



Executive summary of the public audit report

ARE STATE INSTITUTIONS PREPARED FOR EMERGENCIES?

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DEFINITIONS AND ABBREVIATIONS

ABBREVIATIONS

Department/FRD: Fire and Rescue Department under the Ministry of the Interior.

CFRB: County Fire and Rescue Board.

DEFINITIONS

Emergency: a situation resulting from an emergency event and posing a sudden and grave hazard to the life or health of residents, their property, the environment or causing death and mutilation or likely to incur another damage¹.

Emergency event: an event of natural, technical, ecological or social character which has reached or exceeded the established criteria and poses a hazard to the life or health of residents, the social conditions of their life, property and/or the environment².

Incident: an event of natural, technical, ecological or social nature which does not conform to or has not reached emergency event criteria and poses a hazard to the life or health of residents, the social conditions of their life, their property and/or the environment³.

Emergency commission: a standing commission composed of state politicians, civil servants and/or employees of state and/or municipal institutions and agencies and servicemen in professional military service co-ordinating emergency prevention, management, response and mitigation of its consequences⁴.

Emergency operations centre: a body composed of civil servants and/or employees of state and/or municipal institutions and agencies and employees of economic entities carrying out emergency prevention, ensuring implementation of the decisions taken by an emergency commission, organising and co-ordinating response to an incident, emergency event and emergency and mitigation of their consequences and rescue of the residents and property⁵.

¹ Law of the Republic of Lithuania on Civil Protection, 15/12/1998, No. VIII-971, (amended by Law No. XI-635 of 22/12/2009), Art. 2, p. 6.

² Ibid, Art. 2, p. 7.

³ Ibid, Art. 2, p. 19.

⁴ Ibid, Art. 2, p. 8.

⁵ Ibid, Art. 2, p. 11.

SUMMARY

Lithuania's Progress Strategy Lithuania 2030⁶ notes that national security serves as the foundation of welfare and development processes of the state, and its sustainable development can be achieved only if national security is ensured. Public security covering protection of legitimate interests of individuals, the public and the state from natural or man-made disasters is an integral part of national security⁷.

In Lithuania, the number of events which may result in emergency situations is growing. Over 2013–2015, more than 60 thousand events (mainly fires) and more than 2 thousand emergency events (mainly dangerous finds) were registered. World's and Lithuania's hydrometeorological services forecast that the number of emergencies resulting from natural disasters and catastrophic meteorological phenomena caused by climate change will increase in the future⁸. Emergencies can also become more frequent due to changes in the geopolitical situation.

To reduce the risk of emergencies, it is necessary to ensure their proper prevention: identify threats which may result in emergencies, plan and implement risk mitigation measures, and assess the effectiveness of such measures. It is equally important to consistently implement preparation measures for potential emergency events and emergencies, which should help to ensure the necessary emergency assistance to people thereby reducing threat to life, health and property.

In 2015, the Supreme Audit Institution assessed whether municipal institutions are at all times ready to ensure the achievement of the civil protection objectives as well as the level of their preparedness to manage imminent or actual emergencies, protect residents in the event of danger⁹ (more information is given in the introduction of the report).

The aim of this audit is to assess whether state institutions take adequate measures within the sphere of their competence to manage the risk of emergencies and ensure proper preparedness for emergencies.

The legal framework for the activities of state institutions in the field of civil protection is defined by the Law on Civil Protection and the activities are regulated in more detail by resolutions of the Government and other subordinate regulations. All (14) Ministries, Office of the Seimas, General Prosecutor's Office, Bank of Lithuania, Communications Regulatory Authority, Special Investigation Service, State Security Department, National Courts Administration, 9 state institutions listed in the Government resolution¹⁰, thus a total of 30 state institutions are

⁶ Approved by Resolution No. XI-2015 of 15 May 2012 of the Seimas of the Republic of Lithuania Regarding the Approval of Lithuania's Progress Strategy Lithuania 2030.

⁷ Public Security Development Program for 2015–2025 approved by Resolution No. XII-1682 of 27-05-2015 of the Seimas of the Republic of Lithuania, para. 3

⁸ Ibid, para. 33

⁹ Public audit report No. FA-P-30-1-32 of 30-09-2015 of the National Audit Office on the Results of the Financial (Regularity) Audit in Municipalities of the Republic of Lithuania, pages 35–42.

¹⁰ List of Ministries and other State Institutions and Agencies Required to Set Up Emergency Operations Centres approved by Resolution No. 1213 of 25-08-2010 of the Government of the Republic of Lithuania (Police Department under the Ministry of the Interior, State Border Guard Service under the Ministry of the Interior, Fire and Rescue Department under the Ministry of the Interior, Public Security Service under the Ministry of the Interior, Prison

responsible within the sphere of their competence for organisation of civil protection, preparedness for and response to emergencies. They are required to¹¹:

- perform risk analysis of potential threats and emergencies, plan and ensure the implementation of civil protection preventive measures based on such analysis, draw up and approve emergency management plans;
- organise the civil protection exercise and training of civil servants and employees;
- warn civil servants, employees and the state institutions and agencies in their field of regulation of imminent or actual emergencies.

Civil protection in state institutions is within the responsibility of heads thereof or the persons authorised by them¹².

During the audit, we assessed how:

- Ministries and other state institutions and agencies (total of 30) carry out emergency prevention and the level of their preparedness to respond to emergencies;
- Fire and Rescue Department supervises the activities of state institutions, while its subordinate agencies (county fire and rescue boards) supervise the activities of the highest-risk (group I) economic entities;
- The Government Emergency Commission assesses the preparedness of state institutions to respond to emergencies, while municipal emergency commissions carry out the assessment of the preparedness for emergencies of economic entities.

Data for the audit was collected from all of the above (30) state institutions and the subjects of this audit were:

- Fire and Rescue Department charged with supervising the activities of state institutions in the field of civil protection¹³;
- Ministry of the Interior and Ministry of Energy responsible for organising emergency response and mitigation of consequences of the largest part of national-level emergencies¹⁴ under the State Emergency Management Plan.

The audit covered the period from 2013 through to the first half of 2015. To assess the changes, data for a longer period was also collected.

The results of the audit revealed that, as the number of emergency events grows each year, state institutions fail to devote adequate attention to their civil protection functions. During the period covered by the audit, none of the state institutions managed to fully meet the requirements of the Law on Civil Protection (see Annex 4). State institutions failed to eliminate more than 2/3 of violations of the legislation regulating civil protection found by the Fire and Rescue Department. However, according to the assessment carried out by the Government Emergency Commission in 2013, state institutions were essentially prepared to discharge the

Department under the Ministry of Justice, State Energy Inspectorate under the Ministry of Energy, Radiation Protection Centre, State Nuclear Power Safety Inspectorate, and State Food and Veterinary Service).

¹¹ Law of the Republic of Lithuania on the Civil Protection, Art. 13. p. 4, paras. 2, 3, 4, 5 and 7.

¹² Ibid, Art. 13 p. 1.

¹³ Ibid, Art. 12 p. 2, para. 8 (amended by Law No. XII-1803 of 18-06-2015).

¹⁴ The Ministry of the Interior is responsible for emergency response and mitigation of consequences of the following national-level emergencies: (1) fire and/or explosion, which may cause injuries to a great number of residents and which may require evacuation of residents; (2) mass disorder; (3) hurricane; (4) flood; (5) massive influx of foreigners; (6) hostage-taking (in an aircraft, on a boat or other vehicle); the Ministry of Energy is responsible for emergency response and mitigation of consequences of the following national-level emergencies: frost (excessive cold) and nuclear accidents.

functions assigned to them in the field of civil protection, and in 2014 the level of their preparedness was improved.

Having assessed the evidence collected during the audit, we hereby present conclusions and recommendations which, if properly implemented, should ensure better preparedness for emergencies of state institutions allowing for better risk management and faster emergency response and mitigation of consequences in the event of actual emergencies.

CONCLUSIONS

1. Insufficient preventive activities of state institutions can increase the likelihood of emergency events and emergencies as well as negative consequences thereof:
 - 1.1. Two (out of 30) state institutions, i.e. Ministry of the Environment and State Food and Veterinary Service, failed to identify threats which could have negative impact on areas of activities within the sphere of their competence as well as their risk level, because at the end of 2015 the institutions still had not have performed the analysis of potential threats and emergency risk, which was supposed to be performed back in 2011. Therefore, the institutions do not have the data necessary to plan the prevention measures (Subsection 1.1).
 - 1.2. Even though in 2011–2015, 28 state institutions identified the threats which may have negative impact on the areas of activities within the sphere of their competence as well as their risk level:
 - 1.2.1. more than one fifth (6) of them failed to establish risk management measures, because they did not draw up and approve emergency prevention measure plans defining measures to reduce the likelihood of the identified potential threats and/or their negative consequences (Subsection 1.1);
 - 1.2.2. out of 12 Ministries which have approved emergency prevention measure plans, the plans approved by six Ministries lacked prevention measures to reduce the likelihood of threats and potential consequences for very high, high- and medium-risk threats identified by them (Subsection 1.1).
 - 1.3. Only 19 (out of 30) state institutions implemented emergency prevention measures in 2013–2015. One third of them did not manage to implement all of the planned measures (Subsection 1.2).
 - 1.4. None of the state institutions assessed the effectiveness of the implemented prevention measures; therefore, they do not have the necessary information which would allow for a revision of the existing plans and development of the new ones (Subsection 1.2).
2. Not all of the state institutions are duly prepared to ensure effective emergency response and response to emergency events as well as mitigation of consequences thereof within the areas of activities in the sphere of their competence, and continuity of the areas of activities in the sphere of their competence, because:
 - 2.1. At the end of 2015, one fourth (7 out of 30) of the state institutions still had not have approved emergency management plans, which should have been drawn up in 2011. The institutions failed to plan organisation and co-ordination of management of national-level emergencies and potential threats with high or very high risk level, provide for material and technical resources and supply of services, and failed to define ways of ensuring continuity of their activities in the event of an emergency (Subsection 2.1).
 - 2.2. More than one third (11 out of 30) of the state institutions failed to organise institution-level civil protection exercise for more than three consecutive years, while more than one fourth (8 out of 30) also failed to carry out civil protection training. Therefore, these state institutions failed to check the preparedness to respond to the most real and imminent threats, because they did not assess the effectiveness of the emergency

- management plans as well as the level of preparedness of specialists, and failed to ensure that the employees have the minimal knowledge of the actions to be taken in the event of an emergency (Section 2.2.2 and Subsection 2.3).
- 2.3. More than half (58 percent) of the employees of emergency operations centres of the state institutions charged with organising emergency response did not complete the introductory course of the civil protection training programme. This increased the risk of them not having the knowledge and skills in the field of civil protection, necessary to discharge the functions assigned to such employees, and it is not possible to develop the qualification in continuous training and update the available knowledge in the field of civil protection without completing the introductory training (Section 2.2.1).
 - 2.4. Appropriate conditions for the protection of the staff of the emergency operations centres from factors hazardous to human health and life in the event of an emergency have not been ensured, because more than two thirds of the state institutions do not have shelters available (Subsection 2.4).
3. Supervision of the activities of the state institutions in the field of civil protection carried out by the Fire and Rescue Department does not ensure any results, because:
 - 3.1. At the time of the audit, state institutions had not have eliminated more than 2/3 of violations of the legislation on civil protection identified by the Department, even though the deadlines for their elimination already expired (Subsection 3.1).
 - 3.2. The Department presents to the Government Emergency Commission data on the identified weaknesses of the preparedness to respond to emergencies of the state institutions and proposals urging the state institutions to devote more attention to the discharge of their civil protection functions on a yearly basis. Every year, the Commission recommended that the state institutions implement the Department's proposals; however, at the time of the audit, weaknesses found back in 2013 were not eliminated. Sanctions provided for in the law were not imposed on the heads (or persons authorised by them) of the state institutions that failed to comply with the requirements of the Law on Civil Protection and the matter regarding their liability has not been raised (Subsection 3.2).
 4. Adequate conditions for the Government Emergency Commission and the State Emergency Operations Centre to properly discharge the functions assigned to them are not ensured; therefore, it is impossible to ensure effective emergency response and mitigation of consequences of national-level emergencies:
 - 4.1. 90 percent of the staff of the Government Emergency Commission charged with decision-making in the field of emergency management, and 62 percent of the staff of the State Emergency Operations Centre charged with ensuring the implementation of decisions of the Government Emergency Commission has not completed the course of the civil protection training programme (Section 2.2.1).
 - 4.2. Adequate legal conditions for the State Emergency Commission to annually assess the preparedness of the state institutions to respond to emergencies and take the necessary measures to improve it are not ensured, because the indicators for assessing the preparedness of the state institutions to respond to emergencies have not been defined (Subsection 3.2).
 - 4.3. The main shelter intended for the activities of the State Emergency Operations Centre, installation of which is organised by the Fire and Rescue Department, was not finished in 2016, while the auxiliary shelter, installation of which is organised by the Ministry of Energy, failed to meet some of the installation requirements (Subsection 2.4).

5. The state institutions fail to properly organise the discharge of functions in the field of civil protection. Most (28) of the state institutions assign these functions to employees whose job descriptions provide that civil protection functions are among many other functions assigned to such employees. Heads of the state institutions failed to ensure that these employees have the adequate qualification in the field of civil protection and devote sufficient time to discharge this function. This had negative impact on the preventive activities and preparedness (Section 2.2.2, Subsections 2.3 and 3.1).
6. The assessment of preparedness of economic entities to respond to emergencies is improperly organised, because:
 - 6.1. The legislation fails to adequately regulate the procedure of the assessment of preparedness to respond to emergencies of economic entities to be applied by municipal emergency commissions, since it fails to define the specific types of economic entities subject to the assessment of preparedness, indicators for such assessment and data serving as the basis for the assessment. Therefore, one third of the municipal emergency commissions are not aware of the number of economic entities on the territory of the relevant municipality subject to the assessment of preparedness (Subsection 4.2).
 - 6.2. Fire and Rescue Department failed to ensure that all municipal emergency commissions carry out annual assessment of the preparedness to respond to emergencies of economic entities as well as to take measures to improve it. 40 percent of these commissions did not assess the preparedness of economic entities in 2013 and 2014, while in 2015, violations of the legislation on civil protection were found in eighty percent of the highest-risk (group I) economic entities inspected by the county fire and rescue boards, which indicates the risk that economic entities are not duly prepared for emergencies (Subsections 4.1 and 4.2).

RECOMMENDATIONS

To the Government of the Republic of Lithuania

1. For the purpose of strengthening public security and protection of legitimate interests of the public and the state from events of natural, technical, ecological or social nature as well as other events which pose a hazard to the life or health of residents, the social conditions of their life, their property and/or the environment:
 - 1.1. to draw attention of heads of the state institutions to the identified weaknesses in the discharge of civil protection functions, failure to hold the responsible persons legally liable, and to charge them with self-assessment of implementation of civil protection functions and to reorganize it in a way ensuring proper discharge of such functions (conclusions 1, 2, 3, 4.1 and 5);
 - 1.2. to determine whether all emergency operations centres of the state institutions and the Emergency Response Centre should have their own shelters and, taking into account the results of such analysis, to determine terms and sources of funding of installation of the

shelters meeting the specified requirements, and, if necessary, to specify the need of shelters defined by the Government resolution (conclusion 2.4).

To the Ministry of the Interior of the Republic of Lithuania

2. For the purpose of ensuring adequate legal preconditions for the Government Emergency Commission to properly assess preparedness of the state institutions to respond to emergencies and make grounded decisions regarding the implementation of measures to improve their preparedness, to define indicators for the assessment of preparedness for emergencies of the state institutions (conclusion 4.2).
3. For the purpose of making sure that municipal emergency commissions properly assess preparedness of economic entities to respond to emergencies, to improve the assessment regulation so that types of economic entities subject to the assessment of preparedness for emergencies are identified and indicators as well as data serving as the basis for the assessment are defined (conclusion 6.1).

To the Ministry of Energy of the Republic of Lithuania

4. For the purpose of ensuring that the shelter intended for the State Emergency Operations Centre meets the specified installation requirements, to provide measures to eliminate defects found by the Fire and Rescue Department or initiate amendment of the Government resolution defining the need of the auxiliary shelter and appointing the Minister of Energy as a person responsible for organisation of its installation (conclusion 4.3).

To the Fire and Rescue Department under the Ministry of the Interior

5. For the purpose of making preventive activities of the state institutions more effective in reducing the likelihood of emergency events and emergencies as well as negative consequences thereof:
 - 5.1. to improve the planning process of the emergency prevention measures in a way ensuring preconditions for the assessment of the effectiveness of the implemented prevention measures (conclusion 1.4);
 - 5.2. to organise identification of good practice of planning and implementation of emergency prevention and its dissemination among the state institutions (conclusion 1).
6. For the purpose of ensuring better results of the supervision of the state institutions and the highest-risk (group I) economic entities in the field of civil protection, to improve it so that:
 - 6.1. upon expiry of the deadline for elimination of violations, information on such elimination is managed (conclusions 3.1 and 6.2);

- 6.2. the issue of liability for systematic failure to comply with the requirements of the Law on Civil Protection and other legislation regulating civil protection is raised (conclusions 3 and 6.2);
- 6.3. lists of the highest-risk (group I) economic entities are drawn up by all county fire and rescue boards in accordance with the specified requirements (conclusions 3 and 6.2).

Measures and time frames for the implementation of the recommendations are presented in Annex 5, 'Plan for Implementing Recommendations'.