

RIGHTS AND OBLIGATIONS OF THE CITIZENS IN EMERGENCIES

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Abstract: *The regulation of the rights and obligations of citizens towards the system of defense and protection of national security is tied to the beginning of the creation of a modern state. Nevertheless, forms of organizing society to defend against various types of plagues are present in the early stages of development of human civilization. Disasters of hydrological, meteorological, geological or biological origin, as well as accidents caused by human factors are inevitable companions of human development. Therefore, acquiring and developing awareness of the importance of providing self-help and helping others in crisis situations, then acquiring knowledge and skills applicable in disasters, but also adequate action in emergencies become an imperative of modern society. The preparation of the population for the defense of the country, although primarily focused on responding to state of emergency and war, does not neglect the training of citizens to act in emergencies.*

Key words: national security, defense, emergencies, rights, obligations

1. INTRODUCTION

In the present, through the formation of rights and obligations, society prepares for the future. As Walter states, bearing in mind that risk is a social construction, the variants of sensitivity to what bears that name deserve full attention, because it reveals to what extent it, in the field of empirical observation, can be considered a given or understood as constructed. In the first case, risks exist independently of our perception, which corresponds to the concept of coincidence. Coincidence is a possible event, with a greater or lesser probability of actualization. In the second case, the risk is much more the result of the evaluation process and does not depend only on the reality as it is outside our perception (Valter, 2012). Risks are always future events, which may be ahead of us, which threaten us. But as this constant threat shapes our expectations, engages us mentally, and guides our actions, it becomes a political force that changes the world (Bek, 2011).

In the study case of the Republic of Serbia, the development of the rights and obligations of citizens in the wider context of preserving national security, with a foothold in the defense system, was reviewed. Recognizing the many elements of society in the implementation of competent measures to enable the normal functioning of the population in the event of disasters

is impossible without a clearly defined place and role of each individual. Certain authors state that it is no longer up to society to protect citizens, but up to each individual to accept probable risks, taking care not to allow himself to be drawn into the process of vulnerability, which, due to constant flexibility, affects a non-negligible part of the population of most European countries. Vulnerability and precarity have replaced pauperization. The only certainty is the constant threat that manifests a kind of new relationship with the world (Valter, 2012).

2. RIGHTS AND OBLIGATIONS OF THE CITIZENS OF THE REPUBLIC OF SERBIA IN DEFENSE OF THE COUNTRY

At the beginning of the 20th century, many countries implemented the transformation of the national security and defense system, so that they could respond adequately to security challenges, risks and threats in accordance with the available resources and potential. In order to preserve the sovereignty, independence and territorial integrity of the Republic of Serbia, the goal of deterring armed threats and effective defense will be realized. Also, work will be done to create the necessary conditions for the integral engagement of all subjects of the defense system. In this sense, the concept of total defense will be elaborated and implemented and the number of citizens trained for the defense of the country will be significantly increased (Strategija nacionalne bezbednosti Republike Srbije 2019).

Natural disasters have a significant impact on the security situation, which in a very short period of time can cause significant consequences and make life impossible in certain parts or in the entire country. The Republic of Serbia is exposed to the risk of floods, and droughts, fires, earthquakes, technical-technological and other accidents are also possible. The executive part of the national security system performs tasks depending on the type and manner of manifestation of challenges, risks and threats to security, by engaging: military and police forces, security services, fire and rescue units, civil protection units, communal militia, customs, security services in institutions for the execution of criminal sanctions, judicial guards, services and agencies for the security of persons and facilities, large technical and technological systems, companies, other legal entities, associations, entrepreneurs and citizens (Strategija nacionalne bezbednosti Republike Srbije 2019). Unlike the executive part of the national security system, the executive defense system consists of the entire potential and resources of a society, i.e. the Serbian Army and other defense forces (state bodies, state administration bodies, bodies of autonomous provinces, bodies of local self-government units, business companies, other legal entities, entrepreneurs and citizens). The executive system of defense prepares for the defense of the country in peace, and engages in conditions of state of emergency and war.

In the defense of the country citizens have the right and duty to perform military, labor and material obligations and participate in civil protection and training for defense, in accordance with the law, decisions of competent authorities and defense plans. Citizens who have been determined to have a military, work or material obligation, i.e. an obligation to participate in civil protection, are obliged to act according to the orders of the competent authorities (Zakon o odbrani 2018).

Civil protection is an organized system whose main activity is the protection, rescue and removal of the consequences of natural disasters, technical-technological accidents and other major dangers that can threaten the population, material and cultural goods and the environment in peace and in a state of emergency and war (Zakon o smanjenju rizika od katastrofa i upravljanju vanrednim situacijama 2018). From the aspect of the defense system, the obligation of citizens to participate in civil protection is activated by state of emergency and war. In order for citizens to represent an adequate, efficient and usable human resource in

defense, it is not enough that they are subject to the duty of defense, but it is also important that they are capable and trained for inclusion in the defense system. In peacetime, citizens trained to participate in civil protection will make their contribution within the defense system in state of emergency and war, but also within the system of disaster protection and emergency management when emergencies are declared, mainly caused by natural disasters.

In the Republic of Serbia, male and female citizens can be invited to civil protection exercises and training for a maximum of 90 days in one year. The goal of organized exercises and training is to acquire the necessary knowledge for assigned duties in civil protection.

Protecting the security of the Republic of Serbia and its citizens is one of the strategic defense interests of the Republic of Serbia. Effective protection and rescue of the population in peace, state of emergency and war contributes to the realization of this strategic interest. Therefore, special attention is paid to improving the abilities and capacities of fire-rescue units and civil protection units. Citizens who have an obligation to participate in civil protection are actually men and women who have served military service and men who have completed civil service (alternative model of military service) and who make up the reserve composition of civil protection. Reserve composition of civil protection refers to civil protection units. Citizens assigned duties in civil protection units are obliged to respond to calls from competent territorial authorities of the Ministry of Defense, for training in National Training Centers and Regional Training Centers or for the performance of assigned duties under state of emergency and war. For citizens who, without justifiable reason, do not respond to the call of the competent territorial body of the Ministry of Defense in order to participate in civil protection, fines and even prison sentences are prescribed for the offense committed.

3. MODELS OF PARTICIPATION OF THE CITIZENS OF THE REPUBLIC OF SERBIA IN THE DISASTER RISK REDUCTION AND EMERGENCY MANAGEMENT SYSTEM

The population's basic need for protection is reflected in a two-way relationship, that is, accepting protection and providing protection in emergencies. Voluntary and generally accepted involvement of citizens in the process of training and participation in emergencies certainly gives greater results than when it is forced. In order for the population to understand the place and role in the implementation of protection and rescue measures, normative legal and institutional regulation of emergency management is important. In November 2018, at the session of the National Assembly of the Republic of Serbia, the Law on Disaster Risk Reduction and Emergency Management was adopted, and in this way, the normative-legal basis for managing emergencies was created. Within the Ministry of Interior, a special organizational unit, the Department for Emergencies, was established to perform tasks in the area of disaster risk reduction and emergency management.

The disaster risk reduction and emergency management system is part of the national security system and represents an integrated form of management and organization of the subjects of this system for the implementation of preventive and operational measures and the execution of the tasks of protecting and rescuing people and goods from the consequences of disasters, including recovery measures from those consequences (Zakon o smanjenju rizika od katastrofa i upravljanju vanrednim situacijama 2018). This part of the national security system is activated in the conditions of emergencies, which represent the situation created by the declaration by the competent authority when the risks and threats or the resulting consequences for the population, the environment and material and cultural assets are of such scope and intensity that their occurrence or consequences cannot be prevented or to be removed by regular action of the competent authorities and services, which is why it is necessary to use

special measures, forces and means in order to mitigate and eliminate them with an enhanced work regime.

The Law on Disaster Risk Reduction and Emergency Management regulates the strengthening of individual readiness to respond to the consequences of disasters, as well as the rights and obligations of citizens. Citizens have the right to be informed about the risks of disasters, measures and activities undertaken to reduce them, threats and possible consequences of disasters, as well as about all necessary information of importance for protection and rescue (Zakon o smanjenju rizika od katastrofa i upravljanju vanrednim situacijama, 2018). It is prescribed that information and notices of importance for protection and rescue are given to citizens in sign and Braille.

In accordance with the principle of participation and solidarity, vulnerable citizens have the right to participate in designing the content and implementation of disaster risk reduction activities, as well as the right to participate in proposing, undertaking and executing certain measures, tasks and activities in the protection and rescue and expressing their need for aid. Citizens affected by the consequences of disasters have the right to help in accordance with their needs and priorities provided by humanitarian and other registered organizations, and if they have suffered greater material damage, they also have the right to state aid.

Citizens are part of the disaster risk reduction and emergency management system forces. Therefore, all capable citizens, including foreign citizens and persons without citizenship who, in accordance with the law, have permission for temporary residence or permanent residence in the Republic of Serbia, between the ages of 18 and 60, are obliged to participate in the execution of protection and rescue tasks. The following are not required to participate in the execution of protection and rescue tasks: 1) pregnant women and mothers with children up to ten years of age and single parents or guardians with children up to 15 years of age; 2) persons with disabilities, as well as persons who care for persons with disabilities; 3) persons who take care of and live in the same household with elderly persons who are not capable of taking care of themselves (Zakon o smanjenju rizika od katastrofa i upravljanju vanrednim situacijama, 2018).

Civil protection units, the Red Cross of Serbia, the Mountain Rescue Service, the Fire Brigade of Serbia, the Association of Radio Amateurs of Serbia, commissioners and deputy commissioners of civil protection and others are part of the forces of the disaster risk reduction and emergency management system. Citizens enjoy the rights and obligations arising from such membership.

The models of participation of citizens of the Republic of Serbia in the system of disaster risk reduction and emergency management can be classified in relation to the membership of citizens in the forces of the system of disaster risk reduction and emergency management. Citizens of the Republic of Serbia can participate in the disaster risk reduction and emergency management system as follows:

- a) members of civil protection units,
- b) members of the Red Cross of Serbia,
- c) members of the Mountain Rescue Service,
- d) members of the Fire Brigade Association of Serbia,
- e) members of the Association of Radio Amateurs of Serbia,
- f) commissioners and deputy commissioners of civil protection.

Members of civil protection units can be adult citizens of the Republic of Serbia who have not been determined to have a military or work obligation. Specialized civil protection units for firefighting, water and underwater rescue, care, first aid, first aid and care, radiological, chemical and biological, and rescue from ruins are established by the Ministry of Interior. General-purpose civil protection units and specialized warning units are formed by local self-government units, i.e. municipalities, cities and the City of Belgrade. Citizens are assigned to civil protection units on a voluntary basis, but also on a mandatory basis. Citizens, in order to be assigned to duties in civil protection units, need to meet special requirements in terms of knowledge and abilities acquired during military service or special requirements in terms of professional qualifications and occupations acquired during secondary and higher education. Also, for certain duties, citizens need to have completed certain courses and trainings. The Ministry of Interior is establishing a National Training Center and regional training centers for the training and development of members of civil protection units.

and that are required to maintain elevated operational and functional ability, as well as engagement in international assistance missions, are filled by the active reserve. A member of the active reserve is selected through a public competition, and the rights and obligations are regulated by a contract with the Ministry of Interior (Zakon o smanjenju rizika od katastrofa i upravljanju vanrednim situacijama 2018).

Members of the Red Cross of Serbia are qualified citizens to perform civil protection duties on the territory of the Republic of Serbia, to provide first aid in the event of natural, environmental and other disasters, as well as armed conflicts. Members of the Red Cross of Serbia perform humanitarian activities throughout the territory of the Republic of Serbia, as prescribed by the Statute of this organization. The Serbian Red Cross is also responsible for training citizens and civil protection units in providing first aid, and it can also train units that have the status of civil protection units in terms of staffing.

Members of the Mountain Rescue Service have the right and obligation to acquire mountaineering knowledge and to train in mountaineering technical skills (Statut Planinarskog saveza Srbije 2020). Members of the Mountain Rescue Service can go through four levels of training: 1) basic mountaineering training and obtaining the title of trainee, 2) initial mountaineering training and obtaining the title of trainee, 3) advanced mountaineering training and obtaining the title of junior rescuer and 4) professional training to perform certain professional jobs in mountaineering and obtain the title of rescuer.

Members of the Firefighters Association of Serbia are freely associated citizens for the purpose of organized voluntary participation in the implementation of fire protection, extinguishing fires, rescuing people and property and implementing projects and programs in this area that are of public interest (Statut Vatrogasnog saveza Srbije 2020).

Members of the Association of Radio Amateurs of Serbia are radio amateurs, amateur radio goniometers and members who deal with other fields of electronics and telecommunications, as well as members who are training for radio amateur professions and specialties. Some of the objectives of the Association of Radio Amateurs of Serbia are the organization, training and participation of radio clubs and radio amateurs in activities in areas of importance for defense and in cases of emergencies and humanitarian actions. The Union of Radio Amateurs of Serbia achieves its goals in cooperation with state institutions in the implementation of programs and obligations in the field of defense and emergencies (Statut Saveza radio amatera Srbije 2010).

Commissioners and deputy commissioners of civil protection have the status of members of civil protection. Commissioners and deputy commissioners of civil protection are appointed

for the purpose of carrying out tasks of civil protection in populated areas, part of settlements, residential buildings, companies and other legal entities and state administration bodies. The commissioner or deputy commissioner of civil protection can be an adult, who has not been sentenced to an unconditional prison sentence of at least six months, as well as against whom no criminal proceedings are being conducted for a criminal offense prosecuted ex officio. Commissioners and deputy commissioners of civil protection participate in the preparations of citizens and employees for personal and mutual protection, inform citizens and employees about the timely undertaking of civil protection measures, inform citizens and employees about general mobilization in order to participate in the protection and rescue of people and material goods in emergencies, carry out coordination and implementation of evacuation, disposal, sheltering and other measures of civil protection and carry out verification of the posting of notices on signs for alerting citizens in buildings in the area of their responsibility (Zakon o smanjenju rizika od katastrofa i upravljanju vanrednim situacijama, 2018).

The participation of citizens in the system of disaster risk reduction and emergency management by performing assigned tasks and activities within the emergency headquarters, fire and rescue units, Police and the Serbian Army stems from the employment relationship in the mentioned forces of the system of disaster risk reduction and emergency management.

The models of participation of the citizens of the Republic of Serbia in the disaster risk reduction and emergency management system can be classified in relation to their involvement. Citizens can participate in the disaster risk reduction and emergency management system:

- a) engaging in the execution of civil protection tasks and
- b) by providing things and material resources for use.

Members of civil protection units and commissioners and deputy commissioners of civil protection are engaged in the execution of civil protection tasks.

Providing for the use of things and material resources is the duty of citizens, which is reflected in enabling the necessary works for the protection and rescue of their immovable property, as well as the assignment of the use of immovable things, vehicles, machines, equipment, material and technical and other material resources (water, food, medicine, clothing, footwear, construction and other products).

Citizens in the system of disaster risk reduction and emergency management, and in order to protect and save people, material and cultural assets from the dangers caused by the disaster, actually participate in the implementation of the following civil protection measures: raising the alarm; evacuation; hiding; taking care of the vulnerable and injured; radiological, chemical and biological protection; protection from technical-technological accidents; protection and rescue from ruins; protection and rescue from floods and accidents on and under water; protection and rescue in inaccessible areas; protection and rescue from fire and explosions; protect against explosive remnants of war; first and medical aid; and field sanitation.

In the Republic of Serbia, civil protection consists of personal and mutual protection, civil protection measures, commissioners, deputy commissioners and civil protection units. Personal and mutual protection is a form of organizing citizens for personal protection and self-help and providing assistance to other persons who need this assistance. In order to achieve personal and mutual protection, state authorities, autonomous province authorities and local self-government unit authorities, companies and other legal entities provide and keep in proper condition the necessary means and equipment for personal and mutual protection and train employees. Citizens, owners of buildings and owners of separate and independent parts of residential buildings and buildings of any other purpose are obliged to provide and keep in

proper condition the necessary means and equipment for personal and mutual protection (Zakon o smanjenju rizika od katastrofa i upravljanju vanrednim situacijama, 2018).

Modern society cannot completely avoid the impact of natural disasters and technical-technological accidents on people's lives and health, on material and cultural assets or on the environment. The core of the system of protection and rescue and management of emergencies is the individual, that is, the human resource who is trained and qualified to implement measures and tasks of civil protection, to contribute to the stability and development of security and defense potential of society in the long term.

4. CONCLUSION

Military and armed training is related to the genesis of the rights and obligations of each individual towards the preservation and improvement of security. Modern civilizational achievements, taught by the experiences of past plagues, emphasize the development of the population's awareness of safe living and human treatment of other members of the social community. Adaptation of the individual to obligations towards the defense system and awareness of the importance of responsible and adequate behavior in risky situations affects the development and strengthening of awareness of the importance of acquiring applicable and useful knowledge and skills. Contribution to national security in peacetime conditions and conditions of declaration of emergency, as well as contribution to the defense of the country in a state of emergency and war, is also reflected in engagement in the execution of unarmed tasks, measures and activities, such as participation in civil protection.

However, in order to properly and completely understand the importance of preventive action and adequate response in the event of disasters, it is necessary to provide the population with elementary and appropriate knowledge in this context, primarily through the primary and secondary education system. Starting work on preparing the population for emergencies, first of all, through the education system of the younger generation, will allow us to get the expected (Bostovana, 2022).

In the Republic of Serbia, it is regulated that citizens who are not covered by training within primary and secondary education can acquire basic knowledge in the field of disaster risk reduction and emergency management within the activities of entities of special importance for protection and rescue, in accordance with a special law and program activities. Citizens are obliged: to train for protection and rescue and to take measures for personal and mutual protection; to accept assignment to civil protection units and to respond in case of mobilization of those units; to respond to the call of the competent headquarters for emergencies in order to participate in protection and rescue actions; to inform the operation center 112 without delay about the occurrence of danger and; to carry out prescribed and ordered protection and rescue measures (Zakon o smanjenju rizika od katastrofa i upravljanju vanrednim situacijama, 2018).

Due to the Covid-19 pandemic caused by a viral infection, a state of emergency was in effect in the Republic of Serbia in the period from March 15 to May 6, 2020. Due to the Covid-19 pandemic, most countries have declared a state of emergency during which deviations from human and minority rights guaranteed by the Constitution are permitted to the extent necessary.

After the lifting of the state of emergency, both due to the Covid-19 pandemic and due to natural disasters, the consequences of which could not be eliminated by the regular action of the competent authorities and services, in some cities and municipalities of the Republic of Serbia, a state of emergency was declared in the course of 2020.

The well-known tradition and decades-long orderliness of fulfilling obligations towards the defense system, which in this case we can recognize in the participation of citizens in civil protection, i.e. protection and rescue in emergencies, facilitates the establishment of mechanisms for preserving national security, i.e. defense and protection and rescue by unarmed means. The achievements of democratic societies are reflected in enabling an individual to contribute to the security of the society in which he lives, according to his knowledge, skills and abilities, as well as his personal affinities.

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