

LEGAL ASPECTS OF BUILDING THE SECURITY CAPACITY OF LOCAL SELF-GOVERNMENTS IN EMERGENCY SITUATIONS

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Abstract: *Local governments in the area of AP Vojvodina are facing various security challenges. The research conducted in selected local governments in the area of AP Vojvodina enabled a clearer view of the situation and preparedness of local governments in response to emergencies. The paper analyzes the legal aspects of raising the security capacity of local governments in emergency situations. It was determined that the analyzed local self-governments have relatively modest possibilities for responding to emergency situations and that the legal framework of emergency situations is not fully harmonized with other institutional documents at the level of local self-government. It was also established that in some of the analyzed municipalities, civil protection units have not been formed, nor have Protection and Rescue Plans been prepared. The normative method was used in the paper, as well as the legal-logical methods of induction and deduction.*

Key words: *law, security, emergency situation, local self-governments, Republic of Serbia*

1. INTRODUCTION

Emergencies cause a number of negative consequences for economy, affecting considerably all its sectors. Emergencies involve disruption of normal livelihood and economic activity, destruction of property, housing and public services; breakdown of industrial, commercial and communications infrastructure; human displacement and loss of life (African Development Fund, 2008). Emergencies represent a constant combination of different events and testing the ability of society and the state to successfully manage emergencies in such a situation and provide assistance to the population in a given situation. It can be stated that emergencies have become more frequent lately, more diverse and caused by various events. Sources of emergencies have become more frequent and cause increasing consequences for people, material goods and the environment on a daily basis. It should be especially noted that the different definitions of emergencies are oriented to the sources of threats and the ways in which society operates (Tosic, et al., 2021). According to the positive legal regulations, emergencies are a challenge that shows when, how much, and in what way the society is ready to react to them (Karovic, et al., 2021). Crisis communication is a great issue discussed and explained

differently in the works of numerous scientists and practitioners all over in the world (Radovic & Domazet, 2016).

Emergencies are a real challenge for the economy as well. There is no industry in which they do not cause serious problems in functioning, or in some cases cessation of economic activity (Domazet, 2015). Doing business in any emergency is very risky for an organisation because it might have long term consequences in the case that something goes wrong (Domazet & Radovic, 2016). At this point, the importance of government bodies in local self-governments and their ability to adequately respond to emergencies should be pointed out. This is understandable, because the decisions made at this, in the hierarchical sense, the lowest level of government, most directly affect the daily life of citizens in their territories (Karovic, et al., 2022). Strengthening the disaster risk management system through research, development, and the implementation of innovative solutions in this area can reduce disaster risk, which will directly affect the level of safety of citizens and their resilience to the consequences of disasters (Cvetkovic, et. al., 2021).

Taking this into account, the question arises as to the capacities of local self-governments in relation to emergencies, with an emphasis on local self-governments on the territory of Autonomous Province Vojvodina (Republic of Serbia).

2. THE AIM OF THE RESEARCH

The aim of the research was to find and clearly measurable comparison of adopted measures and actions to increase the capacity of local governments to prevent emergencies in the field of education of protection and rescue officials in emergencies and management actions to reduce risks to the local community. Special measures and actions universally applicable to all local governments in the area of Autonomous Province Vojvodina (hereinafter: AP Vojvodina) and cooperation with the bodies of the Ministry of Interior, the Ministry of Defense, medical centers and the business sector were especially included.

The research is conducted in 3 phases:

I Phase - preliminary research, involves activities to create a material and theoretical basis. The first activity in this phase is defining the objectives of the research, conceptualization, and analysis of legal regulations, economic analysis, and decomposition of the problem. In addition, at this stage, relevant literature, available sources from the country and abroad will be collected and methods and techniques will be applied that will be applied in the research. Within that, the current state of functioning of local self-government in the conditions of emergencies was analyzed, with special emphasis on the issue of risk assessment and response within the assessment, ie the method of risk management. The research was primarily related to the quality and reality of the assessment of the threat to local self-government, the method of assessment and risk evaluation. Protection and rescue plans, with a focus on prevention measures, and the ability and expertise of plan holders and their implementation in the protection and rescue of the population in emergencies were also discussed.

II Phase - development and implementation, implied the implementation of the project in the direction of assessing and raising the capacity of local self-government to prevent emergencies and organizational forms of work of local self-government in such a situation.

III Phase - presentation of results referred to the implementation of solutions and the implementation of specific measures with a clear comparison of raising and strengthening the capacity of local governments on specific preventive measures and actions that are an integral part of protection and rescue plans in emergencies.

An appropriate checklist was created, consisting of relevant questions relevant to all local governments in the area of AP Vojvodina, in order to identify key elements for raising the security capacity of local governments in emergencies.

Analysis was conducted using responses of 14 local self-government authorities (Stara Pazova, Kikinda, Plandiste, Sremska Mitrovica, Backa Topola, Opovo, Sremski Karlovci, Subotica, Odzaci, Beocin, Zrenjanin, Pecinci, Backa Palanka, Zitiste) which makes approximately 30% of the total number of local self-governments in the area of Autonomous Province (AP) Vojvodina. At this point in the research, there have been 14 surveys completed from which we can draw major conclusions, according to the research divided into 4 parts: 1) Capacities of local self-government; 2) Emergencies; 3) Forms of emergency prevention; 4) Capacity building.

One of the important results and effects of this research is the basis for activating existing multi-level coordination bodies of local self-government that bring together subnational government representatives to minimize the risk of fragmented crisis response (Karovic et al., 2022).

The paper analyzes the legal aspects of raising the security capacity of local governments in emergencies.

3. HARMONIZATION AND IMPLEMENTATION OF LEGAL REGULATIONS AND PRACTICAL PROTOCOLS OF LOCAL SELF-GOVERNMENTS IN AP VOJVODINA

When it comes to the capacities of local self-governments in order to prevent emergencies, the analysis of responses by the surveyed local self-governments of AP Vojvodina showed that local self-governments did not update systemic documents related to emergency management. In this sense, it is noticeable that it is necessary to innovate the relevant acts on the organization and functioning of civil protection, as well as the formation of civil protection units. Furthermore, the analyzed local governments did not adopt or innovate existing acts on risk assessment or protection and rescue plans under the jurisdiction of public companies founded by municipalities, ie they did not create a normative framework for the use of all material and human resources.

Also, it was shown that the analyzed local governments did not train and train staff in charge of emergency management, which is a consequence of lack of financial resources, or lack of municipal budget lines for these purposes. In general, there was a lower intensity of activities aimed at preventing emergencies in the analyzed local governments, and the legal framework of emergencies is partially harmonized with other institutional documents at the level of local self-government.

In Table 1 we can see the answers to the second part of subgroups of questions related to legal regulation in and practical protocols (emergencies), collected from 14 LSGs located in Autonomous Province Vojvodina.

In the local self-governments in which the research was conducted, it can be stated that local self-governments have qualified personnel for emergencies prevention planning, while one local self-government has a different attitude. It was determined that at the level of all local self-governments, the current situation was analyzed in terms of the possibility of emergencies, the extent of emergencies, and identified types of emergencies that would affect the area of local self-government. Almost all local self-governments have organized their work and specified detailed activities in emergencies, and the documents related to emergencies (Protection and Rescue Plan), clearly define all the dangers that could lead to an emergencies.

In addition, the local self-governments have developed a system of warning the population about the possible danger that may cause a state of emergencies.

At the same time, the analysis showed that in almost all local self-governments (except two) the Protection and Rescue Plan envisages the evacuation of the population in case of disasters. The fact that in all analyzed local self-governments companies are involved in the activities of preventive measures of emergencies can be positively assessed, as well as that in the vast majority of local self-governments transport capacities at the local self-government level provide relocation of public office holders. Also, the places of relocation of public office holders at the level of local self-government in case of disasters are clearly defined.

Table 1: Legal regulation related to the the activities of LSG in AP Vojvodina (*source: author's own work*)

Ser. No.	Claims (sub-groups of conditions)	Condition	
		Yes	No
1.	Does your local government have qualified personnel for emergency prevention planning?	13	1
2.	To what extent is the legal framework of emergencies harmonized with other institutional documents at the level of local self-government?	9	5
3.	Has the current situation regarding the possibility of emergencies been analyzed at the level of your local self-government?	14	/
4.	Have the types of emergencies that would affect the area of local self-government been identified at the level of your local self-government?	14	/
5.	Have realistic assessments of the scale of certain emergencies been made at the level of your local self-government?	14	/
6.	Is there a database at the level of your local self-government on emergencies and the damage caused by emergencies?	7	7
7.	Has work been organized at the level of your local self-government and detailed activities in emergencies have been specified?	13	1
8.	Are all hazards that could lead to an emergencies clearly defined in the emergency documents (Protection and Rescue Plan)?	14	/
9.	Is there enough attention paid to emergencies management in your local government?	11	3
10.	At the level of your local self-government, does the Protection and Rescue Plan envisage the evacuation of the population in case of disasters?	13	1
11.	At the level of your local self-government, are companies involved in the activities of preventive measures of emergencies?	14	/
12.	Do transport capacities at the level of local self-government ensure the relocation of public office holders to temporary places in case of disasters?	12	2
13.	Are the places of relocation of public office holders at the level of local self-government in case of disasters clearly defined?	12	2

Ser. No.	Claims (sub-groups of conditions)	Condition	
		Yes	No
14.	Is civil protection at the level of your local self-government sufficiently developed to be able to act effectively in emergencies?	4	10
15.	Is there a Civil Protection Unit Use Plan at your local government level and a clearly established system for commanding such units?	5	9
16.	Is there a developed system of warning the population about the possible danger that could cause a declaration of an emergencies?	14	/

The research established that in most of the analyzed local self-governments, the legal framework of emergencies is not harmonized with other institutional documents at the level of local self-government. Unsatisfactory results were also noted in terms of the existence of databases on emergencies and the damage caused by the emergencies, with more than half of the analyzed local governments finding the lack of an adequate database. A slightly weaker result was also recorded in terms of emergency management, with three local governments reporting a negative result. It is important to emphasize that a negative result was also noted in relation to civil protection. In this regard, most of the analyzed local governments found that civil protection at the local government level is not sufficiently developed to be able to act effectively in emergencies, and in most local governments there is no Civil Protection Unit Use Plan or clearly established command system for such units.

4. CONCLUSION

Having in mind the results of the research, it can be concluded that the legal framework of emergencies in most of the analysed local self-governments is not harmonized with other institutional documents at the level of local self-government. Therefore, in the coming period, local self-governments where this shortcoming has been noticed must make additional efforts in overcoming such a situation, primarily through the finalisation of systemic documents related to emergency management. Second, local self-governments need to form appropriate databases on emergencies and damage caused by emergencies. Third, problems were also detected with regard to emergency management, especially with regard to civil protection. It can be stated that civil protection in most of the analysed local governments is not at a satisfactory level, and in many local self-governments there is no plan for the use of civil protection units, nor is there a clearly established system of command of civil protection units. There are many reasons for that. They are not only organizational or financial in nature, but such a situation is often a consequence of insufficient engagement of responsible persons.

In the coming period, it is very necessary to educate civil protection units in all local self-governments where this has not been done, ie to fill the general purpose civil protection units and alert units with manpower, to allocate adequate budget funds at the local level, which would be intended for emergency prevention and elimination of consequences after natural disasters and other accidents. It is necessary to allocate significantly larger financial resources for protection and rescue, procurement of missing equipment and funds, as well as for training of members of civil protection and persons employed in local self-governments in civil protection and tasks determined by the protection and rescue plan. It is especially important to train and educate managers in local self-governments in the field of emergency management, including the training of civil protection commissioners, as well as members of municipal emergencies headquarters. At the level of local self-governments, it is necessary to prepare protection and rescue plans that will anticipate different types of crises, but also clearly define

the strategy and program for the development of local self-government units in the next ten years. Of course, this activity should be accompanied by appropriate financial support. Local self-governments must achieve a stronger organisational connection with higher levels of government, in order to overcome future crises more easily. It would be of great importance for local governments to study the experiences of other local governments throughout Europe and the world, in order to see good examples of response to emergency situations, which could be applied in the Republic of Serbia. It is necessary to create databases and networks of contacts and responsible persons in the Crisis Headquarters of all local governments, with the aim of coordinated action, information and communication, especially with the help of appropriate information portals. Finally, all local self-governments must make great efforts to educate the population and raise awareness about the effects of emergencies, as well as the importance of prevention.

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