

Petr Selinger

University of Žilina, Slovakia

Tomasz Wałek

Academy of Physical Education, Poland

ANALYSIS AND CHARACTERIZATION OF THE SECURITY SYSTEMS OF THE REPUBLIC OF POLAND AND THE SLOVAK REPUBLIC

Introduction

The notion of security, despite its different definitions, is one of the most important values not only owing to single entities but also organizations as well as entire nations. It is the need for security felt by humans that causes a deliberate attempt to satisfy it. More and more frequently, the questions on how to create the basics of security in various dimensions of life arise. More and more frequently, there is a noticeable increase in the levels of risk and rates of movement of its sources, but also a growing awareness of the increase in risks regardless of the size of the areas, starting at the local level and ending at a global level.

As a result of the processes occurring in the environment, it seems necessary to undertake discussions and analyses regarding the risks accompanying us in everyday life in the personal and social dimension. The contemporary concept of “security” is of much greater importance than in the past decade. Currently, security involves many interrelated aspects such as: political, military, economic, technical, environmental, social and humanitarian aspects. In today’s world, threats are on the increase. At a time of the increasing globalization, we should be primarily guided by common good. We need to realize how important it is to change the direction and scope of thinking from the individual into the international or global point of view.

New times require a reflection on how people and societies organize themselves to take joint undertakings in order to improve safety because only joint efforts and a consistent security policy can bring tangible benefits. We should remember that international security should be characterized by stability and harmony of the system as well as the lack of real threats from other entities.

1. Definition of security system

When trying to create a system guaranteeing a high level of safety on the national and global level, it should be noted that the main objective of the functioning of authorities at the government and local government level is to guarantee the civilian population an acceptable level of security and peaceful development. Thus, the task of the internal security system of the state is ensuring a conflict-free development of society by maintaining the ability to respond adequately to the situation in the case of risks regarding public order, disasters, threats to constitutional order and any other event causing or likely to cause a crisis by way of organized and complex actions. Risk management, that is identification, measurement and planning, decision making as well as organizing and controlling the risks for the purpose of protection against threats, is also very important (Korzeniowski 2012, p. 89).

The security system should consist of several tasks performed simultaneously. On one hand, what should be implemented is a strategy for effective resolving and eliminating the current problems and, on the other hand, actions to prevent the occurrence of new threats should be undertaken. Prevention is one of the basic tasks that should be implemented at the local level. Both at the national and local level, it is necessary to go beyond the stereotypical actions of the institution as *ex post* actions – related to an intervention.

Creating the security system, a proper information security policy should also be kept in mind; according to Łukasz Kister, it is a set of laws, rules and practical experiences regulating the management, protection and distribution of information resources within the organization relating holistically to the problem of their protection, both processed traditionally in information systems and processed in the rest of the systems (Kister 2009, p. 17).

Ladislav Hofreiter, it estimates that: object and subject are treated as a system, each are in permanent interaction with its environment which is also characterized by the structure of the system (Hofreiter 2013, p. 24). The overriding goal of the state's activities in the field of internal security is to maintain the ability to respond, adequately to the situation, in the event of threats to public security and general safety related to the protection of legal order, life and health of citizens as well as national assets against illegal actions and the consequences of natural disasters or technical failures. Rapid technological and economic development, increasing the scope of globalization, the disappearance of traditional borders, this is some of the many factors causing the increase of security threats (Dworzecki 2012, p. 47).

Achieving this goal requires the creation of consistent laws, shaping social attitudes and improving the activity of all state and public entities whose actions are related to

the internal security of the state. This will be possible by increasing the efficiency of public administration and systematical raising the level of professionalism of officers and employees of state institutions carrying out tasks involving this area of the functioning of the state as well as dissemination of knowledge about the risks within the internal security of the state.

2. Security system of the Republic of Poland

The security system in Poland is determined by the Constitution, laws and by the National Security Strategy of the Republic of Poland adopted by the Government and signed by the Polish President Bronisław Komorowski at the request of the Prime Minister on 5 November 2014 (*Strategia bezpieczeństwa narodowego Rzeczypospolitej Polskiej 2014*). This document replaces the National Security Strategy of the Republic of Poland issued in 2007 (*Strategia bezpieczeństwa narodowego Rzeczypospolitej Polskiej 2007*). The Constitution and strategy manage well-defined objectives. They are consistent with international law, the law of the United Nations, the law of the Conference on Security and Cooperation in Europe as well as with a number of agreements to which Poland is a signatory. They define the principles of state policy in order to ensure the safety of society and the state against internal and external threats.

Articles 126 and 146 of the Polish Constitution are the basis for the concept of security of the Republic of Poland and allow the executive branch to create programs and organizational documents related to ensuring national security. The programs and organizational documents created by the President and the government for ensuring security of the state in accordance with Art. 95 of the Constitution shall be subjected to consideration and, where necessary, updated. The government's actions serve to ensure the security of the citizens, their rights and freedoms, the creation of appropriate conditions for civilizational and economic development of Poland and the prosperity of its citizens, the protection of national heritage and national identity, the implementation of alliance commitments as well as defending and promoting the interests of the Polish state.

In the Constitution of the Republic of Poland, security exists subjectively as a duty of the state towards the citizen and the country: the Republic of Poland ensures the freedoms and rights of man and citizen and the security of the citizens. In the Constitution of the Republic of Poland, national security (not citizens' security) is the responsibility of the President of the Republic of Poland and the Council of Ministers (*Konstytucja Rzeczypospolitej Polskiej 1997*, art. 126). Other provisions of the Constitution relate to restrictions of constitutional rights and freedoms justified by national

security. The concept of state security includes border security and specific risks, the threat to state or the state system.

In addition, there are also concepts of working safety, environmental safety, consumer safety, social security and protection of life and health (*ibidem*, art. 30-86). Undoubtedly, the most important for the safety of citizens and the state, on the basis of the Polish Constitution, are states of emergency: martial law or state of natural disaster. The Act on martial law refers to the security of the state in case of external threats to the State (Ustawa z 29 sierpnia 2002 r. o stanie wojennym). The Act contains no legal definition of an external threat to the State but narrows the application of the Act to targeted actions and thus caused by man. The Act on state of emergency applies to situations of acute threats to the constitutional order of the State, public safety or public order (Ustawa z 21 czerwca 2002 r. o stanie wyjątkowym). The Act on the state of natural disaster refers to threats to life or health of a large number of people, property in large sizes or the environment on large areas (Ustawa z 18 kwietnia 2002 r. o stanie klęski żywiołowej). One of the most important acts complementary to the legislation introducing states of emergency under the Polish Constitution to safeguard or restore the security of citizens and security of the state – the act on crisis management (Ustawa z 26 kwietnia 2007 r. o zarządzaniu kryzysowym) – refers to the national security, elsewhere, to the security (without indicating the subject) and, in yet another place, to the constitutional term of “security of the state and its citizens”.

The task of every democratic state represented by the government is to guarantee its citizens the level of security that is acceptable for them and the degree of development that enables them to achieve an appropriate level of existence. The most important goal of any government is to provide the citizens with such conditions in the country within which both their safety and their development is guaranteed. In situations of a compelling need, while making attempts at increasing the level of security in the country, the government should do everything possible to ensure that the introduced changes influence the fundamental civil freedoms only to a minimal degree and, as far as possible, they do not infringe democratic rights.

However, the responsibility for internal security rests on many subjects: starting with all government and local government administration authorities and public institutions, ending with organizations and associations. Moreover, the society itself is partly burdened with responsibility – through the citizens of our state functioning in all sorts of groups, communities, institutions or organizations. “The National Security Strategy of the Republic of Poland defines that: the overriding objective of the State activities in the field of internal security is to maintain the ability to respond, adequately to the situation, in the event of threats to public security and general safety related to the protection of legal order, life and health of citizens and national assets against illegal

actions and the consequences of natural disasters or technical failures” (*Strategia bezpieczeństwa narodowego Rzeczypospolitej Polskiej* 2007, p. 24).

Achieving this goal requires the creation of consistent laws, shaping social attitudes, improving the activity of all state and public entities whose actions are related to the internal security of the state. This will be possible by increasing the efficiency of public administration and systematical raising the level of professionalism of officers and employees of state institutions carrying out tasks involving this area of the functioning of the state as well as dissemination of knowledge about the risks within the internal security of the state. Any action aimed at ensuring adequate and acceptable by the society level of internal security of the state should be directed at realization of tasks in the implementation of crisis management system, construction of Civil Protection System by ensuring the functioning of the Population Alert and Warning System and the Integrated Rescue System as well as integration and consolidation with the activities of NATO, the EU, the UN and other international organizations of which Poland or Polish state institutions are members.

The first one concerns the construction of a modern integrated crisis management system. The second – the integration and consolidation of the activities of NATO, the EU and other international organizations of which Poland or Polish state institutions are members. Shaping internal security, what should always be taken into account is the possibility of terrorist threats and the need to prevent their potential emergence. Furthermore, proper mobility, efficient organization and the ability to behave appropriately by the citizens in the event of a real terrorist threat should be ensured. This risk should be defined broadly, bearing in mind not only the threat of attack itself but also the support groups, its international character, sources of financing, country’s international engagement and the technical methods of implementation.

Therefore, proper cooperation between authorities and bodies responsible for combating terrorist threats and professionalism in carrying out statutory tasks are essential. In addition, other activities detrimental to the internal security of the state, including violating the constitutional order and promoting totalitarian ideologies, racial and national hatred must be prevented.

3. Security system of the Slovak Republic

The central body of the Slovak civil protection system is the Ministry of Internal Affairs under which the Department of Civil Protection and Emergency Management carries out tasks concerning civil protection and cooperation with public authorities and municipalities in this regard. The Department of the Ministry of Internal Affairs also works with public and legal institutions and associations which are active in the area of

civil protection and humanitarian aid. The national crisis management system of the Slovak Republic is described in two Basic Laws and several additional laws; the most important laws are:

- Act No. 319/2002 on the defense of the Slovak Republic, as amended (Zákon o obrane Slovenskej republiky);
- Act No. 321/2002 on the Armed Forces of the Slovak Republic, as amended (Zákon o ozbrojených silách Slovenskej republiky);
- Act No. 387/2002 on the Control of state in crisis situations except for wartime and during a state hostilities (Zákon o riadení štátu v krízových situáciách mimo času vojny a vojnového stavu v znení neskorších predpisov);
- Act No. 227/2002 on State security in wartime, during hostilities, martial law and state of emergency, as amended (Ústavný zákon o bezpečnosti štátu v čase vojny, vojnového stavu, výnimočného stavu a núdzového stavu v znení neskorších predpisov);
- Act No. 129/2002 on the Integrated Rescue System (Zákon o integrovanom záchrannom systéme).

From these acts, it can be concluded that defending the country is a collection of activities that allows the Slovak Republic to keep the peace, security, sovereignty, independence, territorial integrity and the stability of borders as well as to implement tasks arising from international agreements on common defense against aggression and other agreements of a military nature. To ensure peace and security in the Slovak Republic and to keep obligations arising from international agreements, to which the Slovak Republic is tied, the armed forces are established.

In the reality of the Slovak Republic, in the system of internal security, there are two groups of uniformed formations. The first one consists of the state formations and the second includes entities of a non-state character. In the group of state uniformed formations of the Slovak Republic, Police Corps, referred to as a universal security formation, has the highest status because of the wide range of tasks in the area of national security.

In addition to the Police Corps (Zákon o Policajnom zbore), the backbone of state security formations are:

- the Military Police (Zákon o Vojenskom polícii);
- the Fire and Rescue Services (Zákon o Hasičskom a záchranárskom zbore);
- the Customs Service (Zákon o colných orgánoch štátnej správy);
- the Slovak Intelligence Service (Zákon o Slovenskej informačnej službe);
- the National Security Authority (Zákon o ochrane dôverných informácií);

According to the law in the Slovak Republic, among others, woodlands, agricultural areas, reservoirs, streams and water treatment plants as well as natural monuments are protected. The safety of these areas is ensured by:

- the Forest Guard (Zákon o lesoch);
- the Field Guard (Zákon o Poľnej Stráži);
- the Water Guard (Zákon o štátnych vodách);
- the Nature Protection Guard (Zákon o ochrane prírody a krajiny);
- the Mountain Rescue Service (Zákon o Horskej záchranej službe).

The activities of non-state formations operating in the area of security concern mainly private providers of physical and technical security services of persons and property (Zákon o prevádzkovaní súkromných bezpečnostných služieb), detective companies and municipal police – on the area of cities bearing the name of the city police (Zákon Slovenskej národnej rady č. 564/1991 Zb. o obecnej polícii).

In the Slovak Republic the dominant form of action for the safety of citizens is regulated by existing systems of criminal law and administrative law. The organization and functioning of the Slovak formations in the field of security meet the standards adopted in other European Union countries.

At the regional level, regional offices are responsible for the emergency action. The Departments of Civil Protection and Emergency Management in regional offices manage and implement measures to ensure the protection and safety of civilians in the event of a disaster. When performing the tasks of civil protection, the Ministry of Internal Affairs works with state bodies, municipality bodies, businesses, individuals and NGOs active in the field of civil protection and rescue services (eg. Association of Emergency Services, Mountain Rescue, Slovak Red Cross).

At the local level, municipalities are responsible for: developing analysis of possible hazards, civil protection plan preparation, organization and monitoring of civil protection training, supervising rescue operations and evacuation planning. Civil Protection authorities provide guidelines and approve the budget for the tasks.

The organizational structure of civil protection is the same for all types of disasters. The Ministry of Internal Affairs has jurisdiction to conduct rescue actions and evacuation in situations regulated by the Act on the Civil Protection, according to which the purpose of civil protection is to protect human life, health and property and create conditions for the survival during the hazards and emergency (crisis) situations. An important element is cooperation with relevant institutions in other countries to ensure coordinated aid in emergency situations. The Ministry of Internal Affairs produces an annual plan for the civil protection and identifies the main goals and operation of state administration and local government authorities.

Conclusions

Due to the growing influence of the state security on the quality of life of society and the progressive globalization, irrespective of the common history, traditions and cultural values, the cooperation within security in the framework of international cooperation for the purpose of integration and mutual cooperation of security systems of the Central-Eastern European countries should be established. The strategic objective and also the common denominator of security policy of the countries in this region should be: promoting the development of a common foreign and security policy, including shaping the eastern dimension of EU neighborhood policy, cooperation for expanding the scope of the common security and defense policy, including the strengthening of cooperation between the EU and NATO as well as coordination of efforts to protect the EU's external borders.

The mutual transfer of knowledge and experience in the field of security should also be remembered. The Russian-Ukrainian conflict of 2014, the immigration crisis of 2015 or the suppression of the democratic changes in Belarus brought new and common challenges to the countries of Central and Eastern Europe. Among the current objectives, security issues, including energy security, military cooperation, policy supporting democracy and cohesion policy should be found. Effective cooperation in these areas is dependent on the use of existing institutional mechanisms of the EU. The future should therefore be seen as a platform to promote regional interests at the EU level. Achieving the goals will be dependent on the ability to formulate common initiatives and acquiring a group of allies among other Member States of the Union.

References

- Dworzecki J. (2012), *Systém krízového riadenia v Poľsku*, Akadémia Policajného zboru, Bratislava
- Hofreiter L. (2013), *Wstęp do studiów bezpieczeństwa*, Krakowska Akademia im. Andrzeja Frycza Modrzewskiego, Kraków
- Kister Ł. (2009), *Ochrona danych osobowych – uwagi wstępne*, „Ochrona Mienia i Informacji” nr 1/2009
- Konstytucja Rzeczypospolitej Polskiej, ustawa z 2 kwietnia 1997 r., Dz.U. nr 78, poz. 483
- Korzeniowski L.F. (2012), *Podstany nauk o bezpieczeństwie*, Difin, Warszawa
- Rozporządzenie Rady Ministrów z 29 maja 2012 r. w sprawie środków bezpieczeństwa fizycznego stosowanych do zabezpieczania informacji niejawnych, Dz.U. 2012, poz. 683

- Strategia bezpieczeństwa narodowego Rzeczypospolitej Polskiej* (2014), Ministerstwo Obrony Narodowej, Warszawa
- Strategia bezpieczeństwa narodowego Rzeczypospolitej Polskiej* (2007), Ministerstwo Obrony Narodowej, Warszawa
- Ustawa z 26 kwietnia 2007 r. o zarządzaniu kryzysowym, Dz.U. nr 89, poz. 590
- Ustawa z 29 sierpnia 2002 r. o stanie wojennym, Dz. U. 2002 nr 156 poz. 1301
- Ustawa z 21 czerwca 2002 r. o stanie wyjątkowym, Dz. U. 2002 nr 113 poz. 985
- Ustawa z 18 kwietnia 2002 r. o stanie klęski żywiołowej, Dz.U. nr 62, poz. 558
- Ústavný zákon o bezpečnosti štátu v čase vojny, vojnového stavu, výnimočného stavu a núdzového stavu v znení neskorších predpisov, Z. z. č. 227/2002
- Zákon o poskytovaní služieb v oblasti súkromnej bezpečnosti a o zmene a doplnení niektorých zákonov (zákon o súkromnej bezpečnosti), Z. z. č. 473/2005
- Zákon o lesoch, Z. z. č. 326/2005
- Zákon o colných orgánoch štátnej správy, Z. z. č. 652/2004
- Zákon o štátnych vodách, Z. z. č. 364/2004
- Zákon o ochrane dôverných informácií, Z. z. č. 215/2004
- Zákon o Horskej záchranej službe, Z. z. č. 544/2002
- Zákon o ochrane prírody a krajiny, Z. z. č. 543/2002
- Zákon o riadení štátu v krízových situáciách mimo času vojny a vojnového stavu v znení neskorších predpisov, Z. z. č. 387/2002
- Zákon o ozbrojených silách Slovenskej republiky, s následnými zmenami, Z. z. č. 321/2002
- Zákon o obrane Slovenskej republiky, s následnými zmenami, Z. z. č. 319/2002
- Zákon o integrovanom záchrannom systéme, Z. z. č. 129/2002
- Zákon o Hasičskom a záchrannom zbore, Z. z. č. 315/2001
- Zákon o prevádzkovaní súkromných bezpečnostných služieb, Z. z. č. 379/1997
- Zákon o Poľnej Stráži, Z. z. č. 255/1994
- Zákon o Policajnom zbore, Z. z. č. 171/1993
- Zákon o Slovenskej informačnej službe č. 46 /1993
- Zákon o Vojenskom policii, Z. z. č. 124/1992
- Zákon Slovenskej národnej rady č. 564/1991 Zb. o obecnej policii,
<http://www.znomps.sk/index.php/zakon-slovenskej-narodnej-rady-c-564-1991-zb-o-obecnej-policii>

Petr Selinger
Tomasz Wątek

Analysis and Characterization of the Security Systems of the Republic of Poland and the Slovak Republic

The publication was devoted to issues of safety systems of Poland and Slovakia. Article aims to discuss and description of the major elements, principles of operation of safety systems and identify the differences and similarities between the various systems. Article summary are the conclusions and observations about prescriptions for common actions in the field to ensure a high level of security.

Key words: *safety, security system, Poland, Slovakia*

E-mail contact to the Authors: Petr.Selinger@fbi.uniza.sk; tomasz.walek@awf.krakow.pl