

AUTHOR'S GUIDE

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to

Qualified Periodic Tasks of Border Guards Action Organs

Specifically Considering the Apply of The Action Forces

PhD dissertation

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Since the end of the Eighties by reason of certain social- and economic interchange the two world systems broke off. The constantly changing countries of Europe were under the necessity of revising and transvaluing their earlier politics, the tasks and function system of their state and power structures.

The map of our continent significantly transformed to the Millennium. By the reason of dissolution of former states and confederations, new countries appeared on occasion creating the conditions of separateness by war. In these days the wars of the seething Balkan area and hazards of other parts of the world enforced the transforamtions, respectively the terror attack of 11 September 2001 opened new dimensions and the earlier risk factors inspired reevaluation.

Along the negative phenomena and processes the fortunate effects of the development also appeared. The Republic of Hungary made remarkable strides to the Euro-Atlantic integration. The development of our mother country, in the virtue of

the transformation of political and economic structures, the place it took in the area, Hungary is reckoned among the determining countries. As a result of the mentioned our country passed into the NATO as a full Member State.

The integration procedure in Europe – which earlier affected only the Western states – radically transformed. Almost every country of the area makes an effort to gain the membership. The intention of the Republic of Hungary to access to the European Union became reality in 1 May 2004.

In the last fifteen years happened the organizational updating of the armed forces and the law enforcements including the Border Guards which helped to create a modern, European standard Border Guards. The introduction of the Border Guards of the European Union is a serious challenge. Over the configuration of an organizational- and task system which fits to the requirements of the European Union we have to deal with the concieved expectations about the extreme cases beyond normal period¹.

The Border Guards entirely execute its tasks even in specific circumstances, creating the principles and methods itself, often before the law.

I chose the subject of my dissertation *Qualified Periodic Tasks of Border Guards* because it covers such a specific area which entire, comprehensive clarification did not happen since the political régime change. The above mentioned changed the foundations of the area. The organizational units of the execution of the tasks radically changed: the leading-operating organs ended or rather new ones established and the organization, equipment and the whole functioning orders of the armed forces altered.

The practice ahead of the conception at the same time the summary of the practice, the systematization of the conception didn't happen in every area.

¹ Normal conditions means those circumstances when in peace the organizational units of the Border Guards do their basic functions without increased expense or without introducing diverse regulations.

The proof of the actuality is the fact, that the action organs of the Border Guards are the mobile forces which have an important role of qualified periodic tasks but the theory and practice are immature.

The required effective actuation by the European Union as well as apart of the legal status of the Border Guards – by my opinion – the dual task system needs the complementation of these lacks. This complementation is the aim of my research project.

The personal actuality of my subject is the fact that my career links to the task system which differs since the beginning from the normal state. I was able to execute or rather project and lead tasks which differed from normal situations during my duty at the police forces. Later on as a trainer and researcher I had the opportunity to study the theoretical background of the executed tasks and build it up in the training of the leaders. All of these inspired me deeply to know, to research, to analyze and process the qualified periodic tasks and my conclusion helped to conceive the possible future tasks.

I specified the following as research project:

1. Analyzing and researching the potential samples of the qualified periodic task system international constitutional regulations and Hungarian regulations.
2. Revealing those regularities and principles which helps to conceiving the qualified periodic task system of the Border Guards.
3. Conceiving and integrating of the present, task system of the Border Guards differing from the normal state.
4. Processing the possible task system of the action organs of the Border Guards.

Regarding to the above I analyzed the European samples of the qualified periods, the possible sameness and variances during my research work. I searched for the samples which can be hold up as an example to the development of the qualified periodic regulation.

I seeked those regularities and principles which affected the work of the Border Guards and can be proved its turnout in case of the qualified periodic tasks.

I analyzed the coherency of the task system and the legal status and the possible effects of the modification the same us the law enforcement and military defence aspects and I systematized the present and the possible tasks.

As a research method I used the related Hungarian and International technical literature, publications, the law analyzises, valuations.

I examined the similar executed tasks of the Border Guards from the documents and from my experience.

To extend my experience I examined the planning, organising, managing of the action organs and the technical execution of crisis treatment tasks during my study tours and team trainings. I researched at the Stand On Alert Police (Safety Service Police) and at the special action forces of the Police. I participated in crisis treatment research programs where I examined the possible qualified tasks of armed forces and law enforcements, the techniques of crisis- and conflict treatments, operations. I had problem revealing conversations and discussions with experts, leaders, researchers, functional executors who planned the qualified periodic tasks of law enforcements.

In the first chapter I introduced and grouped the **European versions of qualified periods constitutional regulations** by the applications of the above mentioned. I examined the qualified period conception system of the European Union founder and later accessing states, contents of each periods. I researched the common and the general units and samples. I examined and compared the related regulations of constitutions of former socialist states and the new laws which were

procreated after the regime changed. I also **examined the Hungarian regulations of constitution** and I summarized the **planned modifications**. I evolved **the possible changes**, the expected **modifications and its possible effects** after the European Union accession.

In the second chapter I completed the examination of regularities and the general concepts which affects the Border Guards including the activity of the action organs. Beyond the examination I conceived their **new, up-to-date contents, formal and content increases** which happened through the years. I demonstrated the **contents and affects of the specific principals of the qualified periods**. All these were examined in coherence considering to the **safety challenges, hazards, speciality** of the age.

In the third chapter I examined the establishment of the **action organization** and introduced the effects and influence of the regularities and principles, summarized and integrated and analysed the **task- and organizational system of the action organs** as a structure, and the **opportunity and capability** of the central and the regional organs. I examined the details of the architecture of the **organization levels**, the tasks of each levels, and the architecture and operation of the **executive organizational units**.

I researched the coherency which makes possible to sketch and to form **the task system of the future**.

In the fourth chapter first I examined the **present qualified periodic task system** of the action organs. I classfied and summarized the tasks and examined their correlations, and the effects of the specific principles in it. I researched and summarized the **units** of diversified activity and its contents. By the above I analysed and conceived the qualified periodic tasks of the action organs after **the whole introduction of Schengen regulations the forthcoming possible changes**.

Last by the results of the research I conceived the **conclusions and advices** about the possible **updating and developement**.

I concluded the achieved results in the domain in several publications and academic compositions in the period of the examination and beyond this I strove to use my experience and observation in training and qualified periodic preparation.

Summarized conclusions, recommendations

The action organ as the youngest service of the Border Guards was organized to realize the compensatory arrangements by following **the requirements of the European Union**. The formation, the construction and equipment of the organs inspired to provide qualified, effective service of the **specific law enforcement tasks**.

This organ as a mobile force of the Border Guards is the **reserve army** both central and regional level and able to execute **unexpected, sudden tasks**. The organ can handle **not only Border Guards tasks but nationwide incidences** or co-operate in them because of its mobility, quick rearrangement and versatile adaptability.

These action organs are the first of the Border Guards in the normal stage of constitutional order without the proclamation of qualified period which can be used in case of special tasks. In case of diverse or proclaimed qualified situations in case of dual legal status these organs **are able to execute tasks in endangered situations, to fully handle crises and conflicts**.

I consider as evidence by the examination and definition of the possible tasks that the **forces of the Border Guards can be used as law enforcement successfully** as in peace-, as in qualified periods.

In endangered situations, crisis- and conflict **handlings the action forces are used first and also later**, usually similar to their every day duties. **The power and equipment tool of reinforcement, the co-operation and the subordination tasks can be the Border Guards forces.**

By the accession to the European Union this task system did not change, moreover intensified, completed with **regional and international co-operation**. We can count on the **increasing of strength and importance** of the action organs in long term.

I feel it is necessary to finish the **concept of strategic development** which includes the conceptions in case of **normal situations and the possible tasks of qualified terms**. In accordance with the strategic reorganization of the Border Guards the **dislocation, the location conditions**, the directions of the development of the action service must be determined regarding to the possible needs of reinforcement, redeployment.

Connecting and updating the action- and the action control system the conditions of the operational control systems must be formed. At the formation of the control headquarters we have to try for make an adaptable system **nationally and also internationally co-operation**. I feel it is necessary to establish a **training (researching) base** in the interest of the training of the management which allowing the training of Hungarian decision-makers, the preparation of the defence sphere and able to satisfy the regional training demands.

For the updating of the action organs it is essential **to observe the experiences of the states of the European Union and the regional organizations**. I think the present organization doesn't need radical reorganization. **There isn't any sample at the similar national or foreginer organizations which can be adapted regarding to the action organs**. But then again the legal status of the Border Guards

and **the questions of action authority** need to be regularized which determines the action organs and the whole of the Border Guards.

For the efficiency of the application and the tasks of the future **the analytical-estimating functions** have to be strengthened. The extant capacity of the action organs make the function possible and achievable by managing decision.

The condition of the quick and effective application is the **preparation of the plans** of possible tasks. This is considered valid in normal situations and also diverse or qualified periods. By working out the **application conceptions**, the organization of the necessary **preparations** can be ensured the quick, organized and most of all the preparedness units to do the most suitable tasks. The plan must be beyond the interest of the Border Guards and the possible versions of the plan must be prepared to home-affairs-, national- or regional measurement.

From the analysis of the possible tasks I think it is reasonable to update the **action uniforms**, to create the conditions of the supply. For the provision of the special tasks of the subdivisions of the action organs it is necessary to assure the special **individual protecting equipment** and the **updating of all the protecting equipment** of the division.

I think it is reasonable and highly necessary to increase the **mobility**. Because of the amortization of the present vehicles replacement the mobility must be increased and the **capacity of the land rover**. The action organs, subdivisions needs vehicles which can transport smaller or bigger troops and are able to **transport the special equipment**. In favour of having mobile, rearrangeable services the action organs should be **transported by air**.

The **informatics and communications systems** must be kept permanently on high standards. To apply the versatility of the action organs it is necessary to ensure the safe connection, data request and access. The developments have to allow of the

needful accessing, data requesting, information transmitting of the Schengen databases national and in case of need international co-operation. The tools of the connection have to ensure the **compatibility in the police, law enforcement and the military co-operation** alike and have to be convenient to make **international communications**.

By using the opportunities given by the development of the informatics the **number of the location, observant and the scout devices**, developing the extant devices, and **the application methods and procedures** of the extant systems.

It is reasonable to have individual **arms** oriented to the law enforcement tasks in place of the out-of-date arms and purchasing limited number of subdivision arms. During the updating the everyday law enforcement arms and the special action arms must be handled separately. By the analyzed tasks I think it is reasonable to **harmonize** with the law enforcement organs especially with the Police and the Hungarian Defence development conceptions **before the method**.

By my scientific research work considering to the publicated researches in the technical literature I think the following are **new research results of my dissertation**:

- 1) I analyzed several European State constitutional orders in the matter of qualified periods, I compared to the Republic of Hungary law system and I proved that there isn't any state whose regulations is an obligate sample and the Hungarian operative communautaire by legislating the missing statutes ensures the necessary conditions of functioning in qualified periods.
- 2) I conceived and interpreted the laws in case of executing qualified periodic tasks, basic-, general- and specific principles, which decisively affect the activity of the Border Guards.

- 3) I analyzed scientifically and standardized the qualified periodic tasks and the main enforcement areas of the Border Guards in addition the action organs considering to the requirements of the accession to the European Union.
- 4) I proved by analyzing and interpreting the qualified periodic tasks of the action service of the Border Guards that in the future during the military defence of Hungary the action organs, eventually the application of the Border Guards organs not the military but the law enforcement aspect will be determinative and this is separated from the legal status of the Border Guards.

In my dissertation – as a result of the achieved research work – I tried to have a systematizing role and the subject can be a sort of resource to the further research of the field. By the conceived activity system the factual tasks and arrangements can be expanded.

I am convinced and by my research my definite opinion is that the determining elements of future European Border Guards law enforcement organs will be the mobile action organs. Effective, shifting from the line of the frontiers, action units will be capable controlling in the most diversified places and conditions both in peace and in qualified periods according to the challenge of the society. The Hungarian Frontier Guards top, established and developing the action service ensuring the fulfilment of the Hungarian and International requirements.