



Response to Emergencies – Preparations and Opportunities

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FORUM for SECURITY

FORUM FOR CIVIC INITIATIVES (FIQ), KOSOVO INSTITUTE OF JUSTICE (IKD),
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Content:

Introduction.....	5
Methodology	6
Legal Framework in Place.....	7
General Findings	9
Municipal Capacities for Emergency Response	
– Municipal Findings.....	10
Risk Assessment Plan for Gjilan Municipality	11
Case Study – Restelica.....	13
Recommendations	15
Consulted Laws and Strategies.....	16

Abbreviations

IEMS – Integrated Emergency Management System

NRP – National Response Plan

MIA – Ministry of Internal Affairs

IME – Institute for Emergency Management

KSF – Kosovo Security Force

PK – Kosovo Police

EMA – Emergency Management Agency

OC – Operation Centres

Introduction

Emergencies are serious, unexpected and usually dangerous situations that require urgent actions and which usually come as a result of disasters caused by uncontrolled natural forces and other factors endangering the human and animal lives or health, as well assets, and which also cause damage to cultural and natural heritage and environment to that extent that in order to control and prevail over them special measures, forces and means should be applied.¹ Any country irrespective of its geographical position may potentially face emergencies and is endangered by them. Various jurisdictions define emergencies differently and each country with its laws, regulations and strategies regulates its emergency interventions.

Every country should tackle emergencies with priority, considering that prevention in most of the cases results with decreased numbers of accidents. Except for the legal framework, human and technical capacity building should also be treated as a priority.

Kosovo is not an exception when it comes to regulating strategies and laws pertaining to these issues. With a consolidated legal framework, relevant institutions have drafted two strategies on emergency situations, which are included in: “Integrated Emergency Response System” and “National Response Plan”. Except for being regulated at the national level, some municipalities have drafted the own municipal emergency response plans and municipal emergency operation plans, which are activated by the municipalities as need arises and according to NRP².

Various Kosovo municipalities have been faced with emergency situations that resulted with loss of lives and damage to the property. The applicable emergency communication chain in some instances has had its negative effect, because the bottom-up communication chain is so complex, and may adversely impact the emergency response time. This may happen, specifically when considering that Kosovo, despite its plans to introduce emergency operation

¹ Law on Protection from Natural and other Disasters No. 02/L-68.

² NRP, Annex 4, item 2, p. 70.

centres³, still does not have functionalized them. These centres would significantly facilitate the emergency response.

The avalanche that resulted with loss of lives in Restelicë village (2011); 5.2 Richter scale earthquake in Gjilan (2002); fires in Deçan mountains (2012); floods in Pejë municipality (2013), are only few examples when our country had to be faced with emergency situations. Consequently, FIQ (Security Forum), aims to analyze and observe the current state of play related to municipal legal, technical or human capacities for emergency interventions. It also plans to open a debate on emergency management. We deem necessary to review the institutional capacities and needs of relevant institutions for responding to emergencies taking into account the lack of institutional or any other NGO analysis on this issue.

Methodology

This research was conducted through the analysis of laws and strategies regulating the emergency management, namely through qualitative research that included 13 interviews with representatives of central and local authorities.

³ Operation centres were foreseen in EMIS, 2010.

Existing Legal Framework and State of Emergency Capacities at Central Level

Concerning the legal framework, security and safety authorities of the Republic of Kosovo have adopted a considerable number of strategies⁴ and action plans on emergency situations. Except for central authorities, some municipalities have also adopted emergency response action plans.⁵

Kosovo has regulated its emergency situations legal framework with an extensive number of laws and regulations, starting from the Constitution of the Republic of Kosovo, through to specific laws. On 22 April 2010, Prime Minister of Kosovo issued Decision No. 685/10, ordering the Deputy Minister of Internal Affairs to establish the Integrated Emergency Management System.⁶ This system provides sustainable national framework enabling the authorities at both levels, NGOs and private businesses to work hand in hand in preventing, protection, response, recovery and alleviation of adverse impacts irrespective of the cause, magnitude, place and complexity of disasters or any other such events. This sustainability shall be a solid foundation in using the system for any incident that may happen, starting from the day to day occurrences up to the incidents requiring a coordinated governmental approach.⁷

Except for IEMS, MIA also drafted the National Response Plan that includes all types of dangers aiming to employ a comprehensive national approach to emergency management including prevention, readiness, response and recovery efforts.

Even though incidents begin and end at the local level and are managed on daily basis at the lowest possible geographical, organizational and jurisdictional level, there are circumstances whereby successful operations of incident management depend on the inclusion of numerous

⁴ Integrated Emergency Management System, 2010; National Response Plan, 2010; Law on Natural and Other Disasters (No.2006/02/L-68), Law on Fire Protection (No. 2006/02-L41), Law on the Ministry of Kosovo Security Force No. 2008/03-L045; Law on Police No. 03/L-035; 9. Law on Road Transportation No. 2004/1; Law on Public Health No. 02/L-78; and Law on Emergency Health Care No. 2006/02-L50.

⁵ Risk Assessment Plan for Gjilan Municipality, 2012; Assessing the Risk of Natural and Other Disasters for the Territory of Prishtinë, 2009; Fire Protection Plan, MA Prishtinë, 2011.

⁶ Integrated Emergency Management System, Prishtinë, 2010, p.8.

⁷ Ibid.

emergency response jurisdictions, authority levels, functional agencies and disciplines. These circumstances require effective and efficient coordination between the wide spectrum of structures and activities.⁸ Integrated Emergency Management System regulates in a very complex manner the issue of emergency response management. We can freely say that the complexity of this document may create overlapping and confusion within different authorities, specifically municipalities, which are the first to respond on emergencies. In this respect, another document would be needed that would further analyse the IEMS. Considering the nature of review subject of IEMS, the analysis and comparison of this document with other ones would be more than needed.

Various municipalities in Kosovo were faced with emergencies, whereby the communication chain provided for in IEMS was not adhered to. Therefore, further categorization of emergencies would result with adherence to the communication chain. As the emergencies start at the municipal level, this means that responsibility falls with the municipality, and should the situation escalate, the competencies are devolved to regional centre. If the situation exceeds the responsibility and capability level of a certain region, the request is sent at the Agency for Management of Emergencies. If the requirements prescribed in the law are met, request is sent to the state President, who decides whether to declare the emergency situation or otherwise sends back the request to MIA. In certain emergency situations drastic violations in this communication and intervention means have been recorded. Taking this into account, MIA and other relevant authorities should review the communication chain and the need to train the responsible officials, as well as provide a detailed interpretation of IEMS and National Response Plan. In addition, the establishment of an institute for emergency management is also foreseen that would be responsible to facilitate the development and adoption of IEMS related standards, instructions and protocols at the national level.⁹ This institute could also play the role of interpreting the NRP and IEMS, always bearing in mind their complexity¹⁰ and insufficient trainings of officials who have direct or indirect responsibilities for emergencies. The lack of such trainings in the past has resulted with

⁸ Integrated Emergency Management System, Prishtinë, 2010, p.10.

⁹ NRP, p. 55.

¹⁰ "Complexity of National Response Plan does not only come as a result of its content, but for its implementation awareness raising efforts are needed for local authorities, who should be better acquainted with this Plan and be more involved with local citizens when it comes to required and indispensable actions in emergencies". From FIQ interview with Lieutenant Colonel, Hysen Gecaj, KSF.

violation of provisions of regulations and action plans. Despite plans for its establishment in the NRP in 2010, the EMI has not been created yet.¹¹

Irrespective of what was indicated above on the complexity of documents, namely IEMS and NRP, we can be satisfied to a certain extent on the theoretical regulation of this field. However, the situation in the field and dangers that may arise as a consequence of a potential emergency situation should be of concern for relevant authorities.

When talking about the current situation in the field as relates to the capacities, be them human, logistical and operational, there is no doubt that there is enough room for further work and additional funding:

- Despite plans for the establishment of operational centres (which for the time being are playing the role of dispatch centres¹²) and the undisputed need for their establishment, these centres have not been genuinely created yet;
- Alarm system¹³ in municipalities is still dysfunctional;
- Upon the initiative of the Ministry of Trade and Industry, a state reserve of food and other essential living supplies has been established. However, this reserve is quite modest;¹⁴
- Another shortcoming is related to insufficient trainings¹⁵ provided to relevant officials, thus resulting with improper coordination of emergencies;
- Since 2008, the law provides that General Director of Police shall establish a reserve police force, that would have financial implications (uniforms and relevant equipment), and further costs when faced with emergencies or when sent for trainings and exercise. The reserve police is planed to be established, according to MIA officials, however due to funding requirements, this initiative has only remained in paper.¹⁶

¹¹ FIQ interview with Mr. Alush Beqiri, Director of Prevention Department, AEM.

¹² FIQ interview with Deputy Minister of MIA, Mr. Ismet Ibishi;

¹³ "In a meeting with Association of Municipalities I have urgently requested that these alarm systems become functional in every town, as they were operational before". Interview with Deputy Minister of MIA, Mr. Ismet Ibishi;

¹⁴ Interview with Deputy Minister of MIA, Mr. Ismet Ibishi;

¹⁵ "Thanks to UNDP trainings, Dragash and Peja, have advanced a lot in the implementaiton of NRP", FIQ interview with Deputy Minister of MIA, Mr. Ismet Ibishi;

¹⁶ FIQ interview with Deputy Minister of MIA, Mr. Ismet Ibishi;

- Another issue that was not prioritized is the air fleet. MIA officials have stated that conditions for its establishment have been created, such as pilots, administrative staff, agreement with International Airport “Adem Jashari” for 10 months now, however they are awaiting for the signature of the Prime Minister to purchase two helicopters¹⁷;
- Allocated budget for emergencies is quite symbolic, and the above problems are related to this insufficient budget allocated for this purpose.

Municipal Capacities for Emergency Response – Research Findings in Different Municipalities¹⁸

During this research shortcomings were noticed in the municipal directorate structural and organizational aspect pertaining to this field¹⁹. The initial problem relates to the division of sectors in Directorate, whereby the majority of directors for protection and rescue work within the Municipal Directorate of Public Services.

Another issue identified during this research were the assets/units managed by these Directorates, such the Freight Unit, which according to the new Law became the responsibility of the MIA, but nevertheless it is still using scarce municipal funds for investments in their relevant field.

Other activities carried out by municipalities in cases of emergencies or in drills are more or less the same, namely trainings and planning.

Almost every municipality has approved the Risk Assessment Plan that is mandatory according to the law and some of them are running across difficulties to implement it due to budgetary implications and lack of human resources.

Duties and responsibilities stemming from the National Response Plan and Integrated Emergency Management System are chiefly implemented, but there are some unclearities in the

¹⁷ FIQ interview with Deputy Minister of MIA, Mr. Ismet Ibishi.

¹⁸ Findings were drawn from 13 interviews in various municipalities: names of respondents are written down at the end of this research.

¹⁹ Somewhere: Directorate of Public Services and Emergencies; Somewhere: Directorate of Public Services, Protection and Rescue.

functioning of the hierarchy, namely the coordination between the institutions and, of course, budget problems for its implementation.

Most of the Directorates of Public Services, Protection and Rescue, stated that they possess technical equipment and machinery, but almost everybody argued that this equipment is insufficient, overused and that investments for the purchase of new ones is needed.

This research came to conclusion that there is no sufficient budget allocated for emergency sector, as the budget is allocated for the entire Directorate within the budget line of goods and services – wages and salaries. As additional assistance for these situations, municipal subsidies and business assistance is used. Institutional investments in ten municipalities where the research was conducted are minor, and are mainly focused in the basic infrastructure and elementary supporting equipment, but thanks to the donations by international organizations and some countries, some assistance in the machinery and other equipment was provided to this sector in different municipalities.

Need for further investments is mainly related to capital, infrastructural and technical investments, and was raised by majority of interviewed municipalities.

The problem identified in the functioning of these sectors is insufficient number of staff, be it administrative or other. This hampers the effectiveness of these sectors.

Cooperation is a very important component in these situations, and these Directorates have their local stakeholders, such as Kosovo Police, KSF, OSCE, schools, hospitals, etc.

Cooperation at the central level is mainly focused in the exchange of information, plans, but also training of staff members organized by the central level authorities, namely EMA.

Training are continuous for all staff in municipalities, for whom we can say that they have reached required level of professional competence for emergency management.

The municipal rescue committees are in general functional only upon the occurrence of a natural or other disaster, and they are not committees that make plans, inventories and surveillance on daily basis in the field of emergencies.

Municipalities²⁰, with exemption of Obiliq municipality, have benefited from international cooperation and similar programs, mainly through donations in machinery, basic equipment and other supporting equipment.

It has been concluded that typical natural disaster risks²¹ in Kosovo are the following: floods, avalanches, landslides, winds, earthquakes, radiation, forest and field fires, etc.

Example: Gjilan Municipality Risk Assessment Plan²²

Following the needs assessment and taking into consideration the importance of prevention, in 2012 the Municipality of Gjilan, namely its Directorate for Protection and Rescue, has drafted the Risk Assessment Plan. This detailed plan includes demographic and infrastructural information, as well as the risk assessment of natural and other disasters. The risk assessments have been performed for the following categories, considered to be with highest probability: forest-field fire, floods, heavy showers, earthquakes, draughts, erosions, technical-technological disasters, risk to road transportation, epidemics risk assessment, etc.

All these assessments in the Plan have been made in details, including locations, number of inhabitants, the potential area of floods, shelter houses and resources to be engaged, all regarded to be valuable and necessary information in case of emergencies. In addition, this Plan contains potential scenarios of events and emergency situations. It has also foreseen prevention measures, categorized as follows (the main are mentioned):

Prevention measures for forest-field fires (citizen awareness raising, cultivating the land after harvesting and threshing; allocation of areas by cultures during the harvesting and threshing period; tampon areas; prohibition to light fires without prior permission, and sanctioning of such actions);

²⁰ Ten municipalities, whose officials have been interviewed, and whose names can be found at the end of this paper.

²¹ According to municipal officials and risk assessment plans.

²² A brief presentation of this Plan was made with the aim of setting a good example for other municipalities with less detailed plans, in particular for those municipalities that have yet not drafted any risk assessment plan. During the research, we also came across municipalities (e.g. municipality of Peja) which, according to its officials, have plans, but they are only internal and never published.

Prevention measures for floods (reduce floods in areas affected by floods by undertaking technical measures: improve river banks; regulate the drainage system; limit developments in areas prone to floods);

Prevention measures for earthquakes (implementation of the construction code and enforcement of basic rules; organization of citizen awareness raising campaigns on risks from earthquakes; engineering and spatial analysis on critical buildings and their usage in case of disasters);

Prevention measures for risk from flues and epidemics (evacuate and shelter the attacked population; provide drinking water and food; timely and correct information to population).

Restelica – case study

“In Restelica we could see everything except an institutional management of that situation, as enshrined in the National Response Plan”, said the Deputy Minister of Internal Affairs Mr. Ismet Ibishi in an interview for FIQ.

On 11 February 2012, in Restelica village of the Municipality of Dragash a disaster happened, where as a result of a strong avalanche 15 houses were destroyed and were covered in snow, with two of them being inhabited with 11 members of Reka family, where 10 persons lost their lives. The situation required the necessity and the urgency of the search-rescue response and measures for minimizing or eliminating barriers created by the avalanche. Apart of the irreparable damage, i.e. loss of lives, the material damage in this case reached an amount of half a million Euro.

Nature of Disaster

According to reports, the institutions (KP, KSF, and the Municipality of Dragash) have described the disaster as a natural disaster created by heavy snowfall, giving varying information as to the damage and the number of persons affected by the disaster. According to KP, fifteen houses were damaged and eleven persons were trapped inside them, whilst the municipality reported of five destroyed houses and fourteen other houses severely damaged. In this case, KSF did not give any information as to the number of houses and inhabitants affected by the disaster.

Inefficiency of Institutions to Inform, Act and Coordinate in Restelica

The three institutions (KP, KSF, and the Municipality of Dragash), according to their reports, were late with information. This inevitably had an impact on their late action. However, all three institutions claim the heavy snow to be the reason that impeded them to make a rapid reaction, where the Municipality of Dragash also blames the unclean road supposed to be cleaned by company that it outsourced.

It seems that there was considerable shortcoming as to the institutional coordination in managing this disaster, a situation that followed with problems with a joint management of the situation, and all this is justified with lack of knowledge on powers and responsibilities.

Implementation of the National Response Plan in the Case of Restelica

As a consequence of the Incident Command, the NRP was not duly implemented. The relevant institutions justify the non-implementation of the NRP with the lack of information of some officials for emergency management regarding the plan and the lack of trainings for emergent response.

Other Problems in Restelica

The uncontrolled and uncoordinated movement of citizens have caused delays for the relevant institutions. Despite having the possibility to stop private vehicles from moving, the KP did not stop them. The visits paid by state delegations, which in this case were unnecessary, caused crowds in roads which were not very functional because of snow.

It is worth mentioning that according to the inhabitants, construction of houses in Restelica was prohibited, because every house is at risk and the citizens need to raise the awareness and be convinced of this conclusion, taking into consideration the risk.

Recommendations

- Full implementation of the Law on Natural Disasters and of the strategic documents, such as IEMS and NRP;
- Training for officials responsible for emergency response, in particular for coordination, both at the local and central levels;
- Increase of budget for relevant institutions and units directly dealing with emergencies;
- Clarification of powers of the central and local levels;
- Establishment of the national operations centre and emergency operations centres in every municipality;
- Establishment of IME; which is very necessary and would regulate the protocols, standards and would make researches on emergencies;
- Risk identification and assessment should be a priority of local and central institutions, taking into consideration the importance of prevention in emergencies;
- Establishment of unified operations standards;
- Functioning of Alarm System;
- Amendments to the NRP and EMIS, for a more practical application, in particular, to simplify the bottom-up communication;
- Completion of air fleet should be a priority of Kosovo institutions, namely of the Government of Kosovo;
- Acquire necessary tools and equip the emergency response bodies with such tools;
- Increase state food reserves for emergencies;
- Relevant institutions should make emergency scenarios and exercises.²³

²³ The Deputy Minister of MIA, Mr. Ismet Ibishi, says "I have asked the Agency for Emergency Management to draft an exercise plan from the local to the regional level with assumptions and actions, but this has not been realized because of costs". The Director on Prevention from the AEM, Mr. Alush Beqiri, says "AEM has made scenarios of fire, floods, earthquakes; practical exercises have been made for fire and floods, but not for earthquakes."

Consulted Laws and Strategies

1. Emergency Management Integrated System
2. National Response Plan
3. Law on Natural and Other Disasters No. 2006/02/L-68
4. Law on Ministry of Kosovo Security Force No. 2008/03-L045;
5. Law on Police No. 03/L-035;
6. Gjilan Municipality Risk Assessment Plan;
7. Other articles

Interviews:

1. Ismet Ibishi, Deputy Minister of Internal Affairs
2. Alush Beqiri, Director of the Department for Prevention, Agency for Emergency Management – MIA
3. Hysen Gegaj, Lieutenant-Colonel, Kosovo Security Force
4. Ibush Kelmendi, Chief of Emergencies Sector, Prishtina
5. Rushan Ceka, Director of Directorate for Public Services and Emergencies - Kaçanik
6. Avdyl Lajqi, Director of Directorate for Emergencies and Haxhi Krasniqi, Official - Peja
7. Xhevat Rraci, Director of Directorate for Defence and Rescue and Gëzim Efendija, Official - Gjakova
8. Blerton Ajeti - Director of Directorate for Defence and Rescue - Gjilan
9. Faik Muçiqi, Director of Directorate for Public Services, Protection and Rescue, Podujeva
10. Merita Besimi, Official, Prizren
11. Imer Berisha, Director of Directorate for Public Services and Emergencies, Obiliq
12. Haki Mehmetaj, Official, Deçan
13. Bedri Hasani, Director of Public Services and Civil Emergencies, Istog

FORUM for SECURITY

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The Forum for Security aims to contribute to improve the security environment by promoting effective institutions and policies. The forum serves as a discussion platform among civil society organizations and authorities in Kosovo, and provides possibilities for exchange of experiences and lessons on security, regionally and internationally. The Forum for Security brings together the main actors within security and justice, and other relevant sectors with an impact on security and advocates influencing policy development.