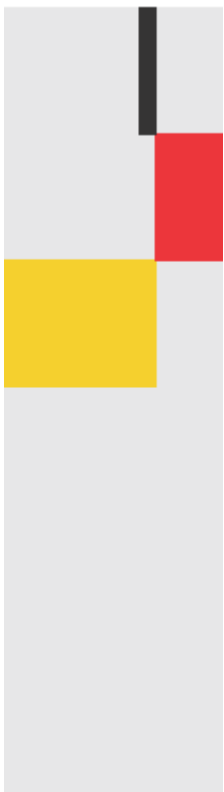




Bundesministerium  
des Innern

# The Crisis Management System in Germany



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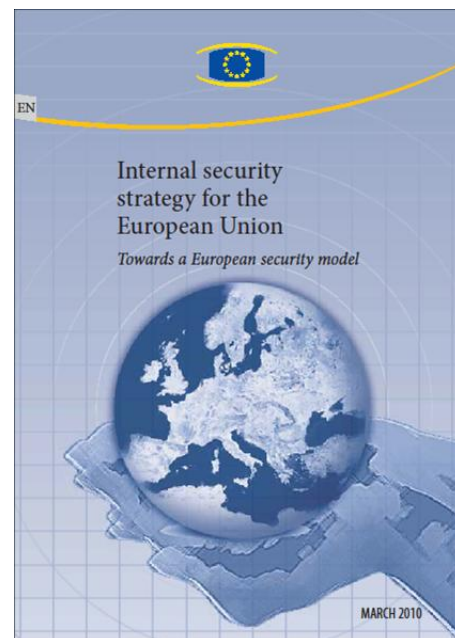
## Preliminary remarks

The following provides an outline of the structures and procedures of crisis management at federal and state level. This outline does not include the complete details at every level. The primary aim is to describe how the responsible public authorities are supposed to interact on crisis management activities within the framework of the federal form of government.

### 1. Background

For Europe to take joint action in accordance with the EU's common security strategy<sup>1</sup>, the EU Member States must have the same or at least a similar perception of hazards and threats and a security policy focused on prevention.

At an early stage and based on the 2002 "New Strategy for Protecting the Population", the existing systems at the federal and at the state level were developed further so as to give special priority to the synergetic deployment of resources by the various players in national crisis management in view of threats such as international terrorism, proliferation of weapons of mass destruction, epidemic and pandemic diseases, man-made disasters and the growing number of natural disasters (climate change).



<sup>1</sup> Internal Security Strategy for the European Union: Towards a European Security Mode, March 2010

The Federal Republic of Germany has developed a powerful emergency response system to deal with domestic situations of extraordinary threat or damage. Germany's states (*Länder*) are responsible for disaster management (prevention and response) to deal with crisis situations that are caused inter alia by natural disasters, climate change, large-scale emergencies, pandemics/ epidemics and threats posed by international terrorism. A wide range of federal support (information, coordination, advice and resources) for the states is provided in case of impact on an especially large scale or of national significance. At the same time, depending on the situation, there is close federal-state coordination on vulnerability assessments and the appropriate measures.



In the case of interstate or national threats or damage, a number of different command and communications structures at federal and state level must be integrated into one overarching crisis management system.

This overall crisis management system is to be optimized further - independently of a specific threat scenario - in order to concentrate complex skills on strategic objectives and ensure a capacity for flexible response.

## 2. Legal framework

### At state level

According to Article 30 of Germany's Basic Law in conjunction with Article 70 ff on the division of legislative powers, the German **states** (*Länder*) are responsible for threat prevention measures (taken by the police and other government agencies), as long as these do not involve defence as defined in Article 73 (1) no. 1 of the Basic Law.



As a rule, the legal basis for the states to respond to large-scale emergencies is provided through a number of state laws.

Essential provisions are contained in the **legislation on fire prevention** and **the fire services**, which assign local governments the duty of removing fire and explosion hazards, fighting fires and providing adequate technical support in case of other accidents or emergencies. Fire prevention and fire-fighting, rescue and disaster management may be covered by separate legislation, as in Bavaria (Bavarian Disaster Management Act, Bavarian Fire Services Act, and Bavarian Act to Regulate Emergency Rescue, Ambulance and Rescue Services); or they may be covered fully or in part by a single law, as in the Act on Emergency Response Assistance for the city-state of Bremen and the state of Hesse's Act on Fire Prevention and Fire-Fighting, General Aid and Relief, and Disaster Management.

In addition, matters related to threat prevention by the police are regulated in state **legislation on the police** (e.g. the Act on Police and Regulatory Authorities of the state of Rhineland-Palatinate, the state of Bavaria's Act on the Responsibilities and Powers of the Police, and the General Act to Ensure Public Safety and Order in Berlin).

### **At federal level**

Under German constitutional law (Basic Law, Article 73 (1) no. 1), the **Federation** is responsible for defence, including protecting the civilian population against war-related hazards.

Overall defence is divided into military and civil defence. The latter includes continuity of government, civil protection, and supplies and civil support for the military.

The Basic Law allows for “emergency laws” to be applied during a state of tension or defence. **Emergency laws** contain all legal provisions enacted in order to manage an emergency (threat to the existence of the government or to security and order at home or abroad) and are intended to allow rapid and effective government action to protect the public, democracy and the rule of law. This includes legislation which can be applied only in a state of tension or defence, such as laws to ensure the supply of food or the provision of transport.

To take effective action against the kind of supply shortfalls that can occur during large-scale natural disasters, **legislation on provision** was enacted which can be applied not only in a state of tension or defence, but also in case of crises affecting key parts of the Federal Republic (e.g. Preparedness (Food Supplies) Act; Transport Services



(Provision in Times of Natural Disaster and Economic Crisis) Act).

To round out these provisions, **Article 35 of the Basic Law** allows the states to call for the support of police forces of other states and of personnel and facilities of other administrative authorities, such as the Federal Agency for Technical Relief (THW), the Federal Police or the Bundeswehr.

### 3. Crisis management at the federal level



Federal Chancellery

Depending on the specific threat or emergency, the ministry with primary responsibility for the subject area concerned oversees the crisis management effort at the federal level.

Those ministries which can help with managing a threat or emergency have made arrangements (i.e. organizational/technical preparations, establishment of duty/stand-by schedules, designation of contacts) in order to be able to call up specific **crisis task forces** at short notice. The lead ministry's crisis task force is responsible for coordination at the federal level and for coordinating with the states affected by the threat or emergency. At the same time, the other ministries ensure that **liaison officers** can be seconded at short notice to the lead ministry's crisis task force at its request.

All federal ministries ensure that the appropriate points of contact are **available also outside regular office hours** and provide these contact details to the situation centres of the Federal Chancellery and the Federal Ministry of the Interior.

The Federal Ministry of the Interior plays a special role in managing crises which take place within Germany. In case of serious threats to internal security, the Federal Ministry of the Interior crisis task force may be called on to manage the situation. This task force is responsible for coordinating measures taken by the Federal Ministry of the Interior and

the agencies within its remit, for coordinating between the federal ministries and the states, and for advising the political actors. The Communications, Command and Control Centre at the Federal Ministry of the Interior calls up the crisis task force. Depending on the



Federal Ministry of the Interior

situation, special advisers and liaison officers from the subordinate agencies of the Federal Ministry of the Interior, other federal ministries and the states will be added to the crisis task force. The crisis task forces set up at the various levels to deal with threats and emergencies coordinate their activities by exchanging liaison officers or via technical media (telephone and video conferences).

To ensure a consistent nation-wide response to situations affecting more than one state and concerning more than one federal ministry, the Federal Ministry of the Interior (BMI), the Federal Ministry for the Environment, Nature Conservation, Building and Nuclear Safety (BMUB), and the Federal Ministry of Health (BMG) have agreed to set up **joint crisis task forces** patterned on the BMI crisis task force. The joint BMI/BMUB crisis task force is intended to respond to serious threats or emergencies involving the illegal use of radioactive materials, and the BMI/BMG crisis task force is to deal with pandemics and bioterrorism.

Establishing interministerial crisis task forces gathers ministry-specific interests in one place and ensures a consistent interministerial approach to crisis management, allowing all existing options for action to be used in concert.

After reviewing and evaluating all available information, the joint BMI/BMUB crisis task force makes recommendations to the states concerned and coordinates their activities as needed. The Federation also has a central support group in readiness, composed of experts from various fields who can be deployed to provide additional assistance. In addition, the joint crisis task force maintains contact with its counterparts in other countries and with international organizations and decides on whether to request assistance from other countries.

A joint BMI/BMG crisis task force can be set up to deal with the internal security and public health impacts of an influenza pandemic or bioterrorism. It is the central crisis response instrument of the federal ministries of the Interior and Health and is designed to work with the states' crisis task forces to ensure nation-wide coordinated action to safeguard public health.

In order to assist the states in managing specific threats or emergencies relevant to a single federal ministry, the responsible ministries have provided inter alia for the following separate crisis management structures:

Federal Ministry of Food and Agriculture (BMEL)	<ul style="list-style-type: none"> <li>- Crisis Task Force on Food Safety,</li> <li>- Central Crisis Task Force for Animal Disease Control (composed of the state secretaries of the federal/state ministries responsible)</li> </ul>
Federal Ministry of Defence (BMVg)	<ul style="list-style-type: none"> <li>- Division Strategy and Operations coordinates at the ministerial level,</li> <li>- crisis task forces are set up by the subordinate authorities</li> </ul>
Federal Ministry of Health (BMG)	Federal Ministry of Health crisis task force
Federal Ministry of Transport and digital Infrastructure (BMVI)	Federal Ministry of Transport and digital Infrastructure crisis task force
Federal Ministry for the Environment, Nature Conservation, Building and Nuclear Safety (BMUB)	Task Force for Nuclear Safety and Radiological Protection

All ministries have designated “**contact persons for crisis management and counter-terrorism**” who are responsible for in-house planning and interministerial coordination and are members of the Interministerial Panel on National Crisis Management.

The Federal Ministry of the Interior is the lead ministry for the **Interministerial Panel on National Crisis Management**, which provides the forum for interministerial coordination on strategic, organizational and procedural matters related to crisis management. This panel oversees

the coordination of interministerial interaction, information and consultation on current planning for specialized fields of activity, joint drafting of policy documents (e.g. the overview of crisis management by the federal ministries, the survey of crisis management capabilities), and incident-related coordination.

In case of crises abroad which affect German nationals or German interests (e.g. large-scale consular emergencies, terrorist threats and attacks, abductions and hostage-taking, political and military crises and natural disasters in other countries), the Federal Foreign Office sets up a crisis task force as needed, with participation from the ministries involved in dealing with the situation and/or their subordinate agencies.



**The Interministerial (Crisis Management) Coordination Group (IntMinKoGr)** coordinates between the state and federal levels. It plays an important role alongside the existing federal and state crisis management system, dealing with the limited number of threats or emergencies which affect more than one state over a longer period of time (e.g. accidents at nuclear power plants in Germany and abroad, pandemics and major natural disasters). In such cases, the IntMinKoGr focuses on the necessary coordination and consultation to deal with complex situations.

The IntMinKoGr is intended to draw on the relevant expertise for the federal ministries to produce coordinated recommendations; it is also supposed to advise and assist

the states concerned. To this end, the IntMinKoGr is responsible for preparing joint situation assessments, risk analyses and forecasts, drafting situation-specific proposals and developing a coordinated strategy for communication between the federal and state levels.

This facilitates additional consultation and coordination among the federal ministries and the states participating in the IntMinKoGr

- before an emergency occurs (e.g. pandemic),
- during the emergency response (in addition to the system of crisis task forces), and
- in the follow-up phase (e.g. recommendations on what to do after a nuclear accident).

In emergencies or crises with such a broad impact or political significance that a coordinated response by the EU Member States at the political level is necessary, the EU Presidency can activate the Integrated Political Crisis Response arrangements and – supported by the General Secretariat of the Council – call a round table to prepare decisions to be presented to Coreper. So that the German representative has the latest information on the situation and that the results of consultations at EU level can be taken into account in crisis management efforts at national level, agreements have been made to ensure the flow of information between the Federal Foreign Office, the Federal Ministry of the Interior and other affected ministries as needed.

The crisis management system established at the federal level in recent years ensures that the crisis task force of the lead federal ministry takes care of incident-related coordination among the federal ministries and coordination with the affected states.



In order also to practise efficient interaction between federal and state crisis management personnel, the IntMinKoGr has held a series of interministerial, interstate crisis management exercises (LÜKEX)<sup>2</sup> and planning conferences since 2004. The Federation and the states have agreed to continue conducting these exercises every two years.



The Federal ministries with a direct crisis management responsibility regularly conduct exercises with the crisis management structures that they keep available.

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<sup>2</sup> Joint federal–state crisis management exercise at strategic level in which the ministries, subordinate agencies, relief organizations, associations and private companies all participate.



## 4. Crisis management by the states

In accordance with the Constitution, which gives the states the power to legislate on police-led threat prevention, rescue services, fire protection and fire services, and disaster control and management, the states have enacted their own laws in these areas. The different state laws have resulted in differences between the states with regard to command and control, training and equipment.



The terrorist attacks of 11 September 2001 and the flooding of the Elbe River in August 2002 revealed a new level of threat and destruction and demonstrated the urgent need to overhaul the existing system of civil protection and disaster management.

On 8 November 2001, the Standing Conference of Interior Ministers and Senators (IMK) decided to carry out a critical review of the capability of Germany's emergency response system. To do so, a joint federal–state working group was tasked with developing the basic outline of a new strategy for civil protection. The IMK acknowledged the proposals for implementing the strategy at its meeting on 6 December 2002.

Within the framework of this New Strategy for Protecting the Population, the federal and state governments worked together to improve the existing systems of emergency and disaster management. Components of this new strategy are the definition of protection priorities based on risk and threat analyses, the founding of the Federal Office of Civil Protection and Disaster Assistance (BBK) and creation of a uniform command and control system at all levels.

The states agreed on a set of basic recommendations in order to standardize the command and control structures at the various levels of crisis management. For example, Fire Services Regulation 100<sup>3</sup> is to be applied at the operational-tactical level (on-site operational command) to all organizations, and the Guidelines for setting up administrative-organizational task forces<sup>4</sup> are to be applied to administrative-organizational tasks.

This system of crisis task forces ensures efficient cooperation between the states, counties, municipalities and other local governments in the event of a crisis. To ensure coordination between ministries at the state level, interministerial crisis task forces will be set up and/or liaison officers from the relevant ministries will be seconded to the crisis management task force with lead responsibility.

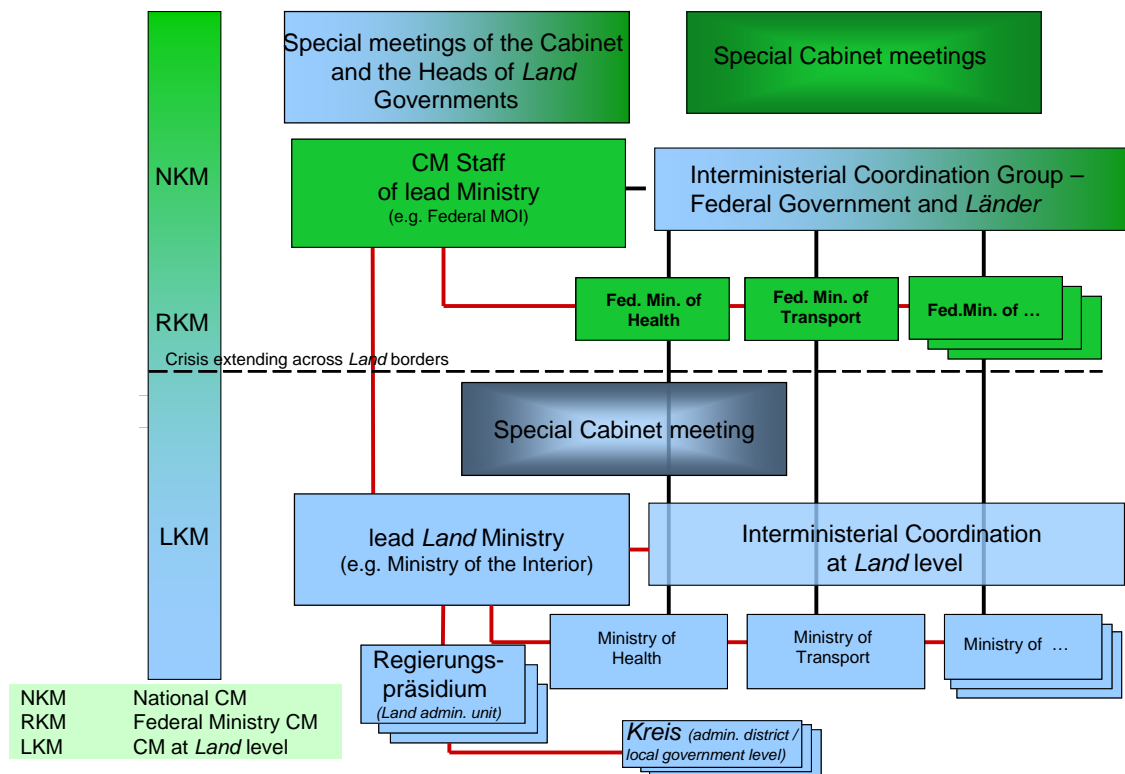
The provisions have been reviewed and amended in the framework of the evaluation of the 2013 floods.

The following diagram shows how crisis management is organized at the federal and state levels:

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<sup>3</sup> Fire Services Regulation 100, "Operational Command", 10 March 1999.

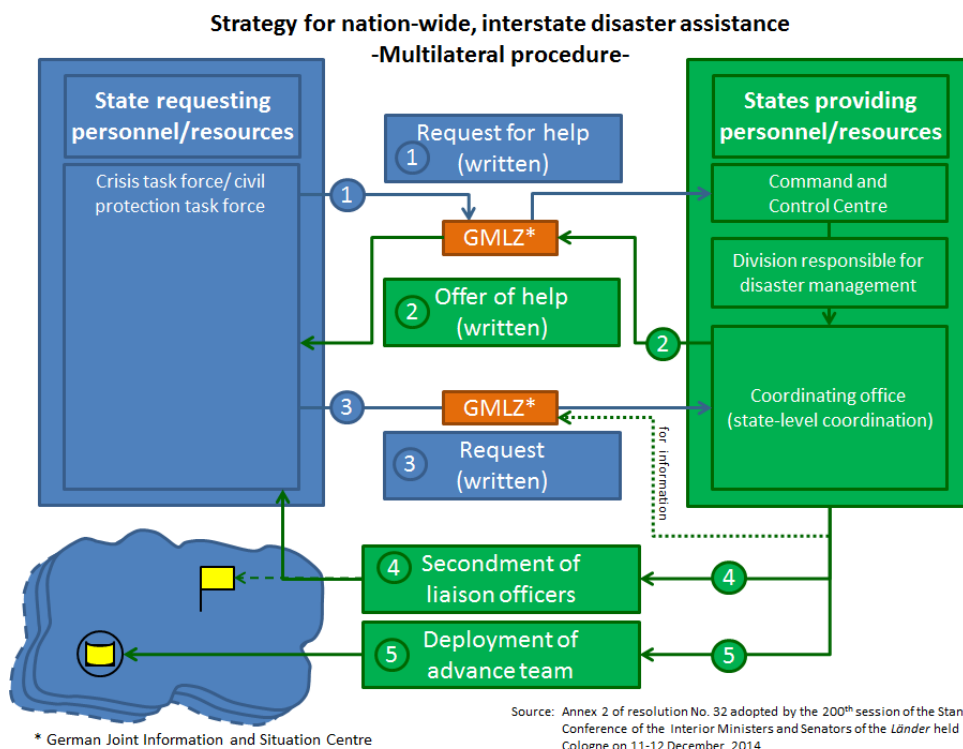
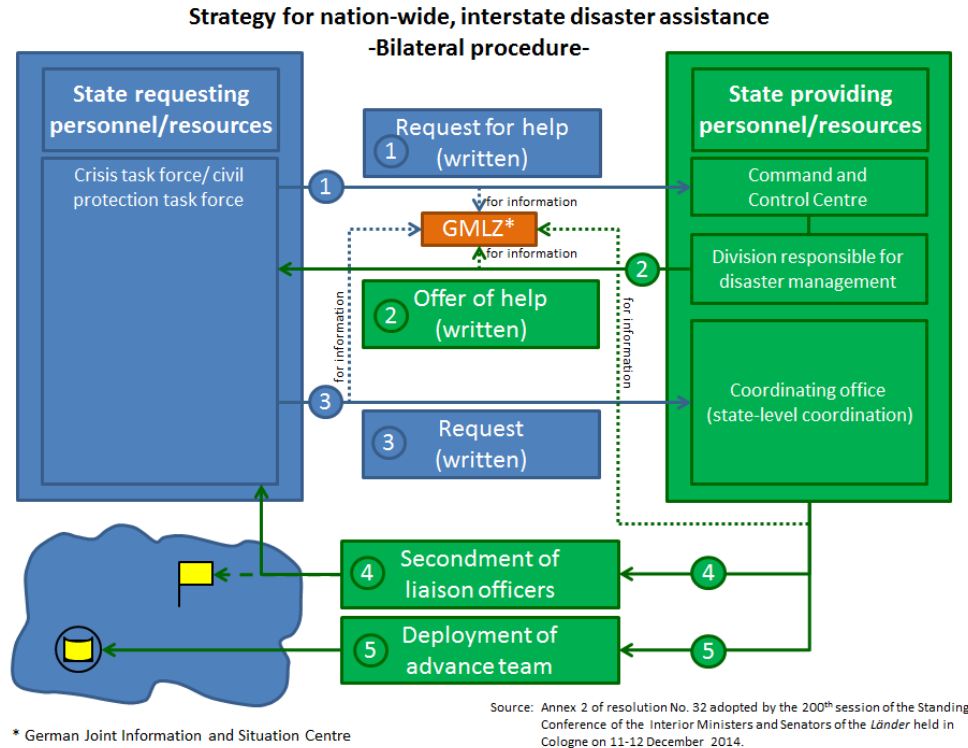
<sup>4</sup> Resolution adopted by the 173rd session of the Standing Conference of the Interior Ministers and Senators (IMK) on 21 November 2003 in Jena.



If a state does not have adequate staffing or resources to deal with a disaster, outside assistance is required. According to Article 35 (2) second sentence of the Basic Law, a state may call for the assistance of police forces of other states or of personnel and facilities of other administrative authorities, of the Federal Police or the armed forces. The Federal Agency for Technical Relief (THW) may also be called on to help. Such requests are sent directly to the point of contact at the local level (Bundeswehr and THW) or via the states' interior ministries.



Thus the strategy for nation-wide, interstate disaster assistance has also been adopted by the states:



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