

ENIKŐ HEVÉR¹**Duties of the security institutes in the elimination of extraordinary cases during special legal orders****A rendvédelmi szervek feladatai a rendkívüli események felszámolásában különleges jogrendi állapot esetén****Abstract**

Events of our days have highlighted that security forces along the provision of their basic tasks have to take part in the elimination of extraordinary statuses also. The author in this study analyzes the assignments of security forces in the time of special legal order. Presents the periods of special legal order in Hungary, highlights the emergency situation, and then examines the relevancy of security organizations and the specific duties of the Police's functional actions. Expounds the types and features of catastrophes, and the organizations involved in disaster management, also reviews the legislative background of subtasks. Points at the importance of the Police's teampower in the task resolving of border control, traffic control and public order in case of emergency situations.

Keywords: public order, emergency situation, Police, disaster management, teampower

Absztrakt

Napjaink eseményei rávilágítottak arra, hogy a védelmi szervezeteknek az alapfeladataik ellátása mellett rendkívüli események felszámolásában is részt kell venniük. A cikkben a szerző elemzi a rendvédelmi szervek feladatait különleges jogrend idején. Bemutatja Magyarország különleges jogrendi időszakait, kiemelten a veszélyhelyzetet, majd abból levezetve elemzi a rendészeti szervek jelentőségét és a Rendőrség sajátos feladatainak gyakorlati tevékenységét. Ismerteti a katasztrófák típusait, jellemzőit és a katasztrófavédelemben résztvevők körét, valamint a részfeladatok jogszabályi hátterét, illetve rámutat a Rendőrség csapatairejének

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fontosságára a a közrendvédelmi és közlekedés-, határrendészeti feladatok megoldásában rendkívüli helyzetekben.

Kulcsszavak: rendvédelem, veszélyhelyzet, Rendőrség, katasztrófavédelem, csapaterő

PREFACE

Nowadays the Police as it is already known does its duties with a wider range of authority, not just in peaceful periods, but differently in the periods of Special Legal Order too. The disposal and the elimination of various extraordinary events occurred on the territory of Hungary is not just based on the work of the above mentioned organization, but it is the result of the joint work of other collaborators. The Police takes a significant role in the periods of Special Legal Order such as it is in normal times.

The Special Legal Order in our country is well organized and legally and organizationally also coordinated, it is an unified shaped system. This system contains the State of National Crisis, the State of Emergency, the State of Preventive Defence, the Unexpected Attack and the State of Danger. The last in this line can be proclaimed in situations occurred by catastrophies.

As a result of the new disaster management regulationa more regulated and more manageable system has evolved. In the last years it is known that the number of emergency situations occurred by disasters and their hazards or formed by their consequences has been increased. Theese situations could be only solved with a more recollected, simplified and clarified tasking system.

The study expounds the features of the Special Legal Order, its cases, in particular the special features of emergency situations, just as the listing of disaster types which can be occurred most commonly in our territory. The basic tasks of organizations cooperated in disaster management will be presented, such as the particular duties of the Police and the practical implementing of them. In addition, those conditions and specialities will be explained which are individual within the organization, and sometimes might cause problems and might be able to act as an efficiency reducing factor.

DETERMINATION OF THE SPECIAL LEGAL ORDER, PRESENTATION OF ITS CONTENT, SIGNIFICANTLY IN THE PERIOD OF STATE OF DANGER

The legislation of Special Legal Order has been greatly changed since the Fundamental Law of Hungary entered into force. This change manifests mainly in, that the establishment of Hungary's security is mainly the task of the Government, the task of the Parliament and the task of the President of the Republic. During the time of State of National Crises the National Defence Council, in the time of State of Emergency the President of the Republic, in the time of State of Preventive Defence and Unexpected Attack the Government shall introduce extraordinary measures. Common criteria of the periods of the Special Legal

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Order is that if the normal operation of the State, the life and property security of the citizens are endangered by internal or external social or natural hazards, shall eliminate them and their consequences if they appear with the means of the Special Legal Order. So the application of this legal order is an exceptional period of the state, in which due to the fulfilment of the conditions specified in The Fundamental Law exceptional power prevails. During the Special Legal Order, introduction of various extraordinary measures and the application of them, allows that the total personnel and material resources of the state can be maximally available to provide armed military defence to the homeland, to protect the fundamental order, to overcome on disasters, and to maintain the life and property security of the citizens. Authorities provide the continuity of the state control in the territory of the country, provide the maintenance of the public order and security, provide the protection of the citizens and continuously provide their basic subsistence.

In Hungary there are common regulations to the Special Legal Order too. Such as that the practice of fundamental rights with some exceptions may be suspended or limited, but the adaptation of the Fundamental Law must not be suspended and the operation of the The Constitutional Court must not be limited. This can only be terminated by an organization with the right to introduce the Special Legal Order, if the conditions of its proclamation no longer exist and it is also necessary to expound that the detailed rules applied here are determined by a cardinal Act.

In Special Legal Order as far as already explained we can distinguish several facts from each other. One of this is the State of Emergency which is introduced in case of the proclamation of State of War or in case of a direct danger of a foreign power's armed attack (war-cloud), and to control it the National Defence Council is been created. The head of the Council shall be The President of the Republic, members shall be the Speaker of the National Assembly, the leaders of parliamentary groups, the Prime Minister, the Ministers and – in a consultative capacity – the Chief of the National Defence Staff. The National Defence Council shall exercise the powers delegated to it by the National Assembly, the powers of the President of the Republic and the powers of the Government. It shall decide on the deployment of the Hungarian Defence Forces abroad or within Hungary, on their participation in peacekeeping, on their humanitarian activity in a foreign operational area, or on their stationing abroad. So far it shall decide on the deployment of foreign armed forces in Hungary or departing from the territory of Hungary, or on their stationing in Hungary, furthermore on the introduction of extraordinary measures laid down in a cardinal Act. The National Defence Council may adopt decrees by means of which it may, as provided for by a cardinal Act, suspend the application of certain Acts, derogate from the provisions of Acts and take other extraordinary measures. Upon the termination of the state of national crisis, such decrees of the National Defence Council shall cease to have effect, unless the National Assembly extends those decrees.

The next step in the row of Special Legal Order is the State of Emergency. It is proclaimed in case of the overthrow of the legal order or in case of armed actions to acquire the exclusive power. Furthermore it is proclaimed in case of serious and violent actions

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committed by arms or armed groups which endanger the life and property security in a mass scale. The State of Emergency is also announced by the National Assembly. The specific feature of this state is that in case of the use of the police and the national security services prove insufficient, the Hungarian Defence Forces may be used during a state of emergency. In this period if the National Assembly is prevented from acting, the President of the Republic shall decide on the use of the Hungarian Defence Forces as it is mentioned above. During a state of emergency, the extraordinary measures laid down in a cardinal Act shall be introduced by the President of the Republic in decrees. By means of his or her decrees, the President of the Republic may, as provided for by a cardinal Act, suspend the application of certain Acts, derogate from the provisions of Acts and take other extraordinary measures and the President of the Republic shall forthwith inform the Speaker of the National Assembly of the extraordinary measures introduced. Extraordinary measures introduced by The President of the Republic by means of decrees shall remain in force for thirty days. The rule is valid here also, the National Assembly or, if it is prevented from acting, the committee of the National Assembly dealing with national defence issues extends them, but upon the termination of the state of emergency, such decrees of the President of the Republic shall cease to have effect.

In the event of a danger of external armed attack or in order to meet an obligation arising from an alliance, the National Assembly shall declare a state of preventive defence as a special legal order for a fixed period of time and this period may be extended. At this time the Government is authorised to introduce extraordinary measures which can be derogating from the Acts regulating the public administration, The Hungarian Defence Forces and the law enforcement organs. The measures thus introduced shall remain in force until the decision of the National Assembly on the declaration of a state of preventive defence but for no longer than sixty days.

The next state of the special legal order is the unexpected attack. In the event of an unexpected incursion of external armed groups into the territory of Hungary, until the decision on the declaration of a state of emergency or state of national crisis, the Government shall be obliged – if necessary, in accordance with the armed defence plan approved by the President of the Republic – to immediately take action using forces proportionate to and prepared for the attack, to repel the attack, to defend the territory of Hungary with domestic and allied emergency air defence and aviation forces, in order to protect lawful order, life and property, public order and public security. Upon these measures taken the Government forthwith informs the National Assembly and the President of the Republic. The Government may introduce extraordinary measures, and repeatedly may adopt decrees thus suspend the application of certain Acts, derogate from the provisions of Acts and take other extraordinary measures. Upon the termination of the unexpected attack, such decrees of the Government shall cease to have effect.

In the row of special legal order we shall mention the State of Danger too. It is also announced by the Government. In the event of a natural disaster or industrial accident endangering life and property, or in order to mitigate the consequences thereof, the

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Government shall declare a state of danger, and may introduce extraordinary measures. It may adopt decrees by means of which it may, may suspend the application of certain Acts, derogate from the provisions of Acts. These decrees of the Government shall remain in force for fifteen days, unless those are extended, but upon the termination of the state of danger they shall cease to have effect.

So the function of the periods of special legal order is to be able to achieve defence tasks in between constitutional frameworks by taking actions based on the rule of law of special legal orders. According to that in extraordinary periods actions related to defence management are not just expanded on state organizations but on citizens and on their associations too. The rights and obligations of normal times are changing significantly, so therefore it is determinative to keep the actions of defense administrative organs in the legal framework. To achieve it, in extraordinary periods the organizational structure of the defense administration shall fundamentally use the elements of the peace time public administration, but its legal power expands as it is appropriate in extraordinary times.

The periods and the features of Special Legal Order have been expounded above. Furthermore I shall narrow the detailed presentation and highlight the types of emergencies, because just as I have explained it already in the preface, the high number of catastrophies occurred in Hungary and the defense against them is really important. The disasters can be divided into two main groups. They can be natural –which happen without human intervention- and they can be civilization related disasters, which opposite to natural disasters are occurred by human actions. Then these groups can be separated to more elements, such as in the group of natural disasters there are geological, meteorological, and biological catastrophies. We can also separate more elements within the group of civilization related disasters. Industrial catastrophies are in connection with for example the arise of hazardous waste, with the exhaust of radioactive or dangerous materials and there escape to the environment, with explosions, and with soil desiccation. Agriculture related catastrophe can be the deforestation, the chemicalization and the destruction of the vegetation. Beyond the natural disasters dissimilar contaminations are dangerous also, such as water, soil and air contamination. The listed traffic disasters are the vehicular, the railway, the air traffic related and the water related catastrophes. We can also define crises related to political reasons, such as the political crisis, or revolution, terrorism, and we divide the poverty and the crime into categories with economical background. The place of the migration in this listing is in the group of extras.. In Hungary in the row of civilization related catastrophies the most likely to occur are the industrial, the agricultural, the environmental and the traffic related catastrophies.

The common feature of the emergencies or disasters detailed above is that nor their territorial impact neither the seriousness of their consequences do not reach the level of the state of national crisis or the level of the state of emergency. On regulations which are adaptable at this time it just declares authorizational rules, so the powers of the Government are expanded on the adoption of decrees and measures derogating from the provision of certain laws. Actually of the distinguished periods regulated in The

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Fundamental Law the state of danger is the lowest level of the seriously disrupting matters which is related to the functioning of the society, but in some cases it can be the period right before the state of emergency. This period is distinguished from the others. This is the only period, where extraordinary measures are implemented by the Act CXXVII. (2012) on Disaster Management, which personally empowers the head of the territorial defense committees with the rights and powers of the plenum.

PARTICIPIANTS OF THE DISASTER MANAGEMENT AND THEIR TASKS

The Act CXXVIII (2011) and its 1. § on Disaster Management and certain amendments related clearly defines that the disaster management is a national cause, and the integrated control of the defense is the task of the state. Besides it is also known on this Act, that all citizens and persons have the right to recognize the emergencies in his/her surroundings, the normative rules of defense might be acquired, and it is also their law and obligation to participate in the disaster management. On this the first indent of the 2. § (1) finds, that the defense and the elimination of the consequences must be ensured by the organizations established for this purpose, and with the coordination of functions of various control systems, and so far with co-operation and involvement of organizations and persons. These together are termed as participants of disaster management, which are highlighted below:



Figure 1: Participants of disaster management

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The law mentioned above also records the purpose of the listed participants of the disaster management system. Their primary object is to provide relevant informations to the citizens, in connection with life, limb, material goods and environmental hazardous effects. Furthermore I am going to highlight the relevance of law enforcement organizations within the disaster management system, and within that the necessity of the Police. Primarily it is important and interesting to mention, that the National Tax and Customs Administration of Hungary(henceforward: NTCA) is not listed among the law enforcement agencies, despite the professional personnel of NTCA takes its duties among the armed forces of Hungary. In the Act CXXII. (2010) the organization occurs also as an armed governmental office. Therefore Hungary's current full range of law enforcement representatives are shown in the following figure:



Figure 2: The law enforcement organizations

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Beside the act of disaster management the decree of the Ministry of Interior 62/2011. (XII. 29.) divides on the particular rules of counter-disaster defense. It devides that, which competences belong to the organizations. This is the norm that also regulates the disaster management tasks of the Hungarian Prison Service. About this we can conlude that the use of the personnel and prisoners is taken into account by specific rules, naturally without risking their prior duties, and parallel with the maintenance of the primacy of detention. Their supply with personal protective equipments, with special equipments needed for the defense, their catering is collaborated with the Defence Committees. Theoretical and practical training of the personnel and prisoners capable to play a role in counter-disaster matters is contributed with partner and cooperative organizations.

The professional disaster management organization due to the separation of basic disaster management tasks disposes the powers of industrial safety, fire safety and civil defence. It means, that it prescribes, authorizes, prohibits, restricts, controls and applies sanctions. The civil defence consists of eg those tasks that achieve the protection of the population. The sum of these means the elimination of dangerous effects to life and to material goods necessary for subsistence, and the preparation and organizational work due to this end, furthermore it means the establishment of the required planning. One goal of the fire safety agency, is to help in addition with prevention with the support of the legislation and to provide appropriate management options. With the consistent enforcement of the rules defend the population, and in case of committing illegal acts implement an effective system of sanctions if necessary. The necessary task of the other fire safety specialization called fire service is to implement the conditions of effective intervention in case of fire. The task is also to assist effectively in cases requiring technical rescue, and to serve the safety of the intervening staff during cases of fires. The third important sector of the disaster management is the industrial safety, it has got nation-wide powers, it covers regionally and locally four specialized areas. These are the supervision of dangerous upper and lower-tier establishments, the supervision of the transportation of hazardous materials, the security of critical infrastructures and the specialization of nuclear disaster prevention. The dangerous facilities related tasks expand among other things on lower-tier establishments, on special treated facilities, on the establishments of hazardous material transportation, furthermore expand on the tasks related to the defense of the critical infrastructures and with tasks in connection with nuclear disaster prevention.

The law enforcement agencies also include the National Security Services, which of the Bureau of Information and such as the National Defense Service do not have disaster management tasks. The other two bodies of the National Security Services, the Constitution Protection Office and the Special Service for National Security however have. During their participation in counter-disaster defense they cooperate with the professional agencies of disaster management and with the mayors, so they participate in the preparation and in the fulfillment of tasks of the defense period. In addition they contribute in the shaping of the disaster management perspective of critical infrastructure defense, and in the development of its horizontal criterias, and in the identification process.

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The next law enforcement agency is the Police. To understand its goals on disaster management it is necessary to know the organizational development of it. Due to certain policing subjects and related amendments on Act CXLVII. (2010) in the Act on the Police XXXIV(1994)(henceforward: Act on the Police) changes have occurred. The amendment had been adopted by the National Assembly on the meeting held on the 06th December, 2010 and became effective from the date of January 01, 2011. So from this date the Police of Hungary can be divided to three separate bodies, which is shown in the figure below.



Figure 3: The organizational structure of the Police

The regulations of the police activities first appear in the Fundamental Law of Hungary. The Article 46. (1) expounds that „the core duties of the police shall be the prevention and investigation of criminal offences, and the protection of public security, public order, and the order of state borders”. The detailed rules relating to the organisation and operation of the police shall be laid down in a cardinal Act. This is the already mentioned Act on the Police, that regulates the tasks of the organization, the structure and the governance of it, it lays down the fragmented bodies and the internal and external collaboration, and the general principles of the operation. So it contains everything what is required to comprehensively understand and know the functions of the organization. Furthermore we shall find here the police measures, the applicable coercive tools, and it also regulates the way of secret

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information gathering. Inter alia regulates the legal remedy against breaches of an obligation, against police actions or their failures, and the legal remedy against the use of coercive tools.

Regarding that the tasks of the organization are manifold, these are not going to be listed in my study, because the different areas are already in the cited Act. Among the activities of the Police this study highlights tasks in connection with disaster management, so furthermore I am focusing on this part only.

According to the 1st § (1) of the Act on the Police its task is – above the mentioned links of The Fundamental Law – „to control the border traffic, to struggle against terrorism, and to control crime prevention and to uncover crimes as specified in this Act, and to recover resultant assets of crimes.”. For this purpose the law lists a total of nineteen separate activities, and only one of it refers directly to disaster management tasks. This is the reason to highlight that the Police is dual-capable, which means that in peace periods it shall carry out the tasks referred by the legislation, which are also accomplished in the period of special legal order, but besides this in this period separate actions must be taken also.

According to the 1st § chapter (2) point 9 of the Act on the Police, „the Police performs the law enforcement related duties in case of the state of national crisis, in case of state of emergency, in the state of preventive defence, in the state of unexpected attack and in case of state of danger. Furthermore in the period of state of national crises and in state of unexpected attack it cooperates in the displacement of armed personnel crossing the border, and also cooperates in their capturing and disarmament.”. Certain detailed regulations of counter-disaster defence are specified in the decree of the Ministry of Interior (62/2011. (XII. 29.)), because this is effective on the organization established to achieve general police exercises, and also effective on the Counter Terrorism Center. (henceforward: CTC). The interim crime prevention and crime recon organization does not have any disaster management related tasks. The task of the CTC prevails in this period if the President of the Republic, the Prime Minister and their families are affected, because in this case the CTC is to take care of their relocation and responsible to provide their safehouses. Further, it is responsible to cooperate under the coordination of the Operative Centre of the Ministry of Interior (henceforward: MI OC) in the involvement of the horizontal criteriasystem regarding the defence of critical infrastructure, and cooperates in the identification process.

Based on the Article 4 of the Act on the Police the assigned forces of the organization established to achieve the common police exercises is to control the compliance of the population's limited stay and they participate in:

- „the defence against floods and inland water,
- the introduction of epidemiological and environmental regulations,
- the national and international disaster management exercises, and ensuring the activities of the participant organizations in the emergency liquidation,
- the guarding of designated objects, the installation and operation of check points, protection of proprietary elements of the cultural heritage,

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- the preparation of buildings of the public defense for the time of the special legal order, ensuring their readiness,
- the search of victims,
- the registration of the relocated and the received population,
- the protection of tasks achieved of forces participating in the elimination of the consequences of industrial accidents,
- the shaping of the horizontal criteria system of critical infrastructural defence coordinated by the MI OC, the identification process, and provides data for them.”

The organization established to achieve the common police exercises does the under mentioned tasks during catastrophies:

- close the damage zones, does the traffic control, does the rescue, does the relocation and the police protection of the received population,
- protects the movement routes of the national and international aid shipments and aid teams,
- in case of a disaster or in case of the promulgation of it maintains the order during the relocation, and keep the order at the places of receiving stations,
- guards the abandoned property at the place of the damage,
- controls the in and out traffic within the area affected by the relocation and does the control of public safety,
- determines the patrol routes,
- performs the information regarding police exercises, and performs the information to the families of victims,
- in urgent cases performs the ordination of relocation on-site,
- provides the venue and closes that,
- provides the implementation of helpful measures to redound the fast vehicular movement of forces affected in the liquidation of catastrophe hazard or emergencies, and protects them in border crossing also,
- provides the movement of forces and means participating in the national disaster management on the external border of Schengen, and provides the border crossing regardless on international agreement in the area of border crossing facilities.

A new regulation has been created in 2014. The National Police Headquarters issued the command 15/2014. (V. 23.) to regulate the disaster management tasks of the organization established to achieve the common police exercises. The order designates the bodies of the disaster management activities, which are involved in the implementation of the above mentioned tasks. These are the National Police Headquarters (henceforward: NPH) the Hungarian Rapid Response Police Force, the Airport Police Directorate, and the county (capitol) police headquarters. In addition the command inter alia captures that who and with what content has to make a risk prevention plan.

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THE IMPLEMENTATION METHODS OF POLICE TASKS AND THEIR SPECIALITIES AND CONDITIONS

In this chapter I am going to introduce the specialities of the implementation of the Decree 62/2011. (XII. 29.) of The Ministry of Interior on the particular tasks of counter-disaster defence. For the sake of simplicity furthermore highlight that in the group of security forces I still identify the Police as the organization responsible for common police tasks. The specialities of the CTC are not discussed separately in this study.

As it is known among the rescue participants of the Police acts as a primary response force, which means that following the occurrence of particular events they appear on the specific site in the possibly shortest time and they cooperate in the flow of rescue and in the detection of the event and in the prevention of further damages. In the course of everyday life and daily service the executive staff marches to countless cases where the ending also can be a disaster, eg: various accidents, or such events which are hazardous to the population of settlements and to their lives and to the safety of their material goods. An average person can easily be able to assess it that at these various emergencies the delegation of 1-2 pairs of police patrols are not going to be enough, because the closing of a large area and the protection of a venue at the same time might be unsolvable. Throughout these cases the escorting of aid supplies and the assistance in the relocation of the area even make it more difficult.

Therefore the Article 58 of the Act on the Police (Act XXXIV 1994) mentions the concept and the application of teampower in the organization itself. According to the definition of the law the teampower basically regards as a coercive device, however due to its strength – which is in Hungary one company by county – it is dedicated to achieve the following tasks. Applicable in specified cases of crimes against the state, to explore and intercept serious armed offenders on the run, to eliminate terrorist acts and to rescue the hostages, to ensure the order on significant events or on events covered by the law of the freedom of assembly, and to guard and protect VIP or hazardous cargo, and to guard and protect priority supply facilities of the population, and priority operational facilities of the state.

In addition – that is the most relevant to the present study – it may be used to abolish hazardous events dangerous to the life and property safety of persons, or to prevent violent actions with this sort of consequences, and to capture the offenders, to explore missing persons or objects, to prevent catastrophes and to eliminate their consequences, and to guard large areas. While during the performance of its duties, in well-founded cases it shall limit the following fundamental laws: it shall limit the law of physical safety, the law of personal freedom, the law of private housing, the law of personal secret, the secrecy of letters, the personal data, and shall limit the law of private property. It shall also close down areas from personal and vehicular traffic. Due to this for the period of state of danger and for classified periods, if the event occurred and it justifies the appearance of large number of police forces, that is the time to immediately apply and involve the teampower.

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Usually it happens when the event and the number of deployed police personnel may risk the flow of the daily routine and duties.

The disaster management tasks of the Police have already been listed before, however I have divided them into two distinct parts, because these tasks are related and distinguishable. These exercises are shown in the next figure.

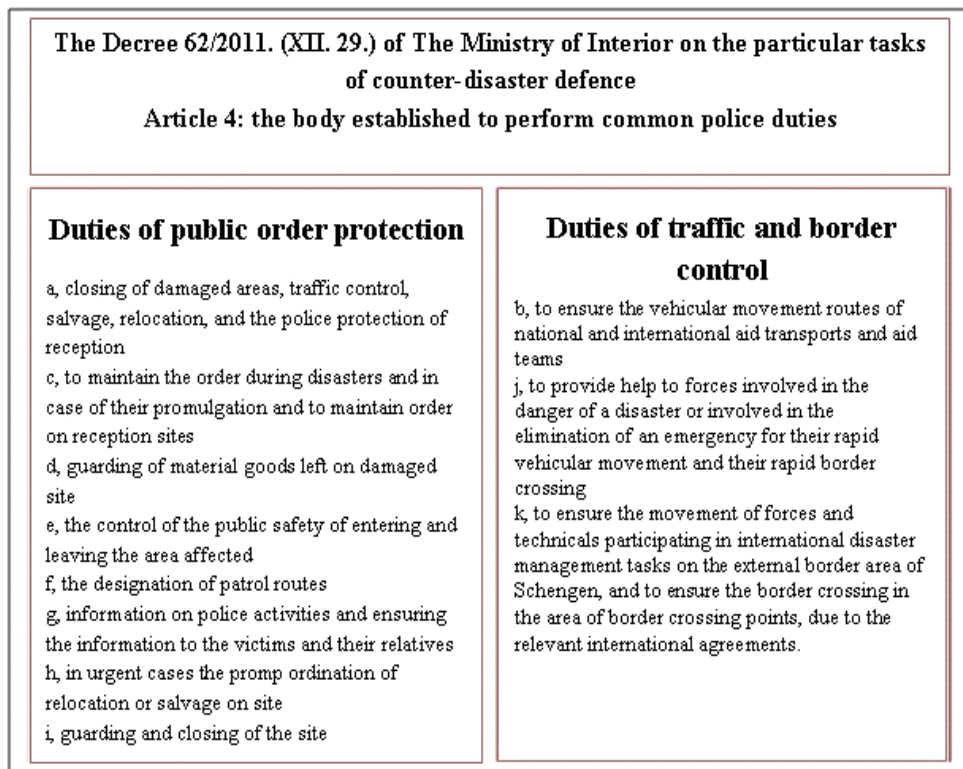


Figure 4: The subdivision of Police tasks

At the beginning I am going to explain the tasks of the public security. Due to this, in case of a disaster or in case of the hazard of a disaster the Police is the responsible to close down the areas of damage, to control the traffic, to organize the rescue, to relocate and to ensure the reception. The closing of damaged areas depends on the territorial extension of the event, and can be various due to environmental effects. The exact survey of it is essential, because without this the number of conducted personnel can not be determined precisely. Regarding to the fact that a police officer just appeared on site is not capable to estimate the affected area exactly, this is why it is necessary to be in contact with the

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professionals of other organizations. The territory of the separated area always have to be larger than the area effected by the event. It protects the uninterrupted work of the police and the work of partner organizations, their movement and their activities on the field. It is also important, that beside the representaives of the police or the representatives of partner agencies it is prohibited tolet anybody enter the seperated area. Due to this and to the size of the effected territory the separation has to be well designated or has to be well manned.

The traffic control in the damaged area or near to that is essential, because it supports the participants of the closure, the work of the own and the work of partner organizations, it prevents the entry of unauthorized personnel or the entry of persons without valid permission on the site, and it helps the smooth flow of the traffic, so it redounds the normal way of life of the citizens. If it is necessary to lay out detours, that has to be well designated or has to be manned. As it is known the relocation and the salvage can be ordered in case of classified periods and in case of emergency, even if the protection of the population and their material goods on the effected territory will not be achievable.

The relocation is temporary featured, by the end of the hazardous event, after the elimination of its consequences we have to take the action of the recolonization. *The salvage* is a kind of action when there is not enough time for the relocation and there is a need of rapid evacuation during the influence of the event. The reception means the temporary housing and provision of the relocated population outside the hazardous area. So the Police shall do the protection of these measures by the law. Of course it does not mean that the organization decides of the implementation of these. This is reasonable only in urgent cases, but this time the notification of partner agencies is essential, and the Police is the responsible to perform the required measures with its own manpower and equipments. The president of the county assembly or in urgent cases the mayor is the responsible to decide on the necessity of the actions. The Police is the responsible to grant the uninterrupted workflow, the order of execution, and ensures the physical safety of the involved duty personnel. It is natural that if the Police has technical equipments for the actual tasks it shall also provide assistance, eg: informs the population through the loudspeakers of patrol vehicles, or occasiaonally transports personnel or material goods to the reception areas. Of course it is necessary to rearrange and to plant the forces and equipments of the organization on the site to be able to help more efficiently.

In addition, after the relocation or salvage the Police performs the continous guarding or the periodic guirding of the material goods left behind, if required it does this task together with the forces of The Hungarian Defence Forces. The reason of this can be that the entry to the area might be linked to special authorization due to sanitation and prevention of contagion and public security reasons. In order to determine the chemical or radioactive pollution of the relocated area, during the leaving of the area the medical, radiological, and the chemical check, the disinfection and the decontamination can be orderd to personnel leaving the area. The recolonization occures after the cease of the emergency and after the re-establishment, during the recolonization the Police ensures the maintenance of the

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essential order. It is incidentally required during the relocation in cases of disasters and in cases of announced emergencies, and also required at the reception areas of the relocated personnel. Basically it does not differ from the normal daily duties, except that if the situation requires the Police shall act with the involvement of reinforcements. This time in cases of the occurrence of misdemeanors, crimes or illicit acts the action taken shall be the same as it is in peaceful periods. It is necessary to specify the entry routes to the separated area, which is also implemented by the Police, because at this time strategic and defence goals are needed to be foregrounded. The supervision of the in and out traffic is also the task of the Police, since sometimes the measures of personal freedom may be restricted for individuals to prevent their in and out movement in the area. The public information of police related tasks is also necessary, as well as the information support to the victims and to their relatives. These tasks are continuously implemented either in person or by the allocation of fliers, or by the application of the loudspeakers as already mentioned.

Activities of traffic and border control due to their appellation are actions of two separate professions, but in case of their implementation these tasks are executed merged and together. It is the priority task of this group of actions to ensure the movement routes of national and international aid transports and aid teams. Practically it means the escort of the aid teams and aid transports from their place of origin to their destination. The aim is to protect their lives their physical security, their health, and their conditions. Furthermore to cut down their period of transportation, if necessary with the use of designation signs of police vehicles. The security of the route is necessary to let the help arrive on the proper place at the right time. Essential duties of the Police in case of emergency hazards or in case of the liquidation of state of danger are as follows: – to implement actions to help the fast vehicular movement of involved forces, to implement actions to help the fast border crossing, to protect the movement of international partner-forces of disaster management in the area of the Schengen external border, and to control border crossing as it is fixed in related international agreements. Border Management is effected by the last two tasks listed before in addition to the protect fast border crossing, however the two specialization is intertwined to protect the parallel workflow. During this, the exchange of information, the partial knowledge of each other's profession, the knowledge of miscellaneous documents and papers are essential.

SUMMARY

Overall we can say, that the rule of law of the state of national crises has been also changed in particular organizations. This is important in Hungary, because in these periods of our country's life such exceptions of power prevail, and various extraordinary measures are implemented and applied. There are common rules on the special legal order, eg: the exercise of fundamental rights are ceasable or maybe restricted excepting some fundamental rights. The states of Special Legal Order are as follows: State of National

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Crisis, State of Emergency, State of Preventive Defence, Unexpected Attack and the State of Danger.

With the analysis of the types and specific features of catastrophies it is concluded that it may be necessary to involve contributors in all cases. The range of participants in disaster management is wide, law enforcement organizations play an important role in it, especially the Police. The provision of duties in the period of special legal order is not feasible only by the civil society, the involvement of law enforcement organizations is important and essential. Due to the complexity of our defence system the efficiency of defence organizations greatly depends on the quality of cooperation. Thus, it is important to recognize each other's operational order.

Analyzing the rules it is concluded that the regulations of Police tasks first appear in The Fundamental Law of Hungary, and a separate cardinal Act is to determine its organizational structure and operation, this is The Act on the Police. This law determines the basic activities, its organizational structure, and furthermore that the organization in case of State of National Crisis, State of Emergency, State of Preventive Defence, Unexpected Attack and State of Danger performs law enforcement duties falling within its authority. Detailed duties of disaster management are defined in the Decree of the Ministry of Interior 62/2011. (XII. 29.), which expounds the participants in detail and the order of the cooperation.

The Police also takes its part parallel the traffic and border control duties in the elimination of catastrophies. Through this it mainly participates in the territory separation, in the detection of the damaged area, in the relocation, in the salvage, and in the informing of the population. It also ensures the smooth activity implementation of law enforcement agencies. Today Hungary is effected by new challenges, where the role of law enforcement organizations is significant. The fulfillment of these duties creates a new situation in the structure of the organizations, in its operational order, in its readiness and also in its preparedness.

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