority opinion characterized an emergency in terms of urgency and relative infrequency of occurrence as well as equivalence to a public calamity.
resulting from fire, flood, or like disaster not reasonably subject to anticipation. An eminent constitutional scholar, the late Edward S. Corwin, explained emergency conditions as being those “which have not attained enough of stability or recurrency to admit of their being dealt with according to rule.” During congressional committee hearings on emergency powers in 1973, a political scientist described an emergency in the following terms: “It denotes the existence of conditions of varying nature, intensity and duration, which are perceived to threaten life or well-being beyond tolerable limits.” Corwin also indicated it “connotes the existence of conditions suddenly intensifying the degree of existing danger to life or well-being beyond that which is accepted as normal.”  


2 See H.R. 728, 108th Cong. (2004) (This House Resolution, which passed 419-2, declared that “postponing an election in the aftermath of a terrorist attack would demonstrate weakness, not strength, and would be interpreted as a victory for the terrorists” and resolved that “it is the sense of the House of Representatives that … the actions of terrorists will never cause the date of any presidential election to be postponed….”)  

3 http://europa.eu/lisbon_treaty/glance/index_en.htm (The Treaty of Lisbon was signed by EU leaders on 13 December 2007 to provide the European Union with the legal framework and tools necessary to meet future challenges, two of which are relevant to continuity of government in the event of terrorist attacks. First, with respect to Solidarity between Member States, the Treaty of Lisbon provides that the EU and its Member States act jointly in a spirit of solidarity if a Member State is the subject of a terrorist attack or the victim of a natural or man-made disaster. Second, with respect to Increased security for all, the EU will get an extended capacity to act on freedom, security and justice, which will bring direct benefits in terms of the EU’s ability to fight crime and terrorism. New provisions on civil protection, humanitarian aid and public health also aim at boosting the EU’s ability to respond to threats to the security of European citizens.); http://register.consilium.europa.eu/pdf/en/07/st08/st08239-re02_en07.pdf (The Council of the European Union’s Working Party on Terrorism at its 29 May 2007 meeting in Brussels noted that the great majority of Member States saw a need for further developing the EU’s capacity to react adequately to a possible terrorist attack and proposed the topic of preparedness and consequence management. EU Counter Terrorism Strategy foresaw that “we have to be able to deal with attacks when they occur, recognizing that attacks can have effects across EU borders” and that “Member States have the lead role in providing the emergency response to a terrorist incident on their territory.” The Working Party on Terrorism also considered crisis management a topic that Member States should pay particular attention to in the future. Building on this recommendation and taking into account that national crisis management arrangements so far have neither been the subject of an in-depth evaluation nor of policy considerations on EU level, the Working Party on Terrorism through its second round of peer evaluation resolved to concentrate on these arrangements while avoiding duplication of ongoing work as regards civil protection and especially protection of critical infrastructures. This would promote a coherent and compatible approach in the Member States and lay the foundation for a coordinated response to a terrorist attack if more than one Member States were to be affected.); http://www.cato.org/pubs/pas/pa516.pdf (While proposals by the EU to develop a common security policy for all member states failed for almost 50 years, the big three, France, Germany, and the UK, along with other EU member state governments, have slowly come to realize the need to reexamine the threats they face and to reorganize their armed forces in the post–Cold War environment, even if they have yet to implement many of the changes.)

As Leslie S. Lebl noted in European Union Defense Policy – An American Perspective, (June 24, 2004), the pursuit of a common EU security strategy received a boost with the development of the European Security and Defense Policy. Lebl, former U.S. Foreign Service officer with particular expertise in European political and defense issues, served two tours as political adviser to the commander of stabilization forces in Bosnia-Herzegovina. According to Lebl, through this Europen Security and Defense Policy (ESDP), the EU committed itself to engage in crisis prevention and management beyond its borders. For much of the ESDP’s existence, however, it has been difficult to define what “European” means. According to former NATO secretary general Javier Solana, the first person appointed as EU high representative for the common foreign and security policy, the European Security Strategy “was born when Europeans acknowledged that we are stronger when we have a common perception of the threats we face and how to deal with them. Threats are never more dangerous than when we are divided.” The ESS
specifically calls for cooperation with the United States: “Acting together, the European Union and the United States can be a formidable force for good in the world. Our aim should be an effective and balanced partnership with the USA. This is an additional reason for the EU to build up further its capabilities and increase its coherence.” Leslie Lebl concludes that the United States should find much to welcome in the European Security Strategy. While the European perspective has differed historically from that of the United States with regard to problems outside Europe, the yawning gap reported by some observers may be closing, at least somewhat. Not only does the paper share a similar analysis of emerging threats; it also commits the EU to play an active role in ensuring European security and global stability. The ESS may have been born of a European desire for a separate, autonomous foreign policy, one that by definition is not American. Although the initiative may have been driven by a desire for greater independence and autonomy, the final result has made the EU a more suitable strategic partner of the United States than it was before.

http://www.turkishweekly.net/news.php?id=5085 (“A bomb-proof bunker in Bungendore may be the site for a mass evacuation of senior politicians and administrators should Parliament House be the target of a terrorist or nuclear attack. This week Prime Minister John Howard confirmed his department was coordinating a "continuity of government" plan in the event of a direct attack on government amid a $25.5 million security upgrade of Parliament House.”)


Wol's participation in Al Gore’s campaign reportedly for a monthly salary of $15,000 was "in exchange for advice on everything from how to win the women's vote to shirt-and-tie combinations," and led to speculation that Wolf was somehow responsible for Gore's "three-buttoned, earth-toned look" and, moreover, that she developed the idea that Gore was "a beta male who needs to take on the alpha male in the Oval Office," reports she later denied. http://en.wikipedia.org/wiki/Naomi_Wolf

In his remarks before the House of Representatives, Representative DeFazio voiced his frustration: “They have introduced a little sketchy public version that is clearly inadequate and doesn't really tell us what they have in mind, but they said, don't worry; there's a detailed classified version. But now they've denied the entire Homeland Security Committee of the United States House of Representatives access to their so-called detailed plan to provide for continuity of government. They say, trust us. Trust us, the people who brought us Katrina, to be competent in the face of a disaster? Trust us, the people who brought us warrantless wiretapping and other excesses eroding our civil liberties? Trust us? Maybe the plan just really doesn't exist and that's why they won't show it to us. I don't know. Or maybe there's something there that's outrageous. The American people need their elected representatives to review this plan for the continuity of government.” http://fas.org/sgp/congress/2007/cog.html; see n. 3, infra.

See, e.g., http://www.youtube.com/watch?v=QdfjsS9Wqk8; Congressional Record: August 2, 2007 (House) at Page H9548.


Id. infra.
31 Id.
33 World Bank Disaster Risk Management Projects available at http://go.worldbank.org.WJBQY43AF0
39 “Showcasing Special Police Unit’s Talents” :: ABC Canberra, available at http://www.abc.net.au/canberra/stories/s789990.htm
41 Emergency Response Team homepage, available at http://www.rcmp.gc.ca/ert/ert_e.htm
43 National Disaster Management of India homepage, available at http://www.ndmindiainc.in/
45 Technisches Hilfswerk homepage, available at http://www.thw.bund.de/
46 Id.
47 The SEEBA Special Unit – the Government’s Tool to Help Rescue and Salvage Operations Domestically and Abroad. Retrieved on 2008-02-17, available at http://www.thw.bund.de/chn_036/nn_931992/EN/content/about_us/modern_organisation/seeba/seeba_n ode.html__nnn=true
48 Id.
50 Id.
52 Id.
55 Id.
67 Garda Special Detective Unit Website, available at [http://www.garda.ie/sdu.html](http://www.garda.ie/sdu.html)
75 British Special Forces and Elite Units homepage, available at [http://www.eliteukforces.info/](http://www.eliteukforces.info/)