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EXTREMISM AND ITS SHAPES

Ol'ga BOČÁKOVÁ, Alena TOMÁŠIKOVÁ

Summary

Most people have the notion of extremism associated with particular manifestations of racism and xenophobia, as racially motivated attacks were still and remain current problems. It should be noted, however, that this topic is much wider and not all expressions of extremism are apparently also notable.

The intolerance and extremism topic is dealt with concentrated focus especially in last four years when a significant movement in understanding its relevancy not only in the Police Forces but also in the whole society appeared.

Extremists are persons or group of persons that are characterized especially in:

- a) refusing of valid generally bounded legal rules and high level of opinion, racial or ethnical intolerance;
- b) absence of material motives;
- c) internal motivation for lawless acting with aggressive and brutal elements;
- d) aggressive behaviour expressed by physical activities connected with social events placing leading to cause persons' physical harms, property damages or eligible public order breaking.

Right-wing extremist groups – a characteristic feature of these groups is prevalingly nationalism, anti-Semitism, xenophobia, and criticism of national minorities and ethnical groups.

Left-wing extremist groups – are characterized by affection with communism and hostility against certain inhabitant ranks motivated prevalingly by social and class differences or anarchism and with it connected refusing of any authorities, state power and legal order and declaration of unlimited individual's freedom.

The concept of the fight against extremism is formed especially on actual knowledge gained in a fight against extremism but also on information relating to most different social life spheres obtained from domestic as well as from foreign sources. It evaluates current status of the fight against extremism within the Slovak Republic and stipulates principal directions for making further activities more effective. It provides for a complex view on this topic. The emphasis on prevention is necessary in this area more than other ones. Reason is a connection of this kind of criminality with certain ideology. Thus it is not enough to suppress terminal chains – i.e. criminally prosecute of perpetrators (members and fans of various extremist groups and movements) but primarily to eliminate factors enabling recruitment and radicalization. From this reason, all society, not only power bodies and local government authorities should be involved into the fight against extremism or into the prevention itself.

The principal arms of left-wing extremists are demonstrations, mass protests, blockades, etc. They organize protest meetings that are in overwhelming majority cases announced forwards. As regards the freedom of assembly, it is not possible to consider each protest meeting or

demonstration to be a left-wing extremist activity. However, certain protest meeting taking place especially during summits (NATO, International Monetary Fund), meeting of top representatives of the European Union States, USA, Russian Federation, etc. are planned forwards. This planning means creating affinity groups. They are approximately 5-15 person groups that carry out certain actions within the protest framework. They have their own goals, tactics as well as they arrange forwards in what level they will be active, non-violated or combative and in what level they are disposed to risk (for example even to be taken into custody). There exist groups specialized on monitoring Police Forces, provocateurs, hecklers, on communication, first aid or they create so-called legal watches oriented on help for arrested affinity group members.¹⁾ And actually during such activities, public order breaking and sometimes even property damages can occur.

Movements with antifascist and antiracist orientation “Antifascist Action” (AFA, ANTIFA) are the best organized and the most radical ones. These groups declare idea of fight against fascism, racism and xenophobia features. They monitor persons from right-wing groups (residence address, meeting places, school, and employment). This information, however, is not submitted to the Police Forces. Reason is its putative inactivity. The danger of these groups consists in performing physical attacks on persons from right-wing spectrum of the extremist scene (especially on Skinhead movement fans).

Comparing with right-wing extremists, society perceives left-wing spectrum of the extremist scene much more tolerant. Reason can be found in a fact that majority of this way oriented groups does not publicly declare suppressing rights and freedom of other citizens. But there is underestimated a fact that in case of accomplishing goals of left-wing extremists, the plural democracy and civil rights can be directly jeopardized. This scene is created by a mixture of various mutually personally connected groups which often change. We can state an increased tendency of such activities in last period – especially demonstrations and mass protests, e.g. in connection with operations in Iraq, entry the Slovak Republic into NATO and the European Union, etc. Wider public takes part in these actions that results not only in rendering platform for opinion presentation but also in creating possibility for recruitment new fans or members.

Among left-wing oriented can be included:

- anarchists;
- anti-globalists;
- radical ecological movements;
- members of the PUNK movement;
- antifascist movement AFA and ANTIFA.

Within the Slovak Republic territory besides registered denominations and religious societies also several non-registered religious societies are active. Their status is diametrically different. State authorities consider registered denominations and religious societies to be legal subjects “sui generis”, accept their position in the society and co-operate with them on partnership basis and guarantee their autonomy in their internal matters. Non-registered religious societies are tolerated when their philosophy and carrying out religious ceremonies are not in contrary with the Slovak Republic legal order in force but on the other hand, they are neither legal persons with legal status nor are partners for the state.

¹⁾ These groups have a long history; Spanish anarchists developed them as their organization structures during the Civil War in thirties and since that time they are used in various social or ecological movements all around the world. Affinity groups were used also within mass protests in Seattle and Washington during International Monetary Fund / World Bank meeting in last years. /www.streetparty.sk/.

Some of them can be classified as sects. Sects similarly as well as new religious movements in general, can arise from Christianity or oriental religions but there are also occult groups or so-called “psychoanalytical” ones. These sects can be focused on various target groups.

The most endangered groups or individual types are:

- people from typically social wrong family environment (wrecked marriage, one parent’s partner changing, family of alcoholics, broken home and family, etc.);
- individuals from religiously cold and deceptive families who in their teens or early adulthood desire real religious life not only based on habits;
- teenagers having very authoritative fathers who in early adulthood are looking for strong authority person that can be found in the sect leader;
- children from extremely cold families;
- individuals desiring maximalist religious forms (demandingness, elite member selection, etc) that are not satisfied with common denominations;
- people disappointed or not appreciated by their neighbourhood desiring appreciation and meaningful life fulfilling.

Within the connection with sects’ activities it is necessary to solve questions of possible jeopardy of society and state due to existence of such subjects. From this standpoint, infiltration of members of dangerous pseudo-religious organizations into state structures including forced state services belongs among most serious risk. Therefore it is important to take into account also sects and destructive cults topics.

Increasing of activities of „Hooligans“ structures takes place especially in the Middle European Region in last years. They are fans of sport clubs whose primary objectives during visiting sport events is not cheering their club but especially to start rowdiness and other public order breaking. They often look for physical confrontations with competitor’s fans after match finishing. The most risky events are especially football cup matches (Champions League, UEFA matches) as well as football and ice-hockey matches of league teams and international duels.

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EVALUATION OF TACTICAL TRAINING FOCUSED ON PETROL LEAKING FROM RAILWAY TANK

Juraj FABIAN

Summary

On October 25th - 26th, 2011 The International Union of Railways Congress was held in Bratislava. Congress attendees highly focused on the issue of safeness on the railway infrastructure and transport track. A part of agenda of the Congress was also simulated intervention covered by the employees of the fire corps (Enterprise Fire Brigade <hereinafter only “ZHU”>- Railway Plant Fire Protection <hereinafter only “ZPOŽ”>). For the mentioned intervention was given support by the employees of ZHU Bratislava. Two fire teams (ZHU ZPOŽ Bratislava) demonstrated tactical step by step procedure to save leaking petrol from the damaged tanker transporting this fuel. It was a simulation of leaking fuel tank including fire above the tank. Fire fighting heavy foam was used which at the same time also cooled the tank. After the fire was under control and sealing the tank by special sealants and spreading spill by sorbent, the railway track was given to an operable condition.

Introduction

People and goods transport represents everyday activity of our company. One of the significant transporting tools is a railway transport track.

From not too far history, consolidation measures within the railway transport are known. After splitting the Československé štátne dráhy (Czechoslovak State Railways – ČSD) company in two railway firms, state managed enterprise Železnice Slovenskej republiky (ŽSR) was established in Slovakia.

Energy steps for consolidation ŽSR were adopted during 1993. On September 30th, 1993 a new Act No. 258/1993 Coll. on ŽSR entered into force; that defined ŽSR as a state enterprise applying business and public-service management elements, of the solely kind.

In connection with Slovak integration ambitions to enter the European Union and on transformation project of the Slovak railways platform, property and activities of transport carrier were divided from railway track operation and two railway companies were established on January 1st, 2002:

- Železničná spoločnosť, a. s. (Railway Company join-stock Co.) as an operator of transporting and business matters;
- Železnice Slovenskej republiky (Slovak Republic Railways) as an infrastructure administrator and trustee.

Founder and one hundred per cent stockholder of the new Železničná spoločnosť, a. s. was the Slovak Republic that authorized the Ministry of Transport, Post Offices and Telecommunication Services of the Slovak Republic to act on behalf of the Slovak Republic. According to the relevant Resolution of the Slovak republic Government, the Železničná spoločnosť, a. s. transformed into two independent enterprises on 2004/2005 turn and separation of public personal and freight railway transport took place. Two companies were created by this step:

- Železničná spoločnosť Slovensko, a. s. (hereinafter „ZSSK a.s.“) - operator for public personal transport,
- Železničná spoločnosť Cargo Slovakia, a. s. (hereinafter „ZSSK Cargo a.s.“) - operator for freight railway transport.

Both these enterprises (ZSSK a.s. and ZSSK Cargo a.s.) as well as approximately thirty further companies are moving upon) ŽSR infrastructure and utilize not only services relating to the transport route but also services in the field of fire safety and protection according to the Act No. 314/2001 Coll. on fire safety as amended. These services are provided by Závod protipožiarnej ochrany železníc Bratislavy (Railway Plant Fire Protection Bratislava) formed as an internal organization unit of the ŽSR.

1. General legal framework for railway companies

General legal framework for railway companies consists of following regulations:

- Act No. 514/2009 Coll. on railway transport;
- Act No. 513/2009 Coll. on railways;
- Decree No. 351/2010 Coll. on railway transport order;
- Notification of the Ministry of Foreign Affairs of the Slovak Republic No. 40/2007 Coll. on adopting changes and amendments to Regulations concerning the International Carriage of Dangerous Goods by Rail (RID);
- Regulations of the Government of the Slovak Republic No. 294/2006 Coll. on technical specification for interoperability relating to the infrastructure subsystem of the trans-European high-speed rail systems,
- Directive 2008/68/EC of the European Parliament and of the Council of 24 September 2008 on the inland transport of dangerous goods ,
- Directive 2004/49/EC of the European Parliament and of the Council of 29 April 2004 on safety on the Community's railways ,
- RID.

Problems of safety on railways remain an open question of actual times. Within the safe transportation of goods framework that represents dominant railway companies' activity, it is necessary to accept also dangerous substances transportation. The mentioned system of safe transportation is legally stipulated by the international regulation RID.

The Act No. 514/2009 Coll. on railway transport in § 15 letter h) stipulates duties of transport enterprise: *“To remove immediately from tracks either by an accident or any emergency event damaged railway vehicles and load that disable track operation and carrying out transport on the track”*; this duty shall be fulfilled by the competent person/body.

Similarly, the Act No. 513/2009 Coll. on railways in § 28 Duties of railway owner stipulates: *“The railway owner is obliged to secure permanent railway operation. If the railway owner is not at the same time also a railway operator, he is obliged to secure railway operation by another person/body that fulfils requirements of this Act for railway operation.”*

“The railway owner is obliged to keep railway permanently in operable status, to take care on railway maintenance according to designed technical parameters and on railway development according to technical up-to-date progress and requirements concerning

railway transport safety and flowingness. If necessary to reach railway parameters' correspondence with safety regulation requirements and with designed technical parameters, the railway owner is obliged to perform modernization or restoration of railway or its components."

This Act No. 513/2009 Coll. on railways in § 30 Duties of railway operator stipulates:

"Take care of securing safety of railway operation and of safe and flowing transport on the railway in accordance with technical up-to-date progress and safety regulations"

Based on above mentioned duties, it is necessary to accept attendance of rescue services on railways together with their relevant competencies because the Act No. 513/2009 Coll. on railways in § 51 Solving of emergency situations stipulates:

"To solve emergency situations, infrastructure managers and railway companies elaborate emergency plan where they list all bodies and other persons that have to be informed on serious accident or on emergency event leading to serious accident consequences and on serious interruption of train flowing. If the train schedule is disturbed by an accident, emergency event or by technical failure, the infrastructure manager and railway company shall immediately perform measures according to the emergency plan and other measures required for renewal normal condition as soon as possible."

Based on mentioned facts, ZHÚ ZPOŽ employees regularly organize tactical trainings where they exercise their activity in case of an emergency event origin.

2. The UIC Congress

This article presents illustration of employees' work from the Závod protipožiarnej ochrany železníc (Railway Plant Fire Protection), namely from the Enterprise Fire Brigade Bratislava, during petrol leakage from railway tank on October 25th – 26th, 2011 when the 8th UIC Congress took place in Bratislava. The fact that such importance event was organized in Slovakia confirms high co-operation level between UIC and Slovak railway companies as well as very good experience from co-operation during organization of the European Seminar for Railway Safety in 2005. The Slovak railway sector is more over managing member railway society within the UIC executive body for the safety topics – the UIC Committee for Safety. Slovak experts for the safety field, not only from the railway sector but also from other bodies (ministries, universities, Police forces, security services, etc.), due this event had an excellent opportunity for direct experience and information exchange as well as to creating direct contacts with their international partners. The essential goal of the 2011 Congress was to develop global and long-term strategies for management and elimination of various security risks in the railway sector. New ever more sophisticated criminality forms and organized attacks require international co-ordination of all partners' involved as well as intensive exchange of practical experience. The main topic of this year course was human factor theme and its impact on safety focused on management of safety and security risks and attacks performed in preventive measures forms (employee training concerning crisis management, assessment and evaluation of various risks), crisis situations solving (tasks and response of safety services and railway employees, management of travellers flow, crisis communication and management), as well as resulted consequent measures (evaluation of measures adopted during emergency intervention or accepting necessary measures for the future). During the Congress, meetings of various working groups of the UIC Commission for safety took place that were focused on actual safety topics; as example meeting of the Working Group for Human Factor (headed by the Russian railway companies) or Working

Group for New technologies ((headed by the Italian railway companies). Within the rich programme, the simulation of an emergency situation origin – presented as a dangerous substance (petrol) leakage from the railway tank - was presented to the Congress participants.

3. Characteristics of petrol

Petrol is a liquid mixture of volatile hydrocarbons (mostly of alkanes, cycloalkanes, aromatic hydrocarbons and alkenes) and of additive substances (benzene and iso-octane) that improve its fuel properties [1]. Petrol is used as a fire for most ignition engines. Natural petrol is produced mostly by fraction distillation of crude oil when individual distillation products are separated at various temperatures [3] (distilled range for petrol is 30 – 210 °C). petrol is not chemically single substance as a benzol, ether, etc. but it is a mixture of saturated hydrocarbons with 5 – 12 Carbon atoms to which can be added various amounts of non-saturated aromatic hydrocarbons [2]. Petrol properties from the chemical substance standpoint are referred to in the Safety Data Sheet (hereinafter “SDS”) determined by individual producers (e.g. [4]) according to the Act No. 67/2010 Coll. general petrol is transparent, weakly volatile, highly flammable (flashpoint is below 21°C) liquid with typical smell that boils between 80 °C- 130 °C. According to the specific mass, petrol types are classified into light, medium and heavy ones, respectively. Pursuant to SDS [4] chemical characteristics of petrol is referred to in Tables 1 and 2.

Table 1: Identification and danger description of petrol [4,5]

Identification number	Characteristic	
No. in EU system	Value	289-220-8
	Marking	petrol
No. in CAS system	Value	86290-81-5
	Classification	Repr. Cat 2, T, Xn, R45, 65
No. ID index	Value	080-001-00-0
	GHS classification	Karc.. 1B, Mutag. 1B, H224, H304, H350, H340

Table 2: Chemical characteristics of petrol [4,5]

Flashpoint (temperature) (°C) < - 20
Ignition temperature (°C) - 340
Lower ignitability (explosion) limit (vol. %) 0,6
Upper ignitability (explosion) limit (vol. %) 8,0
Maximal explosion pressure (MPa)
Density (kg/m ³) 725 – 775 at 15 °C
Vapour density (air = 1) 3,5
Boiling point (°C) 30 – 215
Melting point (°C) < - 40
Solubility in water – insoluble

4. Description of emergency event

The emergency event was presented as a dangerous substance (petrol) leakage from a tank. Leaking petrol flowed into railway track where its ignition occurred. Petrol is flammable liquid in the I. class dangerousness. Burning petrol is shown on the Figure 1.



Figure 1: Burning petrol in pool fire form [7]

Performed presentation of the Závod protipožiarnej ochrany železníc (Railway Plant Fire Protection), namely from the Enterprise Fire Brigade Bratislava was following:

Two firefighter teams ZPOŽ showed intervention on damaged tank transporting petrol that leaked through damaged tank shell. It presented simulation of petrol leaked from a tank; leaking petrol caught ignition.

Time schedule of activities:

- 12:39 - leakage of dangerous substance from railway tank was announced to fire alarm office ZHÚ ZPOŽ Bratislava;
- 12:39 - after receiving a message and performing feedback to verify it, the fire alarm office employee set a fire alarm;
- 12:40 - departure of firefighting engines in following forces and equipment 1 x CAS 32/T 815 with crew 1+3 and 1 x CAS 27 Dennis Sabre with crew 1 + 4 took place (a route to fire site was performed through the shortest distance and as fast as possible);
- 13:00 – fire brigade’s arrival to the response site;
- 13:01 – after arrival to the response site, a terrain survey and measurement of lower explosion limit concentration by the dangerous substances detector MX-6 (Figure 2) was carried out. The survey found out that a railway tank was damaged and consequent leakage of flammable liquid happened and leaked flammable liquid caught fire;
- 13:03 – after a terrain survey, the incident commander ordered to apply maximal protection level. Intervening firefighters used gas-tight overpressure clothing MSA Auer for their bodies protection and autonomous breathing apparatuses MSA Auer a Saturn S 7 for breathing airways protection;
- 13:10 – after applying maximal protection level, a safety zone and jeopardizing line was determined;
- 13:13 – after performing previous steps, suppressing fire (Figure 3) and tank sealing (Figure 4) took place;
- 14:30 – after finishing these activities, the fire brigade ZPOŽ spread leaked substance by sorbent that fell on the railway track;
- 14:40 – decontamination of firefighters’ clothing (Figure 5);
- 15:05 – response site turned over and firefighting brigade left the intervention site.



Figure 2: Firefighters' arrival to the intervention site

5. Activities goal of the ZPOŽ firefighting unit

The activity goals of the ZPOŽ firefighting unit are:

- to locate fire (to avert further fire spread by an intervention);
- to suppress fire (to terminate undesirable burning) – suppressing of such emergency situations is necessary to carry out perpendicular to tanks and towards wind blowing and to focus on a leakage point or damage point of tank shell, piping system or valve assembly ;
- to create foam carpet – a heavy foam used for fire localization and suppression simultaneously cooled a tank;
- to seal a tank – to avert dangerous substance leakage into environment.



Figure 3: Suppressing fire by heavy foam

During suppressing such fires, following difficulties can occur:

- injury by electric current at electrified railway tracks; therefore the essential condition is switching off the power supply and securing switched-off status;
- this task does not need to be met if persons and objects do not get closer to track power line than is a safety distance (1.5 m for persons and 0.9 m for objects) and if non-conductive fire extinguishing media from safety distance are used;
- during performing survey on electrified railway track or at railway station it is necessary to find out at which rail an intervention has to be performed, to switch off the track power supply and require to move railway vehicle on a rail line without installed power system. If this can be done from transporting or technical reasons or it is a very time demanding, it is necessary to require switching off the power supply and securing switched-off status;
- there is forbidden to entry railway vehicle roof, increased brake platforms, railway engine bonnets, boiler wagons and frights in railway wagons without switched-off power source and without securing switched-off status;
- during suppression fire it is forbidden to entry railway vehicle roof, increased brake platforms, railway engine bonnets, boiler wagons and frights in railway wagons without switched-off power source and without securing switched-off status;
- in case of flammable liquid or liquefied gas leakages from transporting tanks and its consequent catching fire, the burning intensity depends on heat exchange conditions among flame, a liquid surface and a tank shell surface, as well as on heat exchange inside the liquid; the burning intensity may cause origin of firefighters' danger in a FIRE JET effect form and burns caused by an intensive radiant heat.



Figure 4: Sealing tank by heavy foam after petrol fire extinguishing



Figure 5: Decontamination of clothing after the intervention

Conclusion

Emergency situations origin at railway transporting route takes place more often in recent period. Therefore it is important to take care tactical and control tactical exercises with similar topic as was carried out by the ZHÚ ZPOŽ Bratislava employees focused on dangerous substance leakage or fire origin in a dangerous substance leakage consequence. The tactical exercise verified and trained preparedness of a rescue service, namely in this case of the ZHÚ ZPOŽ Bratislava firefighting unit. During tactical exercise, capabilities of intervening employees to suppress fire and terminate dangerous substance leakage as well as intervention commander's capabilities of managing intervention course in the railway track area were examined. Involved intervening employees suppressed fire and terminated dangerous substance leakage. Whole exercise course brought a desired effect.

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EXTREMISM AND ITS LEGAL AND SOCIOLOGICAL ASPECTS

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Summary

The fight against extremism, racism and violence of spectators in a society is a task for politicians, pedagogues, lawyers, sociologists and social workers and the policemen as well. Ministry of Interior of the Slovak Republic and the Police Corps, similarly as all other institutions can fulfil only a part of these tasks. By means of a rigorous and early execution of ascertained cases of unlawful act with elements of racial extremism and violence of spectators, the Police Corps is able to contribute markedly to its elimination. As the foreign know-how shows, it is impossible to take off these negative phenomena completely, but with suitable activities it is possible to eliminate them to an acceptable level and in such a way to ensure their adequate control.

RESUME

Extremism is reasonably regarded as one of the most antisocial phenomena. In criminal practice, there are many problems, whether of actual classification of the offense, or even problem with enforceability of rights in this area. Aim of this article is to approach the problem of extremism, racism and violence at sports events, explaining their general characteristics, but mainly focus on offering security solutions for sporting events, the concept of the fight against extremism, cooperation in dealing with racist-extremist speeches at sports events.

Keywords:

public order and safety, sporting event, extremism, terrorism, international cooperation.

Introduction

As far as nothing is done at our roads or in Parliament, media invade us with information about various jail-birds or about brutality of Mafioso and terrorists, who endanger our society. Within knottiness of such information it comes to a spotlight of public and professional concern the field of spectator's violence and with it connected extremism, racism and xenophobia. Although there has been the effort to find out how to solve this problem and how to eliminate such demonstration of criminal behaviour already from its beginning nobody has been successful until now to solve it and it seems that it come to culmination of violence at sports events and outside them too. Media treat this problem mainly as to a highly attractive topic for spectators and compete among themselves how to prepare the most dramatic field pick-up without any effort to make sense of this subculture, which has its own standards, rules, mores, beliefs and opinions.

Scientific research is mostly based on knowledge of foreign experts. Especially the English experts are intensively involved in this topic for a long time. It is because in England is the

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place, where this phenomenon arose. Difficulty of scientific research is given especially by the fact that it is problematic to infiltrate itself into ultra-hooligan group, which are de facto closed and they do not want any popularization. Manifestation of extremism, racial intolerance and xenophobia of individuals and groups is increasing and is more and more brutal. This increasing tendency is caused also by contemporary political situation, not only in Slovakia, but also abroad. It is brought about by benevolence of contemporary political culture where the nationalistic tendencies are not seen very tragically. Such manifestation as well as sympathy can be seen not only at meetings of nationalistic political parties or during celebrations of national heroes' anniversaries, but also in Parliament in some countries. It threatens that these ideas penetrate among youth frameworks and that radical ideas become "in". To become a nationalist or racist will signify that "he/she resolutely maintains his/her ideas". Today the majority of people perceive manifestation of extremism, racism and violence at sport events as problem, which endangers functioning of society, but we miss information useful for solution seeking. Thinking about this problem everybody can ask many questions, but answer them is very difficult without a deeper understanding of wider connection with these phenomena. Violence, rout, dissoluteness of spectators at sports events, especially during football matches are today a discussed topic. Particularly the media are highly focused on this topic. Crowds of mobbish fans demonstrating inclination to some club, heavy cheering, mutual hatred, imitation of foreign fans bring about that sports events become more and more a place of dangerous public nuisance. Hooligans' movement is considered to be a fashionable matter when young people use the attendance of Police Corps and safety organs at stadiums while provoking the fans from the opposite side. Especially attacking armed organs is considered as type of "adrenaline amusement". Activities of members and fellow-travellers of hooligans in the Slovakia are connected with demonstration of Nazi, neo-Nazi or similar forbidden symbology. Activities of ultras are often hidden with aim to support a sport event with a march or with public assemblage, but in fact these are well planned criminal activities. It is necessary to mention that there is an increase of crimes and infringements during national and international football matches, which belong to a field of spectators' violence. Cardinal risks of endangerment in the future are organised demonstrations of vandalism, rioting, hooligans and abuse of sports events with aim to evoke a conflict.

With regard with above mentioned it is necessary to deploy all forms, methods and means by which the safety institutions dispose to eliminate antisocial activities committed by extremist groups.

1. Basic characteristic of the used concepts

Everybody has heard the words extremism, racism and violence and everybody has thought about them for a minute. Probably everybody knows what these words mean, but to define their concept is a little bit difficult. According to my opinion, there is no accurate definition for any of these concepts which defines the meaning and subject-matter of these concepts. It can be said that the concept of extremism, racism as well as violence should not and cannot come from one and the same definition. Extremism is negative, expanding, dynamic, all-society phenomenon that is a danger for healthy and developing society, for democratic principles and for constitutional values. It invades the primary value of human rights and essential liberties, it has anti systemic attitude and it is destructive to existing democratic system and its format. Especially it is the kind of political activity which refuses principles of parliamentary democracy and whose ideology and activities are based on intolerance,

segregation, xenophobia, anti-Semitism and ultra-nationalism. Its manifestation is forcible and affected. Extremism is present in all democratic states and the efforts to eliminate it are often very different².

Division of extremism: Basically extremism can be divided into the primary and the secondary one. Within the primary extremism we differentiate between: Right-wing extremism – issued from ideas of racism, fascism and neo-Nazism; Left-wing extremism – based on ideas of communism, Marxism and anarchism³. Within the secondary extremism we differentiate between: Religious extremism – based on radical rootstocks of various world-wide religions, which stand out for a forcible change of social system. Ecological extremism – is characteristic by antihuman, antisocial attitude, it advocates idea that all human activity is negative and the original nature is good; Ethnical extremism – also labelled as regional or ethnic-regional extremism. Basic characteristic: advocates cultural and political exclusion, use of violence to reach declared aims and separatism⁴.

Extremism can be divided according to two basic aspects:

According to the object of aggression:

- attacking the constitutional government a state establishment,
- cruelly invading civil coexistence,
- attacking the life and health of citizens,
- racial (racially motivated).

According to the form of activity:

- verbal,
- forcible (brachial),
- graphic⁵.

Among characteristic aspects of extremism belongs its ideological motivation and in most cases the absence of substantial motives. It means that an offender cannot enrich himself and he is resolute also to victims. In this aspect extremism differs from other kinds of criminal offence that are based on egoistic motives, as for example satisfaction of instincts, achievement of tangible profit or power⁶.

Phases of extremism:

I. phase – is characterised by animalism, irrationality and entire absence of strategic planning of own activities. Often comes from the feeling of endangerment. Activities, which are motivated socially, racially, ethnically or nationalistically are focused on persons that are known by the aggressor as the representatives of the group, which he values negatively. Of course, this applies to those forms of extremism, which use as the way of solution violence.

² <http://euro.gov.sk/data/files/5917.pdf>

³ MILO, D. and col. *Nemaj trému s extrémom: Informáciami proti extrémizmu*. 1. ed. Bratislava: Nadácia otvorenej spoločnosti – Open Society Foundation, 2007, p. 13.

⁴ MILO, D. and col *Nemaj trému s extrémom: Informáciami proti extrémizmu*. 1. ed. Bratislava: Nadácia otvorenej spoločnosti – Open Society Foundation, 2007, p. 13.

⁵ MILO, D. *Rasistický extrémizmus v SR*. 1. ed. Bratislava: Ľudia proti rasizmu, 2005, p. 15

⁶ *Metodika odhaľovania, objasňovania a dokumentovania trestnej činnosti motivovanej rasovou, národnostnou a inou neznášanlivosťou alebo páchanej priaznivcami extrémistických skupín*. Bratislava: Prezídium PZ, 2001 p. 78.

II. phase – is characterised systematic efforts for partial or complex change of social and political establishment connected with combination, planning and propagation of these efforts. It is typical a high level of demagogy, negligence with legal system, belittlement of humanistic principles and preference of radical methods.

III. phase – the peak of extremist ideas is creation of political party, which on the basis of clearly defined ideology and programs leads up to catch the power and later probably also to a change of political system. It is typical for extremist programmes that they offer rapid and point-black solutions of difficult social problems that evoke positive reactions among wide strata of population⁷.

Concept of extremism

Concept of extremism is interpreted in various countries in a different way. In Germany the concept of extremism is defined as all initiatives and activities of political parties, groups, movements and individual persons that lobby with legal or forcible means against German constitution. In Great Britain, the concept of “extremism” is not used because it is considered to be inaccurate. Instead of this concept they use correctly defined concepts, e.g.: terrorism, subversion, sabotage etc. In the Czech Republic the concept of extremism is defined as a complex of verbal, graphic, physical and other activities with ideological context developed by an individual or by a group and aimed at vicinity or at predetermined aims, attacking social establishment, constitutional and legal principles, as well as against parliamentary democracy and human principles⁸.

Concept of extremism is highly individual and there exists a serious risk of doubts of individual definition by alien parts of proceeding.

According to my opinion it is impossible to create one complex definition of “extremism” nowadays because each field of social life requires adequate modification. Definition of concept “extremism” should involve a list or description of risks which are at the same time connected with illegal activity. The absence of illegality of such a risk does not enable us to label such behaviour as extremism (there will be the conflict with essential and constitutional principle that everybody can do everything that is not prohibited by law). Attitude or opinion can be connected with extremism only in the moment when the rights are offended. Definition of the concept extremism should not been a moral indoctrination, but it should state the borders that are accepted by the society on the one hand, and those which are not and at the same time establish criminal responsibility on the other hand. Such a definition of the concept extremism is necessary for activities of safety institutions and organs acting in criminal proceeding, from the moment when information about planned, prepared or executed extremist activities is obtained until the lawful sentence of responsible offenders⁹. On the other hand, today is for OSCE (Organisation for safety and cooperation in Europe) and ODIHR (Organisation for democratic institutions and human rights) very inspiring a new adaptation of view on extremism as on the crime from hatred (hate crime), which can be described as any crime countered to person or property, where the victim, prediction or aim – target of crime is chosen on the basis of its real, known or supposed connection, support or membership of some group identified according a common characteristic such as race, nationality or ethnical origin, language etc. Under review of such crimes is important to justify a motive, which should show features in question. Criminal acts defined in such a way

⁷ MILO, D. and col. *Nemaj trému s extrémom: Informáciami proti extrémizmu*. 1. ed. Bratislava: Nadácia otvorenej spoločnosti – Open Society Foundation, 2007, p. 13

⁸ MILO, D. *Rasistický extrémizmus v SR*. 1. ed. Bratislava: Ľudia proti rasizmu, 2005, p. 14.

⁹ Návrh koncepcie boja proti extrémizmu 2011 – 2014 published on Intranet of MoI, p. 11.

can substitute until now used concept racially motivated crime that is narrower. Hereby the hate crime clearly defines the essence of the problem and is less vague as the concept “extremism”.

2. Characteristic of extremism in the Slovak legal system

The Code Penal – as the criminal acts of extremism can be considered crimes, that are denoted in such a way in Code penal as well as the crimes committed from personal motive:

Criminal acts of extremism: Genocide (§418); Support and propaganda of groups focused on suppression of essential rights and liberties §422); Production of ultra-materials (§422a); Distribution of ultra-materials (§422b); Receiving of ultra-materials (§422c); Aspersion of nation, race and belief (§423); Incitation to national, racial and ethnical hatred (§424); Incitation to aspersion and threaten people because of their race, nation, nationality, skin colour, ethnical group or the origin of nation (§424a)¹⁰.

From personal motive – with effort to publicly incite to violence or hatred against the group of people or individuals on account of their race, nation, nationality, skin colour, ethnical group, origin or religion, if it is a pretence for threat; from national, ethnical or racial hatred or hatred because of skin colour¹¹ /§ 144 – Wilful murder §145 – Murder, §147 and §148 Killing, §155 and §156 Commission of injury, §360 Assault §365 Defamation of grave

In the Regulation of the Ministry of Interior of the Slovak Republic No. 105/2010 – „Extremism are verbal, graphic, physical or other activities connected usually with strong ideological or other opinion, by which the essential human rights and liberties are suppressed, usually with the absence of tangible motive that are developed by individuals or a group of persons having opinions totally different from generally accepted standards with clear elements of intolerance, especially racial, religious or similar hatred, which attack democratic principles, social establishment, life, health, property or public safety.¹²“

Racism and xenophobia

There are visible physical differences among people and some of them have heritable character. These differences in physical typology is a result of mixture of more or less relating persons (inbreeding) and the measure of their relatedness while entering the partnership depends on the level of a contact of various social and cultural groups. These groups of people mutually different through external signs were called races¹³. Racial incidents are a visible manifestation of hatred, antagonism and intolerance against nationality, race and skin colour of other person or religious belief. The above mentioned verifies that racism is nowadays connected only with concept of race and that the action of its supporters is not aimed only at the member of other race but also at different signs or religious belief¹⁴.

Former biologically oriented racism said that various mental characteristics were assigned by biological features. It is easy to explain why skin colour was so important in biological racism. It was necessary to connect deficient mental features with such biological features that

¹⁰ Act No. 300/2005 Coll. Code Penal as amended

¹¹ Act No. 300/2005 Coll. Code Penal as amended, §140.

¹² Decree of the Minister of Interior of the Slovak Republic No. 105/2010 that changes and Decree of the Minister of Interior of the Slovak Republic No. 64/2008 on fight against manifestation of extremism and on fight against spectator’s violence, chapt. 2, let. a).

¹³ MILO, D. *Rasistický extrémizmus v SR*. 1. ed. Bratislava: Eudia proti rasizmu, 2005, p. 7.

¹⁴ MARCZYOVÁ, K., *Rasizmus – fenomén ohrozujúci príslušníkov národnostných menšín a etnických skupín*. – In: rozvoj metodík vyšetrovania jednotlivých trestných činov: Text-book. – Bratislava: Police Academy, 2007, p. 152.

are easily visible. Today the ethnical, cultural and language differences are stressed. A contemporary form of racism can be called as ethnicism/linguisticism¹⁵.

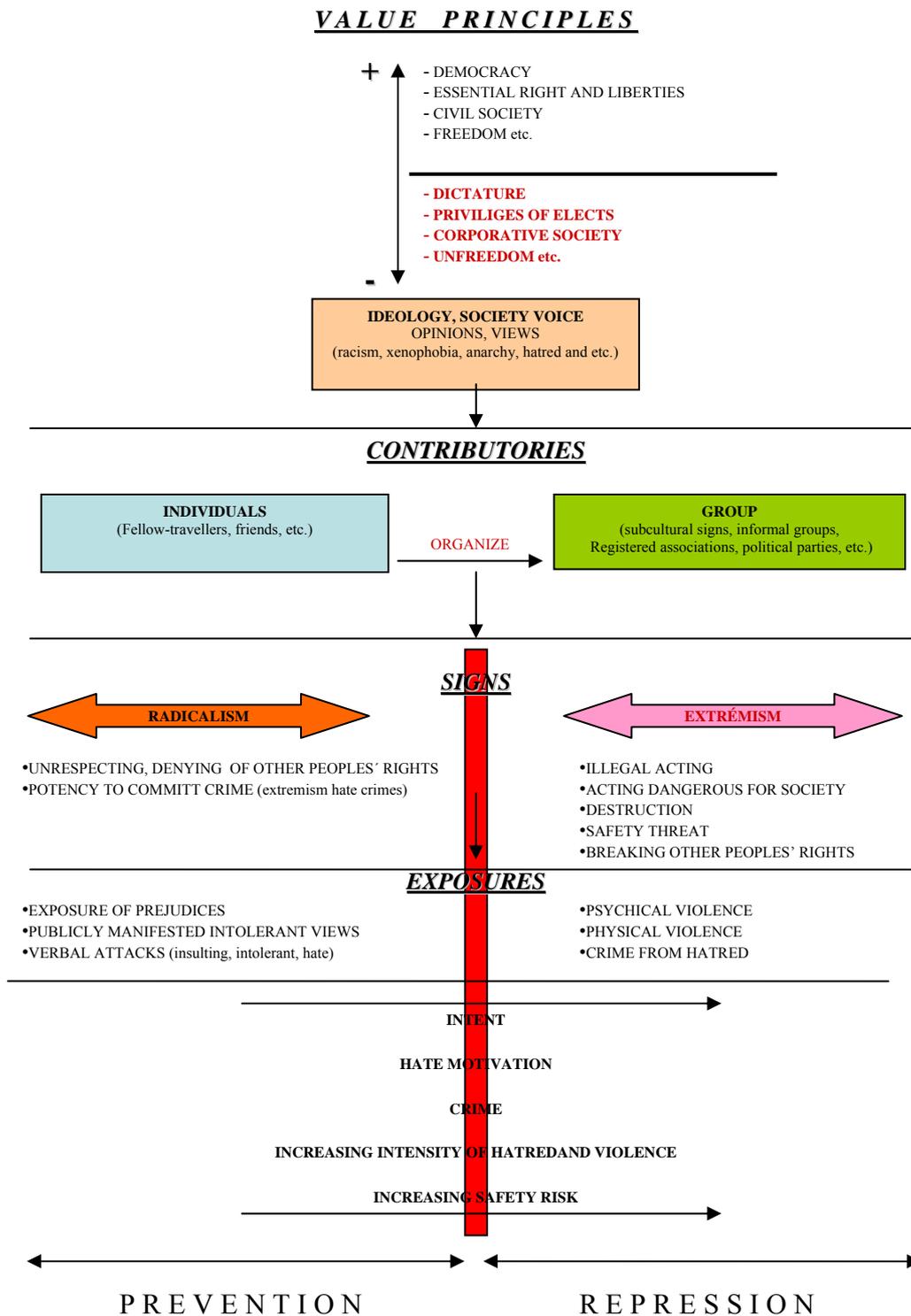


Diagram of the concept extremism¹⁶

¹⁵ SKUTNABB-KANGAS, T. *Menšina, jazyk a rasizmus*. Bratislava: Kalligram, 2000, p. 273 – 274.

¹⁶ Návrh koncepcie boja proti extrémizmu 2011 – 2014, published on Intranet MoI, p. 10 – 12.

Racism can be:

- Open - when its author does not try to conceal it. The premise is that the person in question should think that he/she is supported by the majority (apartheid);
- Secret/hidden – when its author tries to conceal it. At that time he supposes that racism is not accepted by everybody. Concealed racism is for example when somebody endlessly fabricates various reasons instead of saying openly: No entry for Gypsies“;
- Visible – when for example inhabitants of some house make a petition with aim to put out a Gypsy family;
- Invisible – nobody salutes family, does not play with its family, its guests are harassed and etc.;
- Conscious – as for example in various fascist and neo-Nazis organisations;
- Unaware – when American investigators call USA Anglo-language nation¹⁷.

Types of racism:

From biological to cultural – racism in its basic narrow-minded meaning represents belief that some physical features, so as it is a skin colour or head feature directly relates with intellectual characteristics, morale or behaviour and prescribes the hierarchy of human populations. During the second half of the 20th century it was partly changed by so called cultural racism which stresses not only biological characteristics of “the others”, “aliens”, “sub-men”, but also their culture.

From individual to institutional racism – tendency to perceive racism only as individual matter or as an ideology justifying discrimination lasted until the 60ties of the 20th century. Certainly one of the most important changes in the view of racism was a conception of the so called institutional racism. Differently to racisms as an ideology, the institutional racism represents a practice that is characterised by the activity of individuals and institutions resulting in unaware discrimination of members of subordinated groups. Institution should be understood in its abstract form (so as fundamental law, immigration policy, rules and means by which society is governed)¹⁸.

Xenophobia

In the Western Europe, the most often targets of right-wing extremists’ xenophobia are non-European immigrants, who become to be an appreciable percentage of population. By contrast in post-communist countries of Central and Eastern Europe, this problem is not seen as burning and that is why xenophobic attitudes of ultras are usually aimed at the second typical target – national minorities¹⁹.

Xenophobia is a fear of foreigners. This word is usually used to denote hatred against people from abroad or from other ethnical groups, as well as the lack of respect to their traditions and culture. It originates from doubts; fear resulting in hatred against everything that comes from abroad, or originating outside the own social group. It is strongly connected with negative opinion to others and with positive opinion to himself/herself or to own group. Xenophobia is the basis for social hatred expressed by means of anti-Semitism, nationalism, chauvinism, fascism and racism and with its manifestation it stands behind the problems of minorities with

¹⁷ SKUTNABB-KANGAS, T. *Menšina, jazyk a rasizmus*. Bratislava: Kalligram, 2000, p. 273 – 274.

¹⁸ DANICS, Š., KAMÍN, T. *Extremizmus, rasizmus a antisemitizmus*, 2. ed. Praha: Police Academy of the Czech Republic in Prag, 2008, p. 116.

¹⁹ MUDDE, C., *Populist Radical Right Parties in Europe*, New York, Cambridge University Press, 2007, p. 69-71.

pursuit, offending and attacks to them. Often it is artificially nourished and it finds support in ideology and propaganda. It arises at the moment when it is necessary to find a guilty party for problems, non-success, beggary and other social-pathological phenomena²⁰. Xenophobia is usually connected with sense of deficiency. Xenophobe is provoked and irritated by different person only by the fact that he/she exists, that he/she presumes to be different from us. Difference is considered as offense, wilful act, which xenophobe cannot and wants not understand and explain. That why he/she is not willing to discuss about it, he/she is not willing to accept it, he just want to liquidate it. By means of refusal, degradation, offending, disposing or killing²¹. Although in democratic society is xenophobia an unpleasant, it is manageable by mechanism of warning the society against difference, which people from different reasons are not able treat anymore – because of its content, intensity and speed, but this warning has its own sense only when it goes for a real threat, otherwise is xenophobia the threat for society itself.

3 Characteristic of ultra-fans clubs

Actual criminal activity committed by ultra-fans clubs, which includes the field of spectators' violence has increasing tendency. These are especially prepared illegal activities of ultras, who act in structures of autonomous football divisions and groups, which has no leader but they act publicly as individual group. Generally we speak about persons who are included among racists, fascists and hooligans, who present themselves at football and hockey stadiums by ultra-ideologies and by committing crimes with the common aim – fight against repressive units and the property by means of vandalism, rioting, and demonstration of extremism, racism, xenophobia and intolerance²².

Racist-ultra fans-clubs Ultras and Hooligans ULTRAS – it is a movement which was established in Italy in 60ties - 70ties of the 20th century when clubs decreased the price of tickets to some parts of stadiums. Ultras are actively cheering and following several principles during a match as for example: they never sit down, they cheer their players independently on actual result and they visit the majority of matches at domestic and the competitors' stadiums too. Groups of ultras exist in the whole Europe and similar indication of this activity is in Asia and in the USA as well. There can be tenths, hundreds, but also thousands depending on mentality of nation or the importance of a club.

Unthinkable part of ultras activities is choreo²³. In light of spectators' violence are Ultras alike other fans a potentially dangerous group, whose activity can have any form of spectators' violence manifestation instead of battles organised and prepared in advance. Their priority is not a riot but an unconditional support of their own club. Most frequently it comes to problems in connection with the use of pyrotechnics that is forbidden at stadiums. Ultras consider it as essential part of an „authentic atmosphere“ and this is the reason why they infringe this rule or they try to come to an agreement with their own club to organized use of pyrotechnics.

Ultras are usually divided into smaller groups, although according to views, age or according to contact. Not always are all groups at stadium in one and the same sector - pot. In old school

²⁰ MILO, D., *Rasistický extrémizmus v SR*. 1. ed. Bratislava: Ľudia proti rasizmu, 2005, p. 107

²¹ KUSÝ, M., *Podoby diskriminácie. Nadácia za toleranciu a proti diskriminácii*, Bratislava: Mirius, 2004, p. 19.

²² Návrh koncepcie boja proti extrémizmu 2011 – 2014, published on Internet of MoI, p. 28.

²³ Choreography is the nicest manifestation of support to a club. It can consists of a bar, two-handed or sector flags, balloons, paperboards or various types of pyrotechnics. Background of colossal choreo is time-and financially-consuming and nobody can secure to fans that its manifestation will be successful.

„Old school“ it was always a protest against system, establishment, political orientation of a country, hate against police, refusing of cooperation with management of a club, defending of own city and stadium with a slogan „don't come to us, be afraid when we will come to you“ as the message for rival fans. In the last so called „new age“ of football, hockey and sports as such started to arise new camps of Ultras-fans, for whom it is essential to defend one life style, which is endangered, fight against tickets issued on name, fight against new modern age and fight against tyranny²⁴.

Characteristic of Ultras fan:

- Ultras do not exist for the outer world, their name is unknown for aliens and it is known only for their friends;
- They do not stand upon favour and understanding of ordinary people;
- They attack when there is an attack;
- They are connected with relationship to a club and mutual hatred against rivals;
- They often mask themselves with a hood and the face with scarf;
- They do not wear common clothes and they do not care a bit of novelties.

Among the best known groups of Ultras in Slovakia belong:

Ultras Slovan Pressburg – Slovan Bratislava

Ultras Spartak – Spartak Trnava

Ultras Košice – MFK Košice

Red White Angeles – FK Dukla Banská Bystrica

Žilina fanatics – MFK Žilina

HOOLIGANS –is a name for contemporary radical (especially football) fans. They have their origin in England where they were denoted as riots and members of gangs. The etymology of the word is explained in various ways:

- From the Irish word „Hooley“, which indicates wildness;
- From the name of the gang that has the same name;
- In accordance to Hooligan family, that was famous by its terror in London.

In Slovakia is this concept defined as riots from the groups of fans, especially football fans, for whom is typical a vandalism, battles among individual groups and riots of rival fans not only during matches, but also before or after them at stadiums, public vehicles or streets that need police intervention. Priority of the hooligan groups is a violent conflict with rival groups, arranged in advance /typical for Hooligans/ or unexpected, which can be addressed also to other people. These collisions of hooligans have their own imprescriptible rules which are usually observed and accepted. The aim of these collisions is to beat and defeat /to win as a group/ but not seriously injure and at the same time to gain a prestige a natural authority, which is necessary to constantly demonstrate. One of the frequently discussed rules/especially when it is broken/ is the rule of weapons disuse at battles, which is usually broken only in striking attack of one of the groups.

The members of Hooligan fan club are men who come from low social class, they are illiterate and unemployed, and they seek for a danger and excitement. At the same time they have unusual need to show their masculinity. Today it is not unusual the members of ultra-fans clubs become also young people from good situated and rich families without any social

²⁴ www.ultras.sk

problems. Consequently it can be said that there is no mutual relationship between football /sports/ hooligans and social environment, where live the persons involved²⁵.

Status of a football hooligan enables to young man with small chances to be successful in school or in work to reach the sense of personal importance and identity through acknowledgement of his friends. Young people try to reach status among his/her mates and express disapproval with the arrangement of world and there are successful in this among football hooligans²⁶. Many reactions of spectators, especially of football fans illustrate also tendency coming from the fact that the difference of outer norm and the expressions of this difference in individual's behaviour became a sense of existence and activity of some particular groups of spectators²⁷.

Among best known groups of hooligans at Slovakia belong:

Slovan Hooligans Pressburg – Slovan Bratislava

RBW (Red Black Warriors) – Spartak Trnava

Rebels VSS – MFK Košice

Neusohl Young Hooligans – Banská Bystrica

Trogári – FC Nitra

Terror Boys – MŠK Žilina

Among particular groups of Hooligans exists a big antagonism. The biggest is between Slovan and Spartak, Košice and Slovan or Trnava and Nitra. Although the world of Hooligans is full of hatred against other clubs and full of mutual antagonism, some groups make agreement on friendship among each other – the so called sodalities²⁸.

Ultras as well as Hooligans are phenomena expanded in the whole Europe and these groups of fans that like battles, riots and violence. Characteristic signs of both groups are: support of one club, creating of groups with clearly defined borders, closing of strong links among themselves and wearing of symbols, which differentiate them from rival fans (badges, scarfs, T-shirts, flags and specific signs). Majority of them are Neo-Nazis or fellow-travellers and they demonstrate their belief at tribunes or outside them.

Social status in ultra-fans club

- **Chant leader** – also known as „caller“, who takes the initiative in choral singing, in cheering and shouting slogans. He has to be creative and smart and he has to be able to react on whoops of rival fans;
- **Aggro leader** – his task is to provoke and in case of attack to react on aggression of a rival fan. He stands always in the first row and he/she has high position in the group;
- **Nutter** – his/her behaviour is appreciated by the others as crazy, madly and lunatic;
- **Hooligan** – creates heart of group;
- **Organizer** – divides tasks and prepares strategy;
- **Fighter** – fighters are active especially in support of other fans with aim to attack the rival fans, organizers or police;
- **Heavy drinker** – he is well known by the fact that he/she drinks a lot of alcohol and he visits matches only drunk²⁹.

²⁵SMOLÍK, J., *Futbalové Chuligánství*, 1. ed. Karlovy Vary: Zdeněk Plachý-Publishing house, 2008, p. 53 – 54.

²⁶ SMOLÍK, J., *Futbalové Chuligánství*, 1. ed. Karlovy Vary: Zdeněk Plachý – Publishing house, 2008, p. 53 – 54.

²⁷ SLEPIČKA, P., and col. *Psychooógie sportu*, Univerzita Karlova v Prahe, karolinum, Praha 2006, p. 175

²⁸ MILO, D. and col., *Nemaj trému s extrémom: Informáciami proti extrémizmu*. 1. ed. Bratislava: Nadácia otvorenej spoločnosti – Open Society Foundation, 2007, p. 52.

²⁹ MAREŠ, M., SMOLÍK, J., SUCHÁNEK, M., *Fotbaloví chuligáni*. 1. ed. Brno: Barrister and Principal, 2004, p. 17 – 22.

Depending on age and „hooligan career“, they are divided into:

- **Group A** – denoted as „rowdies“– homogenous group of boys with average age of 15 years;
- **Group B** – variably consisting depending on attractiveness of a sport event with typical presence of people with parole or social supervision;
- **Group C** – denoted as „town boys“– homogenous group of persons older than 18 years;
- **Group D** – group less homogenous than A – C;
- **Group E** – group less homogenous than A –C, comparing with group D there are older persons than in group D and women as well;
- **Group F** – denoted as „novices“, consists of small children under 10 years³⁰.

4 Characteristic of violence at sport events

There is no adjusted definition of spectators' violence. Generally it is defined as violent or dangerous behaviour of spectators at sport events represented by individual or mass physical aggressive attacks especially among individual groups of fans, racial threat, and use of ultra symbology at sport event or in connection with it. Other negative effect is dissoluteness expressed as absolute freedom, spontaneity of fans behaviour having various manifestations endangering safety of other spectators and players³¹.

Spectators' violence can be characterised as violence, which is planned and has repeating and manifesting character and is realized by limited group of people, whose mutual sign is fellowship with some club or national team.

Forms of spectators' violence at stadiums:

- Incursion at playground;
- Disruption of match (ignition of smoke shells and other pyrotechnics);
- Throwing of various things at playground (smoke shells, coins, bottles etc.);
- Throwing of various things at persons involved (players and referees);
- Riots (scrimmages with police, organizers and etc...);
- Vandalism (pulling out of seats, burning of seats, destroying of accessories at stadium);
- Conflicts with use of verbal and brachial violence (against rival hooligans, fans and spectators, against players of the own team – rival team, referees, organizers, police, representatives of a club, management etc.)³²

Forms of spectators' violence outside the stadiums:

- Arranged and in advance planned violent collisions of ultra-hooligans fan clubs at various places;
- High-jacking of rival pubs and clubs;
- Attacking random persons; (bus drivers, fuel station staff, guards, journalists etc.);
- Steals and non-payment (little steals in shops and fuel stations, they steal not only food and alcohol but from recession also other things like toys and videocassettes etc.);

³⁰ NIKL, J., VOLVECKÝ, P., *Divácké násilí*, Praha: Policejní akademie ČR, 2007, p. 8 – 9.

³¹ SURMAJOVÁ, Ž., *Právna úprava eliminácie na športových podujatiach v Slovenskej republike*, Notitiae ex Academia Bratislavensi Iurisprudentiae – 1/2009, Bratislavská vysoká škola práva, 2009, p. 82.

³² MAREŠ, M., SMOLÍK, J., SUCHÁNEK, M., *Fotbaloví chuligáni*, 1. ed. Brno: Barrister and Principal, 2004, p. 17 – 22.

- Public order invading;
- Destroying of vehicles with rival players and hooligan-ultra fans;
- Violent attacking and throwing of various things, so called Molotov cocktails at policemen in the suburb of a stadium;
- Shops buck-eying etc.

Violence at sport events is connected with a high level of danger. At the place with a big concentration of people, where the atmosphere is very emotional a small battle of ultra-hooligans can become an extensive tragedy. When the riots break out, there is not any effective police intervention that can save positive impression from the match. That is why the activity of Police Corps in connection to spectators' violence rest upon collecting, gathering, classifying, scoring and use of information on spectators' violence, in coordination of change of information on a risk sport event, in coordination of cooperation at national level in relation to a risk sport event, in help following generally binding legislation, in support and in collaboration of other units participating at protection of public order and safety and in gaining information that are necessary for stating the level of risk of spectators' violence with aim to eliminate it³³.

Conclusion

Activity of Police Corps in a fight against extremism, racism and spectators' violence is focused mainly at prevention, but during risk sport events it comes also to an active form, namely to an intervention of Police Corps at a stadium. This can be considered as to be an extreme solution with aim to protect life, health and property, including protection against mass disruption of public order. So the question is whether sports events should be manoeuvres of Police Corps or it should be a show of sportsman? When society accepts any racially-ultra manifestations, people can cease to look for vacation and amusement at sports events and thus the ideology of racially-ultra groups can penetrate into youth structures, radical views become "fashionable" and to become a nationalist or a racist will be meant just as a strong belief in own ideals. That is why organisations which fight against extremism have to develop a constant pressure against any racially-ultra manifestations and they have to make an example of them and do not let the ideology of racially-ultra groups to spread into the structure of society.

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³³ Decree of the Minister of Interior of the Slovak Republic No. 64/2008 on fight against manifestation of extremism and on fight against spectator's violence, chapt. 9.

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ASSESSMENT OF FIRE RISK OF CHIPBOARDS

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Summary

In the paper submitted, the fire risk of chipboards is assessed. The fire risk of chipboards was assessed on basis of the heat flux density effect on the ignition time of materials in question having thickness 12, 15 and 18 mm. The ignition time dependence on the heat flux density was determined by the apparatus (cone heater) according to the ISO 5657:1997 through the modified testing procedure. The testing procedure modification consists in specimen heat flux exposure without any secondary initiator use. The minimal heat flux density where ignition for the chipboards occurred was 40 kW/m^2 . From measured data follows that ignition time of assessed board materials decreases exponentially vs. increasing heat flux density. Obtained data imply also a fact that with increasing heat flux density, the influence of studied materials thickness on the ignition time decreases. Measured data imply an independence of minimal heat flux density on studied materials thickness, as well.

Keywords: chipboards, fire technical characteristic of wooden materials, assessment of material fire risk, minimal heat flux density for ignition

INTRODUCTION

To assess material fire risk, it is necessary to know mostly its heat release rate and chemical composition of fire effluents.

The question of assessment of the heat release rate from materials was dealt in details, for example of Babrauskas's work [1]. The mass loss of selected lignocelluloses' materials when exposed to radiant heat was determined e.g. by Osvaldová, Makovický [2] a Zachar, Skrovný [3]. From these cited authors' results follows an exponential dependence of the mass loss on a studied materials distance from the infrared radiation source.

The effect of external conditions on chemical composition of fire effluents or of thermal decomposition was studied e.g. by Martinka et al. [4] a Bubeníková, Veřková [5]. From data presented by Martinka et al. [4] is clear that the highest yield of toxic fire effluents (carbon oxide) is produced in the phase of wooden materials initiation.

Very suitable parameter for relative materials or products comparison as regards fire development dynamics is the ignition time of materials depending on the heat flux density. The ignition time is defined as a time interval since material exposing by the constant temperature or by the constant heat flux density till the material ignition.

The ignition time of selected natural or synthetic polymers was studied by several authors, e.g. Tereňová [6] a Martinka et al. [7]. According to Martinka et al. [7], except temperature or heat flux density respectively, parameters of the oxidation atmosphere (prevailingly the flow rate and oxygen concentration in it) have a significant effect on the polymers ignition time, too.

Minimal heat flux density for material ignition depends on material chemical composition and physical characteristics. Physical properties can be divided on characteristics joined with material itself and on environmental parameters. Among most significant material physical

characteristics belong its geometry (shape, dimensions, and form), volume mass (density), moistness, surface quality, thermal conductivity, mechanical properties, and mutual orientation between exposed sample surface and radiant heat source [8].

To the most important environmental parameters that are variable under normal conditions, belong especially air flow rate. The air flow rate decreases minimal heat flux density up to certain limit. But above its exceeding it causes increasing of that.

An effect of external environmental parameters on burning process of wooden materials was studied in details by Ladomerský a Hroncová [9].

The goal of paper submitted is to determine the minimal thermal flux density necessary for ignition of chipboards with 12, 15 a 18 mm thicknesses as well as an effect of the heat flux density on ignition time thereof.

1. Work methodology

The ignition time dependence of chipboards on heat flux density was determined on the apparatus according to ISO 5657:1997 by a modified testing procedure. The modification consists in specimen exposure by radiant heat flux without any secondary initiator use.

Before the experiment itself, the minimal heat flux was determined at which ignition of chipboards without any secondary initiator use appeared. It was found that prolongation of exposure time interval of chipboards affects a decline of minimal heat flux only within the time interval 170 s approximately. After decreasing of critical heat flux density for 170 s time interval, ignition did not take place even at 3600 s exposure. At heat flux lower than minimal heat flux density needed for ignition, the thermal degradation rate of material did not reach a critical value necessary for reaching the flammability lower concentration limit of originated decomposition products. Due to thermal flux from the heater, the material was subjected to thermal decomposition but it did not ignite.

Specimens of chipboards were thermally exposed by prescribed minimal heat flux for 300 s time interval. Minimal heat flux density needed for chipboard ignition was 40 kW/m². Ignition times for chipboards were determined at 40, 41, 42, 43, 44, 45, 46, 47, 48, 49 and 50 kW/m² heat flux values. Each measurement was repeated five times minimally. Recorded extreme values were excluded from data set and replaced by values gained from repeated measurements.

Specimen dimensions and configurations met ISO 5657:1997 requirements, flat dimension was 165 x 165 mm. Thickness of studied materials was 12, 15 a 18 mm, respectively. Absolute moisture content of used boards was 6 % volume. Density of chipboards was 660 up to 680 kg/m³.

Studied specimen is shown on the Figure 1



Figure 1 Studied chipboard specimen

2. RESULTS AND DISCUSSION

Minimal heat flux density necessary for ignition of chipboards was determined at 40 kW/m^2 while tested board thicknesses did not affect the minimal heat flux density. This fact, however, might be caused by too narrow interval of tested chipboard thicknesses. Determined values of minimal heat flux density causing ignition of tested materials were approximately in 50 % higher when comparing with data relating to wooden materials referred to by Merryweather and Spearpoint [10]. Mentioned difference was caused by test procedure modification; i.e. without any secondary initiation source use.

Integrated effect of OSB chipboard thicknesses and heat flux density on the ignition time is shown on Figure 2.

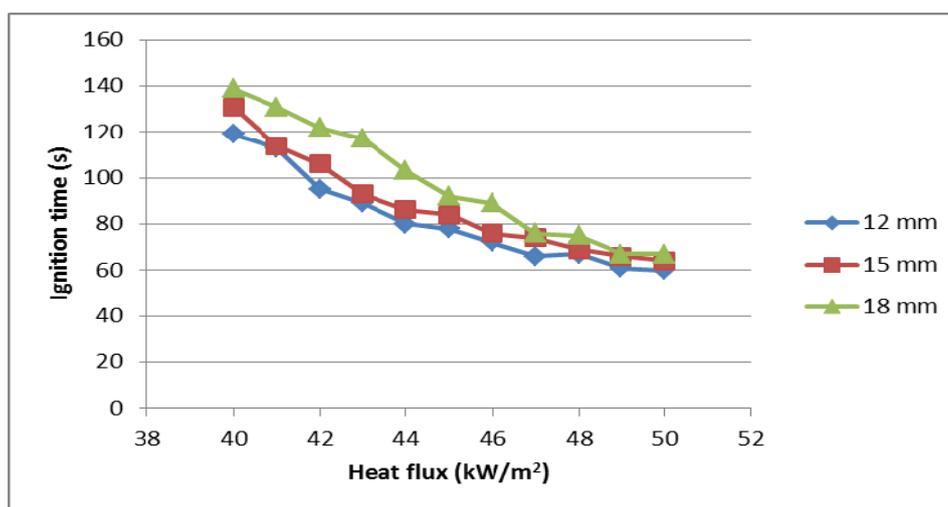


Figure 2: Ignition time dependence on chipboard thicknesses and heat flux density

From visual analysis of Figure 2 follows that effect of chipboard thickness declines with growing heat flux density. For the 50 kW/m^2 heat flux density the effect of board thickness was negligible. This trend was caused by affecting of heat flux density on thermal material thickness.

Thermally thick material is defined as a material whose surface temperature on the opposite side in relation to exposed surface at the ignition time is coming near to the ambient environment temperature. Thermally thin material is defined as a material whose surface temperature on the opposite side in relation to exposed surface at the ignition time is coming near to the exposed surface temperature. From these definitions is clear that terms “the thermally thick material” and “the thermally thin material” are relative ones in a considerable rate. Heat thickness relativity follows from its dependence on heat flux. At relative low heat flux density, transfer of heat from the material surface towards its inside occurs. It means that all material is overheated and heat is absorbed in material. The ability of material to accumulate heat in a volume unit is physically represented by thermal inertia that can be mathematically expressed as a sum of the thermal conductivity coefficient, density and thermal capacity coefficient. During increasing of heat flux density, the surface temperature is growing rapidly faster than temperature inside material, thus the same material with the same dimensions and the same thermal inertia can be either thermally thin material for certain heat flux and also thermally thick material for higher heat flux. Thermal thickness of material thus depends mainly on its thermal inertia, material thickness, thermal conductivity coefficient, heat flux density and moistness.

Water content in a material absorb certain heat necessary to water evaporation, but on the other hand, at high heat flux values it can cause extremely fast water evaporation and consequent creation of cracks enabling faster penetration of thermal degradation products.

Based on determined average ignition time difference between chipboards with 12 mm (119 s) and 18 mm (139 s) thicknesses, respectively, at critical heat flux density (40 kW/m^2), it cannot be said that 12 mm thick chipboard is a thermally thin material at critical heat flux density because temperature measured on unexposed side does not exceed $40 \text{ }^\circ\text{C}$, while with increasing heat flux and increasing chipboard thickness, the temperature on unexposed side decreased at the ignition time.

To determine a thickness influence on ignition time of chipboards in studied thickness interval and heat flux density interval, the one-factor variance analysis (ANOVA) was used. Based on calculated criteria for chipboards $F = 1.4324 < F_{0.05 \text{ crit}} = 3.158$, the zero hypothesis on equality of variances of ignition times for chipboards with different thickness was confirmed on the significant level $\alpha = 0.05$. Thus, from the one-factor variance analysis follows that chipboard thickness has no significant effect on time ignition thereof under studied conditions.

3. CONCLUSION

From data measured is clear that influence of thickness of chipboards on ignition time during exposure by radiant heat flux declines with increasing heat flux density. For chipboards, board thickness has a negligible effect on ignition time, similarly like for OSB boards, from 50 kW/m^2 heat flux density value. This value is 125 % of minimal heat flux density value that caused ignition of tested chipboards. Stated conclusion is valid, however, only for studied thicknesses (12, 15, and 18) mm.

Temperature on unexposed side of chipboards did not reached $40 \text{ }^\circ\text{C}$ value at ignition time (for none studied thicknesses 12, 15 a 18 mm and for none studied heat flux densities 40 up to 50 kW/m^2). The minimal heat flux density necessary for ignition of chipboards was 40 kW/m^2 , thus these materials can be considered to be thermally thick materials for purpose of initiative parameters assessment. This conclusion is valid, however, only for assessment of thermal thickness of studied materials as regards their initiation characteristics.

Obtained data also indicate independence of minimal heat flux density on material thickness. This statement was proved only for thicknesses 12, 15 and 18 mm; to generalize it, further experiments will be necessary to carry out. For thickness expressed in some single millimetres, it can be expected that minimal heat flux density will be depended also on total material thickness because for such thickness chipboards start to behave as a thermally thin material.

Further research should be focused on determination of minimal heart flux density required for ignition at other thickness of studied chipboards. It is also necessary to determine minimal thickness of studied materials at which these studied chipboards begin to behave as thermally thin materials at minimal heat flux density required for their ignition.

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SOCIAL EXCLUSION OF GYPSIES IN SLOVAKIA UNTIL 1918

Vladimír GECELOVSKÝ

Keywords – Gypsy – discrimination – exclusion

1. Introduction

Gypsies is a very hot problem nowadays, especially as regards to their integration into the society. About this problem we can hear in mass communication means. It deals with their behavior, employment, habitation. Another problem is handling with them. Gypsies usually have problem, because people don't take them between themselves and their surroundings. It is very difficult to integrate them into the society. By ignoring their behavior is getting complicated. If we want to solve problems caused by coexistence of Gypsies with the majority of society, at first we must try to see the true picture of them. Gypsies we can define as a diverse group of people, among whom can we find both good and bad, wise and stupid, diligent and lazy, as people, who have their own problems, needs and desires, who can love and hate; and try to live their life as best as they can depending on their circumstances. Recognition the legal and historical facts and their interpretation, any new knowledge naturally establish further questions for answers in refinding and examining new unexplained problems. Study of history is therefore asking questions and finding answers, that open new ways to deeper and wider recognition of Gypsies life.

2. Theoretical – metodological basis

At present we can not exactly say, when the Gypsies appeared at first time. Some historical records indicate, that Andrew II. drove a group of gypsies in Hungary from the crusade in Jerusalem in 1192. Another records indicate, that Gypsies were in the army of Bela IV. When the army was attacked by Tatars, Gypsies left Hungary and moved to the Czech Republic. Their presence is recorded in 1242 and it is mentioned in one article of Damilova Chronicle. It is indisputable, that in early XIV. Century Gypsies were known in Slovakia. It is confirmed by reports of Sobolč County in 1329 and Zemlín County in 1377 and 1381. One of the first reports of Gypsies came from Spiš in Slovakia. The Spišsko – novoveský mayor Ján Kunch in the description of Majer said: „ in surrounding forests, belonging to the family of Mariasyovci, roam Gypsies“. At that time Spiš belongs to one of the richest regions not only in Slovakia, but also in Hungary. It was one of the first areas in Slovakia, where Gypsies began to settle. In the first centuries after the arrival of Gypsies to our country, the population weighed them, apparently under impression the „Egyptian“ legend. Gypsies applied the reliance not only of common people, but also of improper and religious representatives, who even issued them „transmittal letter“. It was mainly a protective actum of German emperor and Hungarian King Zigmund, exposed in Lindava in 1417, protective actum of Pope Marina V. in 1422, especially the protective transmittal actum, which was issued for Gypsies by duke Ladislav in 1423 (17th April) at Spiš Castle. This actum significantly facilitated gypsies penetration into other countries and getting additional safe – conducts. This actum dictated to improper and religious representatives, and ecclesiastical feudals and dignitaries of empire to meet Ladislav's group and protect it from any annoyances. In the event, that some of the gypsies committed offenses, they should be punished, but the competence in this case was granted only to their duke Ladislav. In addition to above

mentioned actums, Gypsies had another various nobles, which enabled them to move from one place to another at the time, when every stranger was marked, it was for Gypsies particularly important. Actums provide them typically warm welcome and if they would have committed offenses, protect them from prosecution and punishment. At that time it was the relationship to Gypsies, which initially received material support and were then allowed wandering way of life, accompanied by the kind of penalized actions. From the end of the XV. century we have data mostly from eastern Slovakia, under which we investigate Gypsies's arrival in different areas and we are familiar with their status a partly the way of life. For example in actums from 1495 there was among other thieves „gypsy Vasko“, who was tortured for their robbery. In this period were reported data on wandering groups, that lived in divination, magical healing, witchcraft etc. In the later period it can be assumed, that there were mostly a petty theft, for example poultry, field crops etc., so included a major part of food. We have more similar report on Gypsies. Years of carefree life reinforced their belief, that this way of life is possible, and they tried to keep this. The initial sympathy, that native population had towards Gypsies gradually began to lose and there is an aversion to them. In the XV. and XVI century some persons and small groups of working men and musicians get permission to settle near the castle, but majority of Gypsies have been built outside of the society. Their parasitic way of life began to be evident. Many Gypsies were forced to steal, because they often did not have other options. In the enlightenment period the Gypsies presecution was partially mitigated, when social and economic reforms occurred, some living conditions were improved. In 1744 Maria Teresia prescribed, that Gypsies were expelled outside the country. Maria Teresia tried to assimilate Gypsies. Her efforts were aimed mainly to Hungary, where lived most of them. It was more than in Austria and Czech republic. Empress realized, that executions for wandering and expelling Gypsies from one country to another did not improved the situation. In her approach she was motivated by rationality and pragmatism. The empress planned to build a centralized and unitary state, where each person should have specified position and role and their implementation should be monitored. In connection with the intended assimilation, gypsies could not use their mother tongue and wear specific clothing. Gypsies were settled in newly constructed colonies and great emphasis was on the catholic faith and they followed it. The empress emphasized a compulsory education and improvement of sanitary conditions. After the long period of retaliation her program bring to their life many positive moments. The son of Maria Teresia, Joseph II, continued in the program of settlement and assimilation of Gypsies. Violent and sometimes insensitive practices were the reason, why changes introduced by enlightened monarchs usually did not survive their government. In addition, the assimilation program had the same intensity in all parts of Habsburg monarchy. Therefore the unrealistic way of assimilation almost did not bring results. Failures of incorrectly performed assimilation led to the opinion of ineffectivity of any attempt to change their way of life. Gypsies tried to avoid the problems related to their way of life by various discriminatory actions.

There is a brief description of institutions and facilities in Slovakia, which provided repression against Gypsies. The most significant document of the royal legislation was the Golden Bull of Andrew II. in 1222, which actually established privileges of the nobility. In this Bull the king committed to convene an annual meeting of nobility. It provided, that they were tried and punished by regularly court hearings. Such rights had small towns such as Trnava since 1244, Nitra since 1247, Banská Bystrica since 1320, Kremnica since 1328, Prešov since 1347 and Žilina since 1357. Royal towns became one of the elements of feudal fragmentation and its courts established a special judiciary over their burghers and serfs town independently from the authority of the nobility. Special status among other towns had town of Spiš, that were led by comte, judge. These towns established a network of its city jails. For

example Levoča and Kežmarok had their own deathsmen. During the feudal particularism the judicial bench share to administration of justice. These evolved from the royal commit, which were adopted by slovak district system. In the judiciary benches were admenicles of middle and lower nobility until the onset of Emperor Joseph II. He disestablished authonomy a replaced it by national administration, which was fully subjected to the monarch a help to eliminate the feudal fragmentation associated with illegality of feudal lords. Although the term „dungeon“ appeared fist time in the Hungarian royal legislation in the act of Charles III., No. XII in 1723. He threatened two or three years for multiple incest. Dungeon still has not been the most imposed punishment. During the feudalism was applied already above mentioned particularism. There were known castle prison landlords, churches and prisons, as well as town and county prisons. In Hungary the questions of prison were considered to problems of government and felt under the cognizance of benches. They were obliged to take care of properly rigged dungeons and accept action to guard prisoners. There are two kinds of imprisonment, dungeon and prison. It was then prescribed, that the dungeon did not provide opportunities to commit a crime and to an even greater moral ruin of imprisoned. For this purpose was prescribed, that men were not imprisoned together with women, and novices with hardened criminals. The general code on „Crimes and punishments“ of Joseph II. in 1787, was the basic legal framework within prisons. Prisons operated to late 18. century. In determining of punishment he was based on the principle of proportionality between the social dangerousness of offense and the severity of punishment. The code finally left the old feudal forms of cruel punishments and interventions on the body of prisoner. However he left burning signs and punishment beatings. Death punishmetns were canceled and left were only in the case of emergency. Dungeon was carried out by chained hand. In 1803 was declared the „Code of crimes and heavy police offenses“. Regarding punishments, the Code consider to punishment death punishment and dungeon. The dungeon was divided into three levels – dungeon, heavy dungeon and the hardest dungeon. The dungeon was carried out either for life or temporarily and from 6 to 20 years. In the case of hard dungeon was prisoner riveted by leg, they did not give him meat and he was in isolation. In the hardest dungeon the sentenced was riveted by leg and waist. Every second day he got hot meal, except meat, or only bread and water. These punishments were flared by forced labor, exposure to the pillory, beating a stick or broom. Violations were punishable also by imprisonment, that was common and rigid. Prisoner was riveted by leg and prison lasted from 24 hours to 6 months. The royal decree in 1816 decided on the employment of prisoners, that told „prisoner should be employed by handwork belonging on their sex. Codes did not specify the kind of sanctions for the crime, therefore in imposing of punishment was applied the arbitrariness of judge. Since imprisonment was privileged form of punishment, it was not necessary to establish national respectively provincial institutions to perform that kind of punishment. Only Enlightenment, a movement against death penatly and proliferating number of vagrants and beggars, began to solve prison, which in that time had specific form. The first institute for punishment was the Penitentiary in Senec, founded by empress Maria Theresa in the estate of Count Franz Eszterházy and in 20.8.1770. Although this institute carried out an imprisonment for one year, here were placed children, they did not mind their parents, so it was a typical penitentiary. In 1780 the Institute was trasferred to the nearby Tomášikovo, here functioned a mail jail until 1785 and as women’s prison to detention until 1790. Prisoners were placed here even the final judgement and the prison costs were paid for half year in advance. Disciplinary sanctions were very strict – hit by whip, handcuffing and fasting on bread and water. The penitentiary in Senec and Tomášikov was undoubtedly the first truly detention facility in on the territory of Slovakia. Then Joseph II. ordered to move sentenced people to the Castle in Szeged. The reason was, that the prisoners are employed to dragging boats up

the river Maros. However this institute wasn't long lasting and than a provincial institute ended in 1831. After these attempts to establish penitentiary in Hungary and Slovakia, was the prison in Slovakia long decades under the rule of Hungarian feudal particularism. Even the Criminal Code of Maria Theresa did not bring the expected changes in punishment. This Criminal Code actually did not bring anything new in prison. From a historical aspect can not omit the first attempt to reform the criminal law and especially prison in proposals from 1795. In 30th XIX century in Hungaria began to show interest in issues of prison. Many politicians travelled abroad in order to became familiar with the conditions of prison. On this basis was built the first self-coupling prison on the bank of the river Ipel' in Balašské Ďarmoty. In 1845 was built the restrain institute of solitary in Bratislava. Perharps the most significant from these facilities was the prison in Komárno, that was built on the principle of solitary in 1840. Since in Slovakia actually functioned two from five administrative and judicial districts, in these centers (in Bratislava and Košice) were functioned previous county authorities, along with prisons, which were subordinated to the Ministry of Justice in Vienna, respectively to other bodies, particularly the Supreme Court of Justice. Until 1855 in Hungary were not established central and provincial prisons and dungeons. After that yeas under the influence of the enactment of new criminal law began to evolve pressure on the building of the provincial criminal institutions in Hungary, and they received appropriate standars governing their work and life in them. It can not be ignored the fact, that the construction of new prison facilities quickly made progress in the Austrian part of empire. The current building of the neglected hungarian prison had to be adapted to rapid improvisation. From 1854 to 1858 the imperial court in Hungary decided to set up six criminal institutions in Ilava, Leopoldov, Vacov, Mukačev, Máinostre for women and in Naďnede. The bastille in Leopoldov was built as a fortress against Turks from 1664 to 1669. Its military use after supression of the Hungarian revolution was not an option. That is why by the decree from 1854 the emperor decided to establish a prison here. The fortress was toke over on 15. March 1856 a then continued reconstruction work, which participated in daily an average of 430 prisoners and costs of reconstruction were 282 831 gold forints and 53 cents. The penitentiary in Ilava was constructed from the original castle building, which was famous in the XV. century. In Slovakia at the end of XIX. Century were established 10 royal judgment seats in Bratislava, Nitra, Trenčín, Komárno, Banská Bystrica, Ružomberok, Rimavská sobota, Levoča, Košice and Prešov; near there were built prisons. The capacity of prison was about 2000 rooms and another 1000 rooms were in county prisons. Prisons as well as part of judicial prison at district courts were initially subjected to State department, but based on the verdict from 16.10.1865 they were subjected to the Ministry of justice. It was established a special office for the prison administration so called inspector general and later was established a special department of the Ministry of prison. In term of post – penitentiary care very important is the Act article CVIII, it was a police regulation law against loafers and vagrants. This act enabled status under police supervision for more than three years both for former convicts but also for loafers, which is admittedly concerned Gypsies. Thus defined terms of reference lasted with minor modifications until the establishment of the Czechoslovak republic in 1918.

3. Summary

The issue of inequality, trying to determine its causes and consequences has become nowadays one of the most discussed topic nationally as well as globally The concept of social exclusion is nowadays a dominant theme in discussion related to poorness in EU. Social exclusion is understood as a systematic process of marginalization, isolation, weakening of social ties at individual and social level. That means exclusion from the normal way of life. In

European countries are increasing interests to prevent and diminish consequences of social exclusion. Exclusion is a mutually unwanted process, because in addition to inequalities in opportunities to promote all civil, political and social rights, leads to social tension and resulting social risks. Gypsies are one of the most poorest and vulnerable groups in central and eastern Europe. Research of the Developpe programm of OSN in 2002 showed, that Gypsies are interested in integration unlike assimilation through better job opportunities, better access to education and higher participation in the structure of government, especially at local level. This can be achieved by initiatives, that aims to solve ethnic tensions and stereotypes, as well as the lack of skills and sustainable structures, that would ensure longer success of Gypsy's project.

INTEGRATION OF GYPSIES INTO THE SOCIETY SINCE THE FIRST HALF OF THE 18TH CENTURY UNTIL 1918 IN CZECH REPUBLIC AND SLOVAKIA.

Vladimír GECELOVSKÝ

1. Introduction

In most countries of the world are Gypsies an original ethnic group. They have their own language, cultural habits, customs and history, but also physical and mental peculiarities and specifics, or their own political, cultural organization. Gypsies live scattered in most parts of the old world, its total of 7 to 10 and half million people, of which Europe has about 5 million. Most of them already not nomadize, they live sedate way of life as workmen, farmers and manual workers. In historic times a lot of them died on epidemic diseases. Some of Gypsies began to settle in early 18th century a adapt to the habits of residents.

2. Theoretical – methodological basis

In examining the circumstances a characteristics of settlement towns and villages by Gypsies, it should be noted, what helped and what obstructed their settlement. As is known, caste system in India with all its consequences was so deep – seated, that many of them respected it. Many groups uphold it after leaving India and began to settle close to the residents settlements. Gypsies built up their own separate settlements. Some units can thus maintained idiomatic way of life and kept in touch with other communities needed to find in material goods. The character of settlement was primarily depend on livelihood opportunities. Most of Gypsies had an opportunity to obtain food as handouts or wages in kind in return for petty, whose value was usually lower. Members of these groups settled in villages, in fertile areas. Also, a positive acting factor of settlement process was the nature itself. Settlement of Gypsies in Slovakia was in closely connection with economic and right of those counties. It was a significant factor in social terms, because landowners significantly interfered in development and affected mostly negative. Typical example is the assessment of Gypsies in Sirkovsky district. Gypsies, who had marquee, cart and horses were required to pay tax two gold. If they did not have cart, they paid tax one gold. Among gypsies were increasingly those, who had variety of casual labor respectively small crafts; they were able to earn Money for their own living. However, in the eyes of nobility it meant, that they were able to pay taxes and it was necessary to determine the amount of taxes, whether in form of money or different duties. In 1723, was established the first Hungarian council in Bratislava. Among other roles of council, the main role was govern Gypsies and engaged them in economic life to be able pay taxes. It's known, that the hungarian nobility was very rigorous in taxation. In 1737 everybody was able to pay taxes, who had property at least 10 gold, but after 1737 it was reduced to 6 gold. The tax was doubled a it was anually 2 gold, which meand, that only this tax was third of such property. The feudal – serfdom relations were primary causes of overall economic and social status of lieges. First half of XVII. century was the period, when the feudal – seldom establishment peaked. For lieges it was a period of exploitation, and it reflected an increasing of duties. For this reason were made census to obtain an overview of Gypsies belonging to different counties or manors. In 1785 almost all Gypsies families have been taxed and the amount of tax was increased. One family abducted to the treasury an average 30 to 50 pence and in county 15 – 20 pence. For the reason of great poverty most of

Gypsies were not able to pay taxes. In the XIX. century despite poor social conditions the number of Gypsies increased. The census of Gypsies was established by the Ministry of Interior on the 31th January 1893. Following the instruction of ministry in towns and villages, where Gypsies lived, lawyers should done census. Places, where lived larger group of Gypsies, the census was made by appointee in cooperation with police. On this day Gypsies were forbidden to move from one village to another. Statistical office sent necessary forms to offices. These offices distributed formes to municipal and borough offices with return date to 5th February 1893. The census was made in prisons and in army. Detailed instructions for filling each census were a part of instruction. Results of census were executed and published in 1895. According these data, most of gypsies were concentrated in County Gemer. Out of 36 201 Gypsies lived in Slovakia, 5552 in county Gemer that is 15,3%. Out of 191.7804 of population of county Gemer, number of gypsies was about 2,89 %. Compared to other counties gypsies were temporarily settled here. Most of Gypsies were settled in Gemer county. Compared to overall Hungary, there lived 274.940 Gypsies. Of which 140.750 have signed up for Hungarians, 67.046 for Romanians, 9.875 for Slovak, 5871 for Serbs, 2896 for Germans and 81.948 denounced Gypsie language as mother language. The census obviously had no practical significance. Themes of Gypsies did not look out. Most of Gypsies lived in Slovakia in economic backwardnesses of no more stable income, in illiteracy, old habits, customs and superstitions.

In Czech Republic were established different conditions for settlement of Gypsies. In the late 17th century Gypsies settled first time in Morava. In 1698 one gypsies family was invited by comte Kounic from Hungary. The reason was to provide him required services. The family received a permission to settle, but they could not wear gypsies clothes and did not speak their own language. Later Gypsies settled in other areas of South Morava. In 19th century they were not settled in Czech Republic, from there they were deported and punished. The punishment was a military service in Hungary. Gypsies, who wanted to settle had attend many conflict especially with municipalities. Under pressure of residents were established Gypsies settlements usually on periphery of towns and villages or on disputed territory without home bundle with relevant village. As homeless, Gypsies did not have responsibilities and chance to attend schoo. Illiterate Gypsies did not speak language of majority residents a did not participate in society. Gypsies settlements changed into isolated units.

In the first half of XVIII century Gypsies lived in larger or smaller groups under the authority vajda and moved from one part of the country to another. There lived gypsies, who were not subjected to any authority. Therefore suzerains issued regulations, in which gypsies were threatened by hardest punishment. They did not give them real conditions to settle. In the second half of the XVII century Gypsies were quite often imprisoned in county prisons. Imprisonment usually lasted two – three months, then prisoner got 20 – 30 beats whip a was released. Men usually had harder punishments. Many royal regulations from 1750 – 1770 show, that up to half of XVII century were Gypsies under the authority of the principal governor. In the second half of XVIII century were directly publishe regulations, in which Gypsies can live under the authority of landlord. The royal regulation from 1761 documented, that nomadizing Gypsies may join in any property, while proibited Gypsies leave place that once they took. Above mentioned regulations were elaborated on their own conditions and were sent to offices. Problem of Gypsies was discussed by the general assembly of Gemer County. The letter on 24. March 1769 let mayors and residents known, that „Gypsies must live in houses. Under any cirsumstances tents will not allowed..they will belong to portreeve..and if they build houses, taxes must be paid. Such prescription were naturally not realized day to day. Gypsies were not prepared for this way of life and nobody

helped them to change it. To achieve faster assimilation against Gypsies, they behaved towards them very hard and violently. A typical example is the regulation of representative of the Gemer County Ladislav Petich (1st April 1777). One of the most drastic intervention in efforts to assimilate Gypsies was taking gypsies children, who were assigned to working – class and middle – class households. It was a real violence and drastic action. This facts were included in the Regulation of Elek Makay from Štítňnik of the Gemer County (6th April 1780), which indicates: „ up to nine years old gypsies children were taken and assigned to services in village (as slaves). Children may not be naked, older must wear suits, women should not have on dirty clothes or awning. If they do not obey to first warning, then children are punished with a rod, stick or whip until they undergo...not allowing them to work and cook seated and sleep. They must work stand – up. In the same year 29th October 1780 Elek Makay from Štítňnik ordered portreeve to catch all migratory Gypsies and take them to prison on the castle Krásna Hôrka. One of the main causes of failures of these regulation and actions should be viewed in ignorance of historical and social determination as well as ignorance of economic and social status of Gypsies. The aim of regulation was not to improve the status of gypsies, but especially that of Gypsies could make a source of state income and explitation. Thus primary role of absolutist state was the economic and financial interest. It should serve as control and assimilation of Gypsies.

Formulations of various regulations were more or less additions to the several actions their implementation remained only on paper, because specific conditions were not formulated. The failure to solve this assimilation convince us the memorandum of the Gemer County dated 30th July 1787, which states: „„So the main board as well as the famous Gemer County with its public regulations wanted to bring Gypsies to the point to finally leave vagrancy and going from house to house and accustom to life, cultivation of land or ensure their daily bread by craft. However all efforts were in vain, Gypsies still live without work a live from handouts, because of these reasons was issued under the number 05366 Royal decree and it handled, that gypsies will expelled, if the not become residents, who do not build houses a do not wear clothes as residents or they will avoid work in field or do not learn craft. According this regulation the word Gypsies should changed to peasant, formally Neubauer or Új Magyar. It can be concluded, that the regulation of gypsies was performed by bureaucracy, oppression and violence. Negative was also the fact, that Gypsies, who settled, were immediately debited with various allotments, works as well as taxation. This moment shows the real nature and cause of caring Gypsies. From the amount of received regulations it can be concluded, that the nobility was not interested in increasing of tax payment ability of Gypsies. The nobility wanted to exploit them. Taxes were limitations to pay feudal rent. According to the regulations all gypsies settlement should be visited and visitors reported the progress of assimilation. The so called regulation of Gypsies solved the settlement and rapid assimilation of Gypsies at administrative level, it was not a specific solution. The expected results were not achieved, because the basic conditions did not bring solution.

In February 1867 was declared the Austro – Hungarian settlement. There were established two relatively independent government units. Several regulations on Gypsies were issued in so called Cisleithan, that included Czech republic. One of the most important standard was undoubtedly the writ of the Ministry of Interior in Vienna (14th September 1888). This regulation includes 14 articles, which did not incorporate Gypsies into the normal society, but highlighted their status on the edge of society. In article 4 was literally stated „all Gypsies, who do not work and are unemployment, whose exclusion under the paragraph 1 and 2 could not be immediately performed, whether foreign or domestic, they must be as rangers passed to the competent court for punishment under the Act of 24th May 1885, No. 89 of Adolescent,

who are not eligible for prosecution, should be put in the temporary ward of the municipalities, where they were caught. Such broadly defined provisions of this ruling permit authorities certain arbitrariness in the repression of ethnic group. This ruling was in force in Czech Republic until the validity of the Act No. 117/1927 on Wandering Gypsies. In Slovakia and Ruthenia was the status of Gypsies reconditioned by Hungarian regulations and ruling of the Vienna Ministry of Interior. They were applied only from 1918 to 1927. Along with the ruling of the Ministry of Interior in Vienna was in force the Act No. 89/1885 on Vagancy and the Act No. 89/1885 on Employment and reformatory. These acts were in general applicable to Gypsies as well as other people. During this period in Vienna took place a legislation to establish a comprehensive rule of law, which should determine the status of Gypsies and certain rules or boundaries in society. This effort stemmed from the sense of society to define a status of Gypsies in society mostly from a legal perspective. This status existed, but had a lack of comprehensive legal basis. These legislative attempts were only in form of proposal and later served as a basis to make an Act No. 117/1927.

In Hungary in 1902 was prepared the legislation to solve Gypsies. Under the proposed law the gypsies were divided into two groups: The first groups were those, whose may be members of the civil society. They may work as craftsmen or field workers and live in the village, in which they will be forcibly assigned. Each village had forcibly assigned number of gypsies families. The municipality strictly supervised, that the gypsies were registered, they children attend school, men and women were employed. The second group was represented by Gypsies, who did not want to submit to the system. They should be placed in the state criminal institute to perform forced labor. There should be 2 state criminal institutes in Hungary for thousand Gypsies. During this period the Minister of Interior Széll asked all suzerains to submit proposal how to organize Gypsies life. The bill was not passed. Neglect the problem of Gypsies in Hungary was roused in 1907 to sharp controversy in the press. There were published many pejorative characteristics, that should support an opinion about the futility to change the way of their lives. For them were Gypsies not only engrained and incorrigible element, but also in terms of private ownership „dangerous competitors“. This opinion was documented in the Slovenské ľudové noviny No. 32/191. The Hungarian writer Porzsolzs Kálmán published an article in the paper Pesti Hírlap of 6th August 1907: „The cultural state uprooted such lineage from their territory. Uproot! Yes, it is the only solution.“ Therefore Gypsies continued to live their parasitic way of life. This differentiation was deepened by regulation of the Ministry of Interior No. 15 000/916 on Wandering Gypsies, which entered into force in 17th May 1916. This regulation did not allow Gypsies wandering. Following unfavourable course of war, serious internal conflicts of economical, political and ethnical nature, regulation in 1916 fell for a few years in obscurity.

3. Summary

Since arrival of Gypsies in our territory they passed very difficult way, which was not easy. Their coexistence with members of the majority society was and is marked by a number of prejudices and false myths, that are deeply rooted in the minds of most people. It seems, that different human cultures pass through a curve in history of their development, while some have already peaked behind forever, other the peak just waiting and some after a long pause quietly collect all forces to a greater expression. But the question is, at which stage of development are Gypsies, who had lived here since their arrival in Europe and till now they have not been emerging as a homogenous and independent ethnic group.

SELECTED ASPECTS OF THE LAW OF WAR IN THE WORLD

Anna HOLKOVÁ

Summary

International law already abandoned the concept of the Law of War and replaced it by the concept of law in armed conflict, which better meets the image of today's conflicts. The very concept of war is not enough to define the current conflict taking place in different parts of the world. Current international law refers to this concept of international armed conflict and internal. However, it is important to define other conflicts as armed conflicts, especially given the need to address them on the basis of principles and the principles of international law in armed conflict and international humanitarian law. Despite the ban of the war of aggression, international law has to deal with a more detailed treatment of armed conflict, since it is currently not possible to unambiguously confirm who the aggressor is in the conflict. All aspects of modern law in armed conflict must respond to general rules of public international law.

Keywords: International Law, Law of war, Law in armed conflict, War of aggression, Humanitarian law

INTRODUCTION

The war accompanies human community since the beginning of time. War conflicts were mostly results and together solution of bad economic, natural and social problems. With the development of community were developed various aspects of warfare, their principles as well as statutory limits. Development of public international law was accompanied by gradually development of law of war, which is now transformed into the law of armed conflict and it is influenced by the various warfare in this century, which is related to different means of warfare. History shows many conflicts in the 20th century, which began to solve peace securing through the collective security organizations especially after two world wars, that destroyed Europe and affected USA and Japan. Despite the efforts of international community, however we can not say, that the law in armed conflicts lost its importance, because today persist and arise conflicts, that are either based on intolerance and fight for territory or are associated with struggle for national liberation. Each conflict is specific, but non of conflicts can not be seen as an isolated problem of two states, whereas processes of globalization and interdependency speed up response of the community as well as tied up relationships between states on the globally level. Thus we see every conflict as a condition, that could endanger our own national security and economy. The tradition view of security, that was based on military aspects is now not see as a decisive. Because now is enforcing the comprehensive perception of safety, that extends to all areas of social life in the country, it is necessary to give attention to conflicts and ensure safety in terms of adaptation to modifications not only in domestic law but also in international law.

1. Law in armed conflict versus law of war

The concept of war is closely associated with the current concept of armed conflict. The concept of war is defined in the traditional international law by its two basic element. One is the official declaration of war and the second is its international legal effect. The past taught

us, that now it is clearly not possible to use the concept of war for all conflicts taking place between two states. It is necessary to create more appropriate term to describe such cases, even though the armed conflict existed, but it was not possible to include this concept in classic concept of war. Response to this situation led to formation and application of a new concept of the armed conflict. Accordingly now it shows the modification of law in armed conflict and less is used the concept law of war. First modifications of the concept „armed conflict“ can we find in 4 basic conventions and their amendments adopted in 1949. These are:

- 1.) Geneva convention on destiny improvement of injured and sick members of military in the field.
- 2.) Geneva convention on destiny improvement of injured, sick members and shipwrecked persons of military at sea.
- 3.) Geneva convention on treatment of prisoners of war.
- 4.) Geneva convention on protection of civilians in war.

Today we can lean on the opinions of many experts, who instead of designation international law of war use designation law of armed conflict. Despite this we meet today the concept of war, armed conflict and use of force as amended by the international treaties governing issue area. The ambition of our article is not to define basic notions used in literature and international treaties. Our goal is the definition of armed conflict and related status law in armed conflict in the world. J. Magnusson defines, that international law divided armed conflict having international character and armed conflict having non international character. This basic divide is governed by Geneva conventions and particularly in two additional protocols as amended by Additional protocol to Geneva convention on Protection of victims of international armed conflicts (Protocol no. 1) and Additional protocol to Geneva convention on Protection of victims of non international armed conflicts (Protocol no. 2). None of the mentioned international treaties does not contain a clear definition of armed conflict. Only in 1995 was defined the concept of armed conflict, when the International criminal tribunal for the prosecution of persons responsible for serious violations of international humanitarian law committed in the territory of former Yugoslavia (ICTY) defined it in its decision. The armed conflict is in this decision defined as: acceleration to armed force between states or prolonged armed violence between governmental authority and organized armed groups and between such groups within state. Despite the fact, that the Geneva conventions do not give clear definition of armed conflict, we can conclude, that the International armed conflict is:

- Declared war,
- Any other armed conflict, which may arise between two or more states, even if one of the parties is not recognize by the state war,
- Partial or total occupation of the state territory, although this occupation not meet with any military resistance.

It is important to consider the definition of armed conflict in such situation, when one or more countries recognize the state of war. In our opinion is such state as well as armed conflict, because it means intentional use of armed force by one or more countries against another country/countries, regardless of whether such country/countries defends. An armed conflict can we consider as an individual or collective self-defense. However, it automatically brings us to reflect on the collective enforcement measures and peacekeeping operations, which are carried out by international organizations. From this perspective it is not an international armed conflict, because international organization are not considered as states and therefore none of these cases can not be regarded as international armed conflicts. However, we must recall, that

the basic principle of the law of armed conflict and international humanitarian law related to members of armed forces OSN, when they are engaged in an armed conflict, peace enforcement or peace keeping operations, is permitted use force in the case of self-defense. In terms of legal certainty it should be clearly regulated, that an international armed conflict was also considered a situation, when neither of the parties recognize a state of war. This premise results from the fact, that armed conflict is the use of armed force and hence in this case, none of states recognize war conflict, such conflict should be consider as an international armed conflict and conform to the principles of international law in armed conflict and humanitarian law.

After defining the internal armed conflict we can re-appear from the Article no. 3 of Geneva conventions, where the armed conflict is an internal conflict, which does not have an international character and which occurs in the territory of the High contracting parties (state). The second additional protocol of Geneva conventions is an internal armed conflict. It is further defined as a conflict „which arises in the territory of High contracted party and disident armed forces or other organized armed groups practising such control over a part of its territory, which allows them to lead continual and coordinated military operations and to apply this Protocol.

At present is problematic the use of concept „international or internal armed conflict“, because the future shows, that more and more conflicts can not be clearly classified and define classified terms of international law. An example is the conflict in South Ossetia and Abkhazia in 2008, and the U.S. war against Taliban and Al-Qaeda in Iraq and Afganistan. In each of these conflicts it was a deployment of armed forces, but we can not fully insert into the international definition and internal armed conflict. Theory of international relations for such conflicts developed the concept of asymmetric warfare. International law still do not modify this category. Foreign experts perceive this situation over the need to create a new category, either so called. transnational armed conflict or internal armed conflict, which bound to abide by internatinal law applicable in armed conflict and international humanitarian law. We agree, that there is a need to define such conflicts and modify international law. Because there is a legal legislation, we can consider its extension to such types of conflicts, which would wished only simultaneously valid modification of armed conflict under international law. based on the analysis of armed conflict, we can right in armed conflict define as a set of standards contained in international treaties, conventions, rules, regulations and customary international law, which were applied in time of hostility during armed conflict. Law in armed conflict is also governed by the Hague Convetion, which coincided with the Geneva conventions, and in particular through the above mentioned additional protocols to the Geneva conventions. Law in armed conflict is the basic principles and policies, that legislation provides.

2. Basic principles of law in armed conflict a their compliance in practice.

Law in armed conflict has basic principles namely military necessity, regulation, resolution, accuracy and humanity. Military necessity is the first of principles on which stand right in armed conflict. These basic principles of law in armed conflict imply:

- Obligation to distinguish between combatants and civilians. The armed forces have a duty to save civilians and their property. Armed attack may be based on the principles of law in armed conflict conducted only to gain military advantages. Its intention is modifying rights in armed conflict that parties had opportunity to choose methods or means to lead armed conflict. Members of armed force in conflict have also prohibitions to use of methods and means to fight, which would cause

unnecessary losses or suffering in the conflict itself. Other principles of law in armed conflict include:

- Obligation to collect injured persons, regardless of whether it is their own armed force or of the counterparty,
- Respect medical staff, internationally recognized symbols of medical institutions and not attack person so designated, buildings or movable property,
- Members of armed force must respect life, personal rights, dignity, political or religious beliefs of their prisoners and protect them against violence,
- Members of the armed force shall not commit physical and mental excruciation or other excruciation and degrading punishment and treatment of prisoners.

Law in armed conflict and its basic principles are applied in conflict by party through preventive measures, control measures and punitive measures. These measures are on the obligation of parties to comply conflict with law, observance of law during the conflict and then prevent or terminate any delinquency of law in armed conflict. Legal theory thus give strong foundation, which would regulate armed conflict, whether international or internal. At present, the individual conflicts often deviate from legislative amendment rights in armed conflict and international law itself do not respond flexibly to these situations.

An example would be the conflict, that took place between Russia and Georgia in 2008. In august of that year the conflicts intensified, when Georgia tried to restore territorial integrity of their country. Russia has responded to armed conflicts, and almost immediately tried to end the conflict in the international field or directly in the field of European Union as soon as possible. After four days Russia declared a ceasefire, and the next day agreed to a peace plan for compliance with six basic conditions. The parties agreed on the use of force, complete cessation of hostilities and free access for humanitarian aid and assistance. The two most basic conditions for both parties of conflicts were withdrawal of georgian military forces held prior to the outbreak of the conflict and withdrawal of russian military forces to the position held prior to the outbreak of the conflict while continuing role of russian peacekeeper to ensure safety. Another important condition for the conclusion of the peace plan was the opening of discussion on the regions stability of South Ossetia and Abkhazia. After signing of the peace plan the situation did not calm down, when on 26th August 2008 the Russian President signed decrees recognizing the independence of South Ossetia and Abkhazia, on the Western world reacted scandal. In this regard we would like mention problematic recognition of Kosovo, when based on the Achtisaari plan was proposed the Declaration of independence as a case sui generis, which means, it should be not applied in other parts of the world. However its clear, that thanks Kosovo this process became a precedent of any armed conflict in the framework of international law, where they come into the conflict the basic principles of international law. On the one side of the conflict is the right to self-determination of nations na on the other hand the territorial integrity of a sovereign state. The separate part of this problem is to respect principles of law in armed conflict directly between the start and duration of armed conflict. On the one hand the Russian federation invoked his right to defend its citizens abroad and decided to entry into these areas and thus territory of Georgia. According to Georgia, Russian federation broke principles of the UN Charter, which regulate the prohibition of the use of force, and therefore according to the party of conflict committed an act of aggression prohibiting international law. Both parties of the conflict thus invoked his right to them of international law.

Some questions arise from the brief analysis of the armed conflict. The question is whether international law in armed conflict is prepared to modify the current conditions of emerging and running armed conflict, and if it is possible sufficiently condemn and punish infringements of law in armed conflict and law by humanitarian international community.

2.1 Attacking war in international law

Subjective right of the state to attack respectively reach after solving the conflict was after world war restricted so that the Kellogg – Briand Pact completely banned. Since prohibition war of aggression are states entitled to reach for military force against another state only in the case, if they are participated in armed action against attacker by a decision of the Security Council UN, if they carry out the right of individual or collective self-defense against armed attack under Art. 51 of the UN Charter or participate in military action against attacker in the regional organization to be authorized by UN Security Council. In this regard the war of aggression under the international law changed to defensive war. By prohibition of the war of aggression just broke the concept of the law of war in the strict sense, as we knew it in the past. As we pointed out in the previous section of the article, the concept war has lost its previous significance, which was replaced by the concept of armed conflict, but the war as well as by war of aggression or armed self-defense. War of aggression became the heaviest international crime, the self-defense war and action of the Security Council are considered under international law as legal. Based on these changes, the war is generally not considered as legal and thus today rules of war can not be applied to actions carried out by organization of collective security. Despite these theoretical concepts and developments in international law in the field of law of war, now we can confirm, that after the second World War there is a large number of armed conflicts between states or non-autonomous territories within states. In these case it is not possible to clearly distinguish and identify the aggressor and the state, which was attacked. An example is the ever lasting conflict between Israel and neighboring Arab states, in which each outbreak of armed conflict, one party accuses the other of a prohibited aggression, and the country itself is regarded as a country, that only legally exercise their right to self-defense. In this respect it seems problematic the fact, that the Security Council, which is only empowered to determine, who is the aggressor in armed conflict, has not been able to make such decision in the similar cases. This relates to the inconsistent attitude of permanent members of the Security Council, who can not agree on which of the states is aggressor and which are only prevented offensive war. It seems, that solutions of the leading of illegal war as well as legal war – defense, it remains important as in the past, when this division did not apply.

The basis is to create and maintain a minimum statutory limits and customs of war, because it is not possible to avoid conflicts as well as it is not possible clearly to identify the aggressor state and thus punish such action at international level. Laws and customs of war, whether the aggressor or defender must observe and respect the principles of humanity in armed conflict. The trend in international law in armed conflict should be therefore detailed as well as greater emphasis on humanization and follow the principles of humanitarian law in the conflict.

CONCLUSION

A brief analysis of the law of war and law in armed conflicts put forward more questions than answers. These questions need to look for answers, as it is in our opinion more necessary to re-adjust the right treatment in the current situation of armed conflict, whether there are short

or explosive conflicts on territorial sovereignty and the war against terrorism. The need for more effective regulation of law in armed conflict is justified by the increasingly varied leadership of armed conflicts and differing position of the parties in them. At present is therefore the practice of international law and direct law in armed conflict and humanitarian law subjected to new pressures, which results from the new forms of warfare, under which it is necessary to re-define and modify principles and rules of international law in armed conflict. Today everything indicates, that even after prohibition of the war of aggression, the sector of law in armed conflict keep its leading position in the field of international law and it is necessary to pay attention.

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ANTI-CORRUPTION MEASURES IN POLICE CORPS

Lenka JAKUBČOVÁ

Abstract

Corruption is the negative phenomena of today's society. Therefore, it is necessary to establish anti-corruption measures to the various areas of the public and the private sector as well. One of these areas is the State administration, where there are many opportunities for the corrupt conduct. Especially difficult is the detection and subsequent sanctioning of the Police officers.

Introduction

Currently there is a corruption problem in society as a whole, regardless of the boundaries of the State. Slovakia is in the latest corruption perception rankings at 62nd place. In the global ranking compiled by Transparency International it is the fifth worst result the countries of the European Union and the worst ever in the case of V4 countries.

A total of 176 countries were evaluated.

Only Romania, Italy, Bulgaria and Greece had finished from the EU countries in the assessment worse than Slovakia. According to the ranking that reflects the level of perception of entrepreneurs and experts from 2011 and 2012, it is Poland (41st place), then Hungary (46th place) and Czech Republic (54th place) that are best from V4 countries. The cleanest countries are New Zealand, Denmark and Finland, according to the rankings. On the contrary, the most venal countries are Afghanistan, North Korea and Somalia.

According to Gabriel Šípoš from Transparency International Slovakia "state-owned companies and institutions continue to be filled through party, proposal for a new law on public procurement has clogged several holes in the legislation, but on the other hand, has opened a new, increased risk of corrupting in so called strategic contracts."

He also reminded that, despite the pre-electoral commitment none of the parliamentary political parties have submitted to the Parliament proposal for changes to the system of financing of political parties yet. [1]

1. Corruption

The concept of corruption is not completely defined. Most of the definitions are based on the fact that the corrupting behavior is such that someone retains unfairly in the performance of tasks entrusted to and arising out of the position. Since in the society constantly there are new techniques to engage in this illegal activity, using the latest technologies, it is possible to tell that corruption as such is constantly evolving. For the statement of definition, it is therefore necessary to rely on the basic characters, among which it is necessary to include:

a) it must go about the relationship of at least two (but also more and in some cases mandatory more) entities, one of which offers, provides or promises a bribe, and the second bribe demands, accepts or leave to get him a promise,

b) it is a mutually beneficial relationship, as regards each of the main actors garners some undue advantage and so, ultimately, cannot be in this relationship personified the victim of the corruption crime (the victim),

c) the existence of a connection with the procurement of things of a general or institutional interest,

d) corrupted entity can only be such an entity that has a specific status, function or jurisdiction, for which he is willing to take advantage of a bribe or misused (break or exceed),

In any case, it is a proceeding, which is abhorrent to good manners. [2]

Corruption is not connected only with public officials, but also with people that have through their economic or political status public impact, or they have in their report public finance or goods.

The draft of the United Nations Convention on procedure against corruption:

Corruptio is “the offer, promise or any advantage in one's favour as inadequate motive for performance or failure to comply with the obligations and negotiation of requirements, acceptance of any benefits as inadequate motive for the performance or failure to comply with obligations.”

On the 9th Congress of the UNITED NATIONS in Cairo in 1995, corruption was defined as

"bribery or other behaviour in relation to persons who have been entrusted with the responsibility, which affects the fulfilment of their obligations arising from their status and is directed to obtain any kind of inappropriate advantages for themselves or for other."

The Office of the fight against corruption of the Presidium of the Police Corps defines corruption as follows: “Corruption is a social phenomenon perceived as one of the greatest threats to democratic stability and the rule of law, a market economy, social and economic progress.”

The concept of corruption may be defined also as:

„avenality, depravity, bribery, thus accepting bribe and bribery, but also any kind of behavior to the persons to whom they are entrusted with the competence in the public or private sector, which runs counter to the obligations arising from their status and that is directed toward obtaining undue advantages.” [3]

1.1 Legislation in the Slovak Republic

On the basis of international treaties and conventions to which is the Slovak Republic bound, and on the basis of the recommendations of the international organization monitoring adherence to them, there were implemented a number of legislative and institutional measures in the Slovak Republic in recent years. Legislative changes made the criminal sanction of perpetrators of corruption offences stricter.

In the Act No. 300/2005 Coll. the Criminal Code (hereinafter referred to as CC) were specified the factual natures of these crimes and was introduced a definition of concept “a bribe”.

In the detection and prosecution of the perpetrators, law enforcement authorities have the option of using an agent, using electronic equipment for the recording of sound and image and

other legal means, as specified in the Act No. 301/2005 Coll. criminal procedure (hereinafter referred to as CP). The special role is played by the establishment of the Special Court and the Office of the Special Prosecutor's Office.

In the Slovak legal order is corruption stated in the the 8th head, in the 3rd part. 3rd part works under the name „Corruption“ consists of:

Accepting bribe (§ 328 - § 331)

Bribery (§ 332 - § 335)

Indirect corruption (§ 336)

Electoral corruption (§ 336a)[4]

1.2 Accepting bribe

According to § 131 part 3, the bribe is thing or other the mean performance of the material and non-material nature, for which there is no legal claim. [5]

It is thus unlawful advantage, which usually consists of direct material gain like money, securities, artwork, jewellery, motor vehicle, construction material, etc. However, it may provide also other benefits (e.g., conditions like admission to study at the College, giving priority in the waiting list for the operation, ensuring of the work place, etc.).

A basic merit is expressed in § 328 part 1:

„Who, directly or through an intermediary for yourself or for another person, receives, asks requires for himself a promise of bribe to act or refrain from action in a way that violates his obligations arising from employment, profession, position or function, is punishable by deprivation of liberty for two years to five years..“[6]

The object of this criminal act is a protection of the societal interest to clean public life through the proper, fair and lawful implementation of the obligations arising out of employment, occupation, position or function. Subject of this crime may be just the person who for the bribe had abused its job, occupation, position or function.[7]. It is therefore a special subject.

1.3 Bribery

The offence of bribery is contained in § 332 to 335 of the CC. Basic merit is contained in § 332 part 1:

„Who, directly or through an intermediary promises, offers or provides a bribe to another, to act or refrain from action in a way that violates his obligations arising from employment, profession, position or function, or because of this, directly or through an intermediary promises, offers or provides a bribe to another person, is punishable by deprivation of liberty for up to three years.“[8]

The object of this crime is the same as when the bribery offence. The subject is here general and proceedings lies in the proceedings of the perpetrator, who directly or through an intermediary promises, offers or provides a bribe to another, that he acted or refrain from proceeding in a way that is in breach of its obligations.[9]

2. Anticorruption minimum

According to the Transparency International Slovakia a key theme in 2012 was just corruption. This was, in particular, disclosure of the alleged secret service dossier a Gorilla, which describes the alleged corrupt practices of high ranking politicians, attracted crowds of protesters into the streets.

As regards the trends in the prevalence of corruption in various areas of the public sector in Slovakia, it is possible to conclude that in 2011, there has not been noted more pronounced change in this area – neither positive nor negative. In 2012, corruption remains among five most serious problems in Slovakia immediately after unemployment, living standards, health care and the economic situation of the state. The intensity of the perception of corruption in our life as opposed to the last measurement in 2009 remains invariable and it is at the level of 23%. An indicator of the status of corruption is the number of persons prosecuted or sentenced for the crimes.

It is possible to look at corruption as well depending on the fact whether it is a small or big corruption. Both types of corruption are harmful, their impacts, however, the individual feel differently. With a little corruption is struggling in everyday life, for example while consuming public services, and touches him directly. Therefore, he directly spends part of his disposable income on bribes. Big corruption touches the individual indirectly, when on public resources is decided by the officials and/or politicians – eg. in public procurement. According to the survey it was found that respondents have put in over the last 3 years the public services worker a bribe. 21% of respondents acted in this way. In comparison with previous surveys giving the bribe to workers in public services has decreasing trend (in comparison with 1999, up about 19%). Almost three quarters of respondents (73%) did not give a bribe to the worker in public services over the past three years.

The reason for providing bribes for those respondents who have provided a bribe:

- because it is to be done so (52% of respondents who declared giving bribe),
- because it was done to resolve important things (46% of respondents),
- because their friend/relative made them to know that it needs to be (39% of respondents).

It follows from this that the some role in the so called small corruption plays a previous personal experience or the experience of relatives, which is reproduced by itself in the form of bribery. At the same time is an important factor the feeling of the importance of matter which is the subject of corruption.

Transparency International Slovakia has looked as well to the interest of the public to report corrupt practices to the police, which to some extent reflects the confidence in the institution, which is essential for the punishment of actors of the corrupt transactions. If someone asked for a bribe from the respondents or if somebody would know about someone who takes bribes, in the case of more than a fifth of respondents (21%), it is likely that they would have reported it to the police-but 5% of the respondents would have reported it certainly and about 16% of the respondents would announced it probably.

This status of civil society has in recent times softly decreasing trend (in the year 2006 – it was 25%, in the year 2009 – 22%), but still increasing in comparison with the year 2002 (only 17% at that time).

On the contrary, bribery would have not announced almost two thirds of respondents (64%), which is about as much as in the last research – in 2009 (63%).10]

3. Corruption in the Police Corps

Similarly as in other professional groups, corruption in the ranks of Police Corps copies overall social features and trends. Reflect the specificities arising from the special position of police officers in their real possibilities for involvement in corrupt relationships in connection with administrative proceedings, but what is especially dangerous, even when the application of the rule of law in the context of criminal law.

Describing the actual situation in a given area can be assumed from the fact that every case of police corruption is also a case of abuse of the powers of a public official, but not every case of abuse of the powers of a public official must necessarily be at the same time cases of police corruption. In a report on the activities of the Prosecutor's Office for the year 1998, it is mentioned that in 1998 was criminally prosecuted 160 and accused 111 policemen of the Police Corps of the Slovak Republic, which is in comparison with 1997 about 22 prosecuted and 7 accused less. Members of the Police Corps were frequently prosecuted for the offence of abuse of the powers of a public official -84 persons. The most common form of committing this crime was taking cash from participants in road checks, breach of the duty in approving technical fitness of motor vehicles and the use of violence in carrying out intervention in service.

According to a survey of carried out on those documented cases of overall crime in the ranks of Police Corps in a year, which have been identified and solved by staff of the control and inspection services department of the Ministry of Interior of the Slovak Republic, the number of these cases do not correspond with the actual number of offences already committed and the number of cases of corruption, especially with the characters does not describe at all, therefore, that these are cases with high levels of latency. It follows from this conclusion that the implemented or documented cases of this kind are only the “top of the iceberg” a substantial part of which remains hidden from the eyes of the public, as well as before the eyes of the inspection bodies. Their actual number can currently only be estimated, and this only very broadly. According to the existing indicators is sure just their increasing nature.

The survey of Focusu surveyed for the CPHR found that out of a total number, 27,7% could not assess the extent of corruption in the activities of the police.

3.1 The causes of the corruption in the Police Corps

Main causes of corruption in Police Corps are as follows:

- a) the lack of legal security for members of the Police Corps
- b) lack of motivational mechanism
- c) shortcomings in the field of management and control
- d) the lack of material-technical provision of services
- e) the lack of preparedness of members of the Police Corps and personnel policy

Ad a) the lack of legal security for members of the Police Corps

The severity of this cause belongs between the basic factors influencing the emergence and growth of corruption in the Police Corps. The lack of a legislative framework, which by constant amendments, additions and other modifications of the law on police officers service upsets already today quite a few stable positions of police officers. As a result of that status more experienced police officers prefer to leave the service on more lucrative and paid places in the civil sector, where applicable, are subject to a corrupt pressure.

Ad b) lack of motivational mechanism

In view of the degree of undergoing risk in the performance of services, a financial rating of policemen is not just the best. Probably also in Slovakia becomes a truth the fact that if the state does not pay adequately their police officers, they will be “rewarded” by criminal underworld.

It is not difficult to guess, whose interests such policemen subsequently enforced. Obtaining or maintaining the higher living standards or other financial interests become another factor influencing the inclination towards corruption. At the same time the negative role is played by the fact that for a young police officer when setting up his/her family at the beginning of his professional career, it is almost impossible to get a separate apartment only from the income, which is mainly in the larger towns.

Ad c) shortcomings in the field of management and control

In a given area plays a major role not trusted of some superiors in management functions of the Police Corps in the eyes of their subordinates. The reason is mainly that many superiors are neither moral nor professional part of view an example for subordinates. In their service themselves often act corruptively, they are unprincipled, which in turn results in an inability to effectively and timely action against illegal behaviour and the impossibility of their subordinates. This condition helps to subvert morality on the workplace, destroys hierarchy of moral and ethical values especially in young policemen and promotes the creation of a false professional collegiality.

Constant changes at different levels of management functions in the Police Corps as well are not positive for the motivation of police officers to effectively fight against crime.

Ad d) the lack of material-technical provision of services

Limited budgetary allocations for the Police Corps have a negative impact on the technical facilities and police officers. However, this lack is motivating for a third person, and the criminal underworld, which in many cases will begin to manifest itself firstly as sponsorship donation for police departments in a form of IT, mobile phones, “lending” of motor vehicles, however, in return for which the “donor” expects will not be punished eg. for traffic infractions or even for criminal activity on the part of the police. Surely, this is not true in general, but in many cases it is a “sponzorschip” from calculation.

Ad e) the lack of preparedness of members of the Police Corps and personnel policy

This state of affairs lies primarily in the low level of legal awareness of the relevant candidates already before their adoption into services in the Police Corps. After taking into service it manifests itself in ignorance and many times even deliberate ignorance of laws and official regulations, in a lack of pride in their profession and in a low level of morality in its behaviour. In this respect, it is necessary to pay attention to the behaviour of officers from the side of their immediate superiors, to alerted to their errors and if that doesn't work, to draw disciplinary and personnel conclusions against them. Such an approach, however, is not the usual practice in the police practice.

The above is also connected with the recruitment of candidates to serve in the Police Corps, which many times is not based on the principle of expertise, but receiving is carried out on the basis of acquaintances, machine. Also here is the space for corruption within the framework of the internal activities of the Police Corps.

In that area we can include the lack of evaluation and control mechanism. It is basically impossible to accurately predict in advance how policemen are maintained in a particular situation during the next service. If they begin to manifest after their adoption into service eg prone to alcoholism, the desire for money, power, while admitting to the Police Corps meet the required criteria after psychological, physical or professional site, with such policemen should be finished service in the framework of the preparatory service. In order to ensure the implementation of the above approach would, however, be necessary a continuous monitoring and evaluation mechanism, which would help to reveal the venalbehaviour of members of the Police Corps has. At present, this system is, however, insufficient.

3.2 Forms of corruption in the Police Corps

Control and inspection services section of the Ministry of Interior of the Slovak Republic carried out the analysis of data which document suspects committing crime by policemen. The section has a knowlwdge that the most common forms of corruption of policemen in Slovakia include:

- reception of hospitality and a variety of services without payment, with the consequent commitment to their provider,
- attempt to gain unauthorized material gain,
- the efforts of the police officer at any price to clarify the criminal activity, with the prospect of a financial valuation
- -requesting of the payment of some financial amounts for activity in conflict with legal standards, for omissions in the findings of having committed a criminal act (infringement), arrangement of certain matters, for example in the Board's agenda (eg. an investigator of the Regional Investigation Office in Bratislava raised accusation for the crime of receiving bribe against Lt. Col. Paul L., educator on the Secondary vocational school of Police Corps in Pezinok. The accused police officer, when he was the Director of one of the unions at the Regional Headquarters of the Police Corps in Bratislava, agreed upon with the some citizens, that he shall seek information about the investigation of the offence of robbery and took over 20-thousand. Slovak Crowns, while it had been promised to him 5,000 DEM)
- implementation of in advance scheduled theft or robbery, and even during the performance of services with the use of the assigned staff techniques separately or with other perpetrators from the ranks of civilian persons (case of armed robbery in

the village Podtureň, where among the perpetrators were also the members of Police Corps, the offenders threaten to 8 years in prison)

- participation in extortion – so called racketing - racketeering,
- provision of pseudoprotection for unlawful business
- obliterating traces of criminal offence or of the whole committed offence,
- activities of “an increased personal safety” or acting as bodyguard when the policeman is out of office,
- protectionism for the benefit of natural or legal persons,
- Provision of information of the service nature to criminal underworld about prepared or carried out police activities.

3.3. The attitude of policemen towards corruption

On the basis of research carried out by the Academy of the Police Corps, in respect of the views of the police on corruption in its ranks, according to preliminary results were found the following facts:

- the vast majority of police officers are aware of the seriousness of corruption as a negative social phenomenon,
- closest to the case of possible corruption has the part of the police, which is in daily contact with citizens in the performance of its services, despite the fact that police officers are aware of the seriousness of this phenomenon, it is not always enough to effectively act against it,
- the causes of this condition is to be seen in particular in the wrong value orientation of police officers by virtue of their profession,
- there is a discrepancy between many times the authorized and lawful demands of policemen and in the options and manner of their implementation,
- preparation of the managerial staff of the Police Corps to fight against corruption is not sufficient, level of information about this negative social phenomenon is low, and relatively low is also the level of legal awareness of police officers against corruption and its consequences,
- the current legislative measures do not constitute a sufficiently effective means for the fight against corruption.[11]

4. Anti-corruption measures in Police Corps

For the fight against corruption has been beneficial, that several members of the Government were willing to discuss anti-corruption measures also with non-governmental organizations, which was impossible under the previous Government. In a large scale there were introduced anti-corruption lines, suggesting openness to the stimulus from the citizens and highlighting importance of the problem of corruption. Access to journalists, who often highlight on a machine, has changed from an enemy for the past Government to approach that respects the role of journalism in the country.

The Government has been unable to convince public about his fight against corruption. According to a representative survey of the Agency's Focus from January 2012, only 29% of respondents said that the Government of I. Radičová has a real interest to solve problems of bribery and corruption. On the other hand, two-thirds of the population believe in the opposite. On the other hand the outgoing Government, together with the previous Government of Robert Fico received the highest mark in the assessment of the ability to fight with corruption, compared with the Governments of Vladimir Meciar and Nicholas Dzurindu. Overall, the highest numbers of people, however, think that all Governments have struggled with corruption around just faintly.

The General Prosecutor's Office of the Slovak Republic set up from October the 1st 2012 anti-corruption lines for the reporting of suspicions from venal behaviour of prosecutors and staff of the public prosecutor's Office from all over Slovakia – it means the suspicion of corruption in the district, the county prosecution offices, the General Prosecutor's Office and the Office of the Special Prosecutor's Office. Citizens may, on the phone, or by email report even suspicions of venal behaviour on other organs of the state and public administration.

One of the most effective means to combat corruption is consistent transparency rules, processes and institutions. Also, the strongest ally of the fight against corruption is information and the mass media.

Legislative adjustment of the obligation for employees to announce venal behaviour of colleagues, superiors, the obligation to report the offer of bribes, notification of acceptance of gifts, services, beyond the official income is an unequivocal means of reducing corruption and at the same time increasing legal consciousness of citizens. At the same time it is necessary to develop a system for the protection of employees, who will draw attention to the corrupting behavior in his/her resort, or areas of operation, in order to avoid revenge from colleagues.

Adoption of clear rules for the limitation of freedom in decision making when selecting the penalties for infractions in road traffic.

An important and interesting is the idea of the introduction of a special independent prosecutor for the area of corruption. In this respect there is a very interesting experience from Italy, where independent teams led by special prosecutors have experienced considerable success in the fight against corruption, even at the highest level. The aim of this institute is to break the personal ties between the state and the judicial authorities, which exist on local but also nationwide level. It is necessary to consider a particular institution of “prosecutor for the area of corruption” (hereinafter referred to as the Special Prosecutor) and to define its scope, methods of work, as well as responsibility.

To this function (or his team) is necessary to get the person whose moral integrity, dedication and expertise, absence of various “commitments” create a good presumption of vigorous and consistent detection and prosecution of criminal offences of corruption. Institute of a special prosecutor would thus become one of the most effective means of combating corruption.

A special prosecutor and his office would not be subject neither to General Prosecutor's Office nor to Ministry of Interior, but exclusively to the Government or Parliament. In addition to several colleagues at Headquarters would not be appropriate to create another structure, but on each thing would have been created ad hoc investigative teams, which would be appointed by a special prosecutor — according to his/her choice – regular investigators and prosecutors.

On a special prosecutor would be for example able to turn the citizens, but also legal persons which have been confronted with corruption in circumstances when it would be appropriate to

use the institute of agent for detecting corruption. A special prosecutor could then initiate the procedure pursuant to § 88b of the C.C. This solution seems to be a pretty radical and certainly requires a deeper analysis.

So far, however, it seems that in spite of many “conceptional materials”, but also legislative changes, we trample in the sphere of the fight against corruption still on the same place.

The extent of corruption in our state requires vigorous solution and special deployments, while revealing a few corrupt scandals may have a significant preventive effect. In the case of an approval of this proposal, it would be necessary to urgently develop the necessary legislative changes (whose scope would be minimal), and send out the identified persons - which would subsequently worked in a team of the Special Prosecutor's Office – to internships in countries that have experienced considerable success in the fight against corruption as well as for the use of similar institutes. [12]

Conclusion

The penetration of corruption throughout the resort the Ministry of Interior, but in particular in the Police Corps, is a particularly dangerous phenomenon amplified in particular by the fact that the Police Corps should be one of the basic umbrella institutions in the fight against crime, and hence the fight against corruption. In this way corruption in the Police Corps distorts the essential function of the Police Corps as the preventative-the punitive authority, of which the ultimate consequence is disruption in cooperation with citizens, invoking a motion of censure against the Police Corps in the society , which results in the final stage in the heavy conditions in detecting and investigating crime.[13]

In the area of the means of transport was introduced material responsibility of the vehicle owner as well as fixed tariff of fines according to the level of exceeded speed. Both of these measures tend to reduce corruption, whether by strengthening public control (media), or by narrowing the space for petty bribery (traffic police).

Venal behavior has the best prerequisites for application in a situation where the possible proceeds from such behaviour are high, and vice versa, the risk which carries with such behavior is low. Therefore it is necessary to follow against corruption from multiple angles. It is necessary to eliminate the potential revenue, what means to act *ex ante*, i.e. to do preventively. To do this you must also connect an effective recourse of already generated venal behaviour, namely repression, which operates *ex post*. Of course, an effective recourse, whether criminal or administrative, may itself act preventatively. A consistent fight against corruption must also include measures for the education of the population and the formation of public opinion against corruption. As a result of these measures, there must be a gradual increase in the sensitivity of the citizens on the manifestations of venal behavior.

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THE SECURITY POLICY - COOPERATION OF ACTORS

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Summary/Abstract

The contribution is focused mainly on the possibility of preventing the outbreak of conflict in international relations, which is also the one of the possibilities of conflict resolution. Preventing conflicts is the prevention programs, policies and strategies aimed at preventing the escalation of conflicts is the stage where actors use violence trying to promote dispute resolution. Prevention as a means of conflict resolution is being used increasingly since the end of bipolar confrontation. Participating in it consist from state, international, but increasingly also non-state actors. Use of mutual cooperation provides a synergistic effect both in the case of international and national conflicts.

Keywords: conflict prevention, actor, international relations, security

Preface

Conflict prevention and resolution is a very complicated theoretical and practical problem. The actors involved in prevention are just a large group. Preventing outbreaks of violence multilateral relations is an area where none of the actors in international relations (or states, or international governmental and non-governmental organizations or individuals) and they have the sole power to intervene (with the exception of a UN Security Council). It participates in a wide range of actors - actors of the international system (world powers, the United Nations), regional (neighboring states and regional organizations) and local stakeholders (local NGOs and prominent individuals). Their interest is concentrated in preventing outbreaks of violence and crisis diplomacy depends on interest objectives, participating in litigation and particularly the capacity they have. The most frequently involved in preventive diplomacy to international and regional organizations, governmental and non-governmental. Special role in preventive diplomacy meets in the United Nations, which is described in the second chapter. Activities of regional organizations in preventive diplomacy and conflict resolution governed are mainly in Chapter VIII of the UN Charter on regional agreements and statutes of the organizations that set out the obligations of the members, the dispute settlement mechanism, and the sanctions. Mechanism for Conflict Prevention and Management was created as. the Organization for Security and Cooperation in Europe, Organization of American States, the African Union and the Economic Community of West African States. Another regional organization such. ASEAN has managed to create ad hoc initiatives to deal with crises and conflicts (Waisová, 2005). The advantage of regional organizations is that, because of its geographic scope and detailed information about the region in which they operate, the situation of a relationship, are able in a relatively short time frame and identify the dispute quickly and efficiently respond to it. They have a system of experts who know the environment and the region's problems and who are able to accept the diplomatic negotiations of political, cultural and other specifications of the site. "International organizations act as a distributor of information among members, create standards and rules of conduct and negotiations are socializing environment states allow you to create coalitions to aggregate and articulate the interests of the Member States and finally provide a space for negotiation and peaceful settlement of disputes" (Waisová, 2005, p. 80). Specific role have regional and international economic

organizations. They are applying activity in the prevention of dispute resolution using tools of economic character, such as technical assistance, some countries preferential access to the market, and promote trade liberalization and so on. Strategy for promoting economic development in the European Union is currently using. The actors including own activities of conflict prevention and international NGOs (International non-governmental organizations - INGO's). The main advantage of these organizations is impartiality. While former regional organizations sometimes seen as an instrument of policy and interest countries, primarily regional powers, international non-governmental organizations do not incorporate this feature. Compared with international governmental organizations are at an advantage. The reason for this is the time knowledge of local issues, because the leaders of those organizations are actually present in the conflict. Regional organizations also have more confidence in people as representatives of distant government agencies. Unlike governments, which complicated approval system and decision limits the activity in the event of a conflict, are able to quickly and efficiently intervene when necessary. (Ivančík, 2012) An important part of the agenda is the work of regional organizations in conflict areas, post-conflict reconstruction, which is a large part of the preventive action aimed at preventing the recurrence of conflict situations. The disadvantage of non-governmental regional organizations is to limit the scope of their territory and the use of specific mechanisms and tools for prevention. Their work is focused on the subnational prevent such in building relationships between companies of different countries, cultural and scientific contacts and to grant economic development of society. In terms of tools as NGOs are limited to own capabilities and resources, and international legal modifications (eg INGO can not use coercive instruments). Important role in the present (Waisová, 2005, p. 81): First prevention and early warning, particularly in obtaining information Second monitoring compliance with and violations of human rights and civil liberties, 3rd return of refugees and the promotion of economic development, 4th mediation talks. NGOs are often the actors who are in the early stages of the conflict, or immediately after the conflict to get first. Currently, NGOs are an important element in the prevention of conflicts and many of them are affiliated or consultative status in the UN system. Important role is in preventive diplomacy and individuals meet. Usually they are the representatives of a state, respectively government. When preventive diplomacy but represents their government and its official policy, but provide their personal skills and knowledge. A person who has made significant steps in relation to preventive activities is secretary-general of the UN. This feature ensures the impartiality and expertise and at the same time of great personal prestige and confidence. The responsibility of the Secretary-General to provide the so-called good service, which can act as an intermediary between the applicant and opponents, setting up fact-finding missions and has the opportunity to draw attention to a particular conflict the UN Security Council. In addition, the Secretary-General plays an important role in preventive diplomacy and significant political elite powers, Recognition leaders in the field of culture and personality, whose personal position warrant some access to, certain values, e.g. prominent church leaders. (Ivančík, 2012)

The European Union as an actor preventive diplomacy.

The problem response, respectively. preventive intervention in areas of ongoing conflict deals with the European Union under the European Security and Defence Policy (ESDP). The aim is to develop and provide a European Rapid Reaction Force (ERRF) for preventive intervention in international conflicts and crisis management (European Security and Defence Policy., 2010). Overall ERRF should have around 60 000 members to sixty days standby time which should be maintained at one year deployment. In November 2004, the defense

ministers agreed to create thirteen battle groups as basic units ERRF. Battle group can create one state or group of states. The battle group will participate in the five types of operations (Hofreiter, 2008, 139 - 140): - Averting conflict - Separation of opposing (warring) parties force - Stabilization, reconstruction and military aid to third countries, - Evacuation operations in a hostile environment - Humanitarian aid operations. EU Battle Groups are created specifically to be able to request the United Nations to quickly deploy to conflict resolution and humanitarian assistance. These lightweight combat troops should be able to deal with crisis situations Military and non-military, and able to participate in the war, but no war. The aim is the creation of a European army. National armed forces remain in control of their national commanders, and thus democratically elected bodies in the Member States, and senior military commanders will be held only for the duration of the mission of the EU (European Security and Defense Policy ., 2010). Despite the overall optimism and commitment of Member States of the EU Battle Group to create, there are doubts about the implementation of the overall concept ERRF. In particular, these problems (Hofreiter, 2008, p. 140): - It is not clear whether European countries without U.S. aid can provide the necessary strategic transport capacity needed to transport troops to the premises deployment - The issue of cooperation and relations between combat troops and NATO rapid reaction forces, - Is not achieved unity in matters of method and time of use of combat troops. Opinions on the deployment range from using only low-intensity conflict to use in a wide range of operations, - Must specify command and control of combat forces in UN operations, and will operate autonomously or under multinational command along with UN peacekeepers. In any case, the efforts of Member States of the EU reflecting the need for an integrated approach to conflict prevention and crisis management in line with the European Security Strategy adopted.

Methods of preventive diplomacy

As a precautionary measure in the conflicts in international relations, various methods are used, respectively, activities designed to achieve, respectively. keep the peace situation in the long run. They activities are included among them: For first Peacekeeping operations - resp. preventive peacekeeping operations. They are considered the ultimate possibility of conflict prevention and the deployment of forces are non-aligned countries in crisis areas. These operations are carried out in accordance with Chapter VI of the UN Charter - peace-keeping operations. To carry out this type of operation requires the consent of all the actors of the conflict. Their aim is to discourage opponents from triggering a conflict, or to prevent an outbreak of violence by their presence. At a time when the dispute is not yet strongly polarized and very technical and there is no permanent conflicts armed groups are also transmitted to the monitoring teams, which aim to inform and report on the current development situation. Their responsibility is also assessing the need for deployment of additional resources. The main extension of the observation missions are units that protect the civilian population against the dangers that threaten the current environment. If monitoring mission can not be used for any other purpose weapon, self-defense and as such the unit has no mandate to engage in the current conflict is taking place. The deployment of the military in peacekeeping operations creates the conditions for a political settlement of conflicts, allows actors to the conflict seek reciprocally acceptable and workable solutions and options to minimize the likelihood of conflict escalation in the destructive phase (Hofreiter, 2008, p. 138 to 139). For second Peacebuilding - Peacebuilding in the original concept of Johan Galtung is one of the three pillars of peace activities (along with keeping the peace and creating peace). The aim of peacebuilding is to identify the root causes of the conflict. Some theorists linking

him with post-conflict reconstruction phase. Working with key causes of conflict, but can occur at any stage of the conflict. Understanding of this term, which is well established in the European Union is close Galtungovej definition. Peacebuilding activities defined as medium and long term to specifically address root causes of violent conflict (Mihalik, Ondrusek, 2009, p. 66). For third - Peacemaking - creating peace. This term is assigned multiple meanings. Galtung defined as the rate of production activities that seek to interfere with each other and influence the conflicting attitudes. The United Nations uses the term in its agenda and sees him in connection with the activities described in Article 33 of the UN Charter (negotiation, mediation, conciliation, legal settlement or other peaceful means). Recently, he started as a synonym, use the concept of peace enforcement (peace-enforcement). It is used to describe armed, military operations to force the opponents of the conflict to agree to resolve the dispute peacefully, peacefully. Making peace is often used in relation to negotiations. Goes beyond the maintenance of peace (peacekeeping), because it deals with the very disputed issues, but it does not go up to where it Peacebuilding (Peacebuilding), which aims to reconciliation and therapy civilians, not a formal written agreement (Mihalik, Ondrusek, 2009) . Barriers to conflict prevention In the context of preventive diplomacy and activities aimed at prevention of conflict is necessary to define some constraints that complicate the course of the preventive actions. This includes in particular (Hofreiter, 2008, p. 141 to 142) - The existence of regulations that guarantee human rights and civil liberties, which must also be observed, although it is necessary to respond to the actions and behavior, clearly oriented to cause conflict (e.g. the need to limit registration or activity groups and movements which promote or advertise racial, religious or ethnic intolerance, gets into a dispute with regard to the protection of freedom of expression, association, assembly, etc.).. - International law, including international law of war has stagnated for the needs and requirements of the modern, real world. This problem is particularly evident when it comes to the need to respond to national conflicts, which are largely grossly violated human rights, there is a humanitarian disaster, or in connection with non-state actors (such as terrorists, religious militants, political extremists) , which is quite difficult to determine the how much threat they represent. Current characteristics, definitions and views on prevention (preventive) and earlier, respectively, preemptive intervene in real conflict with the rules and provisions of the Hague Conventions, because such acts are cited by convention considered aggression (the principle of temporality: Who made the first activity ... exclude the possibility of preventive military action against a sovereign state). - Unsatisfactory system structure and global security organizations such as the UN and its Security Council. Conflicting interests of the permanent members of the lower ability accurately targeted and effectively respond to emerging conflict situations and take effective action. The problem of reaching agreement on the preventive measures arises primarily in cases where the conflicting area is in the sphere of interest or influence of any of the powers that are permanent members of the UN Security Council.

Method for Early Warning System

Because the current system of international relations, there is no parent institution, respectively, authority that would be able to coordinate, manage and sanction the behavior and practices of actors are conflicts in international relations is normal. For the last decades are characterized by strengthening the power of destructive conflict, resulting in the increase in the number of victims in the conflict regions, deepening the suffering of the civilian population, the enormous increase in material losses, and so on. That reason conditional on significant reform and transformation agenda of international relations. Several countries and international organizations emphasize the need for early prevention of the outbreak of

violence, which aims to reduce the long-term perspective, and material and human losses. Early prevention of violent conflict escalation requires international community's ability to recognize and identify the conditions and situation that may occur if the dispute from escalating outbreaks of violence (Waisová, 2005). The aim and result of the early prevention of conflicts was creating and the creation of so-called. Early Warning System (early warning system). The early warning system is currently in the process of creation and has a well-defined institutional or procedural structure. The basic task of the system is the analysis of a wide range of different indicators and symptoms, which evokes the transformation of a shift in the environment of conflict, which can cause violent escalation. An early warning system should be composed of a complex of experts, politicians, international governmental and non-governmental organizations would be able to identify and evaluate specific indicators change and highlight it. An early warning system, which would be recognized in the context of international relations, does not really exist, just as there is no consensus as to who and how should that system to create. There are several scientific studies and programs, which is the subject of this issue. E.g. project of the University of Maryland - Minorities at Risk. Several international organizations such as the UN, OSCE, World Bank, OAS, ECOWAS wishing to integrate early warning system in its agenda in conflict prevention. The responsibilities had declared the need for a system of representatives of the United Nations, in particular the Secretary-General, General Assembly, Security Council and peacekeeping operations department. In the 1998 year , the cooperation between the UN and regional governmental and non-established program for the coordination of conflict prevention. This program was launched in 2000, the program was created by the UN in conflict prevention, which regularly analyzes evaluates situation in unstable regions. In order to simplify and streamline communication within departments and agencies of the United Nations dealing with conflict prevention, was established to coordinate framework (Framework for Coordination) (Annan, 2000, p. 13-14). Currently the most important activity in the prevention of conflict and the creation of an early warning system, cooperation between the United Nations and the World Bank. The cooperation of these institutions is based on the basic concept of human security. These institutions combine state of human security and the likelihood of the outbreak, respectively, escalation of the conflict with the level of economic development. They assume that the economically under-developed societies is unsatisfactory situation of individuals (mainly the limited access to education and training of health care, food, drinking water, etc.). This situation is destabilizing for the company, resulting in a greater tendency to use violence to resolve conflicts. The World Bank intends to use its tools to promote economic growth and reduce poverty so as to achieve minimize the possible causes of conflict. For this purpose had to create a framework for analysis of conflict and establish indicators and signs of environmental change and conflict escalation (Waisová, 2005).

Factors of Early Warning Method

Indicators and signs of changes in the environment and escalating conflicts are used in the process of reviewing the risks (risk screening process). The process is based upon the nine essential factors (Conflict Analysis Framework, 2003, p.6 - 7) First Violent conflict in the last ten years - if the country during the last ten years of conflict, there is a high probability of its recurrence. This country is mostly unstable and economically exhausted and it is present social, economic and ethnic tension or dissatisfaction previous solution to the conflict. The second Examples include some African countries such as Congo, Sudan and others. Second Low income - Countries with low income per capita (less than USD 745 per person per year), a higher risk of an outbreak of violent conflict, because the lack of funds creates a space for people to find an alternative, respectively. illegal source of livelihood, such as. trafficking in

drugs, arms and human trafficking. This group can be classified as. Mali, Ethiopia, Tajikistan, and the like. 3rd The high dependence on exports of a single commodity - Countries whose income depends on the export of certain materials pose a greater risk of conflict because even minimal changes in the commodity prices on world markets affect the economic situation in the country, contributing to economic and social destabilization. Destabilization of the economic system, the growth of poverty and economic polarization of society contribute to the destabilization of the country and increase the risk of outbreak or escalation of conflict. These include, for example, oil-exporting countries, coffee and cocoa beans. 4th Political instability - Political instability may be due to the transformation of the country (eg, frequent changes in the nature of the political and electoral system) or breakdown of the legal system and the organization, in this case the government is unable to effectively govern the territory. An example is Sudan and Somalia. 5th Restrictions on civil and political rights - Limitation and systematic repression of human rights and civil liberties and political rights increases the likelihood of an outbreak of a dispute, or a violent escalation. The reason is that groups of people are trying (in violence) to oppose the policies of the country. E.g. policy of apartheid in South Africa. 6th Militarization - countries with high military expenditures, and develop a culture of possession of weapons are more likely to enter into armed conflict. High militarization of law can lead to greater militarization of society that often has a large number of weapons and people are willing to use weapons at any time. An example is Croatia, Turkey, Iraq and Macedonia. 7th Ethnic dominance - In countries where one ethnic group controls state institutions and the economy, and other ethnic groups demanding an equal share in the exercise of governmental authority, management, control and profit, increasing the likelihood of conflict and its escalation. e.g. genocide in Rwanda. 8th The ongoing conflict in the region - the region where ongoing national or interstate conflict increases the likelihood of expansion, because the various conflicts and their causes can be shed from one state to another. (Kucharčík, 2009) Neighborhood countries may be drawn into such a conflict. due to influx of refugees and weapons of warfare areas. (Eg the Rwandan genocide destabilized the Democratic Republic of Congo and Burundi) 9th High youth unemployment - lack of jobs and career opportunities frustrating especially young people and contribute to their radicalization. In particular, men are then easy prey for militant organizations that offer them salary and self-fulfillment. (For example, FARC and ELN in Colombia, the Palestinian militant organization, but also SS and SA in Germany at the turn of the twenties and thirties of the twentieth century. (Adašková, 2010) Effect of different factors and their variants may be different depending on the country. Factor that in one country causes destabilization and polarization of the conflict, it may be in another country the same impact. In many cases depend on the profile of the outbreak of violence and the nature of society, its traditions, the ambient pressure, geopolitical conditions, etc. Beyond these factors include the risk review process six general categories, the report said the World Bank as early as 2003. These allow you to specify more particularly the situation, the environment, the causes of conflict and actors (Conflict Analysis Framework, 2003, p. 7): 1st character of social and ethnic relations, 2nd nature of governance and political institutions, 3rd the human rights and security 4th status and nature of the economic structure and economic performance, 5th state of the environment and access to natural resources, 6th external factors. Each category contains specific variables that specify their turn. The first category are social and economic disruption, ethnic cleavage, inequality in the regions, different social opportunities, social capital formation, formation of group identity and culture respectively. tradition of violence. The second category is characterized by justice and governance, political institutions, their stability, equality before the law and the relationship between government and citizens. The third category we include variables such as freedom of speech and the role of the media, the

importance of human rights, the degree of militarization of society and the safety of civilians. The fourth category consists of level of economic growth, inequality in income per capita, inflation trends, reliance on a single export of strategic raw materials, employment and access to resources, production and poverty caused by conflict. The fifth group includes the availability of natural resources and access to them, respectively. national and interstate competition for these resources. The last category in particular, we include regional conflicts and the role of the Diaspora (Conflict Analysis Framework, 2003, p. 24-33). The basic idea of an early warning system of the World Bank, the relationship of economic development and the level of safety. According to poverty, lack of strategic raw materials, dependence on the export of one raw material, uneven distribution of resources and support, and other economic factors increase the likelihood of violent escalation of conflicts and their recurrence. Some theorists are disregard to the importance of such economic factors and the relationship between them and the level of security. An example is - of the so-called. non-economic approach to early warning is Research Walter authors, Snyder, who examine the ongoing civil wars in recent years in different regions of the world, the possibility of prevention of violence and ways to address them. According to this research represent a specific type of civil war conflict in international relations, which are brought into mutual conflict or opposition groups, NGOs and the government, or other groups for power and access to state functions, and the conflict is not connected any external force. The authors define four basic factors that determine, respectively, increase the likelihood of the outbreak of the conflict (the Civil War) (Waisová, 2005):

1st. Collapse of the government, respectively. State - In the event of disruption of central control in the state or disintegration of the state apparatus and the state of the majority of the civilian population finds itself in uncertainty. A State which ceases to act as guardian and distributor of public goods, especially security, are more likely to become a threat to its own population. For disintegration state structures and institutions it is clear how the such. distributed power in the next government, which will create relationships between social, political or ethnic groups within the company, whether to accept the status quo, or use current conditions to strengthen own status, and peace will be maintained condition, or violent conflict breaks out. Reaction civilians and different social groups in society to destabilize, respectively. disintegration of state structures can be different in individual cases, there may be mass migration within the country to fearless, and ethnically homogeneous regions, there may be immigration, but also to the outbreak of conflict. The aim is to group themselves by ensuring our own existence and benefits. An example of state-life which resulted in the outbreak of civil war is the absolute disintegration of the political regime in Somalia, or dissolution of the Soviet Union early nineties, when the former Soviet republics of Azerbaijan, Georgia, Moldova and Tajikistan unleashed struggle for political power in the state.

2nd. Geographical isolation of minority groups within the larger community-ethnic minority groups, which are the result of demographic changes and territorial reach the geographical isolation within national borders and are not guaranteed their position (eg, a federal system with a bicameral parliament), they feel threatened by the majority. The using of geographical isolation to suppress the rights of minorities such. through ethnic cleansing. Minorities, in order to eliminate these disadvantages are more likely to deal with such situations in a violent manner; armed attacks in order to improve their position (e.g. the constitutional guarantee of minority rights, gaining autonomy, secession, etc..). Examples of national violent conflict are many, which was the cause of geographic isolation, as the Northern Ireland (Protestants versus Catholics), Sudanese (Arab versus non-Arab population) and Bosnian (Muslims, Serbs

vs. Bosnians vs. Croats) conflict.

3rd. Requirements change the distribution of power in the state - the democratic multinational, multi-ethnic and religiously diverse states is usually divided between state power different groups depending on the number of members of the group. In the long run may be a change of interaction ratios between groups (an example might be to change the demographic structure of the country due to high birth and immigration, one of the groups from which it is a situation which is so far the majority group becomes a minority).

4th Change or unequal distribution of resources within a country - the case of unequal distribution of resources within a country or a significant change in the distribution of resources in favor of one group of people, it can lead to increased tensions, leading to a violent dispute polarization. This may occur, e.g. with the collapse of the state in which the individual groups trying to strengthen its position in favor of securing control of sources of raw materials and strategic finance, strategic industries and military materials. Such is the progress of the union republics in the breakup of Yugoslavia, whose aim was to get as much of the previously common army equipment. Between Croatia and Slovenia also broke dispute "Krško nuclear power" and access to the Adriatic Sea.

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HUNGARIAN FIRE PROTECTION – FIRE PROTECTION OF BORDER SETTLEMENTS

Dr. László KOMJÁTHY

Summary

One of the main goals of Hungarian safety politics is the complete realization of human and citizens' rights as well as assuring life, property and the social safety of Hungary's inhabitants. This makes fire protection an indispensable and inseparable part of the country's safety system.

In the case of a serious incident that requires the immediate intervention of an adequately equipped organization with well-trained individuals, firemen are among the first to be alerted in the country. The argument that their activities are not limited to merely putting out fires is supported by the fact that approximately one third of their interventions involve technical rescue. Furthermore, firemen play a huge role in preventing and mitigating catastrophic events.

Keywords: fire fighting, firemen, safety, help

Thanks to the permanent changes of our days, security, as a value category has also changed. The National Security Strategy has listed all the factors that pose a risk to our security and has outlined the directions and measures, which can guarantee the safety of the country and its citizens. Our country, as a response to these threats operates a complex security system; the main pillars of this system are the fire stations. [1]

The road transport of dangerous substances is one of the greatest challenges firemen will have to face in the near future, that is, the mobility of the source of danger exposes such transport to several interacting risk factors. Transporting dangerous substances is especially risky in that part of the thirty one thousand kilometres long Hungarian public road network that is not easy to restrict and around specifically sensitive locations such as settlements, dangerous factories, and industrial sites. From the starting point of Hungary's geographical location as well as from professional experience, analyses and accessible databases, it was possible to establish the majority of risk factors for potentially dangerous influences both in the country and across its borders. However, we should also consider carrying out the following tasks: increasing the efficiency of risk analyses and prognoses, tracking dangerous transports, and closely examining the possibility of tighter cooperation with the Hungarian army's chemicals detection unit [2].

According to the statistics approximately one third to one fourth of fire fighting interventions in the country are in fact technical rescues; the majority of them are responses to first or second level special emergency alerts. In most of these cases firemen have to deal with the consequences of traffic accidents and damage caused by water or storms.

The statistics further show that more than half of all fires occur outdoors, more than fifty per cent of which are caused by dead leaves, reeds, trash or weeds catching fire. Dealing with the above mentioned types of incidents does generally not require a specifically high level of technical or professional preparedness. In order to significantly reduce the workload and

financial burden of professional fire fighting units, these interventions could be carried out by voluntary firemen [3].

For a better understanding of the Hungarian fire protection situation we need to take a short look into its past. The local administration law [4] (no.65) from 1990, did not list the fire protection of settlements as an obligatory task and it offered no normative support for its execution. The law no.20– the so-called jurisdiction law [5] – from year 1991, addressed this problem by obliging local communities to apply the services of professional fire fighting units stationed within its borders when the performance of fire fighting and technical rescue duties is required. Professional firemen should thus intervene not only in their own settlements, but in the entire territory of a given local community. The abovementioned regulation was later included in the fire protection law (no. 31) from 1996

At the present time there are 105 professional fire-fighting units in Hungary, normatively supported by the budget, performing fire fighting and technical rescue duties within the territory they are primarily assigned to. By analysing data about their operation during the last twenty years we can observe a gradual increase in the number of incidents: while firemen were called to intervene 34,005 times in 1994, they were alerted 51,793 times in 2004 and 55,289 times in the first half of year 2010 [6]! The number of interventions had thus grown by almost 70%, whilst the number of firemen taking part in them stagnated. I believe increasing the number of professional firemen and setting up new stations and patrols is one of the ways to reduce excessive workloads and to make fire protection more effective.

Professional fire fighting units should perform tasks in the radius of 20-25 kilometres in order to reach the location of the incident within 25 minutes, as prescribed by regulations [7]. Given Hungary's settlement structure, population density and traffic circumstances the country would require around 200-220 fire fighting units ready to intervene at any time. Naturally, I still support the application of the aforementioned local fire fighting units as well as the activities of voluntary firemen who could contribute to a faster start of rescue operations which may even result in the fire being put out completely.

We could enhance the level of fire safety in the country by offering a central support to areas – so called blank spots – with an inadequate fire protection system. At least two patrols and 15-20 voluntary fire fighting associations should be introduced in each of them, depending on the number of settlements. Complementary local activities would further improve the fire protection system as voluntary firemen – now under the wing of local communities – carry out around 10 per cent of yearly interventions. From the second half of the year 1996 on voluntary firemen started operating on a specifically assigned territory and in 1998 this regulation was inserted into the applicable law.

Compared to other EU countries Hungary has a strikingly high proportion of fires per number of inhabitants. For example, the proportion is two times higher than in Austria. The main causes for such statistics are ignorance, carelessness and first and foremost a low level of sense of possession. The average time elapsed between the alert and arrival to the scene of a fire is among the worst in EU. As the time needed to alert the firefighters is rather difficult to influence, the focus ought to be on reducing the time needed to reach the scene, which includes reducing the distance fire fighting units have to cover to arrive there. In average Hungarian firemen need 34 kilometres and 36 minutes to show up at the scene of a fire. This is due to the fact that there are not more than 105 professional and 68 local community fire fighting units (173 in total) obliged to assure fire protection of almost 3,100 Hungarian settlements. The average time of arrival in southern and eastern countries is from 8-10 to 12 minutes.

The primary reason Hungary is trailing behind the aforementioned countries is the system between 1948 and 1990 when the number of operational fire fighting units dropped to the one fifth of their previous number. In 1948 there were almost 2,000 various fire fighting units, today the number is more than ten times lower. Secondly, current situation is also a result of the 1990-1996 period when, despite the change of the system, neither state nor local communities managed to deliver significant improvements of Hungary's fire protection. According to the paragraph 8 of the local administration law number 65 from 1990 fire protection was an optional task of local communities, whilst law number 20 from 1991 made this task obligatory only for communities with professional fire fighting units. As neither the state nor legislature supported the operation and development of voluntary fire fighting units, their number started to decrease drastically. As a result the efficiency of fire protection in smaller settlements further deteriorated.

In April 1996 the parliament passed a law on fire protection and technical rescue, the law number 31 in 1996. In principle, this legal act put fire fighting units into the hands of local communities, yet their management and financing did not reach the expected level. The law in question has enabled the establishment of public voluntary fire fighting units. As of July 1996 twenty-six such units – as a part of the experiment – started operating on so called “blank spots” and as of 1st January 1998 they were able to perform fire fighting and technical rescue duties independently based on the law signed by interior minister. By 1999 voluntary firemen were already carrying out ten per cents of interventions. The number of such fire fighting units grew to 39 by January 2002 and reached number 46 by January 2004.

Right now there are 105 professional fire fighting units in Hungary. Their operational plans list the settlements that cannot be reached in twenty-five minutes. Patrols should therefore be stationed in those of the above mentioned settlements from which they would be able to control nearby voluntary units. Fire fighting units will get physically closer to the inhabitants, which will help enhance the level of the fire protection without representing an excessive financial burden.

It would be necessary to agree on whether the local community can provide for the stationing (a building with two storage rooms and a social room) of a new patrol. In this respect it would be reasonable to apply for regional funds. Furthermore, it needs to be examined what kind of fire protection solution would be the most cost-efficient in the case of so called blank spots.

There are nine professional fire fighting units in Borsod-Abaúj-Zemplén county, one of the biggest Hungarian counties and one of those with the highest number of settlements. The territory those units operate on consists of 360 settlements (Encs 78, Kazincbarcika 46, Mezőkövesd 30, Miskolc 35, Ózd 29, Sátoraljaújhely 45, Szendrő 36, Szerencs 32, Tiszaújváros 29). 177 of the settlements the fire fighting units are responsible for can in average not be reached in less than twenty-four minutes, i.e., those settlements do not enjoy an adequate fire protection [8]. As can be seen on the table below, 34 out of 78 settlements on the territory in the jurisdiction of the professional fire fighting unit from Encs cannot be reached in less than twenty-five minutes [9], not even considering the additional two minutes between receiving the alert and actually getting on the way.

Table 1 Settlements belonging under the Encs Official Fire Station, which can be reached in more than 25 minutes.

Local Fire Station	Settlement	Distance in km	Journey time
Encs	Abaújlak	20	26+2
	Abaújszolnok	20	26+2
	Abaújvár	33,6	34+2
	Büttös	25,9	33+2
	Csenyéte	21,4	31+2
	Alsódobsza	31,7	40+2
	Felsődobsza	22,7	28+2
	Felsővadász	26,5	33+2
	Gadna	22,4	28+2
	Gagybátor	23,2	30+2
	Gagyvendégi	21,1	27+2
	Gönc	27,4	28+2
	Göncruszka	20,7	26+2
	Hejce	21,6	26+2
	Hernádkércs	20,1	25+2
	Homrogd	31,6	37+2
	Kány	31,1	37+2
	Kéked	37,3	38+2
	Keresztéte	31,3	40+2
	Krasznokvajda	25,5	33+2
	Kupa	30,8	37+2
	Mogyoróska	24,7	29+2
	Monaj	28,4	35+2
	Nagykinizs	20,7	26+2
	Nyésta	23,6	29+2
	Pamlény	31,2	41+2
	Pányok	36,9	39+2
	Percse	27,8	34+2
	Regéc	25,7	30+2
	Selyeb	24,5	30+2
	Szászfa	28,3	37+2
	Tornyosnémeti	25,1	26+2
	Telkibánya	36,9	39+2
	Zsujta	28,8	28+2

Source: own data

In the county there is no local government fire station, so the quickest results could be achieved by creating fire posts (e.g. Gönc, Tokaj). In case of the fire stations responsible for the most settlements (Encs, Sátoraljaújhely) it would be reasonable to consider the possibility of a bilateral international co-operation as well.

In the area of fire extinguishing and rescue we have to try to get the official fire stations of the area and the interested parties, with the help of the county directorates to sign a bilateral, international joint rescue agreement that would be beneficial for everybody.

So in the examined area of the Slovak-Hungarian border it could be the official, Hungarian fire stations and the local government fire stations of Záhony, Sátoraljaújhely, Encs, Szendrő, Kazincbarcika, Ózd, Salgótarján, Balassagyarmat, Vác, Esztergom, Nyergesújfalu, Komárom, Győr, Mosonmagyaróvár that could be in touch on a daily basis with the fire stations located on the other side of the border of the following places: Kráľovský Chlmec, Čaña, Moldava nad Bodvou, Tornaľa, Fiľakovo, Lučenec, Veľký Krtíš, Šahy, Štúrovo, Komárno, Veľký Meder, Dunajská Streda, Šamorin.

For example the fire brigade of Sátoraljaújhely could reach 21 places in less than 25 minutes on the other side of the border. And, the fire brigade of Kráľovský Chlmec could help in the villages of the Bodrogköz region. The co-operation would be stimulating for both parties and could improve their professional experiences and human relations as well. Fire fighting without borders could be achieved. Fire fighting beyond the borders should be considered when making the Operation plans. The bilateral agreements should be extended to the area of fire and disaster prevention and the exchange of professional experiences as well.

For these purposes the International Visegrádi Fund could be helpful, among its goals we can find the improvement of the relationships between the countries of the Visegrádi fours and their regional co-operation. We have to stimulate the exchange of the gained expertise related to fire fighting, the use of new fire extinguishing methods and tactics, it would also be beneficial to share the results of the developments. To achieve that, one way would be to introduce existing foreign reference materials, books in Hungary on a wider scale and to propagate the domestic references abroad, also to organize international conferences in these topics. The regional and areal relations should be improved in co-ordination with the government policy as well, and also in the area of fire protection; this is true not only in case of our relation with Slovakia.

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EXTREMISM AND PROTECTION OF DEMOCRACY

Zuzana KUBIŠOVÁ, Alena TOMÁŠIKOVÁ

Summary:

Extremism is very frequently used term in society. His condition and expansion are directly dependent on the configuration and state of society in which it manifests itself, as well as on law enforcement. Extremist activities are immediate response to the growing internal contradictions in a society. According to some authors, extremism is a product – a phenomenon of a democratic society.

Keywords:

extremism, democracy, protection of democracy, right-wing extremism, religious extremism, leftist extremism

Extremism is a phenomenon of nowadays and its exact specification and description that could be generally accepted have not been formulated yet. Reason for an origin and existence of extremist groups or movements are various ideologies leading to confrontation with a political system and a state system and disturbing overall security of a democratic state. Refusing of essential democratic values, social standards and ways of behaviour that form present society are unifying element of these ideologies.

Extremism is negative expanding dynamic and multidimensional social phenomenon that is a threat for society, democratic principles and constitutional values. It threatens primary values of human rights and fundamental freedoms; has anti-systematic attitude and impacts destructively on existing democratic system and its arrangement, on legal plurality state principles, on correct functioning of state power and authorities; and it can jeopardize even territorial integrity of individual states or inviolability of state boundaries.

It is prevailingly a type of politically motivated activity that refuses principles of parliamentary democracy and pluralism, its ideology and activities are based on intolerance, xenophobia, anti-Semitism, and ultra-nationalism. Extremism is present in all democratic states; only efforts for its elimination are often significantly different.

Extremism shows general signs of social pathology connected with present violence. If group members that can be classified as “subcultures” in primary stages proclaim open conflict with society, behave aggressively and violent and focus on certain society part, then they became a threat for society. Such evolution, however, takes place also as a consequence of confidence loss of state authority and its rules if evident malversation of power, public life vulgarity and impunity occur. A support for positive social and cultural values in all society segments is therefore very important.

As extremism characteristic feature one can consider nonexistence of material motives that are main motions in other criminal offences; thus satisfaction of material instinctive needs or reaching profit or power absent in extremist behaviour and extremist acting obtains specific form of its development within a society. At extremism development we can distinguish three development stages:

- In the first phase, activity is characterized by instinctiveness, irrationality and whole absence of strategic planning of own activities. Activity in this stage is based on threatening feeling and is motivated prevailing socially, racially, ethnically or nationally and are oriented on persons who aggressor consider to be representatives of the group that he evaluates negatively. This stage is valid mostly for such extremism forms that have chosen a violence use as a way for solving problems.
- The second extremism stage is characterized mostly by goal-directed efforts to change social and home political system partially or complexly. This stage is accompanied by associating, activities planning as well as by promotion of these efforts and actions. Activities are characterized by high demagogy level and law breaking takes place. The most dangerous element of this phase is scorning humanitarian principles and preferring radical ways and methods of solving problems.
- The third, last extremism stage consists in political party creating that wants to gain and win power on clearly formulated ideology basis and political programme while by this way it can reach even home-state system change. Extremists programmes themselves are characterized by fact that they offer simple, quick and resolute solving of difficult social problems. These solving ways evoke among other society classes that can be in many cases considered to be little competent, a positive reaction. (Milo, 2004)

Radicalism thus can be recognized as a summary of political opinions that are not directed to democracy elimination directly but application of these opinions leads to huge social changes. Extremism can be defined as “any activity directed against constitution and democracy.” (Charvát, 2007, s. 13)

Actual status of extremism topic within the Slovak Republic

Taking into account a fact that Slovak Republic legal order does not define the term “extremism” directly, three basic extremists’ orientations were identified for detection, clarification and documentation purposes of such criminal activities, and not the least, for the Police Force preventive activity purposes:

1. ***right-wing oriented*** - presented by racism, Nazism, neo-Nazism, anti-Semitism, and xenophobia ideas promotion;
2. ***left-wing oriented*** – presented mostly by anarchists anti-globalists and anti-corporative ideas and radical ecologists;
3. ***religiously oriented*** - presented by religious associations that can endanger persons’ life, health or property and break-up generally bound legal regulations by their ideology, opinions and consequent activities carried out.

The right-wing extremism as well as the left-wing one has common features in antidemocratic approaches and in individual freedom limitation while the left-wing extremism demonstrates as a fight against capitalism (communists) or refuses any kind of authority form (anarchists). The right-wing extremism is connected by racism (anti-Semitism), but also with anti-capitalism (so-called New Generation or autonomic nationalists).

Extremists in the Slovak Republic join together in subcultures, movements, non-registered organizations, civil associations, and in political parties. Slovak extremists try to penetrate legally into official political scene since the nineties of the 20th century. After several unsuccessful attempts in own political party registration, extremists or their fans infiltration

into subjects having been registered yet was used as a successful strategy.

The democracy protection theory and practice topic began to be important in a extremism theory frame prevailing in the German environment affected by knowledge with the Nazi party that successfully win the power in fact by legal constitutional way in 1933. Actually in Germany, a discussion on a concept of fighting democracy (*streitbare Demokratie*) takes place for a longer time that actively enters a combat with political extremists and is able to really protect against their subversive activities (Mareš 2005: 317). Having a look into the Federal Republic Germany second half of 20th century history one can find that the German democracy reach several successes in this field; among them dissolution of the Socialist Reich Party of Germany (Sozialistische Reichspartei Deutschlands - SRP) or the Communist Party of Germany (Kommunistische Partei Deutschlands – KPD) can be involved but they were accompanied by painful failures – for example traumatic long-term inability to cope with growth of the neo-Nazi National Democratic Party of Germany (Nationaldemokratische Partei Deutschlands – NPD).

Andreas Klump states five approaches in general level to democracy protection:

1. *valuable-relativistic approach* – rendering in principal the same space to all political forces thus also non-limited freedom to democracy enemies; it hand to democratic constitutional state possibility to act for state's defence only in case of breaking law (as a such example is exemplified the Weimar Republic);
2. *authoritative approach* – this does not guarantee any freedom to liberty enemies a contains principally uncompromising steps against every extremists activity
3. *anti-communist approach* – representing only one-sided orientation against left-wing extremists;
4. *antifascist approach* - similarly does not grant any freedom only against right-wing spectrum extremism;
5. *liberally-democratic approach* – characterized by slogan „**no unconditional freedom to liberty enemies**” and is located between the valuable-relativistic approach and the authoritative approach for democracy protection and acts principally against every extremism variant (Klump 2001).

Mentioned German fighting democracy (*streitbare Demokratie*) is marked as one of possibilities the liberally-democratic approach for democracy protection. Nowadays, it is further develop within the continental political science framework as a broader concept of so-called *militant democracy* fundamentals of which were established by Karl Loewenstein's work at the end of thirties of the 20th century.

The principle of a rule of law state according him is based on the citizen's priority in front of the state and thus on priority of basic civil rights and freedoms. Such understanding *de facto* means that an individual fundamentally can do anything what his abilities allow with only one restriction: “performing his rights collides on possibility to perform rights and freedoms of other people who have the same rights and freedoms”. According to Černý, this results in conclusion that essential tool for democratic constitutional state protection is restriction of basic civil rights and freedoms of individuals and groups acting of which is oriented to restriction or even disclaiming of basic rights and freedoms of rest society members (Černý 2007b: 59).

One of the first decisions that within the (Czech-) Slovak liberal democracy environment stated the necessity of democracy reaction on its enemies' activities, was the justification of the Czech and Slovak Federal Republic Constitutional Court Finding relating to the Lustration Act of the November 26th, 1992. The Constitutional Court there states:

“the democratic state has not only the right but also the duty to promote and protect principles on which it is based and thus it cannot be inactive under conditions when managing posts at all state authorities levels, economical management, etc. were assigned according to nowadays unacceptable criteria of the totalitarian system” (Černý 2007b: 32-33).

According to Daniel Milo, extremism and democracy enemies' topic became urgent in the ninetieth especially in connection of violent demonstration of at that time prevailing right-wing radical subcultures that were characterized by a sharp racism and xenophobia and that consider violent attacks and pogroms orientated prevailingly against minorities as a normal fighting tool. In such atmosphere, the state tried to eliminate such type of antidemocratic actors mostly within the Penal Code. Parts of the criminal law gradually became articles dealing with violence against a group of inhabitants and against an individual (§ 196); vituperation of nation, race and conviction (§ 198); genocide (§ 259); and support and promotion of movements directed to suppressing citizens' rights and freedoms (§ 260). But actual more sophisticated methods by which democracy enemies promote their ideas finally means that criminal law reacting on events taking place is not able to take actions in every case in adequate way against democracy jeopardize. Democratic constitutional state therefore enters other combat spheres with democracy enemies and through preventive interventions restricts danger resulting from political extremists activities.

The first step to anti-extremists policy in most cases used to be democracy protection by constitutional engineering. According to this assumption, democratic forces taking part in anti-extremists consensus created entrenched political culture that principally refuses cooperation with extremists and projected this consensus also in the legal system. It can be manifested mostly in pole system arrangement or in system for balancing particular powers (*checks and balances*) that should secure that an individual or a group would not be able to catch all power for itself only. The rule of certain rigidity of the constitutional order that should not be a subject of often amendments should ensure an impossibility to change Constitution in such way to profit from such changes is favourable only for one political participant.

The second most frequent step is restriction of speech and propaganda freedoms of democracy enemies. According to Hannah Arendt, movements directing to totality can fight restrictively only for their victory in constitutional governing and freedom conditions; thus they use propaganda tools and try to face acceptable in front of the public. She said. “Totalitarianism power can attract only society scum and elite; masses need to be recruited by propaganda” (Arendt 1996: 473). According to Karl Loewenstein, the freedom of speech belongs to the most exposed freedoms that democracy enemies take over and misuse against the democracy itself. Petr Černý said that the freedom of speech is the most often serving to “antidemocratic wolves to penetrate into a democratic society (...) because yet it was many times shown that democratic freedoms can be used for democracy destruction” (Černý 2007b: 121). According to Michal Bartoň, the freedom restriction level is necessary understand in a context of danger of promoted opinions and ideas consequences. He refers to the doctrine *clear and present danger* cited by the US Supreme Court in recent time. According to this doctrine, character of every acting depends on circumstances under which it was carried out.

The essential question in every case is fact, if above mentioned words were said under such

circumstances and are of such nature that they represent clear and immediate danger and they cause such principal badness against which democratic constitutional state is authorized to prevent (Bartoň 2002: 156-157). At present, for such acting are considered mostly hateful expressions against certain citizen groups, promotion and signs of groups attempting democracy subversion and especially support for violent methods and terrorism or even direct appeals and direct instructions for violent behaviour.

The third step for democratic constitutional state protection against subversive activities of its enemies is restriction of freedom for political extremists assembling. The Constitution Act of the Slovak Republic as regards assembling right in the Article 28 stipulates following:

1. The right to peaceful assemble is guaranteed.

Conditions for exercising this right shall be laid down by law in the event of assemblies in public places, if such a measure is necessary in a democratic society to protect the rights and freedoms of others, public order, health and morals, property, or the security of the state. An assembly may not be made conditional on the issuance of an authorization by a state administration body. (Slovak National Council 1992)

An assembly thus need not be permitted by any administration body but it shall be announced forwards. Local administration bodies, however, have no right to *permit* any assembly but according to the Assembling Act they may *forbid* it under certain circumstances; in cases if the purpose of the assembly is:

1. to negate or restrict personal, political or other citizens' rights due to nationality, gender, race, origin, political or other opinions, religious conviction, and social status thereof; or to instigate animosity and intolerance from these reasons;
2. to commit violence or rough unmannerliness;
3. to break the Constitution and other regulations by other ways (National Council of the Slovak Republic 2007)

Similarly, as in assembling right case, the right as assembling in political parties or civil associations may be refused for individuals or for groups. The Assembling Act allows restriction of citizens' assembling right in political parties or civil associations when it stipulates that:

There are not permitted associations that

1. are aimed on refusing or restricting of personal, political or other citizens' rights due to nationality, gender, race, origin, political or other opinions, religious conviction, and social status thereof; or to instigate animosity and intolerance from these reasons; support violence or break the Constitution and other acts in other ways;
2. pursue their goal reaching by ways that are in contrary with the Constitution and other acts;
3. are armed or with armed bodies; associations member of that own or use firearms for sportive competitive purposes or for hunting right performing are not considered to be above mentioned (Federal Assembly 1990).

Extremism is difficult removable phenomenon because it is connected mostly with irrational factors (identity, psyche, religion). However, it is possible to regulate it. In this case, the state with its power tools plays non-substitutable role, other actors are non-governmental organizations, education, and school system. Extremism has also sufficient potential for its further existence. Its demonstrations are and will be conditioned, except historical connections

when it was created and formed, mostly by development within the globalizing world.

The combat against extremism is not matter only of the Ministry of Interior of the Slovak Republic and the Police Forces but also other state authorities and bodies and security bodies, governmental and non-governmental subjects. A precondition for reaching necessary result in the field of the fight against extremism is mentioned establishing of expert branches within the legal expert list managed by the Ministry of Justice of the Slovak Republic and consequent securing of plenitude of legal expert persons.

To mitigate extremists groups impact will be possible probably only under condition when the society will be sufficiently informed on essential civil and human rights, ethical and moral values, political and social system and its operating, and when, at the same time, reasons creating extremism either right-wing, left-wing or religious one will be successfully removed.

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FORENSIC EXAMINATION OF AN EXTRAORDINARY INCIDENT SCENE

Pavel KYPTA

Abstract

The author deals in an article with problems about Forensic examination of an extraordinary incident scene as a Criminalistic relevant fact. He has an aim to describe general and specific data about examination, collection of documents, typical clues of fire explosions and industrial disasters.

Introduction

Criminology as a separate science deals with the technical and tactical investigative techniques, which include also an examination of incident scene- extraordinary incident. From the criminalistic point of view extraordinary incidents consist of fires, explosions and accidents. The extraordinary incident is also space explosion booby traps eventually instead of terrorist attack. For these kinds of examinations are used standard and specific methods, procedures and inspection bodies. Causes of fire , explosion and accidents can be objective, or they may be negligence offences, which are results of forensic examination and subsequent investigation of extraordinary incident, or they are intentional offences.

1st Chapter

Under the Act No. 42/1994 on Civil protection as amended, extraordinary incident means disaster, accident, calamity, threat to public health II. degree or terrorist attack. The criminological extraordinary incident is an incident that in considerable degree harms or disturbs behaviour of society, which has occurred or may occur in loss of life, personal injury or threat to life or health of larger population or substantial damage to property. Under this term we include fires, explosions and accidents. Fires, explosions and accidents have and may have many forms and arise from unforeseen and foreseen circumstances.

Fire is an undesirable combustion, which results in damage to property or environment resulting in death or injury of individual or dead animals. Fire is also undesirable, uncontrolled burning, in which are endangered lives or health of individual, animals, property and environment.

Explosion is a violent chemical reaction, in which there is extensive damage to property, death or injury of individual or if such danger threatens. Explosion is accompanied by sound, light or pressure effect.

From the forensic point of view the category of accident we include traffic accident, accidents considerable extent – air, rail, ship but also road accidents involving fire or release of hazardous substances.

The extraordinary incident in transport related process aimed against safe operation of transport, also related death and personal injury, property damage and goods damage, fires, explosions, release of hazardous substances, environmental threats, natural disasters or similar

extraordinary incidents, which occurred in transport and they are not results of accident or threat.

Because the area of extraordinary accidents have a wide focus, we will not deal with them in this article.

For extraordinary incident we consider the place of explosion of explosive booby system and instead of terrorist attack.

The explosive booby system is a system consisting of an explosive subject, explosive or incendiary material or pyrotechnics with functional initiation. The system is able to produce an explosion effect or bearing fire. The explosive booby system is hidden in packaging or has such external form, which hides a purpose subject. It has close links with terrorism.

Terrorism is generally defined as use of threats or violence against persons or property in pursuit of political, social or religious purposes. It is generally used to determent or constraint to make concessions to the government, individuals or groups, respectively to change their behavior or policy. According to the definition of EÚ terrorism means the use of violence by an organized group to achieve political changes in the country, or affect respectively interfere with functioning of state apparatus.

The first comprehensive program document in the fight against terrorism was the National action plan against terrorism approved by Decree of the Government of the Slovak Republic No. 369/2005, currently designated as NAP (REV2), which creates a broad platform for solution of fight against terrorism in terms of legislative, institutional and executive, which was approved by the Government of the Slovak Republic No. 854 of 3rd October 2007.

2nd Chapter

Inspection is a criminal-procedural and criminology act.

According § 154 of the Code of Criminal procedure the inspection is done, if its aim is to clarify facts by direct observation necessary for criminal proceedings, particularly if could be identified or secured any tracks. Inspection can participate a person, who performs professional activities or leaved expert. After performing inspection the minutes is always wrote, which includes a complete description of inspection subject. The minutes must contain audio, video or image-sound recordings, drawings and other produced documents and tools. Inspection is conducted by authority of law enforcement and in court proceedings.

Forensic-tactical inspection method we consider a specific method, in which we find, provide, examine and evaluate the material situation or status of objects by direct observation of forensic-relevant event. They have connection with preferred event, getting knowledges of incident and obtaining evidence and other information relevant to criminal proceedings.

Before starting his own inspection of extraordinary incident it is necessary to perform check by random meth, which is performed visually, while the state is determined on the place of extraordinary incident.

The purpose of inspection is find, identify and ensure tracks, material and other evidence, obtain information about sequence of events, information on formation modeling of technical tracks. Obtained information we use to create forensic version, plan examination and organize work of experts.

According to the character of places and objects we divide inspection into several kinds. In the event of extraordinary incidents we perform not only inspection of criminological site but

inspection of signs and objects, body of living persons and dead bodies, animals and documents located at the scene. The inspection is performed in other areas that are not directly linked to the crime scene but it is necessary in verification of facts identified in questioning of persons. It is necessary to perform inspection of such area, from which the offender observed course and fire fighting.

When we perform inspection according the kind of offence we can choose different ways of processes and moving objects on the site of inspection.

In case of inspection place of extraordinary incident is advantageous a frontal or departmental way.

A frontal method is characterized by a greater number of persons performing inspection sorted into the skirmishers, which gradually scans limited space from the starting point to the final point.

A departmental method respectively sectoral method is used in dimensionally extensive interests. Overall site of extraordinary incident is divided into sectors, which are sequentially scanned.

There are other ways such as concentric, excentric, according to movement of offender and in enclosed space are used when they performing inspection occasionally.

To achieve the purpose of inspection we use these methods to determine the objective reality: observation, measurement and evaluation, describing and recording, comparison, experiment and modeling.

Observation as a general method in criminology is the basic method to performing inspection at the site of criminological relevant event. It is an immediate direct observation i.e. inspection body is in place. Purposefully uses all senses – visual. There is a visual perception of the situation and in case of need use special forensic equipment.

We meet measurement and evaluation in all cases of inspection. Each measurement is performed on inspection object; first of all before starting actual inspection they set out boundaries of area events. Searched traces and items are subjected to measurement. Measurement is not only finding traces form starting point and auxiliary point but also find out objects temperature or air, objects weight, amount of material and etc. When reviewing individual processes, which took place on the site of extraordinary incident, there are found out timing of event, speed, repeatability of sub-storylines, motion of object during course of incident.

Describing is a wording of characteristics of observed objects and tracks. Description gives us information, that are captured in photographic documentaion and therefore must correspond together. Comparison of descriptive relevant information in the protocol on inspection and photodocumentation we find out any differences.

Comparison is another method used in inspection. It occurs by comparison of forensic-relevant information on object before and after the extraordinary incident, in the tracks and in all tracks together. The current mutual-correlative examination and evaluation characteristics we used to know a studied object, its origin and progression of the plot events and important information to decide whether the incident was due to objective reasons or to negligent conduct or intentional conduct of individual. We can compare thought images and ideas about individual characteristics, phenomena, facts and so on.

Experimental method is used for faster and eloquent understand of conduct and numerically not small processes of mechanism of extraordinary incident. It is not a separate method of forensic experiment, because we not work with artificially created conditions.

Modeling method is used in inspection of site of an extraordinary incident. For thorough and objective modeling helps experimentation. We determine assumptions about course of plot and places, where there may be traces left behind, which are associated with an investigated event. From a tactical point of view we can consider an important fact about so called negative circumstances ie. lack of traces, which should be at the scene of the extraordinary event. This lack of traces for a specific kind of crime may be an indication for staging a crime scene.

Documentation processes and results of inspection should take place through:

- Writing
- Photographic
- Video
- Topography

Verbal conduct of inspection – audio documentation – shall be recorded by recording device, from which leaves a written form ie. minutes on inspection of offence place. Written documentation includes introductory, descriptive and final parts.

Introduction includes marking unit, which the worker performs an act, file location and marking event in respect of which it takes place, rank, name, function of policeman, who performed an act, labeling and instruction of persons involved and present, personal data and residence, whether conditions and chosen procedure and method of inspection.

The descriptive part of report contains description of initial and immediate actions, that are made by external group members, indicative description indicating boundaries, starting and auxiliary point of measurement, description of facts and tracks, objects, persons and dead persons, recording of negative circumstances. Forensic traces must be identified numerically and documented photographically. Description of secured tracks and objects must correspond with photographic documentation and videos.

The final part of the protocol contains a list of secured tracks, materials with numerical designation, overview of used technical means, list of other documents, that are part of minutes (first record) and record of use a dog to search accelerators of burnign in case of fire..

Conclusion contains signature clause of participants and time.

Photographic and video documentation are an important part of all documentation of the extraordinary incident scene. A photographic documentation contains except classical images – approximate, situational, and detailed and halfdetailed and panorama photos on all spaces of inspection and reportage photos of inspection course and during initial operations. It is possible to use the GPS navigation system.

Using a video camera we can record the entire course of inspection space and objects and tracks, body of living persons and dead bodies, animals and evidence and document found out on the scene, information submitted by inspection participants especially by present inspection experts respectively consultants. Before using video documentation should be prepared scenario during inspections, which will include inspection bodies (name, position), time and place, procedure and course of inspection, documentation of tracks and found results of inspection and expression, suggestions and opposition of inspection subjects.

Topographic documentation includes schemes, diagrams and plans of the most important objects attacked by extraordinary incident. In this part of documentation is mainly used a method of measuring and calculation. Each part of the forensic documentation contains a lot of forensic-relevant information and it is a fundamental point and carrier of evidence to which in the course of experiment can we return.

3rd Chapter

At each forensic inspection of extraordinary incident scene each inspection body is focused on typical tracks, which are characteristic for a particular event.

At each forensic inspection of extraordinary incident scene the forensic technician carries out forensic-technical operations, especially searches and ensures all, not typical tracks occurring in fires, traffic accidents and explosions of all kinds.

Forensic chemistry, electrical fire, toolmark, flaw detection and metallography experts of the Institute of forensic science of Police apply their specialized expertise in clarifying facts relevant for criminal proceedings. In case of serious relevant events experts provide advices and guidances to ensure proper forensic and technical activities. They provide consulting services, comment on technical and other relevant issues, highlights tracks, evidence, which must be addressed. They can participate in preparation of forensic versions and comment investigation plan. Experts provide their professional activities and implementation of procedural steps, training and experts witnesses.

Among typical tracks at fire scene, accidents such as extraordinary incident are found and ensured such tracks:

- a) Chemical – unburned residues of combustible containers, objects from initiation site, unburned residues of solids and liquids from the source of fire – wood, carpet, earth and burning initiator – cigarette butts, matches, candles, combustion accelerators (gasoline, synthetic thinners), vegetable and other materials subject to spontaneous combustion. (hays)
- b) Electrical – fuses, circuit breakers, electric lamps heaters, cookers, storage heaters, welding generators, power cables, extension cords, sockets, switches, junction boxes.
- c) Mechanoscopic – (splashed violence) for tools, door locks, fragments of glass panes and tools left on inspection site.
- d) Defectosopic – failures of machinery, constructions, fracture surfaces of constructions and objects. For performance of expert witnesses it is necessary to provide a complete technical documentation, technological process of manufacturing equipment and inspection reports.

At explosions especially explosive booby system it is necessary to conclude the place within minimal 20 m from the epicenter of explosion, so called strict trap. Wider trap is performed within 100 to 200 meters from the epicenter of explosion, especially in direction where could be thrown back detonation fumes and explosive articles. Bomb disposal expert exclude the presence or eliminate other explosive object or system. At the scene of explosion are found out tracks by members of the department of forensic pyrotechnics and chemistry:

- a) Pyrotechnic nature – from the place respectively explosion crater, part of explosive object or systems, splinters in order to determine an original form of explosive objects of works or amateurs production, people or things hit by explosion, all kinds of

explosive objects and their elements, which can provide information to clarify explosion.

- b) Chemical and physico-chemical nature – detonation fumes directly found to the wearer so in nature, small objects and fragments, samples of soil in an amount of about 0,5 kg secured tightly in a plastic container.

Examination of places, where there was a fire, explosion, places, where there occurred death or injury are differ from other usual inspections mainly because most of tracks are destroyed by fire. Inspections of fires and explosions are carried out by participating experts specialists – fire electrician, fire chemist or bomb disposal expert, expert flaw, metallography and toolmark. In case of intentional fire the motive may be an insurance fraud, revenge or masking another crime. A typical location for burned human body is clenched arms raised above himself and knees attracted to his chest. Examination of burned human body is carried out by forensic physician.

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COGNITION OF EXTREMISM

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Annotation:

The author points to the selected signs of social relevance of extremist activities. In his opinion signs affect the very possibility of checking extremism, which is shared by the police. The second part highlights the importance of a systems approach in understanding extremist activities.

Keywords:

extremism, extremist activity, social relevance of the offense, systems approach, criminal and police knowledge, counter extremism.

Introduction

From the results of the analysis of the security situation in the Slovak Republic (for the period since 1989) among other things shows that it is changing the quantitative and qualitative level of delinquency. It increases social seriousness of the offences. In each of the characters that make up the criminal extremist activity (*form and content of the method of committing criminal offences*), there are frequently registered organisation, aggression, brutality and increasingly there are recorded elements of an international nature.

Theory and practice of criminal police in the cognition of extremist activities (hereinafter referred to as extremism) points to the need for:

- *to obtain information and evidence on criminal offences, on the basis of which the bodies active in criminal proceedings could start prosecution and raise allegations against specific individuals,*
- *to gather information about criminal extremist scene and by analytical work to prepare supporting documents necessary for systematic, offensive, purposeful action aimed at the elimination of the activities of its subjects,*
- *to penetrate into the organisational structure of the extremist groups, which primarily means not only for detecting information about entities immediately carrying out criminal acts, but especially about the persons who stand in the background, assigned organising and governing the criminal activity, about financiers and legal advisers, who shall ensure their protection,*
- *to control and destruct logistics of extremist groups and see the upcoming plans for the next crime before it is committed, etc.*

These theses, in the broadest sense, characterize the basic content and functionality of the processes of intelligence services, operational-search activities and investigations in a system of cognition of extremist criminal activities.

Results of the study confirm that in the implementation of these processes it is possible to constantly find reserves, of which, using it is possible to increase their effectiveness and efficiency.

1 Registered attitude in the evaluation of extremist activities

„What kind of results do the members of the Police Corps achieve in the field of control of extremism?“, „In the performance of tasks in the field of detection of crimes of extremism in police practice, it is accepted theoretical knowledge?“, „What are the registered reserves in police theory and practice on cognition of crimes of extremism?“ That's just a few questions, to which seeks to find the answer a wide range of subjects. Quite frequently is looking for the answer to them civil public, the citizens, who evaluate the work of police officers and this in particular from the perspective of their personal relationship to the acceptance of manifestation of extremism. As these attitudes are associated with processes of police procedure, these facts (their investigation) is to be given adequate attention. For example, in the context of questions, to which it is necessary to search the answer, may have the following content: „What attitudes has a citizen in evaluating extremist criminal proceedings?“, *What attitudes has a citizen in evaluating police interventions against the perpetrators of the extremist criminal proceedings?*“, „What activities develops a citizen while eliminating of extremist activities?“ etc.

In search of answers to these questions, we have examined and evaluated the attitudes of citizens, which we assigned split into two groups. In the first group we included citizens who in our opinion were not directly involved into extremist activities. The second group of respondents, we've built from the citizens who relapse participated in extremist activities. As in the present case, there are totally different respondents, when examining their attitudes towards extremism we have used different approaches and techniques.

In the first group we used techniques of explorative survey. In total we approached 100 respondents (*students of Police Academy in Bratislava, who are studying in study field 8.3.2 Security public administrative services in academic year 2011/2012*). In the present questionnaire respondents anonymously, had the opportunity to express their opinion on 10 questions, in which the answers were defined in the range of (1 - *I agree uniquely*; 2- *I agree*; 3 - *I tend to agree*; 4 - *I tend to disagree*; 5 - *I disagree*).

5 questions were oriented to determine their attitudes towards registered manifestation of extremism, in which plays a special position state, citizen, and maladjusted citizens. By the five remaining questions we were exploring their attitudes towards the adoption and implementation of any such measures and actions with a view to the possible elimination of extremist activities.

On the basis of evaluation of the explorative survey, we can state that in the first group of questions there has been no answer, which indicates that „*somebody agree uniquely*“ with extremist activities.

Nevertheless, it is possible to consider as very disturbing the fact that that up to 60% of the polled respondents indicated that they „*agree*“ with manifestation of extremism.

Even 35% of the polled respondents expressed approval with attempts to enforce the so called „self-justice“ and this through extremist forms of acting. For completeness, it is appropriate to mention that in this survey, 30% of respondents formulate their positions in a range of „*I tend to disagree*“ and only 10% of them „*I disagree*“.

In this undertaken survey, in a certain direction, it is possible to mark contradictory answers, of which 55% of the polled respondents in the range „*I agree uniquely*“, 35% in the range „*I agree*“ and 10% „*I tend to agree*“ with the implemented actions on the part of police officers against a registered manifestation of extremist criminal proceedings.

Specifically in this direction they promoted the view that members of the Police Corps in interventions against the extremists pursue their mission, meet their obligation of the password „*serve and protect*“. Serve the citizen and protect his rights and freedoms. Among other things, they stated that members of the Police Corps in cases of registered extremist activities (criminal) create appropriate conditions for the provision of inevitability of criminal sanctions for these activities and etc.

To increase the level of objectivity of these conclusions, we approached of those 100 respondents (*presented their views in the questionnaire*), the 20 respondents by means of a controlled interview. In the process of controlled conversation, we came to the conclusion that these citizens in order to justify their attitudes are more or less „*intuitive*“.

For example, of the polled respondents (*by this technique*) to 12 have failed to indicate what objectives the perpetrators committed by crimes of extremism.

They promoted belief that extremist activities are focused on the intimidation of citizens who fail to adapt their conduct laid down social rules (*maladjusted citizens*).

In their opinion, it is necessary to intimidate these citizens, currently in the society are not effective any other solutions, etc.

More or less they do not concede the options for further qualitative criminal development of entities in the genesis of extremist activities affected by them. They failed to correctly formulate the answers to the themes, objectives and in particular the purpose of the extremist activities, and etc.

As an argument to the defence of needs, that are associated with carrying out extremist activities (*extremism*) they stated that the state (*represented by the police, prosecution and judiciary*) fails to comply with the expected functions in ensuring the protection of citizens against non-accepted activity, or inaction of maladjusted citizens.

So, as we said, in assessing the attitudes towards extremism we included into the second group persons who repeatedly (*relapsed*) already committed or commit this kind of crime.

Their attitudes, we examined vicariously, because the salutation perpetrators of extremism have refused to cooperate with us in this survey (*even some of them have been aggressive and unacceptably arrogant*).

For these reasons, in this research activity, we took advantage of the knowledge of the police practice. Approached members of the police practices, pointed out in this context, that the number of such persons, who do not respect the law increases (*this follows from the statistics of registered crime connected with extremism*).

Quite frequent are registered „*extraordinary critical relationships*“ among the perpetrators of extremism and members of the Police Corps.

From the results of the analyses of procedures of offenders of extremism it is obvious, that for their part is the work of the police often questioned. Any mistake in the procedure of the members of Police Corps, even the smallest, is used by the perpetrators of extremism to attack the police.

This is reflected, in particular, in their unethical, immoral advocacy (*offensive defence*). In the opinion of the members of the Police Corps, these entities are aware of the strength of the attack in its defence (*in this respect they are exchanging experiences among themselves*).

They are aware of the fact that, with their proceedings is identified also quite a significant part of the population in particular, if there are described the situations in a rather distorted way by mass media and which were not adequately resolved by a national administration at that time etc.

The particular knowledge of the attitudes of extremists during examining we found by the content analysis reports and messages from the carried out measures against the activities of these subjects. From the results of the analyses of these sources, it is clear that the qualities of criminal extremist manifestations are increasing. The organizers of the extremist activities are able to very creatively and operationally to respond to a reduced level of capacity for action by public authorities in the performance of tasks, which are rooted in many cases from the obligations to respect the legal regulation of law enforcement, etc.

In the process implemented survey we found that in the system of extremism the members of Police Corps register specific entities that utilize these forms of criminal activities in their own personal benefit. This is reflected for example in pursuing their political ambitions, or when dealing with property disputes

Also from what we stated, it follows that we are currently in the society there are a whole number of circumstances, the causes and conditions that affect the existence of these relatively negative attitudes. We realize that exposure to these negative factors must be eliminated also subjects which by their competence (*the power, responsibility*) operate outside the police.

At the same time, we can say that one of the important subjects, which is obliged to pay special attention to the control of extremism are currently members of the Police Corps. Those are obliged in the performance of the required tasks to systematically and purposefully control effectiveness, the efficiency of their work and permanently in a positive way influence their actions. Expressions of confidence on the part of citizens for them are a sufficient commitment and motive for increasing responsibility in ensuring and control extremism. In that direction they are obliged by the results of their work, even more, to demonstrate their capacity for action, or truthfully and current inform a citizen, why are not achieved the desired success, for example in the field of elimination of extremist activities, which show considerable social significance.

The results of this assigned made survey are a sufficient motive to seek solutions to the possible change of these attitudes, respectively, these adverse security situations.

Without a doubt, the emerging new security situations also require new solutions. These facts are especially objectified in the process of resolving specific crimes of extremism, for committing o which in many cases, nobody bears criminal liability. In accordance with the requirements of police practice, it is possible to be concluded that there is a need in real time, identify and solve discrepancies between a dynamically changing security situation in the field of extremism and a relatively stable (*sometimes even obsolete*) police approaches in its

solutions (*standing dominance of the retrospective approach in the process of police knowledge is apparent*).

Practical experiences confirm that the police cannot handle the quantitative and qualitative level of extremist activities by the „*traditional*„ means and procedures, without the direct assistance of the citizens.

The mentioned facts are to the experts on security (*but also quite to a large part of citizens*) fairly obvious, and therefore permanently search for answers to these questions: „*Why in this way does not make a remedy?* “, *What reasons have been utilized when acceptance until now preferred solutions of given the security situation?*„, and other.

From this it is evident that a change in approach to addressing issues related to ensuring control of extremism is not without problems. It is associated with a specific identification of needs, analysis of objectives and by finding adequate solutions for their implementation.

Respecting the theme of the conference, in this paper we have focused our attention on the perception of the social seriousness of extremism and it from the perspective of citizens and members of the Police Corps. In the second part we express our opinion on the possibilities of the application of the system cognition of extremist activities. We believe that, even on the basis of our knowledge we will provide topics to expert discussion on the issue of extremism.

2 A few considerations to social seriousness of extremism

On the basis of the results of the analysis of the development of the security situation, it is possible to say that, in the past twenty years in its structure, in the conditions of the Slovak Republic (but also in other European countries), is a registered negative dynamics of extremist activities (in particular, extremist groups). The identity of this dynamics determines quantitative and qualitative reflections of extremist activities that individually and in a summary determine the social severity of extremism.

The knowledge of police shows that the status, structure and dynamics of extremism develop adversely. Crimes of extremism which are by their subject-matter complex such as bulk, on-going, lasting – committed continuously for several years, activities of extremist groups, often exceeding even the territory of several states, with the sophisticated accent, create a very difficult security situation (*intelligence, operational, investigative and other*) and naturally also high demands on their processes of solutions (*prevention, elimination, detection and the taking of evidence*). Practice clearly confirms that the basis in the search for these solutions is the objective knowledge of the security situation in the field of extremism.

This knowledge can be used to identify specific societal needs and by their analysis to define the objectives, which relate to the fulfilment of the functions of the rule of law in ensuring the control of extremism (*prevention, repression*).

Forecasters in the field of criminology will agree that the current social structure evolves towards increasing differentiated, fragmentary, disorganised urban society. It is closely linked to the development of extremism. In the extremist manifestations is registered an increase in violent offences, in particular, violence against young people on the youth and other activities, in which the structure of the content, in most cases, it is not defined a subjective criminal

benefit. It is possible to add to that „tabloid“ news about extremist activities fascinate many citizens, who many times incorrectly perceive the social significance of the extremist acts.

So, it is possible to assume that in the future media will be not reluctant to „terrorize“ citizen more and more by misleading reporting about extremist proceedings etc.

Registered extremist activities acknowledge that even these facts in the negative direction influence their social acceptance. In particular, it manifests itself in reduction of ability of police and of other participating institutions and bodies (*hereinafter referred to as the police*) when carrying out statutory tasks in the field of assurance of control of this socially significant phenomena.

In that context, we stress that the societal significance of extremism represents ontological and epistemological category which the staff of the practice and theory is required to obligatory explore (*explore and evaluate*). This is so because this category determines the particular, or a virtual relationship of percipients (citizen, member of the Police Corps, and other subjects) to the need to precede, prevent the extremist activities, to detect and to prove the crimes of extremism, etc. From the perspective of the object of cognition-extremism, these categories define its essence.

In general, it is possible to state that the societal significance of extremism is replaced by the term dangerous extremist action-crime. In that direction, the category – “*societal significance of extremism*” is used in professional terminology in expressing means or probability of disorder, which is linked to extremist activities.

The societal significance of extremism in this sense means that the offences (*offence*), which are causing these manifestations are for their content nature able to harm in more important way the company's interests.

It's not about the specific danger of crime, but about its hazard (*it is about harmfulness right within the meaning of the hazard*). Therefore, is the social significance defined also by options of other disorders resulting from the offence, in addition to the damage it has already caused. Of course, the caused co-define the degree of severity (*hazard*). The seriousness of the offence may, however, be also in the fact that the act which penalises certain interests, according to the circumstances, also threatens the interests of others. The severity is, therefore, subject to the possibility of other disorders, according as the possibilities of recurrence of harmful acts of the same or other offenders and initiating intrust in the strength of the organization of society that is unable to prevent malicious acts, etc.

It follows from this that the societal significance is in fact the internal characteristics of the substance of extremism, which, together with the formal merits creates (*manifestations*) cumulative offence.

To go on the offense, it is not enough that the characters of extremism are referred to in the Penal Code, it is necessary that the offence was not only according to these characters, but also due to its specific form serious in some degree for the society. The legal reflection of the degree of seriousness the offence for a society is its criminalisation (*unlawfulness within the meaning of the criminal law*).¹

If we are talking about the seriousness of extremism for the society, it is necessary to always differentiate the extent to which is manifested the harmfulness and hazards of its operators

¹ SOLNAŘ, V. *Základy trestní odpovědnosti, podstatně přepracované a doplněné vydání*, p. 101.

and harmfulness and hazards of their activities or the way in which we compare or better assess the individual criteria of social severity and hazard of extremism.

Due to the complexity of the problem, which is related to the identification of the social severity of extremism, in the next section we narrowed our attention to an examination of only some of its manifestations. From our perspective, these manifestations of social seriousness of extremism dramatically affect the need and possibilities of cognition itself of extremist activities. From our perspective, these manifestations of social seriousness of extremism dramatically affect the need itself and possibilities of cognition itself of extremist activities.

From a survey carried (*referred to in the introduction to this paper*) can be seen that there is a fairly large group of citizens who, in relation to dealing with the activities of the maladjusted citizens manifested an open consent to entities which carry out extremist activity. These citizens wrongly perceive the need to promote individual responsibility for criminal acts carried out by extremist. They are of the opinion that the entities of a specific ethnicity (*for example, in the Slovak Republic, the Gypsies*), or from a group of homeless people, are the ones who do not respect the established societal rules. If we examine the attitudes referred to objectively we can state that it's natural from the part of these citizens. Many citizens are frustrated with socio-economic problems and of course with perception of various forms of explaining or non-explaining „*Why is it just so in this society?*“, „*Why they, who respect and fulfil their duties and responsibilities, are discriminated ?*“ etc. In this respect, are quite frequently ridiculously persuaded that they live in a democratic society, the rule of law. In doing so, they are confronted by permanent manifestations of certain forms of abuse of rights and freedoms, and on the other hand, with failure to comply with the responsibilities and obligations by concrete citizens. In their opinion, in dealing with these situations, state authorities do not act sufficiently resolutely and effectively. These citizens are convinced that, the existing socio-economic problems are in the vast majority caused by maladjusted citizens. To put it simply, in the society a specific need arises, demand for the enforcement of rights and achieving justice, which the state fails to fill up in the desired time and the form. These situations are fairly frequently used by ultra-minded entities. Those are able to propose in the form of offerings the whole range of „simple“, however virtually no accomplishable solutions. On the basis of this offer citizen knows to create an idea about a specific outcome so as if it were aligned with his ideas and the eligible requirements.

Professional members of the public do not need to be convinced that even these facts constitute one of the manifestations of social seriousness of extremism. This is because in a mature society – the rule of law, it is not possible to accept a situation in which the right is enforced wrongly. No less serious manifestation of a social seriousness of extremism is often associated with quite significantly sophisticated of creation of a variety forms of addictions, by limiting the freedom of deciding on its proceedings for members of extremist groups and organizations.² On the basis of an analysis of the investigative files and discussions with people, who after a certain period of time of acting within extremist groups and organizations (*movements*) were able to distance themselves from them, we noted that no entity in these organizations is free.

² HULLOVÁ, M. *Kauzalita politickej korupcie*. In. *Korupcia – právne a ekonomické aspekty*, p. 88

In the function of a member of the extremist group fulfils a specific role in a position which is determined by the particular entity, while he/she does not realize this fact many times. Specifically in this regard social seriousness is qualitative higher if the members of extremist groups are instructed to commit crime (*for example, also for the purpose of ensuring the functionality of extremist groups and management entities, who have decided to carry out these activities*), etc. To that it is possible to indicate that after the incorporation into the groups, their members are by the various forms of addiction and intimidation forced to perform various activities in these organisations, which have, in many cases, a nefarious character. They cannot freely leave these groups. If they manage to free themselves from these organisations they live in permanent fear (*stress*), that the members of the groups revenge them „*for their betrayal of philosophy*“ etc.

These facts are stated with the full knowledge that extremism is a social phenomenon that accompanies the evolution of human society. At every stage of human society there have been individuals and groups of people who have presented their ideas and opinions in the form of certain extreme and it in relation to the range of views and ideas, which have been accepted in dealing with specific themes or social problem. In this respect, it is not possible to perceive the extremism in its essence, automatically as something negative, as it is many times the application of freedom of opinion and expression in society. Many times the manifestations of extremism constitute important signals, one of which is probably that the state (state authorities) has failed to fulfil its functions, that in society are unhappy citizens or a social group, whose unhappiness is directly in proportion to the seriousness of the problem, which is a strong part of the extremist activities, of expression, access and etc.

On the other hand, extremism constitutes very often socially serious manifestations, which are in sharp contradiction with the principles of the rule of law. In relation to social seriousness, it is possible to point out the historical experience from which it is clear the alternative option of criminal gradations, extremist transformation of extremist movements into criminal or terrorist organisations (YAKUZA, MAFIA, TRIADY, ...), etc.

History clearly shows that managers of extremist movements (*organizations*) are able to exploit the situation after an dependence and care in their individual benefit. In the last period, it is evident even in the quasi social acceptances of various unfair economic activities which are carried out by a wide range of subjects in the sale of goods for so called dumped prices, etc.

For that reason, the competent authorities of the state must explore, examine and explain the extremist manifestations, objectively, professionally and without prejudices, etc.

3 Options of cognition of extremist criminal activities

*Intelligence, operational-search activity and police investigations are part of the police proceedings structure. **The police action** is a synthetic the term for a holistic grasping of activities of police and of its organs. In its system the processes, in its content activities then can be understood as referring to categories ensuring individual specific procedures, which are structurally made in achieving stated objectives.*

The objectives of the processes of police procedure arise from the tasks and functions of the police bodies, with the abstracts from the supporting and ancillary processes (by its nature, not the police). By analytical analysis of these facts, it is possible to conclude that for the scientific exploration of these processes in the police proceedings it is not important who and for what purpose their implements (authority, service). Important, however, is what purpose

*is being tracked, what is their goal, what are the background, procedures, options, and ways to achieve them. By the mentioned facts is not in any way downgraded practical significance to the requirements arising from the legal regulation of these activities.*³

In these terms, it is possible to conclude that for practical and theoretical needs, it is appropriate if the police conduct has systemic character. It cannot be seen as a random collection of mutually differentiated measures and activities of the individually police subjects. On the other hand, it's a whole social system, which may be structurally broken down into subsystems whose specific character intricate difficult mutual ties and, in particular, the interaction with the surroundings

Police conduct constitutes a system of assigned implemented processes (police activities). Police processes are specialised and specialisation activities which the competent authorities of the state administration (police bodies) are implemented in the assigned performance of delegated tasks, especially in matters of internal order and security.

The contents of the police activities constitute measures and actions which the competent authorities of the state administration applied for the normative, organizational-management, communication, interaction, stimulation, socio-acceptance and administrative needs, needs of personal development, etc.

Of these characteristics, it is evident that in the functioning of processes of the police proceedings (social phenomenon, the system) as a priority, there are respected the needs of police practice and subsequently of the theory. This is because the need for scientific knowledge determines and limits dictated the police practice itself.

In police practice, in cognition of particular crimes of extremism, processes of special police activities make up the system. For the needs of police practice and theory is appropriate, if this system is studied and justified by as a single unit that it is possible to mark by term of **criminally-police knowledge**. The correctness of this approach is confirmed by the results and effects, which are reached in police practice in the performance of tasks in the field of cognition of extremism. By their analysis, it is possible to conclude that if these processes are implemented systemically, by their special arsenal (*competence-forces, methods and resources*), significantly affect the level of objectivity, efficiency and effectiveness in the cognition of this specific object.

The processes of criminally-police knowledge are carried out in a particular economic, social, and legal, security and other situation. In their implementation, it is necessary to accept (*to promote*) principles, which have an objective and subjective site: The objective site lies in the economic-social conditions of societies, to which are these principles directly or indirectly subordinated. Subjective page is defined by the paradigm, the approaches, and the general societal postulates by which the implementers of processes of criminally-police knowledge are governed. By analogous interpretations of above mentioned, it is possible to conclude that the design of system of processes principles, of criminally-police knowledge must necessarily respect their special nature and the role of the state and social system.

It is possible to be concluded **that the principles of criminally-police knowledge are the basic ideas displayed in theoretical reflection, reflective the entity of activities of the**

³ HOLOMEK, J. – ŠIMANOVSKÁ, T. *Úvod do metodológie praktických vied: Policajné vedy ako vedy praktické*, p. 45,

competent bodies of the state administration and their mission in the society, while respecting the specificities of the objects.

They are axiological (value) phenomena of foundations of implementation of police tasks. In many ways they determine also the prospects of the criminal-police knowledge. In relation to a special-purpose implementation of the criminal-police processes they are attributes that characterize the qualitative characteristics of the role and tasks of their participants. From the point of view of social relations emerging, changing and creating in implemented processes, have these principles the code meaning. They do not operate in isolation, but on the other hand at the same time and in its action they mutually complement and condition one another.

The importance of the acceptance of the principles of criminally-police knowledge of extremism lies primarily in the fact that they are:

- a) general expression of its essence, the essential elements of law and social content,
- b) concentrated expression of basic ideas of the system of work organisation and management of the implementing bodies of criminally-police knowledge,
- c) the expression of specific activities, orientation and regulation of individual of forms of specific, cognitive, police activities,
- d) one of the criteria for the interpretation of the legislation, the express the spirit and the meaning of different types of criminally-legal knowledge, a prerequisite for their legislation framework,
- e) a prerequisite for assurance of a systematic and purposeful work in the mentioned field etc..⁴

For the purposes of criminally-police knowledge of extremism is appropriate if the system is studied and justified by the specific structure of the elements. Systemic knowledge of the principles of the criminally-police knowledge facilitates work during evaluation of assigned processes of these cognitive activities (*further only „cognition“*).

It can be said that by this approach is reached the evaluation of the processes of knowledge of extremism processed – purposefully, comprehensively, objectively etc. In particular, in practice, in carrying out the tasks in the field of extremism, the participants of criminally-police cognition are required; in full range accept these principles. This in particular means to create suitable conditions for their promotion. From this perspective, it is necessary in assessing the implementation of the various processes of criminally-police cognition orient mainly on following features:

1) The principle of democracy and humanism

The subjects of special-purpose implementation of processes of criminally-police knowledge are obliged to keep the honour, the seriousness and dignity of persons as well as their own (*state administration authorities*). In the performance of tasks in the field of cognition extremism must respect the principles which are enforced in fulfilling the functions of the rule of law.

⁴ BARIČIČOVÁ, E. *Analýza determinantov riadenia policajnej organizácie*. p. 18.

2) The principle of legality

Criminally-police knowledge (*different types*) is regulated by constitutional laws, laws and other binding regulations. In this way is expressed the principle of legality (*rule of law*), (*for example, in the provisions of article 1, paragraph 2, of Act No. 171/1993 Coll. on the Police Corps as amended by amendments and supplements*).

In the practical implementation of the processes of the knowledge of extremism is mostly accentuated only one site of this principle, i.e. the requirement that the specific measures (*interventions, actions*) and procedures for their implementation, applied by means, methods and procedures are in accordance with the laws and other legal standards.

In professional circles, in the interpretation of this principle, it is not treated its second site - legal obligation of actors of knowledge to use all the options (*the principle of offense and accessibility*), which have a particular relevance for the effective implementation of its processes.

It also shows a particular relevance in search of answers to the question: “*What can be used to justify the special-purpose diversification of criminally-police knowledge of extremism?*”

In search of answers to this question, it is possible to take advantage of an existing need and legal status of assigned established authorities of the state administration, which is accepted when studying extremism.

Intelligence and investigation activities are carried out by the competent bodies, state administrations bodies, while respecting *the principle of legality and officiality*. In a democratic state establishment, these bodies, with the use of specific methods, means and forms of actions, carry out procedures on the basis of their official duties (*ex-officio*), in the interests of the society.

From this principle it follows that in a particular stage of the proceedings they are required to implement the necessary measures and to carry out certain acts, if there are the legal conditions for their realization (*elaboration of intelligence or operational information, a proposal for action in accordance with the specific purpose of, which is declaratory defined in the Act*). The competent authorities of the state administration shall, on its own initiative to do everything to fulfil the purpose of the Act.

As a consequence of the principle of officiality is so called principle of legality, according to which these (*assigned established state administration bodies*) are required to perform the specified tasks in accordance with a specific requirement. In this context, it is necessary to point out that in democratic states are designated authorities of the state administration obliged to carry out activities only by and, within the limits of the constitutional and legal order. Their activities must be theoretically derived from the principles of the rule of law. This means in particular that:

- *the same principles that apply to other sections of the state administration, apply for intelligence, operational and investigative police authorities too,*
- *government authorities may interfere the rights and freedoms of citizens solely on the basis of the law and its limits (secundum et intra legem),*
- *Government authorities are bound not only to internal law, but also international legal acts ratified by the Slovak Republic, or in any other way has taken into its system of law.....*

On knowing extremism, the intelligence, operational and investigative police authorities in relation to citizens must respect legal limits and constitutional guarantees of interventions in a clear, specific delimitation of public and private law. In the performance of tasks delegated by society, their activity shall be based on the *Constitution of the Slovak Republic and the Charter of fundamental rights and freedoms*, which made up the limits of state interference in the civil sphere. Their duties, privileges and remedies are secondary legally specified in the relevant laws (*i.e., Act No. 171/1993 Coll. on Police Corps as amended and other*).⁵

3) Principle of the professional invention

Processes of criminally-police knowledge of extremism show signs of the scientific activities. Of course, it is not possible to identify its processes with the processes of scientific knowledge. Basically said, in the whole width of the scope, the principle of science is not appropriate to combine with the results of this comparison. Acceptance of the principle of science in the practical implementation of the processes of criminally-police knowledge means the need for implementation of effective, suitable and rational, scientifically substantiated methods and resources. Along with this, it is necessary that participants in the implementation of delegated tasks use the principles of scientific management and organisation of work. This concerns in particular the methods within „free“ work with the information and with operations with them, analytical activities, prognostics and planning.

4) Principle of proportionality and subsidiarity

With the principle of legality, is closely related the principle of proportionality, that means in essence the requirement to interfere with the rights and freedoms of citizens only in the confines of the law and to the extent appropriate to a protected interest. For example, for a member of the Police Corps (the state administration body) that is the requirement that the measure, the act shall be made only if required by the performance of the tasks laid down by law. It means that the principle of proportionality is possible to be assessed according to the following considerations:

- a) choice of methods and means;
- b) own use of methods and means,
- c) situation, local time factor etc.

The subsidiarity principle is a general obligation for the participants of criminally-police knowledge processes to take appropriate measures when the competent authorities or organisations, for which it is the main task, do not respond to the situation (state of threat or infringement of the protected interests) or otherwise are unable to handle it.

The implementation of these tasks practically falls within their competence only in cases when it is not relevant for other subjects of protection of the internal order and the safety. For example, in the field of extremism, in carrying out the tasks laid down, these authorities have to act in defence of protected interests, however, their activity in this case is limited to

⁵ HULLOVÁ, M. *Využitie analýzy v procese odhaľovania korupcie*. p. 78, 79.

carrying out, the necessary measures. If they are made without the knowledge or decision of the competent authority, it is necessary to notify the authority thereof.

5) Principle of the unity of the prevention and repression

The principle clearly stresses the need to implement both functions in close correlation. In terms of police activities in the field of extremism is the mentioned unity of prevention and repression beyond doubt.

6) Principle of confidentiality (*protection*)

The mentioned principle means the need of the confidentiality of certain facts, which in the framework of the special implementation of the processes of criminally-police knowledge exist, have been identified, or are planned. From a pragmatic point of view, it may be noted that, to ensure the efficiency and effectiveness of the processes of the criminally-police knowledge of extremism, there is in certain situations the need of their confidentiality. Obligation of professional secrecy is explicitly expressed in the relevant laws that the criminally-police knowledge regulate. This obligation lasts even after the police officer leaves his/her professional service. Similarly, it is possible to take advantage of these facts also in characterization of providing for personnel and the technical protection, and this in relation to participants of these processes and resources, which are used to meet the reporting purpose.

From the characteristics of these principles (*as we have already said it accepts the practice*), shows that intelligence and investigation activities are in the relevant studying of extremism relatively independent activities, whose specific functions are reflected in the system of the police activities and in its subsystem of criminally-police knowledge. Their relative autonomy in cognition of extremism defines the purpose, objectives, which are met, in particular, by the application of specific methods, by the used and implemented processes.

We realize that extremism, its manifestations of social severity, in contexts that we said, is sensitively perceived by the professional public that solves the challenges associated with ensuring its control. Regardless of the completeness (*from the perspective of knowledge of the practice*) in their activities are most often made the answers to the following questions:

- ✓ *According to what properties (concerning phenomenon or essence) is characterized the extremist activity?*
- ✓ *At what implementation phase is extremist activity?*
- ✓ *Who are the actors involved in the implementation of the extremist activities?*
- ✓ *What is object of extremists' interest?*
- ✓ *For what purpose were carried out the extremist activities? (by analogy aim, motive)*
- ✓ *Where, when, how often are the extremist activities carried out?*
- ✓ *How extremist activities are implemented?*
- ✓ *What is the system of organisation and management of extremist groups?*
- ✓ *Does the extremist group recognise the characters of clumping, conspiracy, and group?*

- ✓ *How is provided the extremist organisations functionality?*
- ✓ *What responses are registered by the citizen on the manifestations of extremist activities?*
- ✓ *Which factors do cognition (practical, theoretical) of extremist activities affect?*
- ✓ *Which factors does the elimination of functionality, organisation and management of extremist groups (organizations) affect?*

From a practical point of view, it is clear that by finding answers to these questions it is possible to systemically detect and examine the extremist activities. In the present case, it is crucial, if subjects those extremist activities perceive as assigned created systems that are characterized by the following features:

- ✓ are a complex of elements in mutual relationship (e.g. activities, entities, victims, etc.),
- ✓ at the same time are the elements of the system of higher level (crime)
- ✓ are linked with the surroundings (the purpose, objectives, etc.),
- ✓ are expressed by interactivity of elements (in the context of the structure and beyond it),
- ✓ are a model (purposely created)
- ✓ can be understood also in isolation (the theory of operational knowledge).

By acceptance of this approach to the cognition of extremist activity it is possible by the criminally-police knowledge to detect and investigate:

- a) The coherence of the system of extremist groups (*object*) that also ensures their compactness. For example, in practice it is investigated the coherence of the system of organization and management of the extremist groups. There are addressed these questions: „...*If the object acts as a compact system?*“; *How it s possible to characterize relations among its elements (power, time of origin, duration, gauge and re-creation)?*“; „...*if the system does not tend to break up?*“; *whether or not it is in the process of creating?*“; *...what is its expansion?*“ etc. Dominantly in this activity are used the analytical information.
- b) The target system behaviour (*object*) is defined by its own arrangement of the elements, their attributes and the influences of the neighbourhood. In this case, it is appropriate to note that by these factors is determined behaviour of the system. We are aware of the fact that it is optimal, which in practice may lead to a conflict with the expected behaviour of the system. Especially by applying the operational versions it is appropriate to explore the own behaviour of the system (*extremist group, individual subject of extremism*) without prejudice to the possible alternatives, which are confronted with the expected behaviour. When there is a non-compliance, it is necessary their correction in relation with the already mentioned alternatives. There are addressed these questions: “...*At what stage is carried out extremist activity? (Before committing, in the preparation, at the stage of the crime, this is an on-going*

crime, after the commission of an offence) etc. In cognition of these facts is used primarily real information.

- c) Dynamic stability and adaptation of the system (*object*), its ability to respond to circumstances that have arisen (*arise*) in a particular extremist situation. In particular, it assumes from the member of the Police Corps successfully absorb the unexpected and unforeseen effects of the surrounding, which may have a nature of extreme values. This is particularly reflected in the cognition of real information. (*“What are the factors in the time and place of execution of the extremist activity?”; What circumstances has acted in the current situation?” ; „Which properties characterize the universality and specificity of operation on the system?” „At what time interval did they act?”; „What features and how did affect the extremist activities?”, What reflections can cause?” and other. Exploring subjects (*operational-staff-participants of criminally-police knowledge processes*) under influence of surrounding (*specific situations*) are able to create new structures of the system, in their structure to transform these effects in the form of supposed system behaviour, etc. In doing so, make use of real, analytical and transfer information.*
- d) Changes that are associated with the development of the system (*criminal quantitative, time, spatial expansion capacitive properties of logistics, by changing the process can lead to strengthening the objectives to change targets or to the destruction of the system development process, its stage, the change of the economic layout of extremist groups, etc.*). Exploring these changes, the competent bodies use the parallel analytical, realistic, and transfer information.
- e) The organization and management of the system (*principles - association, grouping, ability to choose and to promote such processes in the system that lead to the fulfilment of the targets in good time, for example*). In the process of getting to know the attributes characterising a system are used in a synchronic way the transfer, analytical and real information.
- f) Protection of the system (*internal, external reliability of the elements and relations, which provide for application of on-going the extremist activities, leading to the fulfilment of the internal and especially external objectives, etc.*). Due to the nature of the measures applied in respect to system it is suitable to use transfer, real and analytical information.
- g) The effectiveness and efficiency of the system, (*why does the system reach objectives, how and what it uses, etc.*). Accepting the possible parameters of these properties of the system for cognition process, the dominant meaning have the real and analytical information.⁶

From what has been said it is clear that the criminally-police knowledge (*police action*) must represent a specific operational system. On cognition of extremism, each police body is bound to respect the targeted responsibility in the use of their delegated competences.

⁶ LISONĚ, M. *Operatívno-pátracia činnosť (všeobecná časť)*, p. 94.

Conclusion

We are fully aware that the timeliness, effectiveness and efficiency of the control of extremism are determined by the level of knowledge about this phenomenon, which have the competent authorities. In this regard, we would like to point out that the members of Police Corps are aware that in the Slovak Republic, in which are respected the principles of law, democracy, freedom and humanism, integrity of the person and its privacy is guaranteed. It can be restricted only in the cases provided for by law (*The Basic Charter of rights and freedoms, Constitution*). The nature of special-purpose implementation of processes of the criminally-police knowledge whose objects are extremist activities of concrete entities expects to break this fundamental right. This need significantly raise manifestations of social severity of extremism. For this reason, the delegated tasks and functionality of processes of criminally-police knowledge, as if all incited the legitimate interest of the police officers on the extremists.

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ANALYSIS OF PREŠOV TOWN RELATED TO THE POTENTIAL HAZARD AND ITS IMPACT

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Summary

Identification of hazards and risk assessment are critical to prevent any emergencies. Knowing the sources, causes and effects of emergencies in a given area allows consider with the different scenarios of events that are linked with measures in social, environmental and economic spheres. In this paper are presented results of the assessment of the risk of emergencies in the Prešov town. To identify the hazards, we used the document Analysis of Prešov district in the view of the possible emergencies, and for hazards and their impacts we used Google Earth environment and ALOHA system, used for identification of potentially threaten areas because of emergencies linked with dangerous substances escape.

Introduction

Identification of hazards and risk assessment are critical activities to prevent any emergencies. Knowing the sources, causes and effects of emergencies in a given area allow consider the different scenarios of events that are linked with measures in social, environmental and economic spheres. These measures concern, in particular, the prevention as well as suppression measures, thereby they also contribute to increasing of resilience and reducing of vulnerability of systems existing in that area. For the purpose of analysing the impact of emergencies, and therefore also determination of the vulnerability of the territory, we use the spatial decision support systems, which include geographical information systems and systems for modelling and simulation of emergencies course and impact.

In this paper is presented approach to the assessment of the risk of emergencies in Prešov town. To identify hazards, we used the “Analysis of Prešov district in the view of the possible emergencies” document. For mapping of hazards and their impacts, we used the Google Earth environment and ALOHA system which is used to identify the potentially threaten areas, because of emergencies linked with dangerous substances escape. Application of those systems for modelling of emergencies impact, we consider to be a way to improve the existing methods of identifying the potential areas threaten by the emergencies, which even now is based on the experience coming from the last emergency of that type, without any modelling procedure.

Involvement of geographic information systems, modelling and simulation systems in the process of analysing the vulnerability of the territory we consider, in view of the on-going climate change and extreme weather events associated with it, to be the task of key importance in the future.

1. Crisis Management and Risk Management in Slovak conditions

Crisis management is an interdisciplinary branch of science that deals with the management as purposeful human activity, and its mission is to create a management methodology with an emphasis on achievement of efficiency of activity in relation to the aim pursued, namely

human and material protection against the effects of a crisis, before and after it. But it is also a kind of activity or set of activities for managers to achieve the goal. It has coordination character, unites and manages people of different professions. Finally, the crisis management is a management activity of people who perform management functions in a specific environment that is different from the normal organisational and production environment. It is also an art to know to address the specific crisis events and to select the appropriate approaches for particular conditions and environment [1].

Crisis management could be divided to branches based on the following scheme (Figure 1).

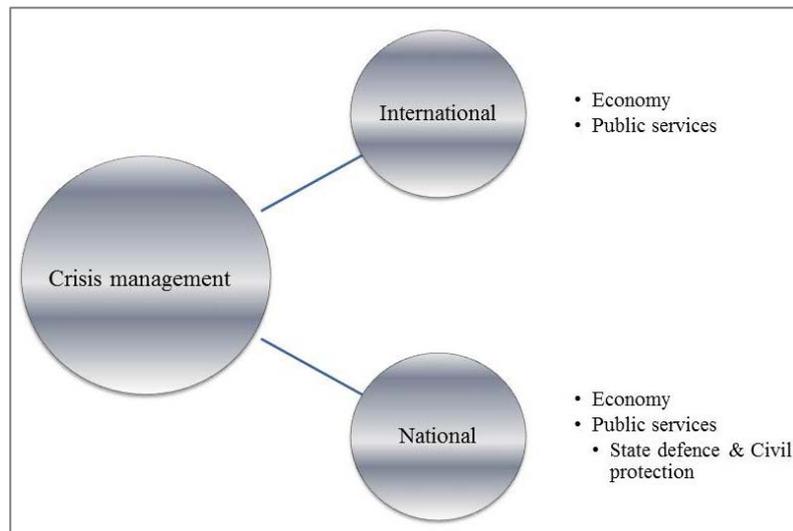


Figure 1 Classification scheme of crisis management

For us the branch oriented to the civil protection is principal.

The aims of crisis management [2]:

- To assess the risks and analyse the conditions of crisis phenomena,
- To describe the anticipated development and course of the crisis: to develop variants of the crisis (to evaluate the strengths and weaknesses of the crisis), to analyse the variations from the system point of view and in terms of participation of individual entities in crisis (to assess the negative effect of the crisis),
- To adopt appropriate solutions that would be used in case of crisis,
- To get the crisis under control and minimize damage and loss.

Risk management is a logic and systematic method of coherence specification in any activity, function or process related to the risks identification, their analysis, evaluation, reduction and running monitoring, to allow the losses to be minimized and the opportunities to be maximized [2].

The content of this analysis is the description of possible emergencies and their impacts for particular districts, primarily on the basis of extent of the threaten area coming out of previous experience, but almost completely without any modelling and simulation procedures.

In our conditions with the problem of risk management deal: [3] who deals with the risk management in industry in particular; [4] and [2] who deal with the risk management in general; [5], [6] and [7] who deal with the management of social risks.

In the world the risk management and the analysis of particular risk components is solved by many specialists: with the risk management deals [8], with the risk components analysis and risk reduction deals [9], [10], [11], [12], [13] and the other. These specialists are joined together under the Institute of Environment and Human Security (UNU-EHS), which was established in December 2003. The Institute is a system part of the United Nations University. It is represented by the worldwide network of research and training institutes. Its main role is to enhance the security of population through the approaches based on the knowledge and experiences leading to the reduction of vulnerability and environmental risks.

Among the basic risk components belong: hazard, vulnerability, exposure and resilience.

Every event or disaster begins with a hazard that could be known or unknown. There exist more ways to characterize it. It is a threat not an event. Another prerequisite of the negative event is the vulnerability, except of hazard. The vulnerability is a dynamic, hidden characteristic of any system, which is composed from several components. The extent that represents is set based on the gravity of an event. The vulnerability is also a function of system exposure and susceptibility. It is independent of any particular magnitude, of specific natural disaster, but it is dependent of the situation context. The vulnerability could not be assessed in an absolute meaning [14]. Due to the practical reasons, the vulnerability assessment is limited only to specific event scenario for what the analysis is performed. This looks like to be the appropriate way for vulnerability assessment, but the event scenario is influenced by the evaluator subjectivity many times.

The exposure could be understood as a number of people and or other elements (objects) in danger, which could be threaten by an emergency. In the unsettled areas the exposure is equal to zero. Under the term exposure, the character of an area could be understood, too. It is the next characteristics related to the system. It is called susceptibility. The susceptibility is a subset of exposure.

In real life, the uprising damage or harm does not depend only on the hazard, vulnerability and exposure, but also on the coping capacity and resilience of elements in danger. In literature, there often occur the overlaps in definitions of both terms. They are many times used as synonyms.

The coping capacity includes the strategies and measures, which are used for the mitigation of disaster impacts or they are bringing efficient help during the event. There also belong the adaptation strategies, which purpose is to change the system behaviour or performance to forestall damages.

The resilience is all mentioned above, but it is even enriched by the ability of system functionality outlast and its next total rehabilitation.

In Slovakia, the risk assessment, in relation to the occurrence of potential emergencies, is currently carried out at the level of district offices that provide the analysis for the territory of the entire district. Analysis of the territory in terms of potential emergencies is being developed based on the classification of areas according to the Regulation of the Government of the Slovak Republic on 16/12/1996 No. 25/1997 Coll. of Law on categorization of the Slovak Republic territory [15].

The Analysis of territory, in the Law of the National Council of the Slovak Republic No. 42/1994 Coll. of Law on civil protection [16], as amended, is defined as the assessment of the risk for potential emergencies, with respect to the hazards. It is elaborated in the form of a set of documents. The structure, content and scope of analysis and terms of its actualization determines the Instruction of Director General of the Crisis Management and Civil Protection

Section of the Ministry of Interior of the Slovak Republic No. 13/XXVI/12 [17], which is related to the development of the "Analysis of district territory in the view of the possible emergencies".

2. Experimental area and methodology

2.1 Experimental area

Prešov is situated in the central part of eastern Slovakia, on the eastern edge of Saris highlands and the northern edge of the Kosice basin. Geographically, the location is given by the centre of Prešov coordinates: 49 ° north latitude and 21°15 'east longitude. The altitude of the historic centre is around 255 m. The cadastral area is 7,040 ha, of which 22% is arable land, 32% forest land, 5% gardens, 10% permanent grassland and 2% water surface. Built-up areas occupy 18% and 10% land with another use. The administrative capital consists of 4 cadastral areas namely: Prešov, Solivar, Salgovik and Nižná Šebastová [18].

In terms of Regulation of the Government of the Slovak Republic no. 166/1994 Coll. of Law on categorization of the Slovak Republic, as amended in the Regulation of the Government of the Slovak Republic no. 565/2004 Coll. of Law, the Prešov district classified as the 2nd category [19].

In terms of the potential risks of emergencies within the Prešov town territory we can mention the natural disasters, where also the floods on Torysa and Sekčov water bodies, flowing through the town, belong. The last flood was registered in 2010.

As a consequence of strong rains, there also occurred the landslides in some parts of Prešov town.

In terms of seismic hazard may be noted that majority of the Prešov district area is situated in the zone of the 7th degree of the international scale MSK-64 (7th degree is a very strong earthquake that could be also felt in a moving car. Majority of people leaves the buildings, great bells ring. Scattered damage is also on the reinforced concrete buildings, in the open water surface waves are formed) [19].

Macro seismic manifestations of earthquakes have been registered in Prešov and Sabinov [18]. Over the last 900 years, the earthquakes of intensity equal to 5th degree or greater of MSK-64 scale, in the cadastre of Prešov, have not occurred. The intensity of the occurred earthquakes was low in those cases (3rd – 4th degree of MSK-64 scale) [19].

One of the categories of emergencies is the accidents. In the town of Prešov are objects handling with hazardous substances. Table 1 provides information on stationary sources of threat in Prešov, provided by the Prešov District Office.

Table 1 Stationary sources of threat in Prešov town

Object	Dangerous substance	Planned volume	Real volume	Extent of threaten area
Ice Hockey Stadium, 50 Pod kalvariou, Prešov	Ammonia	6 t	0.3 t	25 m 0.20 ha
DOMA, a.s. 34 Petrovanska, Prešov	Ammonia	10 t	Technology under reconstruction	Technology under reconstruction
VVS Kosice Interrupt chamber Dubrava, Prešov	Chlorine	0.3 t	0.1 t	305 m 29.21 ha

Information related to the particular objects [20]:

- In case of emergency at the Ice Hockey Stadium, linked with ammonia escape, there are threaten the visitors as well as the employees of the stadium. The overall number of threaten persons is 3,519 in that case (only if the stadium is fully occupied – 3,500 places),
- DOMA Company – technology of this company is under reconstruction this time. Therefore there not specified the threat zone. It will be specified by entrepreneur after the reconstruction,
- Interrupt chamber Dubrava – based on the information of entrepreneur, is fully automatized and there are realized measures that prevent emergency linked with chlorine escape.

2.2 Methodology

We have analysed the impacts of the following emergencies, which threaten citizens of Prešov town: ammonia escape accident at Doma Company and at Ice Hockey Stadium, flood and landslides.

For the identification of threat area by an accident linked with ammonia escape we applied the ALOHA system.

ALOHA (Areal Locations of Hazardous Atmospheres) is a program designed to model chemical releases for emergency responders and planners. It can estimate how a toxic cloud might disperse after a chemical release and also features several fires and explosions scenarios. It displays its estimate as a threat zone, which is an area where a hazard (such as toxicity, flammability, thermal radiation, or damaging overpressure) has exceeded a user-specified Level of Concern.

ALOHA allows to calculate how quickly chemicals are escaping from tanks, puddles (on both land and water), and gas pipelines and predict how that release rate changes over time. It allows model many release scenarios: toxic gas clouds, BLEVEs (Boiling Liquid Expanding Vapour Explosions), jet fires, vapour cloud explosions, and pool fires. Depending on the release scenario, ALOHA evaluates the corresponding type of hazard

The program generates a variety of scenario-specific outputs, including threat zone plots, threats at specific locations, and source strength graphs. The results of calculation can be exported to the KML format and this way to be visualized in Google Earth environment or to be used in geographical information systems environment.

In the modelling we considered the following scenarios:

Scenario 1: Escape of ammonia from the Ice Hockey Stadium. The accident occurred as a consequence of the technical defect on the tank, serving to store the ammonia in the technology.

Scenario 2: Escape of ammonia in the technology using the ammonia at the Doma Company. The accident occurred as a consequence of the technical defect on the pipe transporting the ammonia in the technology.

The specification of input parameters has four steps.

In the first step the specification of town, country and geographical position of the source is required (Table 2).

Table 2 Geographical position of sources

Geographical position	Ice Hockey Stadium	Doma Company
North Latitude	48° 59' 15,39"	48° 57' 21,12"
East Longitude	21° 13' 48"	21° 15' 21,15"
Altitude	243 m	261 m

In the next step we have specified the chemical data the substance we would like to calculate the threat zone. In this case it was the ammonia. Automatically, there are assigned the chemical parameters of that substance to the calculation (Figure 2).

CHEMICAL DATA:		
Chemical Name: AMMONIA	Molecular Weight: 17.03 g/mol	
AEGL-1 (60 min): 30 ppm	AEGL-2 (60 min): 160 ppm	AEGL-3 (60 min): 1100 ppm
IDLH: 300 ppm	LEL: 160000 ppm	UEL: 250000 ppm
Ambient Boiling Point: -34.0° C		
Vapor Pressure at Ambient Temperature: greater than 1 atm		
Ambient Saturation Concentration: 1,000,000 ppm or 100.0%		

Figure 2 Chemical parameters of ammonia

AEGL values represent [20]:

AEGL-1 is the airborne concentration (expressed as ppm or mg/m³) of a substance above which it is predicted that the general population, including susceptible individuals, could experience notable discomfort, irritation, or certain asymptomatic non-sensory effects. However, the effects are not disabling and are transient and reversible upon cessation of exposure [20],

AEGL-2 is the airborne concentration (expressed as ppm or mg/m³) of a substance above which it is predicted that the general population, including susceptible individuals, could experience irreversible or other serious, long-lasting adverse health effects or an impaired ability to escape [20],

AEGL-3 is the airborne concentration, expressed as parts per million (ppm) or milligrams per cubic meter (mg/m³), of a substance above which it is predicted that the general population, including susceptible individuals, could experience life-threatening health effects or death [20].

Then, in the third step the information about weather during the accident are required to set. The parameters were set as it is illustrated in Figure 3 for both scenarios.

```
ATMOSPHERIC DATA: (MANUAL INPUT OF DATA)
Wind: 6 meters/second from NW at 3 meters
Ground Roughness: urban or forest
Air Temperature: 12° C
No Inversion Height
Cloud Cover: 5 tenths
Stability Class: D
Relative Humidity: 50%
```

Figure 3 Weather parameters to calculate the threat zone for scenario 1

As the last step, there must be specified the information on the source strength. In an ALOHA scenario, the source is the vessel or pool from which a hazardous chemical is released. The source strength is the rate at which the chemical enters the atmosphere or the burn rate, depending on the scenario. A chemical may escape very quickly (so that source strength is high), as when a pressurized container is ruptured, or more slowly over a longer period of time (so that source strength is low), as when a puddle evaporates.

ALOHA can model four types of sources:

- Direct: chemical release directly into the atmosphere (using user-determined rate/amount and bypassing ALOHA's source calculations)
- Puddle: chemical has formed a liquid pool
- Tank: chemical is escaping from a storage tank
- Gas Pipeline: chemical is escaping from a ruptured gas pipeline

The parameters, we set for both scenarios, are illustrated on Figures 4 and 5.

```
SOURCE STRENGTH:
Direct Source: 0.3 tons
Release Duration: 1 minute
Release Rate: 10 pounds/sec
Total Amount Released: 600 pounds
Note: This chemical may flash boil and/or result in two phase flow.
Use both dispersion modules to investigate its potential behavior.
Source Height: 0
```

Figure 5 Source strength parameters to calculate the threat zone for scenario 1

```
SOURCE STRENGTH:
Direct Source: 5 tons
Release Duration: 1 minute
Release Rate: 75.6 kilograms/sec
Total Amount Released: 4,536 kilograms
Note: This chemical may flash boil and/or result in two phase flow.
Use both dispersion modules to investigate its potential behavior.
Source Height: 2 meters
```

Figure 6 Source strength parameters to calculate the threat zone for scenario 1

For identification of the threat areas in relation to flood and landslides we used the documentation of the Prešov District Office, describing the last flood and landslides which occurred in 2010. To visualize and calculate the extent of those areas we applied the Google Earth environment.

3. Results and Discussion

3.1 Results of threat zone identification in ALOHA

When choosing a computer program that models the release of hazardous substances, we followed the Annex no. 1 of the Directive of the Ministry of Interior of the Slovak Republic no. 533/2006 Coll. of Law on details of the civil protection against the effects of hazardous substances [21], in which the parameters of the evaluation program designed to model the threaten area, arising from leakage of hazardous chemical substances, are specified. ALOHA program meets these parameters.

Scenario 1 results: In this case, we have come to different conclusions as set out in the document Analysis of district in the view of the possible emergencies.

In Figure 7, there is illustrated the map, displaying the extent of the threaten area in case of accident linked with the ammonia escape at the Ice Hockey Stadium. In Google Earth environment is also possible to identify the streets and buildings that should be evacuated when it is required.

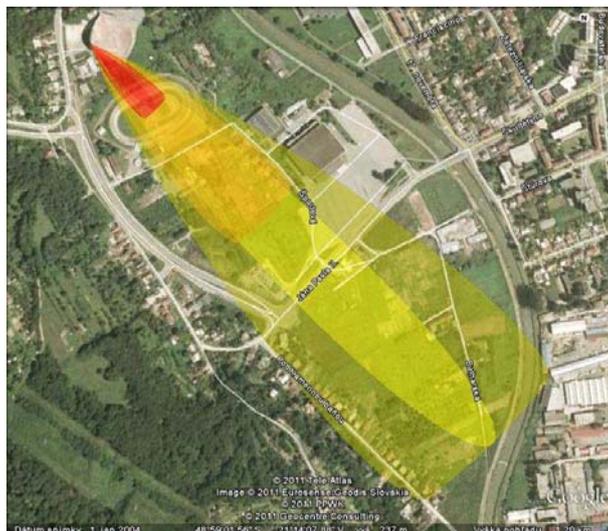


Figure 7 Result of threat zone modelling for scenario 1

We consider important to restate that our situation is modelled for specific weather conditions and wind speed $6 \text{ m}\cdot\text{s}^{-1}$, north-westerly direction. These parameters could be change anytime to run new analysis and to achieve actual results. In our case we have achieved the following results:

- AEGL – 3 (60 min) = $1\ 100 \text{ ppm}/824,8 \text{ mg}\cdot\text{m}^{-3}$ (red colour) → in axis the distance of 166 m, the extent of the direct threat zone is $2,744 \text{ m}^2$, and safety zone of $6,645 \text{ m}^2$,
- AEGL – 2 (60 min) = $160 \text{ ppm}/120 \text{ mg}\cdot\text{m}^{-3}$ (orange colour) → in axis the distance of 447 m, the extent of the direct threat zone is $19,540 \text{ m}^2$, and safety zone of $48,472 \text{ m}^2$,
- AEGL – 1 (60 min) = $30 \text{ ppm}/22,5 \text{ mg}\cdot\text{m}^{-3}$ (yellow colour) → in axis the distance of 1,032 m, the extent of the direct threat zone is $105,598 \text{ m}^2$, and safety zone of $259,320 \text{ m}^2$.

The direct threat zone, with concentration of 1100 ppm, impacts only the cycling stadium. The direct threat zone with concentration of 160 ppm impact also the family houses in Sportova Street and the safety zone impacts even the City Sports Hall. The direct threat zone with concentration of 30 ppm impacts also the Bulharska Street, where also a fuel station is situated,. The safety zone with concentration of 30 ppm impacts the Pod kamennou banou Street, where family houses are situated.

According to achieved results we came to the conflict with the “Analysis” document, which states the area of the threat zone to 0.20 hectares and its extent in axis to 25 m. Even, the authors of the Analysis” document do not mention the way and conditions under which the analysis have been done. The conflict we identified also in the Evacuation Plan, provided by the Prešov Municipal Office. According to the information from the District Office and the Municipal Office, as vulnerable people, there are considered visitors to the Ice Hockey Stadium as well as its employees, for a total of 3519 people. This information brings us to another contradiction, since according to the official site of the Ice Hockey Stadium the maximum number of visitors is set to 5500. The Evacuation Plan includes specific evacuation procedures - leading people away from the threaten area, warning the local population and closing the danger area in the threaten area.

Results for the scenario 2 are introduced on Figure 8.



Figure 8 Result of threat zone modelling for scenario 2

As it could be seen on Figure 8, in the safety zone as well as in the direct threat zone for AEGl – 3 are situated: the area of DOMA Company, section of international road E50. In the safety zone with concentration of 160 ppm are also situated the stores of another food company. The safety zone with concentration of 30 ppm impacts also the built-up area of Zaborske village. The necessity to evacuate people living or working in the threaten areas also depends on the concentration of the escaping substance.

In case of DOMA Company we modelled an accident where 5 tons of ammonia is continuously escaping from the gas pipeline. The volume we modelled represents only a half of the overall volume that is used in the technology. We considered this volume because the company reconstruct the technology and therefore there not any accurate information on volume of ammonia they use this time. Because the production was not stopped, there exists a real presumption that the company still use and store ammonia in the technology. However

this fact is mentioned neither in the actual version of the “Analysis” document nor in Evacuation Plan of the Prešov district.

In the calculation we achieved the following results:

- AEGL - 3 (60 min) = 1 100 ppm (red colour) → in axis the distance of 709 m, the extent of the direct threat zone is 47,745 m², and safety zone of 120,240 m²,
- AEGL - 2 (60 min) = 160 ppm (orange colour) → in axis the distance of 1,641 m, the extent of the direct threat zone is 280,570 m², and safety zone of 671,420 m²,
- AEGL - 1 (60 min) = 30 ppm (yellow colour) → in axis the distance of 3,078 m, the extent of the direct threat zone is 998,596 m², and safety zone of 2,368,700 m².

3.2 Results of flood threat zone identification in Google Earth

As a result we created a map in Google Earth, showing the flood affected area of Prešov town in 2010. This flood affected also the town parts which were never flooded before. However, there are included also parts that are flooded regularly: road underpass under the railroad bridge on the Jilemnickeho Street that even by not strong rain is flooded.

In Figure 9 are shown the floodplain areas, drawn based on the data introduced in the Flood summary report elaborated by the Prešov Municipality Office. For better orientation we have marked selected objects. Number one represents the crossroad near ZVL, which is important because of its position. Number 2 represents the area of former Solivar Company. Number 3 represents the mentioned road underpass under the railroad bridge on the Jilemnickeho Street. Number 4 is the Jan Pavol II. Street and number 5 marks the Pod kamennou banou Street.



Figure 9 Flood affected areas in Prešov town

3.3 Results of landslides threat zone identification in Google Earth

With the help of Google Earth, we produced map of landslide and undermined areas inside the Prešov town.

In Figure 10, there are drawn the landslides (yellow colour) and undermined (red colour) areas. The most dangerous area due to the landslides is represented in the upper part of the image. It impacts the built-up area of Salgovik, formed by family houses in particular. But

also the blocks of flats in Sekcov housing estate, situated near this area, could be impacted: Karpatska Street, Dumbierska Street, Sibirska Street, Hapakova Street, Tekelova Street..

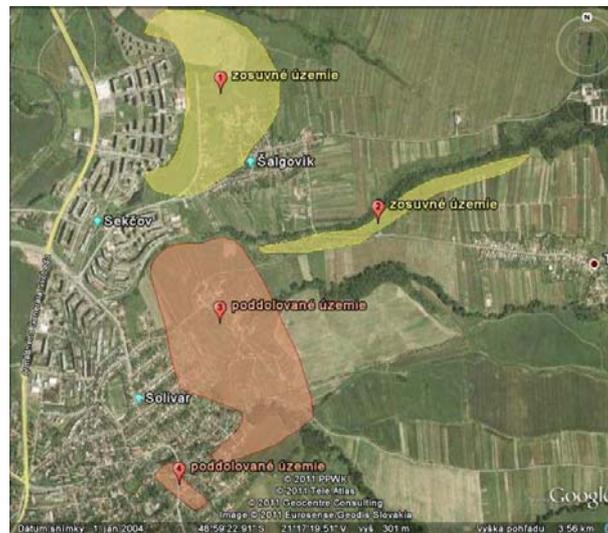


Figure 10 Landslides affected areas in Prešov town

The largest concentration of landslides is in the Za kalvariou part, where the Horarska Street is situated. The landslide areas are occupied with the single-family houses and areas used for recreation (gardens). In general, also the local roads of less importance are at risk.

The positive information is that after the landslide in June 2010, the Office of the Chief Architect of Prešov town draft a change in the zoning plan of the town where area in the neighbourhood of the Pod Wilec horkou and Horarska Street has been excluded from the residential areas and was classified as a recreational area. This means that Prešov town accomplished the task to implement a measure to change the zoning plan based on the recommendations in the final report of the geological survey. The next task is to adapt the management of municipal forest situated in the hazardous areas and this way to reduce the vulnerability of communities living there as well as environment.

4. Conclusions

In the article we deal with the problem of emergencies occurrence in Prešov town. As a background we used the document called “Analysis of Prešov district in the view of the possible emergencies”, which provides the Prešov District Office.

The flood belongs among the most often occurring emergencies in the town. It is because of meeting of Torysa and Sekcov water bodies. Commonly, there are threatened the same parts of the town by flooding. The town has elaborated Plan of Evacuation and Flood plan of Rescue Works, which are controlled and realized by the municipality. But those documents are not updated.

In 2010, there occurred a landslide as a consequence of strong rain and flood on the area of Prešov town. In the article we introduce the map of geologically non-stable areas and describe the impacts of landslides to citizens of Prešov town.

Modelling and assessment of dangerous substances escape from the stationary sources situated in Prešov town we performed applying the computer based programs ALOHA and Google Earth. The results pointed the fact that the threat zones could differ from those introduced in the document "Analysis". One reason of this fact could be the missing information on the way of those zones determination. Another reason for that could be the difference in input data to calculation, because we had included also information on actual weather to the modelling.

After determining the actual condition of companies in which the operations are provided with the hazardous substances, we found that also documentation of crisis management is not updated. We have consulted the identified deficiencies with the responsible workers, which led to the modification of the relevant documentation at Prešov District Office.

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ECOLOGICAL SUBSTANCES INTENDED FOR CAPTURING LEAKED DANGEROUS SUBSTANCES FROM SOLID SURFACES

Iveta MARKOVÁ - Jozef LAUKO

Summary

Ecologic systems used as substances of the first intervention in the industrial and ecological disasters play an important role in the firefighting intervention. Mentioned systems are inseparable tool for solving of crisis situations when dangerous substance leaks to the environment. Present market offers wide range of ecological substances, mostly adsorption systems (sorption systems in the fire fighting terminology). This article refers information related to materials suitable for the use in the case of leak of dangerous substances on the water surface. The question is the quality of the substance, system of the application and the possibilities of its disposal after the intervention.

Introduction

Topic of ecological substances remains still up-to-date what proved official statistic data of the Ministry of Interior of the Slovak Republic, Presidium of the Fire and Rescue Corps [1]. Increased attention to crisis situation solving at substance leakage into environment is essential assumption for protection of environment and for averting ecological accident origin.

Any accident causing leakage of oil dangerous substance into working or natural environment is harmful unwanted action. Mentioned dangerous substances may even in negligible quantities threaten people's or animals' health and burden environment in long-term period [2]. Košík [2] states: 1 dm³ of oil substance (petrol, paraffin oil, or diesel fuel) can devalue up to 10 thousands m³ of water. Quantity of 0.1 ppm of oil substance in water significantly affects water taste and smell and such contaminated water is not suitable for drinking purposes. At traffic accidents, damage of fuel tanks and of other propellant tanks often occurs and leads to oil and chemical accidents with consequent soil and water pollution. These substances can spread from several metres up to several kilometres. Movement of these substances significantly depends on hydrogeological conditions and underground water regimes.

Brigades of the Fire and Rescue Corps or challenged Integrated Rescue Corps Services have to be prepared for such situations and be equipped with relevant equipment in satisfying amount and corresponding quality for liquidation thereof.

The article lists characteristics of materials – ecological tools suitable for capturing leaking dangerous substance in case of mentioned crisis situation. In an introduction, the principle of capturing leaking substance by ecological substances – sorbents is explained, and consequently, types of mentioned sorbent materials currently used at dangerous substance leaking on solid surface are presented.

1. Principle of capturing leaked dangerous substance

Mechanism of adsorbent action on various components of separated mixture, in our case on dangerous substance on water surface, is complicated. Taking into account forces acting at adsorption phenomenon, two types of adsorption can be distinguished – the physical one and the chemical one. The physical sorption is connected with surface effects at phase boundary.

It is depended on free surface energy that originates on boundary of sorbent solid particles and leaked substance. It is proved by concentration decreasing of leaked substance molecules at the sorbent surface and capturing thereof in the sorbent centre. The chemical sorption is connected with capturing of mentioned molecules in the sorbent. Dangerous substance capturing, in mostly cases oil pollution takes place, occurs through several processes that are running at the same time. These processes cannot be judged separately. Mostly occur soaking into pores of material grains and soaking into pores among grains. The most effective capturing is adsorptive one because it results from stronger bonding between molecules of captured and capturing substances. When assuming that adsorption does not exceed several molecules layer or takes place only in a one-molecule layer (Figure 1), only limited amount of liquid can be captured on the solid substance surface. The liquid amount can be increased by solid particles surface increasing that can be done only in a limited range. Due to capillary forces soaking into grain pores takes place. This process continuously connects to capillary condensation that is in principle a phenomenon between adsorption and absorptivity.

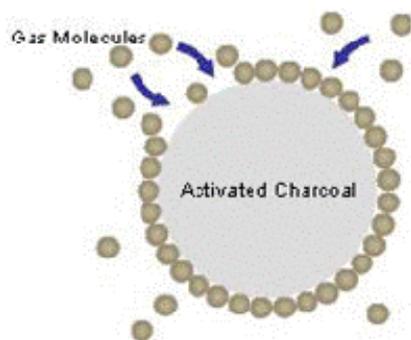


Fig. 1: An example of physical sorption on solid adsorbent surface in a one-molecular layer (a) [3,4].

The essential difference consists in a fact that capillary condensation fills up deep pores from the narrowest profile; it means that it fills up them often from back side. The absorptivity into pores takes place from outside and its degree depends on ventilation possibility. The absorption into pores among grains is mostly capturing into powdery substance. Grains are not diffused; they only touch each other. The liquid at first penetrates into gaps among grains and having moisture grain surface is drawn in into intergranular space by capillary forces; this process continues by moisture pore walls inside individual grains and liquid penetration into these pores. During these processes the outside and inner grain surfaces are covered by the liquid and the liquid (leaked substance) adsorption on the solid substance active surface takes place (Figure 2).

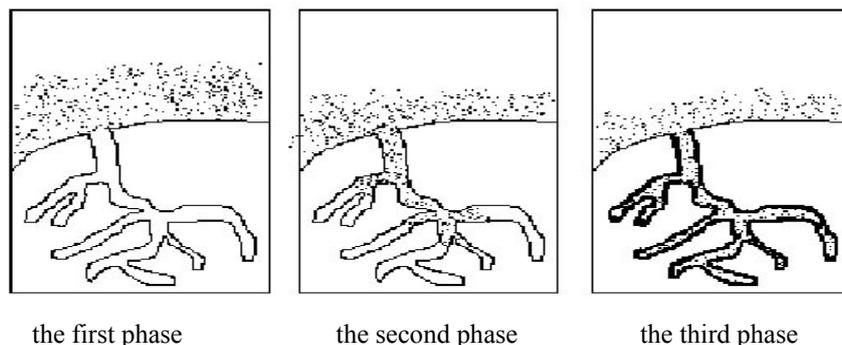


Fig. 2: The simplified scheme of adsorption mechanism on the adsorbent surface [5].

Description of the scheme is following:

- the first phase – diffusion of leaked substance molecules on the outer adsorbent surface;
- the second phase - molecule migration through adsorbent pores into adsorbent structure;
- the third phase – capturing and fixing captured substance molecules on the adsorbent surface and in individual adsorbent layers

Solid substances have an ability to adsorb liquid or gas components of solutions on their surfaces. The opposite process is desorption. Desorption in a separative technology is connected in a block with the separation operation. It follows when sorbent is regenerating by absorptive insulation. The sorption is used to concentration increasing at the phase boundary for substance insulation, division or cleaning up, respectively. Ralph T. Jang [6] refers to molecular principle of sorption (Figure 3) that contains also a system of mathematical calculation models for sorbed substance amount.

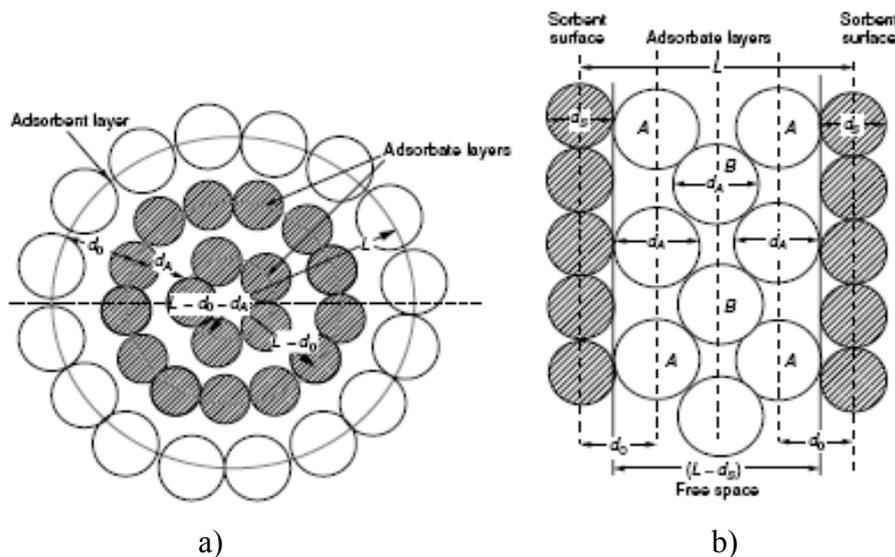


Fig. 3: Principle of the molecular sorption: a) chemical and b) physical [7].

2. Adsorptive substances (sorbents)

Adsorbents are solid substances used for separation constituents from fluid mixtures (liquid and gases). They are divided on natural and synthetic ones according to their origin.

Natural adsorbents (wood sawdust particles, peat, sand, powdered sulphur, coal dust and others) have usually a small absorption capacity and are suitable at small interventions only. They are often available on the accident site but due their small absorption capacity mostly for oil substances pollution, and demanding ecological degradation they are little by little omitted and during responses synthetically prepared adsorption substances are preferred [8].

The specific group of natural sorbents is represented by substances treated into a hydrophobic form (e.g. by the Aluminium Stearate, silicones). The treatment mentioned leads to increased

absorptivity for liquids different than water. Another significant effect is a practical non-releasing of captured oils when a secondary contact of saturated sorbent substance with water occurs what takes place very often in a terrain.

Synthetic adsorption substances that originally were not prepared to be used as oil adsorbents are ash, coconut dust, etc. They are purposefully produced as adsorbents for hydrocarbon pollution. The largest group is represented by so-called intumescent perlites known as expanded perlites. This material has an ability to soak liquids into its pores. Adsorbents for hydrocarbons pollutions have specifically treated surface (hydrophobic and oil substances-phylic) [9].

Sorbents as substances intended for disposal of oil products and leakages of various reasons are prepared on several bases [10]:

- ◆ Substances prepared on peat base (antipestols);
- ◆ Substances binding oil on wood powder base (similar properties as peat);
- ◆ Substances on volcanic glass base (expanded perlite);
- ◆ Substances on synthetic plastic and synthetic rubber base (hydrophobic foaming flecks);
- ◆ Substances on gel base (dissolve oil products on liquid surface while creating gels).

In firefighting practice we meet adsorption substances in powder form and in non-woven textile form.

Powdered form adsorbents are solid phase substances of different chemical composition. They are treated in such way to have the biggest surface suitable mostly for removing thin liquid layers spread on a large area. Powdered form adsorbents on volcanic glass base due to their low specific mass of 1 dm^3 are absolutely unsuitable for intervention response because of their dustiness. Increased dustiness of these substances complicates activity of responding units and negatively affects on both injured persons and non-involved ones. Due to particles blown off, adsorbent consumption increases, too. While used, pollution (covering with dust) of environment occurs [11]. Substances prepared on peat base have very favourable effects on environment due to their biodegradation; it means that they decompose on harmless substances after certain period. The disadvantage of mentioned powdered form adsorbents on peat base is their price that is 10 up to 15 times higher than of synthetic sorbents.

For application on solid surfaces are the most suitable sorbents on Silicon Dioxide (SiO_2) base that adhere to the surface very well are not blown up by air flow (downwind) as is seen for adsorption substances known under the PERLIT mark.

Textile adsorbents act on principle of spilled liquid adhesion to the adsorbent surface. They are made from healthy harmless polypropylene in microfiber form and soak liquid in amounts that are multiples of their mass. Textile materials adsorb organic substances, mostly oil substances and oil products.

When evaluating their properties, focus is laid on “sorption efficiency” where probably is understood a level (capacity) of a substance to soak or absorb oil product or another undesirable substance: Evaluation of sorption efficiency on selected specimens was studied by Zachar [11]. In the reference source [12] is stated that sorption efficiency of textile sorbents reaches up to 15-multiple of their own mass. Specific mass is approximately 900 kg.m^{-3} up to 920 kg.m^{-3} [13]. Attention is focused on sorbents with easily handling, that have single form and as the lowest mass as possible. Textile sorbents are produced in carpet and matting forms, sorptive snakes, sorptive cushions, sorptive floating booms, sorptive detritus,

sorptive rolls and sealing, and sorptive sweeps. They are ideal for use on water flows because they float on water surface are hydrophobic, are easily handled applied on water surface and very easy are picked up from water surface. On contrary to powder sorbents, while handling one does not need any ladle but can be easily caught by hand and pulled out the water surface.

Surface where sorbents will be applied is very important factor for using sorbents.

Surfaces can be principally divided into two categories:

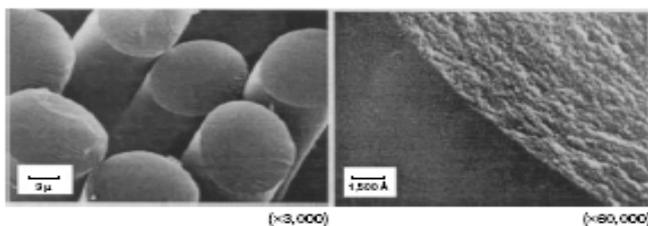
- Solid surfaces, further classified in permeable (soil, sands with various grain size) and impermeable (asphalt, concrete without pores)
- Water surfaces that can be principally divided into surface water and underground water.
- Surface water can be in our geographic latitudes divided into stagnant water (backwater) and running water.
- For running water, flow rate in m/s as well as the water flow width is very important parameters.

Increased flow rate together with increased flow width causes higher demands for ecological accident suppressing; and flow rate above 1 m/s and river width above 100 meters are limits for possibility to suppress an accident.

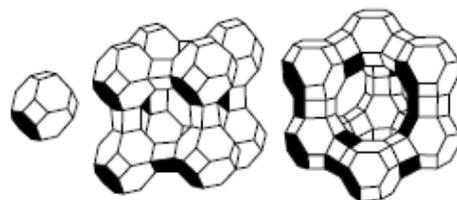
3. Composition of sorptive materials

As regards chemical composition of sorptive substances, they can be divided into inorganic ones (e.g. vapex, perlite, etc.) and organic substances (various sorptive detritus on a cellulose base). As regards material composition, besides original natural cellulose and carbon materials, nowadays highlighted are materials on other bases [6]:

♦ carbon fibres	(Fig. 4a)
♦ silicates (silicon fibres)	$\begin{array}{c} & & \\ -\text{Si} & -\text{O}- & \text{Si}- \\ & & \end{array}$
♦ zeolites	
♦ active Aluminium fibres	$xR \cdot \text{Al}_2\text{O}_3 \cdot 1.0 \pm 0.2\text{P}_2\text{O}_5 \cdot y\text{H}_2\text{O}$
♦ Silica gels	(Fig. 4b)



a) Example of carbon fibres – shots from electron microscope of active carbon fibres ACF, “Kynol”



b) Example of zeolites

activated by phenolic resins Kuraray Chemical Co., Ltd., Japan [6],

Fig. 4: Chemical structure of sorptive substances

4. Practical use of adsorptive materials

The suitability of sorbent use at intervention response depends prevalingly on following factors [15]:

- Type of oil hydrocarbons
- Accident site – closed vs. open spaces, terrain
- Pollution degree
- Class of ignitability and explosivity of spilled liquids
- Possibility for access of firefighter units to the accident site

The most frequent use of sorptive substances is [14]:

- In terrain – roads, concrete areas, fields
- Water surface – stagnant water or running water
- Water management wells with high diameter

Area contaminated by oil hydrocarbons is covered with sorbents either manually or mechanically [16].

Lauko [14] evaluates sorbents as a substances for sorption all liquid types except aggressive chemicals. They are used everywhere where operational leakages of oil or water based liquids take place. The typical use of sorbents is at every accidental leakage of non-aggressive liquids – fuels, oils, solutions, cooling liquids, weak acids and weak hydroxides.

Oil sorbents are those intended for oil sorption and other oil based substances only. Properties thereof determine their use in cases when is necessary to separate oil substances from other liquids. They float on water surface and capture only oil substances. They are used at every accidental or operational leakage of oil substances.

The most suitable substance for rapid and safe elimination of chemicals leakage including heavy aggressive substances are chemical sorbents used for acids and hydroxides capturing.

Conclusion

Ecological substances serve for elimination of the primary pollution of environment, mostly by oil based substances. It is necessary to realize that at accidents only a certain part of oil substances and oil based products is removed. Underground water as well as rock environment is contaminated in a consequence of large accidents or leakages of oil substances. Remedy of these pollutions is provided by specialized companies as well as by Fire and Rescue Corps members. Incorrect, non-professional and especially late response intervention in case of dangerous substance leakage onto water surface can have unfavourable impact on environment. Suitability of ecological product and its proper well-founded application is the first assumption for effective elimination of dangerous chemical substance or preparation effects.

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FIRE HAZARD EVALUATION OF DUST AT HISTORICAL ROOF FRAMES STERILIZATION BY HOT AIR

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Marián DRIENOVSKÝ

Summary

Submitted article deals with hazard evaluation of fire origin during historical roof frames sterilization by hot air. Hazard evaluation of fire origin is focused mostly on dusty material forms that can be found in historical roof frames. Thermal resistance of selected six dust samples were assessed on thermogravimetric analysis base. From thermogravimetric analysis results follows that resistant residuum of all assessed materials represents more than 95 % at 170 °C temperature. Based on comparison with hot air maximal temperature (120 °C), it can be stated that assessed materials are resistant against thermal decomposition and initiation under hot air sterilization conditions. The temperature 170 °C was chosen due to create sufficient safety reserve.

Keywords:

Historic roof frame sterilization; sterilization by hot air; risk of fire origin; thermal resistance of dust; thermogravimetric analysis; safety and health protection at work

Introduction

Thermal sterilization of historic roof frames by hot air is highly effective, reliable, non-destructive, fast, safe, and relatively financial non-demanding method for disposal of wood-destroying old-house borer insect e.g. house longhorn beetle (*Hylotrupes bajulus*), furniture woodworm beetle (*Amonium punctatum*), death watch beetle (*Xestobium rufovillosum*), etc.

At every wood roof frame sterilization is necessary to judge risk of fire origin with purpose to prevent any fire origin. Risk analysis of fire origin can be done by comparing temperatures reached during sterilization and critical material temperatures located in a sterilized area.

Critical temperature of protein coagulation (condensation by heat) of wood-destroying insect is 55 °C. To achieve 100 % effect, all attacked wood construction elements have to be heated to this critical temperature in all their volume at least for 1 hour duration. Overheating of overran wood construction is reached by regulated hot air penetrating with 120 °C temperature for several hours [5]. For comparison according to Balog a Kvarčák [1], flash point of spruce wood is (350 up to 360) °C, ignition temperature is (390 up to 400) °C, and smouldering temperature (280 up to 290) °C. Flash point, according to STN ISO 871:2010, is defined as a minimal temperature of air flowing around the specimen when the specimen ignites under prescribed test conditions by auxiliary (flame) initiating source. Ignition temperature is defined as a minimal temperature of air flowing around the specimen when the specimen ignites under prescribed test conditions without any auxiliary (flame) initiating source. Flash point as well as ignition temperature is determined under conditions accurately defined in the STN ISO 871:2010 standard. Mentioned temperatures but under none circumstances can be considered as a upper safe limit for material use because thermal degradation of organic polymers occurs at temperatures significantly lower than flashpoint or ignition temperature. Besides this, flash point and ignition temperature of wood depend on its

density, moisture, surface finishing, geometry, and used fire retardants. Except all this, conditions during thermal sterilization by hot air are diametrically different from those at flash point test or ignition temperature test according to the cited STN standard (especially as regards time exposure). Higher evidence value has the smouldering temperature which is defined as a minimal temperature when thermal decomposition of sample takes place under rapid releasing of gaseous decomposition products but neither on this definition, can no conclusion relating to safe temperature for material use be deduced. Maximal safe temperature for wooden material use can be extrapolated on its chemical composition description and on thermal resistance of its components only.

Wood consists from **main (macromolecular) components**: *cellulose*, *hemicellulose* and *lignin* (they represent approximately 90 % up to 97 % weight of wood mass and **accompanying (low molecular) components** representing (3 up to 10) % weight of wood mass. According to Dzurenda [4] thermally most labile wood components are hemicelluloses and accompanying substances; relatively more stable is cellulose and the most stable is lignin. According to Bourgois et al. [2], thermal decay of hemicelluloses occurs in the temperature range (170 up to 240) °C; that of cellulose at temperatures between (250 up to 350) °C and of lignin in the temperature range (300 up to 400) °C. Thermal decomposition of accompanying components takes place in temperature range (200 up to 260) °C, according to Dzurenda [4].

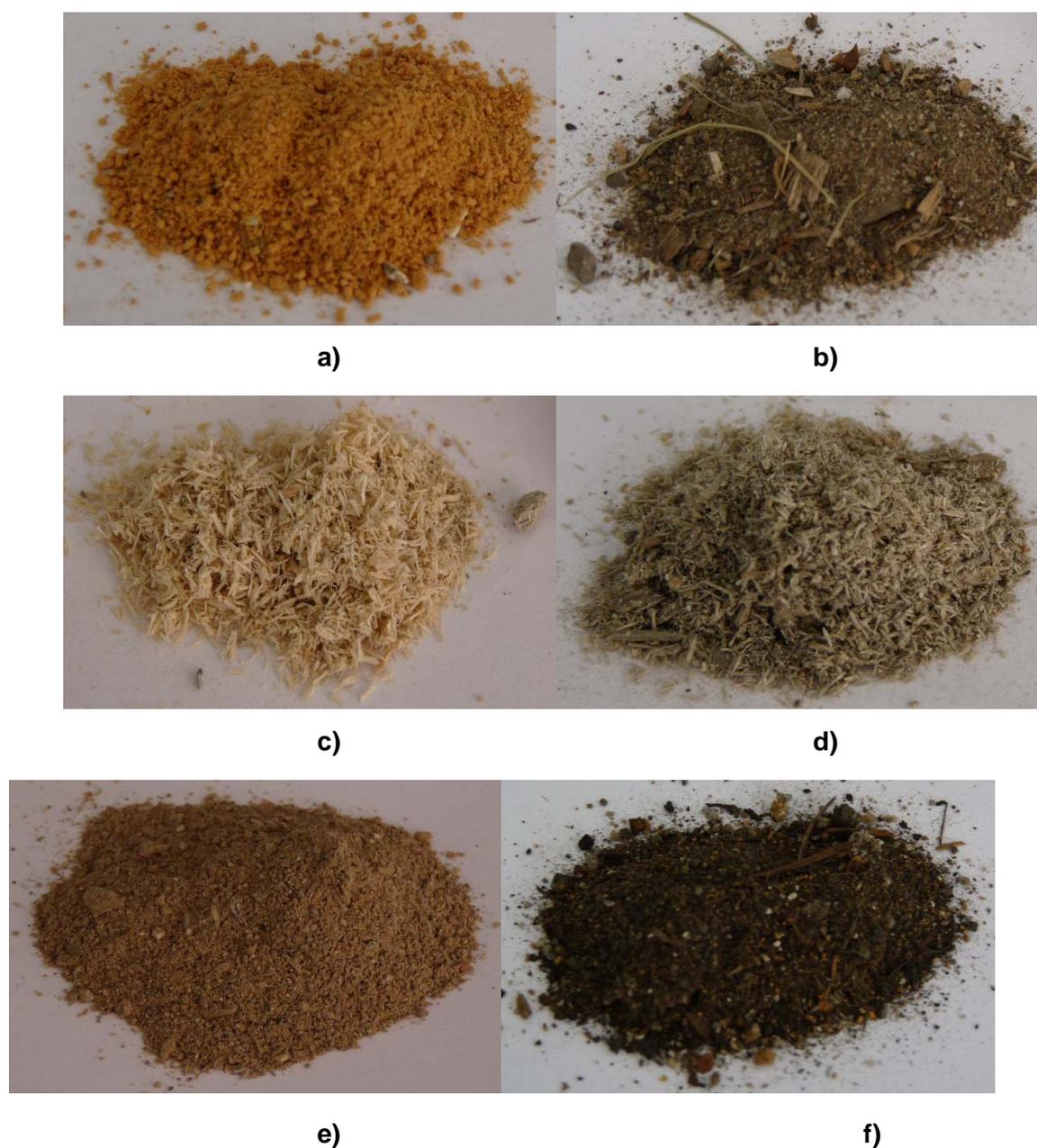
Based on comparison of air temperature during sterilization of wooden historic roof frames and intervals of thermal degradation of wood main and accompanying components, it is possible to state that at sterilization by 120 °C hot air (even also at short-term accidental exceeding up to 160 °C value) there is no risk of thermal decomposition and initiation of compact wooden materials. This conclusion is valid for hot air sterilization of wood conditions and cannot be generalized because at 120 °C temperature exposition for very long term (several years) significant changers of wooden material properties could happen that under certain circumstances (mostly at configuration enabling heat accumulation) would result to thermal spontaneous ignition of wood.

Wood of the sterilized historical roof frames does not represent risk of fire origin at 120 °C hot air sterilization. But besides the wood in frame it is necessary to assess other flammable materials that are located in a sterilized area. For fire origin risk assessment, special care shall be focused on materials in dusty form that can be found in historical roof frames in an increased extent. Damec et al. [3] defines dust as particles having two dimensions less than 0.5 mm.

To assess thermal stability of dust under hot air sterilization is possible to use several methods. One of the most exact is thermogravimetric analysis that is essential and most used thermal analysis method. The thermogravimetric analysis is based on measurement of studied sample mass depending on temperature. Significant mass decline or high immediate mass loss rate of organic polymers (at temperatures above 150 °C) is in most cases connected with thermal decomposition thereof. Mass loss of lignocellulose materials in the temperature range between 100 °C up to 150 °C is connected prevailingly with dehydration. Mass loss rate at dehydration of very moisture lignocellulose materials (recently cut wood) can be relatively high. But dehydration can be connected also with thermal decomposition of material (e.g. releasing of chemically bound water from the wood).

1. Material and methodology

Possibility of initiation and thermal decomposition of dust during 120 °C hot air sterilization of historical roof frames was assessed on thermogravimetric analysis of studied dusts. Totally six dust samples provided by the Thermo Sanace s.r.o. Company were subject of analysis. The samples were marked as „Frýdlant č.p. 127 dům (Frýdlant No. 127 house); Frýdlant č.p. 127 stodola (Frýdlant No. 127 barn – floor); Rychvald severné krídlo (Rychvald the north wing); Rychvald južné krídlo (Rychvald the south wing); Rychvald západné krídlo (Rychvald the west wing); and Štramperk č.p. 99 (Štamperk No. 99)“. Samples are shown on the Figure 1.



a) Frýdlant No. 127 dům (house); b) Frýdlant No. 127 stodola (barn – floor);
c) Rychvald – severné krídlo (the north wing); d) Rychvald južné krídlo (the south wing);
e) Rychvald západné krídlo (the west wing); f) Štramperk No. 99

Fig. 1 Photos of analyzed dust samples

Thermogravimetric analysis was carried out in an air atmosphere with 80 ml/min air flow and heating rate 10 °C/min. Analysis temperature interval was between 30 °C up to 600 °C. The specimen mass before analysis was from (2 up to 2.5) mg.

Thermal stability at hot air sterilization was assessed on basis of resistant residual of studied dust at the temperature 170 °C (the temperature by 40 °C, respectively 30 % higher when compared with maximal temperature of the hot air). The safe reserve was chosen due to taking into account two facts. The first one was that temperature up to 120 °C may remain and have effect in the sterilization space for several hours but, on the other hand, under thermogravimetric analysis conditions, the temperature between 100 °C up to 120 °C occurs and has effect only for two minutes. Besides this, to maintain high safety level within risk analysis of fire origin it is necessary to take into account also certain forecasted non-standard conditions that can cause short- term impact of temperature higher than maximal stated 120 °C. Due to fact that at historical roof frames mostly dried dust presence can be expected (with absolute moisture approximately units of %), a resistant residual 95 % of mass at 170 °C temperature exposure was chosen as a lower safety limit. It means, dust that proved resistant residual minimally 95 % at thermogravimetric analysis can be considered as a thermally resistant during 120 °C hot air sterilization.

2. Results and evaluation

Thermogravimetric records of studied dusts are shown in Figures 2 up to 7.

Thermogravimetric record of dust marked “Frýdlant č.p. 127 dům“ is shown in Figure 2. Temperature dependence of studied sample mass proves course typical for lignin-cellulose materials. Resistant residual at 170 °C temperature was 96,85 %, thus this studied dust can be resistant against thermal decomposition during hot air sterilization.

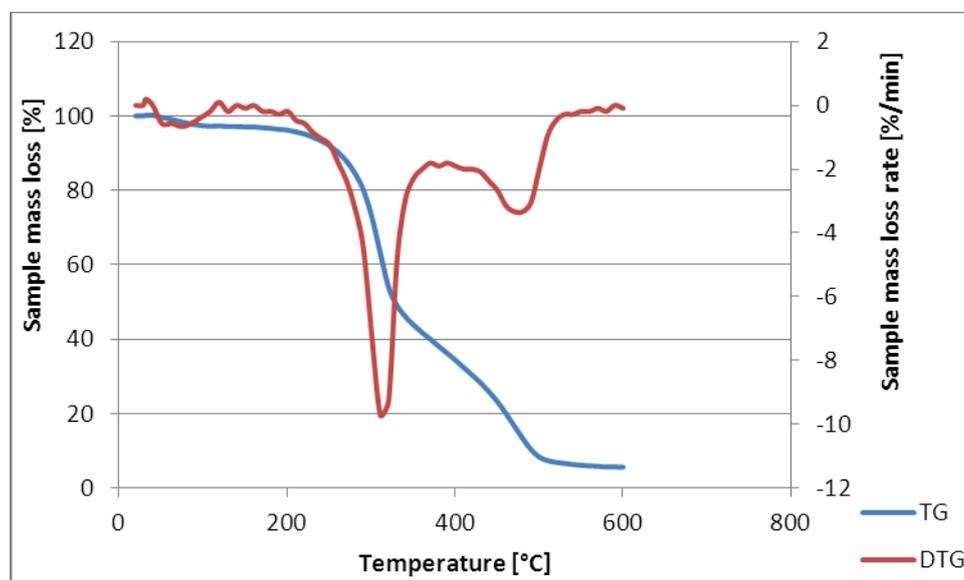


Fig. 2: TG and DTG record of the sample “Frýdlant č.p. 127 dům”

Thermal dependence of the sample „Frýdlant č.p. 127 stodola“ mass is shown in Figure 3. This sample is specified by extremely high value of resistant residual at 600 °C temperature (up to 82 %). The resistant residual at 170 °C is 96.18 %; thus for this sample is valid the

same conclusion that it is resistant against thermal degradation under hot air sterilization conditions. But for evaluation of its thermal resistance for other purposes it is necessary to keep carefulness because based on visual analysis (Fig. 1b) it can be assumed that this sample consists of lignin-cellulose material and inorganic component mixture; thus behaviour of this material need not to be the same within the whole volume (it is a mixture composition of which can change locally).

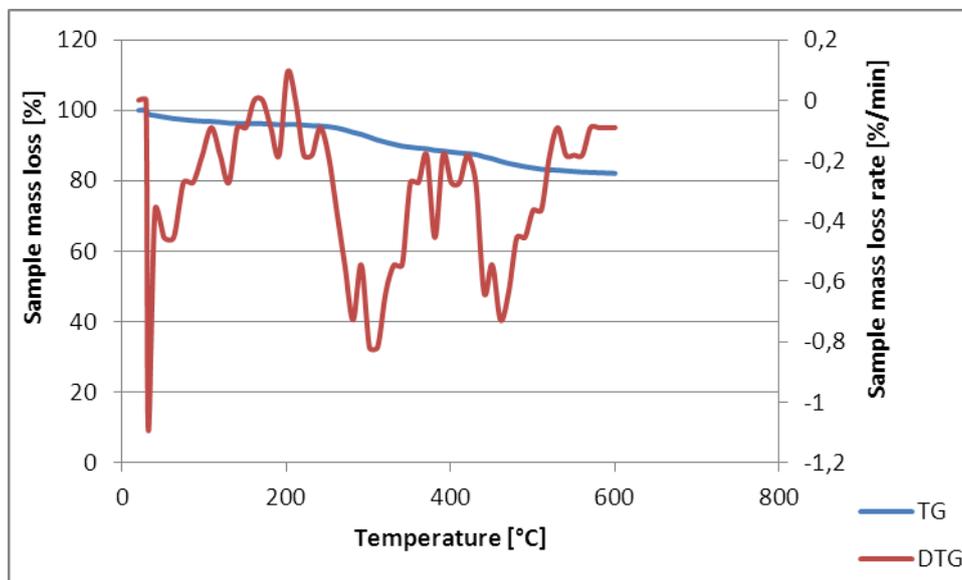


Fig. 3: TG and DTG record of the sample “Frýdlant No. 127 stodola”

Thermogravimetric records of the sample “Rychvald severné krídlo“ is shown in the Figure 4; and that of the sample “Rychvald južné krídlo“ in Figure 5, respectively. Resistant residual for both mentioned samples at 170 °C temperature is almost identical (95.75 % for „Rychvald južné krídlo“ and 95.45 % for „Rychvald severné krídlo“ samples). For both samples is valid the same conclusion as for the “Frýdlant No. 127 dům” sample shown in the Figure 2.

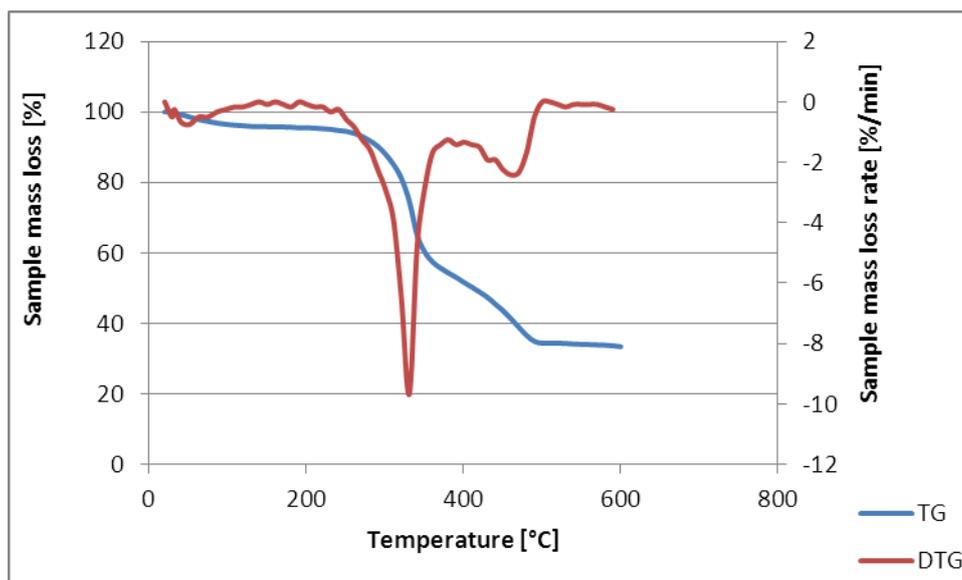


Fig. 4: TG and DTG record of the sample “Rychvald severné krídlo”

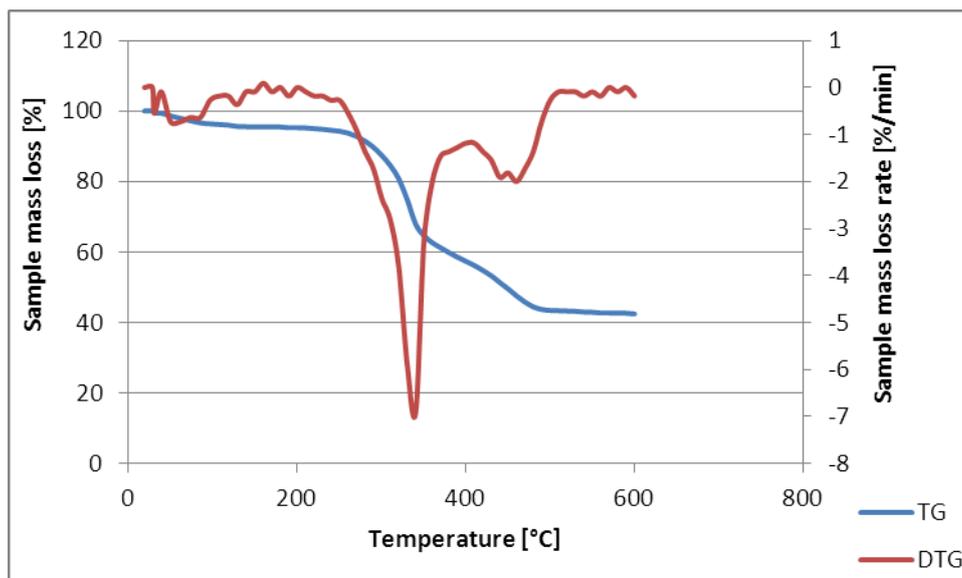


Fig. 5: TG and DTG record of the sample “Rychvald južné krídlo”

Thermal mass dependence of samples „Rychvald západné krídlo“ and „Štramberk No. 99“ illustrates Figure 6, and Figure 7, respectively. Resistant residual of both samples at 170 °C temperature exceeds 95 % („Rychvald západné krídlo“ – 95.75 % and „Štramberk č.p. 99“ almost 95.83 %). For these mentioned samples is valid similar conclusion as for the “Frýdlant No. 127 stodola” sample shown in the Figure 3.

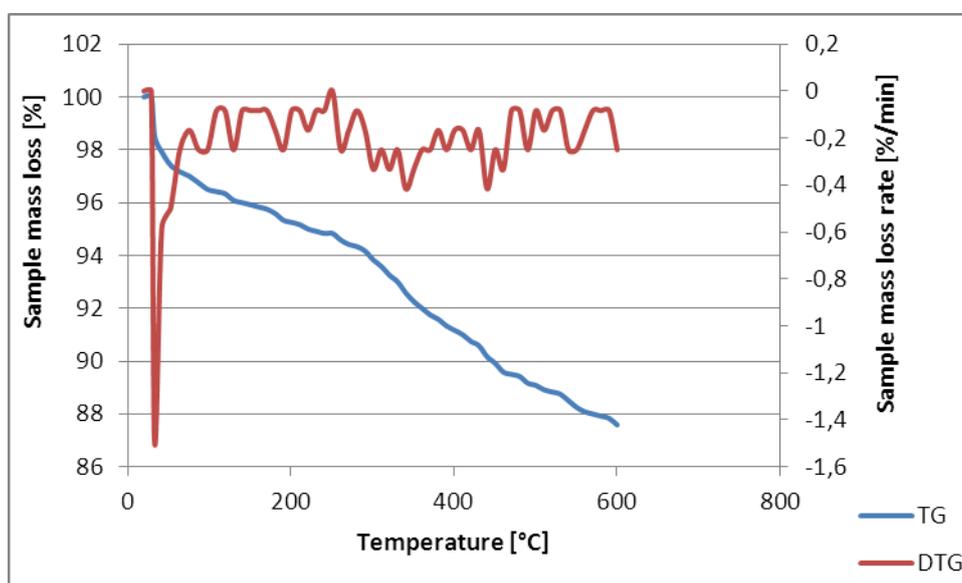


Fig. 6: TG and DTG record of the sample “Rychvald západné krídlo”

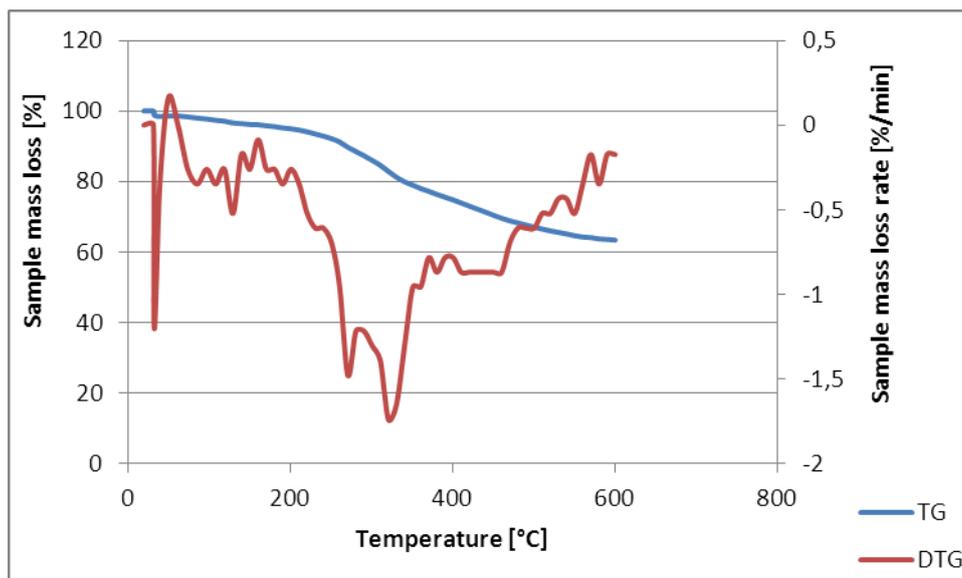


Fig. 7: TG and DTG record of the sample “Štramberk No. 99”

3. Conclusion

Samples of studied materials can be divided into sample group showing behaviour similar to lignin-cellulose materials („Frýdlant No. 127 dům”; “Rychvald severné krídlo”; and “Rychvald južné krídlo“ samples) and sample group showing characteristics similar to lignin-cellulose materials and inorganic components mixture („Frýdlant No. 127 stodola”; “Rychvald západné krídlo”; and “Štramberk No. 99“ samples).

All studied samples are resistant against thermal decomposition during 120 °C temperature hot air sterilization. They cannot be initiated by 120 °C temperature hot air alone. Flowing of the hot air but can cause turbulence of dust depending on air flow rate as well as on quantity and granulometric dust composition in the studied space. Turbulent dust can be an explosive atmosphere source. Mentioned explosive atmosphere of studied dusts cannot be initiated by 120 °C temperature hot air (used for thermal sterilization) but it can be initiated by other sources that can be potentially present in the space in question.

This problem can be solved by more ways. The first highly effective and extremely reliable way is to remove dust from the area in question before hot air sterilization. The second possibility is such configuration of input hot air pipeline system not causing the dust turbulence. The third possibility is determination of presented dust explosiveness (each flammable dust is considered to be explosive until a test in an accredited testing laboratory does not prove the opposite). In this case but it is necessary to notice two serious difficulties: the test should be performed with dust dried to zero absolute moisture because this value can be reach during hot air sterilization. Except this, it is necessary to pay attention on representative dust sampling in an increased extent (because explosive parameters of dust significantly depend on dust granulometric composition). The last possibility is a secondary explosion protection (removing all potential initiation sources in explosive atmosphere off). This procedure, however, cannot be recommended as a sufficient one when people lives or significant cultural heritage could be jeopardized by a potential explosion.

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EXAMINATION OF EXTREMISM IN SLOVAKIA AS A PERMANENT CHALLENGE FOR SECURITY SCIENCE

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Viktor PORADA

Summary:

The subject of the investigation within the framework of the international project DÚ I/14 „Extremisms as a security threat to society and to citizens” in the years 2011-2013 is the extremist scene, with an emphasis on the Czech Republic and the Slovak Republic, in the context of globalisation. The project has the ambition to contribute to the practical implementation of the protection of citizens against anti-social phenomena – such as extremism, through effective prevention and application of knowledge in the youth work. The contribution presents the methodology of the solution to the problem, the initial partial conclusions, in the context of security sciences, which perceive the authors as a newly created scientific research platform as well as for the examination of extremism as anti-social phenomenon.

Key words: security, security policy, extremism, protection of citizens

INTRODUCTION

Security community perceives *the extremists* as persons or groups of persons that are characterized by rejection of laws and moral standards, by a high rate of moral or racial intolerance, by the absence of tangible incentives and illegal conduct, with elements of aggression and brutality. Experts emphasize that they are adherents of the outboard wings, direction, movement, etc. (Šaling and col., 1997).

The existing police methodology of detection, clarifying and documenting of crime motivated by racial, ethnic and other intolerance or committed by supporters of extremist groups considers for the characteristic *features of extremism* its ideological motivation and in most cases, the absence of tangible reasons, this means that the offender does not have the intention to enrich and is determined also to the victims.

Protection of human rights, citizens and society against the most dangerous anti-social phenomena, as the extremism without a doubt is, requires the permanent attention, monitoring, analysis, transfer and implementation of knowledge from the scientific and research activity into the security education and practice. Globalization hit all spheres of social life, which affect the key dimensions of life of the citizens. For the above mentioned reasons we present safety sciences in the view of globalization (Mesároš, 2010).

1. DESCRIPTION OF THE ISSUE OF EXTREMISM

For reasons of a deeper knowledge of the issues, it is necessary to bring the outcome of the previous examination of the issues of extremism gained by colleagues, which constitutes its “division into primary and secondary extremism” (Mlynarčíková and col., 2009, p. 11). The existing experience of authors allows promoting a scholarly look at the following basic, structural subdivision of extremism.

Within the primary extremism experts make a distinction between:

- *Right-wing extremism* – is based on the ideas of racism, fascism and neo-Nazi;
- *Left-wing extremism* – is based on the ideas of communism, Marxism and anarchism.

In the framework of secondary extremism are distinguished:

- Religious extremism – is based on the radical offshoots of the various world religions, which are trying to a violent rearrange of a society. In respect of religious extremism it has been mainly said only about Islam, but even within Christianity there are extremist currents and grouping;
- *Ecological extremism*– characterised by anti-human, anti-civilization view, preaches the idea that all human activity is negative, while the other nature is good. Other characteristics include its resistance to technology, science, trade and any organizations (Mareš, 2004).
- *Ethnic extremism* – also referred to as regional, or ethno-regional extremism. These following basic features are characterised for it: proclaiming the cultural and political exclusivity, use of violence to achieve objectives as proclaimed (sometimes in the form of extremism) and separatism (Mareš, 2001).

The subject of the investigation within the framework of the international project DÚ I/14 „Extremisms as a security threat to society and to citizens” in the years 2011-2013 is the extremist scene, with an emphasis on the Czech Republic and the Slovak Republic, in the context of globalisation.

The expected outputs of the project are the proposals for the improvement of safety education within the professional training of experts in the public and the private security sector, for work with the youth and in the area of crime prevention, as well as the further development of scientific investigations of anti-social phenomena. Tackling this issue at the same time allows developing professional debate on amendments to the relevant legislation, for a more effective fight against extremism.

2 THE METHODOLOGY OF THE SOLUTION AND THE AREAS OF PRIMARY RESULTS

The starting point for a study of the issue of extremism is the legal order of the Slovak Republic, with an emphasis on Act No. 300/2005 Coll. Penal Code as amended by later regulations, which governs the basics of criminal liability, types of penalties, types of protective measures, saving them and factual nature of the crimes. On 16 June 2009 was approved the amendment of the Penal Code; Act No. 257/2009 Coll. amending and supplementing Act No. 300/2005 Coll., which defines some new terms in connection with extremist activity, with effect from 1 January 2009.

Extremists crime and extremist groups crime are understood to be criminal acts and other anti-social activity with extremist elements, including criminal offences and offences motivated by racial or ethnic intolerance or committed: by supporters of extremist groups and this regardless of the final criminal-law qualification of individual cases.

While solving this specific problem there will be used *analytic-synthetic method of investigation of anti-social phenomenon based on the methods of critical thinking* in the processing of facts coming and gained from three key sources:

- By studying the extremist scene, available literature and expertise from abroad;

- By examination of the extremist scene, projects and legislative environment in the above mentioned issues at national dimension;
- By analysis of the expert assessment of the experts from the Police Corps of the Slovak Republic and the Police Corps of the Czech Republic, and the own knowledge of the authors.

The initial results have been achieved in the field of the analysis of the investigation:

- of international and national legislation of the infringement with elements of extremism,
- of the current state of crime prevention and prevention in relation to extremism in Slovakia.

3. THE SECURITY SCIENCE AS A PLATFORM EXPLORING ANTI-SOCIAL PHENOMENA — PROFESSIONAL POLEMIC

Security can be understood as a starting point, the theoretical structure and the social system, which is of fundamental importance for the establishment and development of safety sciences, which an object, a key concept review is precisely this phenomenon in all its dimensions.

A community that is in favour of the formation of safety sciences, stresses the importance of security in the contemporary world, as well as the complexity of this phenomenon and its exploration.

Holcr and Vicenik (1998) for example, indicate that safety is a complex attribute, whose contents, structure and function are beyond the borders of not only one branch of science but even entire scientific fields. This fact can be on the basis of their own theoretical analyses not only unequivocally confirmed, but also scientifically to develop its content and form.

Safety and the multilateral use of this concept in a very diverse, often conflicting disciplines, causes its eclectic interpretation. Very pragmatic this factor affects Porada, Holomek et al. (2005), but also other experts who distinguish five fundamental dimensions of security:

- Political dimension,
- Economic dimension,
- Environmental dimension,
- Information dimension,
- Social dimension.

Each of these dimensions has a relatively wide range of security issues, the entities, institutions, activities, activities and relationships. In addition to the dimensions mentioned, just this multidimensionality of safety enables to analyse also some of its other dimensions (outer, inner, subjective, objective, individual, police, military, civil, social, human, technological, quantitative, qualitative, and other, e.g. on Security Management University in Košice is developed management of security systems, security of information technology, security in transport and logistics, the protection of the economic interests and others) (Mesároš, 2010).

For the above reasons, it is defined for example military, economic, ecological, social, civic security etc. In particular, in the light of the object whose security is supposed to be protected (usually a state security) can be differentiated between internal security (if it comes to

existence, suppress and eliminate threats that originate from the interior of the object) and external security (if it comes to existence, suppress and eliminate threats that have their origins outside of the object). All of the above mentioned concepts are generally interdependent and their border is not completely unambiguous. Thus, the concept of security is complex. Security policy of states is according to the experts affected by elements of globalization. (Tyrala, 2010).

The concept of safety (the opposite is a danger) has become a very frequent concept that expresses according to selected view various content in relation to investigated dimensions. Currently, however, it is quite obvious that, in particular, in state bodies, in the academic sphere will persist different views on the effective range of security from the perspective of public policy.

For example Mareš (2002) recommends to formulate a general definition of safety in relation to any particular object, and defines security as a condition when there are on the lowest possible level eliminated threats to an object (usually a national state, but also the organization, the community, the person) and its interests, and this object is to the elimination of existing and potential threats effectively equipped and willing to cooperate with it.

Professional debate about the social need and about *the concepts of „security sciences“*, even on the basis of personal knowledge and experience of the authors, brought us to a comprehensive perception of newly established scientific research platform, built on the key:

- Political sciences,
- Military sciences,
- Other science disciplines, characterised by their interdisciplinary nature of the subject of the investigation, security point of view and approach.

The complexity and the difficulty of security sciences we can express exploring the selected entity in two basic areas:

- internal security,
- and external security.

As far as the core of investigation of „security sciences“ is concerned, to simplify the controversy, we propose to identify it e.g. within current field of research No. č. 23 „security science“, that are contained in a group of courses No. 8, Services, respectively in its subsets of the accredited courses in the Slovak Republic:

Group of study programmes 8 Services:

- Subgroup ŠO 8.3 Security sciences (ŠO 8.3.1 Protection of people and property, 8.3.2 Security public-administrative services, 8.3.3 Theory of police sciences, 8.3.4 Criminology a criminalistics, 8.3.6 Rescue services, 8.3.7 Civil safety),
- Subgroup ŠO 8.4 Defence and warfare (ŠO 8.4.1 Management of military systems, 8.4.2 Economy and management of defence resources, 8.4.3 Armament and equipment of the armed forces, 8.4.4 National and international security, 8.4.5 The operational and combat use of the armed forces, 8.4.6 Military communication and information systems, 8.4.7 Military logistics).

Instead of examining the anti-social phenomena in the context of security sciences we see primarily in the context of the examination of the protection of human rights and national

minorities – the fight against intolerance, discrimination and *extremism*, secondary within the investigation of crime prevention.

We need to objectively conclude that the debate about creating a separate security sciences also has its opponents, who consider it to be redundant. The current examination of the issues in the existing separate disciplines and diversified fields of study they perceive as adequate. They don't feel the need to unite the efforts and potential of professional experts in the field of security. They are worried about the narrowing of extent of their scientific and pedagogical activity in branch of science or the learning field. Personal views and attitudes of authors, as well as other experts presented in this article, therefore, shall respect the right of readers to a different opinion and the view, while sensitive to the particularities of every person who freely thinks and acts according to its best knowledge and conscience.

PARTIAL CONCLUSION

Knowledge and real practice has shown that in Slovakia is the issue of extremism visible in particular manifestations of racism and xenophobia. Racially motivated attacks are today a current problem, whose solution spends considerable effort and attention from the society. Leadership of the Ministry of the Interior therefore declared as one of the most important priorities a task that it is necessary to immediately meet and deal with it in detail. It's a fight against extremism and repression of any expressions of racially motivated crime. In the vast extent is this criminal activity perpetrated by persons belonging to the right-wing oriented spectrum of extremist scene or they sympathize with it in some way. Lately, however, are recorded a number of cases with suspicion of illegal activities of various sects and cults.

In spite of the changes in the legislation, in the framework of the last amendment to the Penal Code in Slovakia, there has been no significant qualitative difference. The concept of a racially motivated offence has been replaced by the notion of crimes of extremism, but they can mingle with each other, while they are different. In the first case, the offender is acting with a motive of racial, ethnic, religious or any other hatred, and in the latter case the perpetrator acts with motive to harm the constitutional establishment, the democratic foundations of the country, or human rights. Not all offences enumerated in the Penal Code so as to become extremist crimes.

Prevention on the basis of Recommendations for the prevention of crime adopted by the Committee of Ministers the Council of Europe and designated to the Member States of the Organization (dated 17.9.1987) understands as multilevel process that is implemented as a social prevention and situational prevention. We are convinced of the correctness of the opinion that the Centre of gravity of crime prevention and of fight against anti-social phenomena lies primarily in the field of widely understood and pursued education and social policy, in which a wide range of subjects is involved, from the institutions of family care, system of education, science, research, sport, health, employment, until after the family itself, with the active participation of the subject to which we operate, with whom we communicate and collaborate.

Safety science, built on the foundations of the general methodology of scientific work and the methodology of practical sciences, may by their application to the field of comprehensive research dimensions of safety also contribute significantly in the fight with the anti-social phenomena as extremism undoubtedly represents.

RESUME

International project „Extremism as a threat to security of society and citizens“DÚ I/14 under review is the extremist scene in The Czech Republic and Slovakia, in the context of globalization. The project has the ambition to contribute to practical implementation of the protection of citizens against antisocial phenomena – such as extremism, through effective prevention, and application of knowledge in youth work. The paper presents a methodology for solving the problem, the initial partial conclusions within the safety sciences which the authors perceive as the emerging new scientific research platform for exploring against extremism as an antisocial phenomenon.

The article originated in the framework of the partial solutions of scientific tasks and the preparation of the monograph, as part of Institutional Scientific Intention Karlovy Vary Czech Republic for the years 2011-2013, DÚ I/ 14 „ Extremism as a threat to security of society and citizens “also thanks to the collaboration with the experts of the Police Corps of the Slovak Republic.

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FIRES OF PASSENGER CARS IN UNDERGROUND CAR PARKING STRUCTURES AND MEASURES FOR DAMAGE ELIMINATION

Mikuláš MONOŠI – Jozef SVETLÍK

Summary

The paper deals with fires of passenger cars in underground car parking structures. The aim of the paper is to point out the temperature conditions of these car fires in enclosed space, equipment and selected gear required for damage elimination.

Introduction

Fires of passenger cars are part of our everyday life. Construction of underground car parking structures increases risk of fire origin in enclosed space where passenger cars can be parked.

1 Fire statistics

In underground car parking structures or underground automatic parking systems mostly vehicles of the M1 category are located – motor vehicles with at least four wheels designed and constructed for the carriage of passengers [1].

Vehicles of the M1 category are besides the passenger carriage intended for luggage transportation while the area for the luggage must not be larger than area for passengers. The vehicle in the mentioned category does not exceed 3.5 ton mass. Due to the clearance of underground parking structures, only fires of the M1 category vehicles are referred to in the statistics. Fire originated in an underground car parking structure can cause significant damages on property, lives and people's health.

Vehicle fire and its development depends mostly on following factors:

- vehicle construction and its composition;
- environment where as vehicle is located (outer, inner);
- other factors, as luggage space volume, LPG, CNG fuel.

From a material point of view, vehicle construction consists of flammable and non-flammable substances.

Among flammable substances significantly supporting burning and smoke creation belong prevalingly:

- fuels;
- tyres;
- plastics;
- upholstering, plastic foams, etc.;
- operational fillings;
- varnish [5, 9].

In the Table 1 vehicle fires during recent 11 years is referred to. From the table results that 8588 passenger car fires were registered in Slovakia. From the total amount of motor vehicle fires in Slovakia, the malicious ignition was proved at 2179 vehicles. As regards fire origin reason, electrical short circuit caused 1874 fires. Another technical malfunction causing a

vehicle fire was non-tightness of fuel system, this malfunction represents 10 % yield of the total fire number. Due to traffic accidents 432 passenger vehicle fires takes place. Among the most frequent fire initiators belongs lighter or match, they caused 1976 fires. Exhausting pipeline caused 552 fires [8].

Table 1: Fire occurrence of the M1 category vehicles [8]

Year	Number of fires	Direct damage in €	Fatalities	Injured persons
2000	587	2 325 363	6	10
2001	524	1 782 766	5	15
2002	634	2 226 379	10	13
2003	703	3 036 467	5	13
2004	659	3 223 740	1	12
2005	660	3 230 187	10	7
2006	729	4 250 485	3	14
2007	778	4 345 891	6	10
2008	819	5 754 166	5	14
2009	874	5 544 970	7	15
2010	837	5 097 545	3	12
2011	784	4 337 010	2	20

Data relating to number of fires that originated in a car parking structure are shown in the Graph 1. Values represent sum of fires originated in in-built or independent separate car parking object area. Mentioned car parking structures are intended for the M1 category vehicles only. The statistics does not distinguish between car parking structure fire with parked vehicle and car parking structure fire without vehicle. Despite this, a fire in this area may occur and cause damages on lives, health or property.



Graph 1: Number of fires in car parking structure in the Slovak Republic [8]

As regards overall fire occurrence in Slovakia, the fire occurrence yield of the M1 category vehicles is between 4.6 % up to 7.2 %. From referred values follows that there is a probability of such fire origin and this risk shall be taken into account. Fires in underground car parking structures occur not so often but despite this, consequences are catastrophic. Based on statistical data from Slovakia and also from abroad, it is necessary to take preventive measures and implement them into current designs concerning averting fire origin or at least minimization damages.

2 Test in enclosure space

To outline temperature conditions in enclosure space involving burning passenger cars, an experiment in enclosure fire gallery was carried out. The fire in testing gallery consists of two individual tests. In both cases, simulation of flame jump from one vehicle to another took place and temperatures on both vehicles were measured. Position of both vehicles is shown in the Figure 1. Perpendicular side distance between vehicles was 60 cm. After reaching of temperature decline on the neighbouring vehicle, the test was interrupted and vehicle position was mutually changed. The distance between vehicles was decreased into 40 cm.

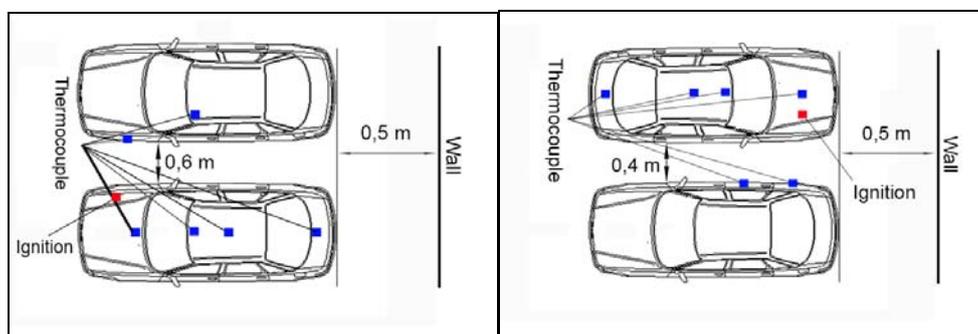
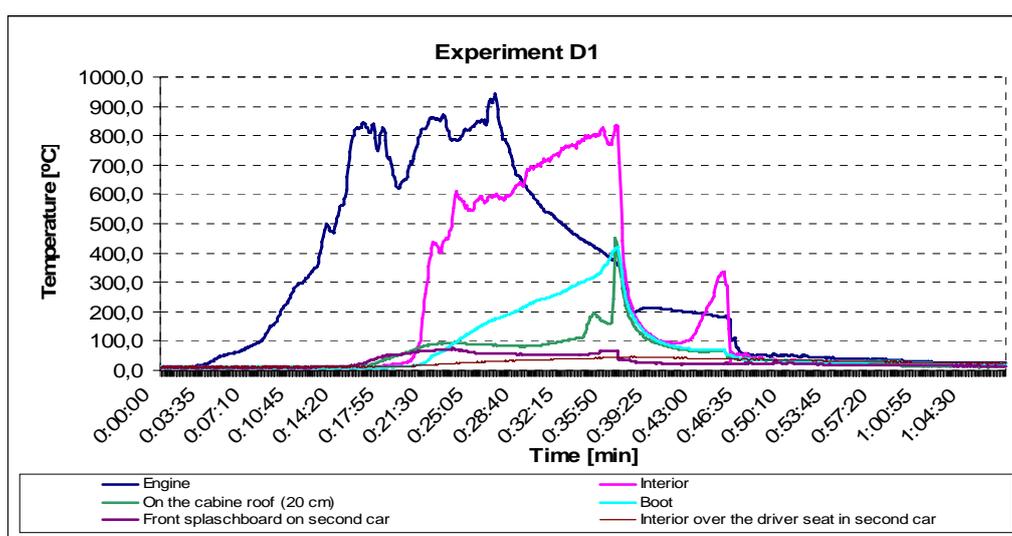


Figure 1 Vehicle position during the test [6]

Within the first test, temperatures in an engine space reached more than 900 °C and in the vehicle interior space more than 800 °C, respectively, in the 39 minute when fire extinguishing began what is proved also by decline of measured values in measurement points [3, 4, and 7].

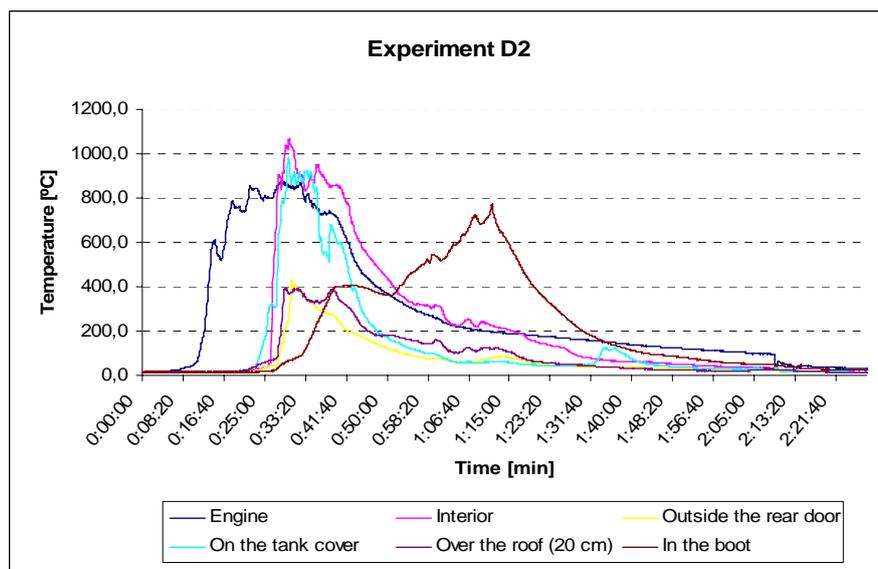


Graph 2 Temperatures measured at the experiment 1 [6]

After vehicles extinguishing, the vehicles were mutually turned (see Figure 1) and the test was repeated. At the second test, vehicles were left to burn out totally and test duration lasts more than 140 minutes. Interior temperatures reached 1080 °C. In the luggage space temperature increased from approximately 400 °C to 780 °C only in the 58 minute (Graph 3).

Based on these partial experiments, it was proved that fire course in such spaces is relative fast and is accompanied with different phenomena helping to the faster fire spread. Phenomena involve such events as fuel spilling after the interruption of tank integrity and consequent fuel spread under neighbouring vehicles; tyres explosion, mechanical throw apart of burning pieces into the adjacent space, etc. Fires in enclosed spaces are characterized mostly by:

- high degree of smoke creation;
- high temperatures;
- weak space ventilation;
- high fire load;
- possible origin of non-linear forms of fire spread;
- other factors.



Graph 3 Temperatures measured at the experiment 2 [6]

When parking in enclosure spaces, fire development is affected mostly by installed fire technical equipment. Another affecting aspect is whether it is parking structure (multiple) or automatic parking system. Automatic parking systems serve for passenger car parking under maximal utilizing walled space when basic dimensions of parking space depend on construction possibilities and on parking vehicles categories. These systems are operated independently and after laying a vehicle up into prescribed area, they automatically locate a vehicle within the walled space. An advantage of the system is parking for larger number of vehicles within the structure but, on the other hand, a disadvantage is higher fire load and faster fire development. As regard firefighter unit intervention, firefighters have often very limited access to the space in question.

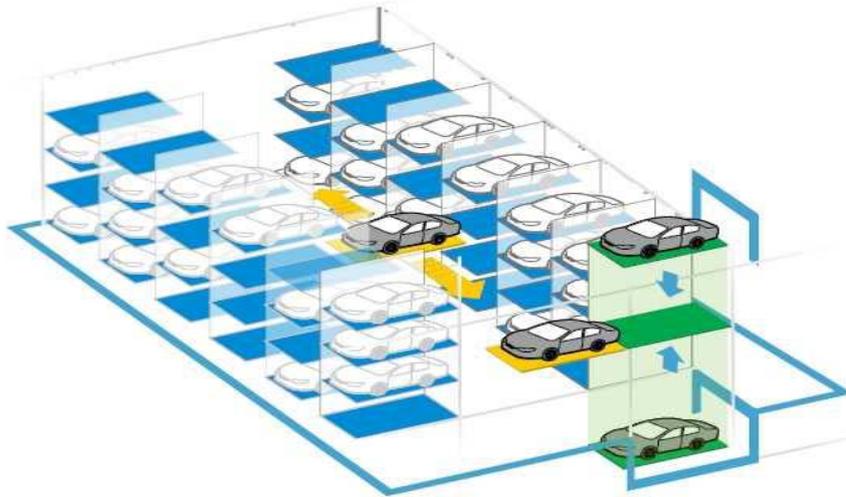


Figure 2: BEST parking system [2]

3 Damage elimination

To eliminate damage in underground car parking facilities is used mostly fire technical equipment. This equipment is installed before fire origin; most often before final structure inspection. This equipment mostly involves:

- fixed and semi-fixed fire extinguishing systems;
- fire detection and fire alarm systems;
- heat and fire effluent control systems;
- fire closures (fire stoppings and shutters);
- portable fire extinguishers

Fixed and semi-fixed fire extinguishing systems are firmly installed in car parking structures. Due to dimensions of multiple car parking structures, mostly water based systems are used for fire extinguishing. Advantages are cooling and fire suppressing at the same time. To minimize fire extinguishing agent consumption and its effective utilizing, system is equipped by sprinklers heads.

Fire detection and fire alarm systems are intended for early detection of fire space with accurate allocation of the site. They are often supplemented by camera system. Fire detection and fire alarm system is connected with fire registration office or directly with fire brigade.

Heat and fire effluent control systems are equipment intended for increasing visibility in a site and decreasing temperature during fire by smoke exhausting. They are designed and manufactured within certain capacity but at real fires their performance is often insufficient. Enclosed space exhausting can be carried out by:

- natural ventilation,
- negative pressure ventilation,
- positive pressure ventilation,
- hydraulic ventilation,
- anti-ventilation – *this is not a ventilation but certain part of the space is enclosed – insulated.*

As regards ventilation and exhausting large spaces of underground car parking structures, the most effective ventilation is pulse ventilation - positive pressure ventilation that has high performance and is able to quickly vent such spaces.

Objects of underground car parking structures are part of construction complexes serving as a shopping malls, hotels or multifunctional buildings. Separation of these spaces from parking facilities is created by fire closures that in case of fire are able to "keep" burning in a required space.

Portable fire extinguishers represent the simplest equipment for fire suppressing. Their effective use is however timely limited. They can be used approximately only 2-3 minutes after fire origin when is possible to extinguish fire.

It is necessary emphasize that mentioned technical equipment have no preventive feature but serve directly to damage elimination and to avert fast fire spread in underground car parking facilities.

Conclusion

Fire safety of passenger motor cars is in significant degree determined by materials used in new vehicle types. When those are treated, they often reach sufficient parameters as regards flammability and directly contribute to fire non-spreading in a vehicle. On the other hand, it is necessary to realize that retardant treatment of these materials leads to slower fire process development and prolonged the first burning phase what hugely increases firefighters' chances for quick fire localization and suppressing [5].

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REACT THE RIGHT WAY AND HANDLE RISKS IN A CRITICAL SITUATION

DAMAGE MITIGATION AND DECONTAMINATION IN PRACTICE

Ing. Peter NECHALA

Summary

Most of the large public institutions and commercial businesses are really well prepared for any unforeseen disasters. Damage prevention measures involve all parts and aspects of their systems. Critical situation processes have been analyzed and possible temporary feasible solutions have been set. In many cases, the preparedness for an emergency situation is being trained by simulated events several times a year so that key personnel would be prepared to take the right steps. Proper planning and pre-disaster prevention activities should minimize impacts, losses and affects on both public and commercial sphere of life.

However, even after taking the above mentioned facts into consideration, a hundred-percent readiness for an emergency state is impossible. A fire in a building of greater importance (e.g. hospital), an explosion in a strategic industrial complex (e.g. power plant), a leak of a dangerous chemical substance possibly threatening larger public area, a severe flooding causing unexpected damage, or any other consequences of the previously stated examples will abruptly change running of the “routine”.

Fire damage and its consequences

Fire is the rapid oxidation of a material in the exothermic chemical process of combustion, releasing heat, light, and various reaction products.

Process of burning by fire damage is a “chaotic reaction” turning flammable materials into blind amount of various products. A definitive reaction of the burning process, which is the major source of energy, can be defined by the following pattern:



Substances that are produced by fire (combustion products) are during the hot phase of a fire spread to the environment with smoke in gas, liquid or solid form. Therefore, all the products are moving in the initial period. Poisonous, toxic or irritant gases and vapors such as CO, CO₂, HCl and HCN created in this phase in high concentration are a threat for fire and rescue corps operating on site. In the process of decreasing temperature these noxious substances are contaminating space and surfaces around via soot as their carrier. Soot then can be found in all building construction parts, air condition ducts, electrical power cabinets, precious electronic devices and many other sensitive surfaces. Recovering from a damage event and for further operating in the affected areas, it is essential to decontaminate and handle the above stated consequences properly, with help of a professional fire damage restoration company.

Typical toxic substances as a product of fire

HCl and **HBr** - (hydrochloric acid and hydrogen bromide) – gases irritating eyes and human body air passages. Also with present surrounding humidity >45% causing rapid and

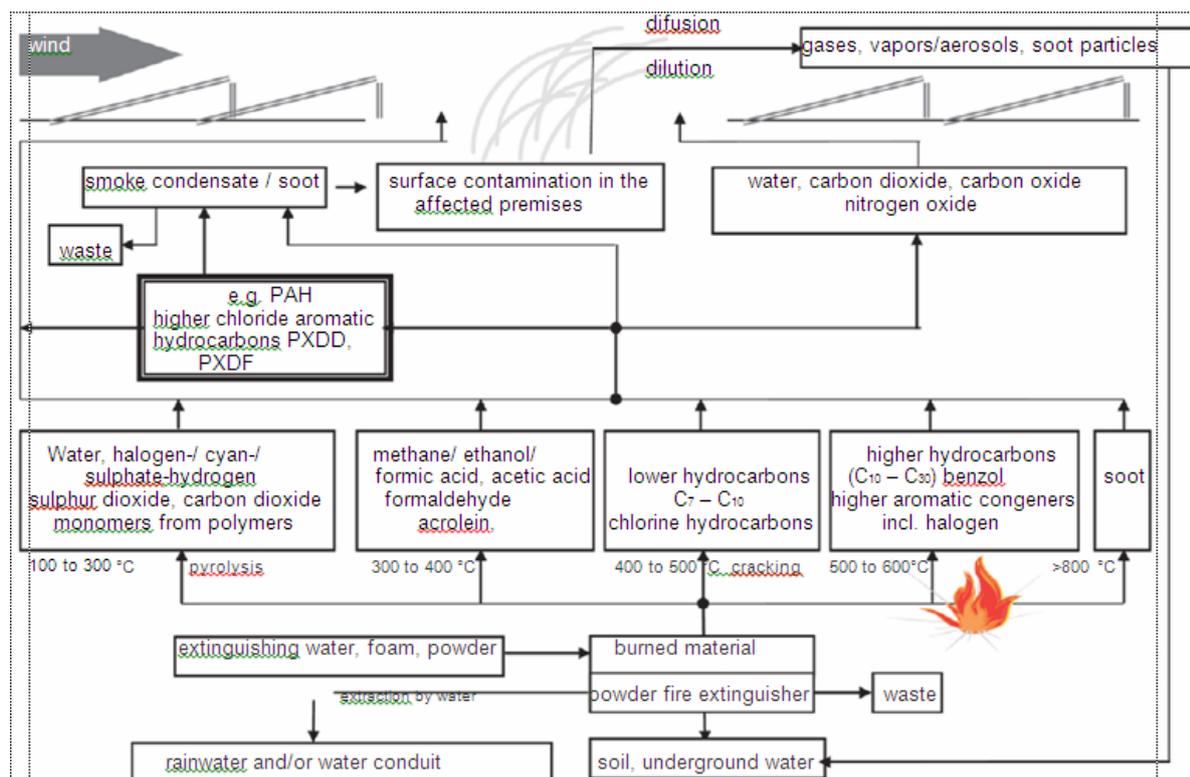
permanent corrosion on metal surfaces that leads to depreciation of technologies, equipment and building construction and content. Short circuits can be registered on electronic devices.

PAH – (polycyclic aromatic hydrocarbons) – product of pyrolysis of any organic material. Carcinogenic substances when exposed for a long period of time or exceeding the limits.

PCB – (polychlorinated biphenyls) – created by evaporation of insulation liquids from condensers, transformers or hydraulic liquids as well as product of gassing of permanently elastic sealing and coatings. Toxic mainly after long time repeated exposure.

PHDD and **PHDF** –(polyhalogen dibenzo-p-dioxines and polyhalogen dibenzofurans) there are 75 dioxin and 135 furan congeners possible, always with a substitution of chloride (PCDD/PCDF) or bromide (PBDD/PBDF) A single high intake or repeated low intake of these can cause chloracne or chronic intoxication.

Asbestos – as a secondary product and threat by fire or explosion damage, mainly after construction collapse. In the last century frequently used material, to be found in many buildings and construction components. High release of fibers into the environment and exposure to respiratory system can harm human lungs severely. The sites where asbestos materials presence is proved are to be treated and restored according to local and EU regulations.



Picture 1. Processes of burning and ways of spreading of fire products (Dr. Hans-Dieter Wirts, Hannover)

First measures after a disaster incident

A situation like major fire, an explosion, a flooding or any other disaster incident brings chaos to order, raises many questions and requires even more actions. To proceed the right way in order to stabilize the situation and also to prevent damages to spread further, steps need to be

taken. Each specific situation of course requires different approach of the authorities and the affected. The following suggested actions have been proven efficient and conducive in a process of stabilizing, restoring and reacting to a critical situation in publicly strategic premises or important commercial facilities.

General rules

It is necessary to secure areas where a collapse is a threat; secure premises to prevent entrance of ineligible personnel; secure against environmental damages caused by leaking chemical liquid or extinguishing water; prevent rainwater to get into affected buildings to avoid leakage of dangerous substances; prevent bringing toxic substances and product of fire into unaffected parts of building.

It is also advised to immediately turn off all the electric and electronic systems and prevent from restarting; it is necessary to take into consideration security of elevators and emergency exits; technologies and machines need to be turned off as well as air conditioning, gas and compressed air supplies; it is also advised to make proper documentation of the state (photographs, videos) and not to test functionality of any technical devices or machines.

Immediate measures after a fire damage

The following steps need to be taken after a major fire incident. Premises need to be ventilated by opening outer windows and doors; extinguishing water need to be pumped out and the remains need to be eliminated by wiping; soaked contents as furniture or floor covering need to be removed and the unaffected areas need to be secured from damaging.

For saving electronic devices, technologies and engines affected by fire and its products it is necessary to move these (if possible) into dry, not sooted rooms and provide decrease of air humidity under 40%. The non-movable technologies and mainly their metal parts need to be sprayed by protective layer of oily agent. This is due to progressing corrosion that is one of the main consequences of fires in industrial areas. It is caused by HCl (product of fire when burning PVC) as an accelerator of the corrosion process in combination with the present humidity. A professional restoration company will help to take these actions and will also advise with further steps and solutions.

Immediate measures after flooding or water damage (including extinguishing water)

Water damages caused by either clean water or by bacteria contaminated water from river or sewage are in the initial phase approached generally:

Covering valuable contents to prevent soaking from above; after the incident remove wet subjects from rooms (e.g. floor coverings) and pump out water, remove the rest by wiping; it is advised to install dehumidifiers if possible. Electronic devices need to be unplugged and moved to dry premises, along with engines can be blown by compressed air and dried by hot dry air (the limit temperature is not more than 55°C!)

It is possible to save contents of buildings, computers, electronic data and also documents yet the right actions need to be taken. By water affected documents need to be handled carefully, not separated and decomposed and it is necessary to freeze them to -25°C for further saving and treatment.

Dust and extinguishing powder contamination

Areas contaminated by dust or extinguishing powder are usually treated by following actions:

It is advised to turn off all the electronic devices and move them into non-contaminated areas with low air humidity. By devices with moving parts apposing points are endangered due to abrasion. They need to be dismantled and cleaned by a specialist. The premises including installations and air conditioning system need to be vacuumed and decontaminated. If the contamination includes asbestos material, proper restrictions need to be applied to prevent exposure to public. Trained technicians working in secured environment will restore the damage effectively.

Precise disaster planning and risk management can reduce effect of a potential damage incident. This means the decision makers need to be informed about options they have in critical situation. By major damages it is not unusual that many participants are included (the affected, authorities, media, neighbors, insurers, loss adjusters, experts, suppliers, restoration companies or repair companies). If the interest of the damaged party and the others are coordinated, quick decisions can be transformed into effective actions. In the end, this will be beneficial and contribute to damage mitigation.

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PUBLIC OPINION ON THE EFFECTIVENESS OF CRIMINAL PROSECUTION

JUDr. Tamara ORAVCOVÁ

Abstract

The present contribution gives a comprehensive overview of public opinion on the effectiveness of criminal prosecution. The aim of this work is to bring to the reader in general public perception on the effectiveness of criminal prosecution, using a concrete example in the Slovak legal practice. The first chapter consists of a general characteristic of criminal policy and crime, focusing on the relationship and interconnection with the public. In the second chapter this work is devoted attention to the brief characterization of punishment, with focusing on the purpose of punishment. The third and final section discusses about public opinion on the effectiveness of criminal sanctions, with the demonstration of a particular case. It also deals with the causes, which largely influence public opinion.

Introduction

In a general sense, the public is the primary beneficiary of the criminal policy and at the same time assessor of its effectiveness. Through the criminal policy, the State ensures the protection of the rights and freedoms of individuals, as well as the interests of society as a whole. Criminal justice policy should therefore be based on the needs of the public, and should be formulated so as to be understood by the public and citizens should have enough serious information in order to be able to understand her and to assess it. A social consensus on the principles of criminal policy as well as on the nature and intensity of key measures against crime, including the treatment of perpetrators, is of crucial importance for its effectiveness.

The subject of the present contribution is public opinion on the basic aspects of criminal policy with a specific focus on the public opinion on the efficiency of penalty of crime and external factors that have an impact on public opinion.

1. Criminal justice policy and crime

If we examine the relationship of the public to criminal justice policy and its views on the effectiveness of the punishment of crime, it is necessary to define the concept of criminal justice policy and define the space, in which our contribution is to be dealt.

The concept of a criminal justice policy can be understood in a narrow and a broad sense of the word. Broader concept covers to criminal justice policy all activities and measures applied by the legislative and executive authorities, state and non-governmental organisations and economic entities, as well as the civic activities that are aimed at controlling crime, repress her as well as at prevention. This definition is obviously too vague, for example, it does not enable to distinguish general political measures from criminal-political measures.

Into the wider understanding of the concept of criminal justice policy fall also activities and measures which in their final consequences have, or can have influence on the state of crime and on its evolution and structure, but their primary goal is not to control of crime.

A narrower definition of criminal policy includes, in particular, criminal legislation and the activities and the measures of law enforcement agencies and activities of other entities only to the extent that they are directly oriented to control crime or in the criminal area.

The task of the criminal policy is also to define the current status of social consensus on the fundamental legal-political principles which have a stabilising function, especially in times of frequent legislative changes. The logical part of this task is the formulation of certain constants of criminal policy, which will in the long term influence the criminal legislation and application practice, because even they are socially and historically contingent. In the case where these constant principles uncontrollably in short intervals significantly changed, there could be disrupted the integrity of the system of criminal law and its subsequent decay.

Criminal justice policy is a summary of the measures of a penal nature by which society responds to crime with a view to control this unwanted effect, restrict and completely suppress it. Criminal justice policy as part of a general policy formulates objectives and means of social control of crime through the criminal law. In narrower sense of the word, the definition of criminal policy includes, in particular, criminal legislation and the activities and the measures of law enforcement agencies and activities of other entities only to the extent that they are directly oriented to control crime or in the criminal area.

In foreign literature, particularly focused on Anglo-Saxon law for criminal policy in the strict sense of the Word uses the term „crime control“ or „sentencing policy“. In the Czech Republic we encounter with the notion of “crime policy”, under which it is meant the sum of all measures against crime, which the company adopted in various areas (for example. in the social and economic field, in health, in the upbringing of the young generation). Criminal policy, which involves a justice policy as well as prevention is sometimes considered a separate discipline as well as prevention, in addition to criminal science and criminology.

From the perspective of criminal policy it is of vital importance for the definition of the offence of some crime also other criteria. If the company considers a certain behavior or conduct as criminal, his opinion criminalizes it. This is a very serious criminal-political act, which reflects the cultural and value orientation of the society. Some of the types and forms of behaviour are punishable, however, in all countries of the world. For example, murder, robbery and their criminalisation has a timeless and universal character. We can say that the illegality and criminality of some crime are historically and spatially conditional. In totalitarian regimes, the criminalization of the behaviour members of the society outweigh ideological and power interests of the reigning Government. Thus from the above we can deduce that the nature of the criminal policy in each of the society is mainly determined by the values and principles stated in its constitutional right, in the objective which the state power is trying to achieve, and not least in ideas, which the society receives.

In General, we can say that the state by its criminal policy declares, in particular, the level of protection of fundamental human rights and civil rights and freedoms, which is willing and really able to ensure. Criminal justice policy of the state is defined in particular in its criminal legislation, whether substantive law or procedural law, in system and the organization of bodies ensuring the application of the criminal norms as well as in practical activities of these entities.

The public and politics are in a democratic legal state in constant interaction. Citizens should have a sufficient number of reliable information, to the fact that they can create a realistic idea about the state of crime and related pathological phenomena in the country and on the response of public authorities on it. On the other hand, there is a sufficient knowledge about citizens' needs in the field of internal security, about their real opinions on crime and its disability as well as as their attitudes towards different forms of socially nonconformist

behavior, which are a necessary assumption for the formulation of effective, comprehensible and sufficient criminal policy.

A good public awareness in this case cannot be underestimated. It is not just that the continued provision of such information constitutes a way of presenting the results of the work of political actors and organs of the system of criminal justice. Inaccurate perceptions of the public about criminal issue may have serious socio-economic consequences.

Belittling the problem with crime can lead to undervaluing of security issues by citizens in everyday life, which creates the opportunity for crime. An example might be frivolous proceedings of some users of internet banking, or the elderly. On the other hand, however, overestimating the extent and severity of the crime leads to excessive negative manifestation, so called „fear from crime“, to not completely reasonable changes in the behaviour of citizens, to their increased dissatisfaction with the system of criminal justice, and more generally with the representatives of the criminal justice system.

All these consequences have also significant economic impacts on both the individual as well as to the cities, or their parts, but also on society as a whole. Sufficient knowledge of the real needs of the citizens in the area of internal security and public order, their real views on crime and its sanction, as well as their attitudes towards different forms of socially nonconformist behaviour, is a prerequisite for the formulation of effective, comprehensible, and respected criminal policy. Without it, there is a risk that the creators of the criminal policy focus themselves on secondary issues, while the ones that have plagued the public directly, will remain a party to their interest.

Financial and human resources of the criminal justice system will always be limited and it is necessary to carefully consider how they are incurred. In addition, in so far as the public gets the feeling that the public authorities in the framework of criminal policies do not address her most important problems and ignore its opinions on the acceptability or unacceptability of some forms of behaviour, it increases its dissatisfaction with the representatives of the public authorities.

Due to the fact that a form of crime in the Slovak Republic at the beginning of the third millennium became very close to the form of crime in developed countries, while it has been characterised by adverse changes that would bring worse consequences for the society and the state, was in 2008 filed a proposal to establish the Institute of Criminology of the Ministry of Justice of the Slovak Republic.

On the changes in quantity, in the structure and in the impact of crime must respond primarily criminal policy of the state. Systematically should, however, be based on the constant research of crime and research the effectiveness of repressive and preventive strategies of its control. Place of a forensic research here is therefore unique. The initiative for the establishment of the Institute of Criminology in the Slovak Republic was further analysed in 2011 at the Faculty of law of the Trnava University. Unfortunately, however, even to this day such an Institute does not exist on the territory of the Slovak Republic does not exist.

Unlike the Slovakia, in the territory of the Czech Republic there is the Institute of Criminology that dedicates to the issue of creation, manifestation impacts of criminal policy. It acts in accordance with the main purpose of its activities, which is to contribute to ensuring legal certainty for citizens, the functioning of the judicial system, to the formation of penal legislation and to formulate policy aimed at more effective control of crime. In the framework of its research activities in the years 2008-2011 was one part of its research also a research task titled „Public and criminal justice policy“.

This research has been focused primarily on the opinions and public attitudes to crime, rates of tolerance, views on the punishment and the valid legislation and the moral and legal consciousness of citizens. The results of the survey have served mainly to setting of criminal policy and its presentation to the public.

2. The purpose of sentencing and punishment

In criminal law theory is the concept of punishment based on the basis of the principle *nullum poena sine lege*, *nulla account sine lege*, from which it follows that the offence and the punishment must be defined by law. The current theoretical definition of punishment shall in particular include the following characters: the punishment includes infliction of injury; This injury is caused specifically by the authority; the penalty is saved for a breach of law; These violations must be culpable; the penalty is saved from unwarrantable reason.

In brief we can get closer to that historically have developed two basic concepts concerning the purpose of punishment. One basic direction considers an offence as an act of free will of the offender and the punishment is therefore a natural consequence of the offence committed. The appropriateness of the penalty shall be assessed according to the seriousness of the tort, it is as its mirror image. Punishment has in itself the meaning and its imposition is a moral imperative. It is necessary to impose the penalty, because the offence was committed. This direction is also referred to as absolute theory of punishment, a classic school of criminal law.

The second basic direction considers committing the offence as a consequence of certain knowable impacts, such as deficiencies in education, in a family environment, existential shortage and biological or psychological assumptions. Thus, the offender does not decide personally whether commits a crime, but his behaviour is affected by the pressure of different personal and social factors. The main and the only justifiable punishment goal lies, therefore, in making sure that in the execution of punishment was the offender provided by expert treatment which suppresses the causes for which the penalty was committed. It is therefore necessary to punish the offender that it no longer comes to further offence. This concept is also referred to as utilitarian theory of punishment or rehabilitation theory.

More modern, so called desert theories stress that to the person who committed offence, must society clearly give its disapproval with such actions. The offender therefore deserves punishment in form of moral condemnation and punishment, the punishment shall be rigorous enough to get the perpetrator realized the unacceptability of their actions. The key criminal-political question is therefore the adequacy of criminal punishment. The offender remains subject to individual human rights (limited by imposed penalty) and it has individual and moral right to be punished as appropriate to the the offence which he committed.

Next to this classically reform style, that seeks a humane approach and education of offenders there has been for a longer time also a tougher punitive line highlighting the protection of society from increasing crime rate. At the forefront of this repressive waves are the United States, where political leaders and most of the media try to find a direct link between the level of crime and the number of prisoned persons in the sense that a large number of offenders isolated in prison establishments is the most effective means in the fight against crime.

There has arisen a simplified idea that those persons who commit crime, constitute a specific group of the population, which is need to be identified by means of the criminal justice system (to detect, identify and convict) and eliminate from the society ordinary citizens who will be able to devote their activities without worrying about their life, health and property.

Thus, there was a certain renaissance of retributive concept of the criminal justice system, although of course in the United States of America, respectively, in some States of the Union, still exist and develop specific programs of crime prevention, for the resocialization of the perpetrators (especially for the reeducation of juvenile delinquents), for postpenitentiary assistance to persons released from the execution of a custodial sentence and many others. Critics of this criminal-political line in the United States of America pointed out, in particular on the problematic compatibility of this punitive approach to offenders with the traditional values of a democratic society, with non-detachable human and civil rights of each individual and they highlight the prospective inconclusiveness of this concept.

You cannot, in fact, more or less permanently exclude a good part of the population from civil society and create in this way „criminal ghettos“ with it's own sub-culture, exceeding of the prison environment into normal life.

In addition to the absolute and life imprisonment sentences, every imprisonment sooner or later comes to an end and convictions are returning to a society that cannot be permanently intolerant against them.

Retributive concepts of punishment and the hypertrophy of prison system is in its final consequences counterproductive. Still more cogent way arguments are in doubt whether it is possible to actually find and demonstrate a direct link between the higher number of incarcerated offenders, and a decrease in crime.

Currently in professional legal and criminological literature is dominated the view that in the European democratic countries is clearly manifested a tendency to formulate criminal policy, in particular with regard to the protection of fundamental human rights and civil liberties. A big influence in this direction, have in particular the European Convention for the protection of human rights and fundamental freedoms and the decisions and opinions of the European Court of human rights. The Idea of human rights and their protection in a fair process (fair trial) predetermines the whole concept of substantive criminal law and procedure. From that unfolds the scope of the criminalization of socially undesirable phenomena, the concept of the purpose of punishment and the adequacy of the sanctions and the treatment of offenders. It is adapted to the entire justice system and to this objective direct also eventual reform.

3. The effectiveness of the punishment of crime and external influences on public opinion on her

Opinions and public attitudes toward crime and criminal policy, are one of the most common topics of criminological researches in most developed countries of the world. There are, however, more reasons, but the fundamental are just citizens who play a central role in a democratic state in terms of the functioning of the system of control of delinquency. If they do not report delinquencies, which have become the victims of, or witnesses to, or do not cooperate in investigating and proving the crime, is the total functioning of the judicial system impossible. It is therefore necessary that in the relationship of public to the work of law enforcement officials ruled at least basic trust and the principles on which is built the judicial system, have not been in direct conflict with the way how ordinary citizens see the promoting justice. Those who attempt to capture and convey the public opinion of citizens using various research methods are mainly criminologist. Knowledge arising from their studies is very contradictory.

Foreign studies that deal with the views and attitudes of the public towards criminal policy and generally to crime, have come to the clear fact that citizens have a great interest in the

topic, unfortunately, however, their knowledge of criminal politics are at a very low level. Views of the public on the effectiveness of the penalty of crime are different, we can conclude that in certain cases even diametrically opposed.

On one side stand the citizens, for which there is a perception that the effectiveness of the penalty of crime is at a very low level and according to them, the state punishes only „ordinary people“ and on the other side stand the citizens according whose opinion is the activity of law enforcement bodies maximal, and thus occurs even to the effective prosecution of offenders.

The studies, which in previous years in the Czech Republic carried out the Institut of criminology and social prevention confirms that the respondents really don't have enough information about the status of the structure of crime, about the specific work of the various components of the justice system, about the current height of the sentencing guidelines, which are imposed on the offender for the individual offences and on their practical exercise. By this lack of such information is also affected their opinion on the effectiveness of the penalty crime. The majority of respondents in this research was also convinced that the status of the crime is every year higher, its composition is dominated by particularly serious criminal offences, the law enforcement agencies do not fulfil the role adequately, a system of penalties is too modest and most restrictive performance penalty of imprisonment is similar to stay in a pleasant recreation environment that offers tasty food, free health care and cultural activities. Almost to an identical survey result reached also the studies in other countries than in the Czech Republic.

From the above, therefore, we can judge that the citizens are calling for overall tightening of crime repression and not a small part of them would also welcomed the reintroduction of the death penalty. On the other hand, however, there are citizens, according to which the responsibility for certain crimes is unreasonably high, as opposed to, according to them, more serious crimes. As an example we can mention scandal, which is currently on the territory of our Republic solved by media. It is the Slovak artist, who was validly sentenced by the District Court to eight years imprisonment for drug crime, and the Court of Appeal affirmed this judgment. Just in the discussions that are taking place as a direct response to this fact, we meet with conflicting views of the public on the effectiveness of the penalty crime. To do this, so that we can better zoom and highlight the arguments to the public, it is necessary to make sure we get the case at least briefly describe.

This Slovak artist was arrested in May 2007 in a dealer apartment, where he bought the Meth. His advocate claimed that he acted so in agreement with some policeman. His task was to report places where drugs are cooked or sold. The problem should arise after he was detained by members of another unit of the police corps, who didn't know about the artist's mission. When arrested by policemen he had few cubics of intoxicating and psychotropic substances, from which it was possible to produce a larger amount of doses. A police officer, with whom the artist supposedly collaborated, he testified before the Court with the exclusion of the public. An investigation of the entire scandal was accompanied by irregularities.

In November 2007, the artist was released from prison for the inaction of the hearing officer. When the prosecutor filed suit for the first time, the Court dismissed it in November 2009 for a quantity of errors, including violations of the rights of the defence. It is important to note the fact that this artist has been arrested for drugs already in 2001, and in 2003 the Court impose a term of imprisonment for two years.

It is important to note the fact that this artist has been arrested for drugs already in 2001, and in 2003 the Court impose him a term of imprisonment for two years.

The above case has created two public opinions on the effectiveness of the penalty crime. On the one hand, we have here a group of citizens, according to which the penalty imposed is adequate to the committed crime and many of them would be for the mentioned artists claimed also a higher penalty. They argue by the fact that, according to them, presented evidence of his guilt and for his deed deserves to be punished, to avoid the proliferation of drug already, because according to them, he did not abused only yourself, but he threatened the whole of society by his conduct. Another argument is the fact that this artist has already been lawfully convicted in the past for the same offence, punished, but unfortunately even this did not lead to his remedy and has been guilty of relapse and just for this reason deserves to be punished for his action more stringent.

On the other hand stands a group of citizens that disagree with such a highly stated penalty of deprivation of liberty, and even it shall draw up a petition asking the President of the Slovak Republic, in order to assess the case himself. This group of people refers to the fact that the artist received a higher punishment as according to them „cold-blooded killers“.

It also argues with the fact that the high-ranking people living in our society are not confronting for their crime, whether they are already exempt or against them has never been instituted prosecutions. Directly accuse law enforcement authorities, the functioning of the judiciary, judges and public officials who according to them failed to act in accordance with the applicable legislation and the artist in question was missused and punished as an exemplary example. At the same time, they indirectly accuse them of corruption and demand recasting of the criminal law and to reduce crime rates of certain criminal offences.

The above case is not the only example in which we can see the public dissatisfaction with the penalise of crime. On the contrary, lately therre is a large number of them and through electronic media, many discussions are taking place about the effectiveness of disability crime on the territory of the Slovak Republic. Most of them have, unfortunately, a negative view. In the majority of the citizens prevails a neative opinion on the current wording of the criminal proceedings and requests from the State to lower significantly the level of criminal rate. Citizens perceive i a very negative manner also the action of bodies active in criminal proceedings and courts, because in their opinion, they are largely affected by corruption, political and other bad influences.

Degree of satisfaction of the citizens with the functioning of the criminal justice system specifies a number of influences. Criminal justice system has several components, each of which performs more tasks. Reasons why citizens think of the crime and the efficiency of its disability just in this way, is undoubtedly a lot. One of the most relevant may be, as has already been mentioned above, little information. If the public believes that for the illicit manufacture of narcotic drugs and psychotropic substances, poisonous substances or precursors, their possession and trafficking are higher penalty rates than for the murder as referred to in its comments to the above case, no doubt the guilty has a low public awareness about the amount of each penalty rates for each of the offences referred to in the Criminal Code, about the fact how is punished the offender that has already been sentenced for the same offence in the past, or about the fact how functiones the cooperation with law enforcement agencies in criminal proceedings and what are the possibilities for waiving of punishment.

It is generally known that a relatively large proportion of citizens creates a pretty unrealistic ideas about the direct link between the rigour of punishment on the one hand and the overall level of crime on the other. The faith of the public in effect of the deterrent potential perpetrators though threat of high punishment is in conspicuous non-compliance with what

the effectiveness of general prevention terminates the majority of criminological researches and current knowledge of practice. Paradoxically, it is true, that neither the tightening or reducing the penalties will not be cozying to citizens.

Public dissatisfaction with judicial practice can be given also to a certain extent by the fact that with law enforcement agencies in criminal proceedings do not share some basic principles, or principles. Probably the most this is true about the need to respect not only the rights of victims but also the perpetrators. Some researches have confirmed that any obstacles preventing the immediate punishment of the culprit, it is considered a sign of weakness, the of the whole system. Procedural practices by which the bodies of law enforcement in the hearing of criminal offences are held, in the eyes of many citizens gain features of undue preference of criminals (in particular, the perpetrators of serious crimes) and this at the expense of their rapid and fair punishment.

A large part of the public lacks a personal experience with the institutions dealing with the control of crime. It can even play a large role in the assessment of the effectiveness of the crime penalty. Bodies active in criminal proceedings are often disqualified, if we compare the trust that citizens are inserted in them with confidence in the institutions from other areas of social life. In the case, and if there is a direct contact of the public with the policemen, state representatives or judges, are often accompanied by strong negative emotions associated with the investigation and the hearing of a criminal offence.

The lack of personal experience is enhanced by the fact that a considerable role in shaping the opinions and attitudes of citizens towards the effectiveness of the prosecution of crime and the crime itself and the fight with her play media. The majority of the public obtains information right through them. The most significant is the role of television and the press, which in its recent research has confirmed the Institute of criminology and social prevention. According to it, TV is the largest supplier of reports on crime for all age groups of citizens. In the case of press we can see the growth of its importance, along with increasing age.

Foreign studies have brought the opinion that the more time an individual spends monitoring the media, it is more likely to be for him to meet with distorted views on the scope of the crime. It is well known and many criminological studies has proven that picture of crime, which the media are offering, is compared to the realities greatly distorted. No journalist, no media does not have direct access to individual files, in which are listed all the facts of the offence and all acts, which have been made in the proceedings, to be able to bring to the public a direct, comprehensive and fair thing to look at. Journalists are primarily interested in delinquencies, which meet the demands for the audience by engaging valuable information. On the basis of the above facts, therefore, we can conclude that the views of the public on the effectiveness of the penalty of crime are different and in my opinion will never be uniform.

What is, however, for most of them identical, is the fact that, in their opinion, it is necessary to make the bodies active in criminal proceedings to uncover all the crimes and not only crimes of „ordinary people“, not to make any differences between offenders who come from other social levels.

On the contrary, to act against all perpetrators of criminal offences as well, do not shut eyes before those who are „powerful“. That the judicial system worked fairly, without any hint of corruption, or preference of some of the accusations. The views of the public on the effectiveness of the crime are so diverse and in many cases also depend on age and level of education of citizens, oftentimes even from the environment in which it is moving, because it is also significantly shaping their opinion. Measures to control crime always alluded to the problem of the narrowness of available resources, and this problem is becoming even more

serious at the moment. Increasingly depends on a careful choice of approaches and interventions in a given area, because the erroneous, baseless or unprepared decisions will still be a greater luxury. In relation to the citizens, the state should know what in this direction they consider to be major problems, it should seek new solutions to such problems and the chosen procedure it should clearly explain in a sufficient scale. Public support is an important, though not by far the only prerequisite for the smooth implementation of effective measures to control crime. However, public opinion is an essential part of a democratic state and it has a crucial role in the approval or rejection of the measures, which the state shall act on our behalf.

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SOME ASPECTS OF CROWD BEHAVIOR OF PROFESSIONAL SOLDIERS IN ARMED FORCE OF THE SLOVAK REPUBLIC IN MISSIONS

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Summaryt

In this article the authors point to some theoretical bases of crowd behavior and promote the results of the project in the Armed Forces of the Slovak Republic which focuses on crowd behaviour of the Armed Forces members. They suggest models of soldiers crowd behaviour in various forms of assymetric threats which can be used under the conditions of the Armed Forces of the Slovak Republic and which can inspire also civilian organisations.

Introduction

At present we have much more information on events in the world than ever before. In the development of society has been and will continue formation of theories in 21th century and classifications of traditional types of societies (congregation, traditional community, pre-industrial society), modern types of societies (industrial, technic) and postmodern society (post-industrial).

Specific features of the postmodern society:

- Political and governmental (rise of social inequality, the triumph of liberal democracy, the crisis of nation states – then deepening of international integration, EU, different types of political communities),
- Economic (strong consumerism, deregulation of the national economy, process of multinational companies, flying capital without engagement with individual and country, where operates the internationalization of productive power, labor mobility, high-tech products),
- Hypothetic, value and sociocultural (individualism, globalization, mass culturem, fashion, multiculturalism and plurality of opinion, which talks about creating a new world order).

Giddens says, that in this type of society starts a new type of risk – volume of threats and hazards, it is called the circle of risk, it is a failure of mechanisms of economic growth, which can easily arise as phenomena: growth of totalitarian power, nuclear conflict, decline of the environment or environmental disaster.

Danniel Bell says, that at this stage of the development of information technology is substitute for work, replaced knowledge capital and ownership information is power. The dominant econoic sector are services (before they were factory and farming), material production is informed.

Ulrich Back talks about talks about „the global risk society“. The quality of society and its value system begin to change. The basic element and mover is safety. Human activity is creating a permanent constantly hidden risks. Alving Toffler explained three developmental megatrends of civilizational development:

- Agricultural civilization,
- Industrial civilization (industrialization),

- Information civilization.

Information and new technologies have a huge impact on people's lives. The use of information Technologies enables to bridge time and space, the application of artificial intelligence turn away from a standardize and incline to universalism. Information and knowledge are the main factor of productivity. The concept highlights the unintended consequences and signalize, that we never have so much knowledges, so we can everything safely assume. It is necessary to review the critical relationship between our thinking/exploring and learnign about social reality.

The current period can be characterized on the one hand as a weakening of power confrotational approaches in the process of achieving the required level of security of states and gradual replacement by cooperative approaches, and on the other hand huge increase of non-military threats. Now it is necessary to see new factors, at the global level is accelerating the process of disintegration of traditional state sovereignty, which was the cornerstone of previous understanding of international relations. Slovak republic as well as other sovereign states was under attack from two sides – supranational integration pressures from outside, which are fueled by the release, acceleration and discounting the circulation of capital, goods, people, information, as well as crime, drugs, international terrorism, political, ethnic, racial and religious violence, pollution and disease. These phenomena still less respect national borders and therefore they require solution, that lead to integration of various areas of social life. The individual is thus threatened by continuous crisis situations in peaceful life.

Present is in terms of security characterized by the elimination of the risk of a global block confrontation, as a result there was a significant reduction in threat of a global military conflict of two blocks, but it was an exponential increase of risk of small scale non military threats, which may results in large scale military conflict. At least in Euro-Atlantic area there is no specific an clearly defined enemy. We know, that security threats are numerous and diverse, both in terms of intensity as well as in terms of causes. They may come from different directions and geographical areas and blur the line between external and internal conflicts.

Today we call these areas as asymmetric threats. This term is beginning to emerge in the early 90. years, since have increased the number of attacks of relatively small and vulnerable groups against developed countries. Asymmetric threats result from clashes between themselves dissimilar or unequal forces. Asymmetric threats are those, that army regular do not perform, or it is not a throe clash of the war.

In addition the statistics on accidents on the road, floods, forest fires and various other fires and other large scale disasters are increased. Depute of professional soldiers of Armed force of the Slovak Republic to carry out tasks in foreign operation is performed at the request of OSN and NATO through the Ministry of Foreign affairs of the Slovak Republic. Within the mandate of the Security council of OSN, on which bases was made and approved a proposal to depute soldiers by Armed forces of the Slovak republick and the Government of the Slovak republic, Ministry of defense of the Slovac republic prepared a memorandum between the Government and NATO, OSN or other international organization.

1. Crowd behavior

Crowd behavior is a response to a joint initiative of people. It is spontaneous, unstable, emotional, unconventional. It differs from a normal behavior, especially that it exist in stable social groups, but in large aggregates a collectivities, ie. among the people, they influence

each other only short time and superficially, without creating deeper bonds between each other.

Mass is a collection of many people dispersed at the time in various places, united by common interest, attitude or belief and act on this behalf. Mass behavior mostly exist in large society, where is no personal contact, but there is some interaction of human behavior. Mass is intolerant, but trusting to authority. Respects force and goodness and almost can not be influenced.

Crowd is a collection of many anonymous people in the same place, that is mutually influenced by mutual physical proximity, forming natural emotions, reducing rational control, increasing suggestibility, imitation, affects, falling barriers and personal responsibility.

The crowd can be characterized as:

- Large number of individuals, whose joint so called exciting cause, the crowd is bouded to a particular area, people in crowd lost their individual decision, the crowd compensates differences between individuals, it forms individual or under the influence of a leader, the crowd is approximately summable, characteristic feature is its crowd behavior – it is a unification of ideas – there is a social force, the crowd is often governed by emotion and suggestion.
- There is a phenomenon of crowding – overgrowth, ritualized behavior and disintegration of social rules.
- There are two types of crowd – organized and random

Types of crowd

- Random crowd – accidental, spontaneously grouped aggregate, the cause is an event, where people are witnesses – car accident, window case, street vendor.
- Conventional crowd – group of people in a particular place because of an event such as football, concerts, theater, cinema..
- Expressive crowd – arises from a need of people to be together, common expression of feelings, attitudes – for example rockers. Expressive crowd - people at the disco, concerts, sports matches. It can be made from the conventional crowd, but it is less organized.
- Active crowd – people do not act in accordance with current standards, aggressive, violent, destructive. It is not enough to reflect, but people want something to do against someone or something – violent fans of sport events, lynching group, violent demonstration. There is a violent of social standards.
- Protest crowd (there are elements of conventional and active crowd, but its aim is to protest – peaceful demonstration, march.

The crowd is united by common interest, stance on any given issue, person or group, or belief and act on this behalf. The crowd is a social group in the sociological sense, but social aggregate. The presence in the crowd affects the behavior of individuals (so called crowd or collective behavior), there is strongly reflected the principle of imitation.

Behavior of individuals is affected by their anonymity and loss of social control. The crowd behavior is marked by impulsivity, emotion and spontaneity, sense of invulnerability, greater certainty and strength. Weak linkages between participants of crowd disappear after finishing of crowd situations. According to Gustav Le Bon the crowd is an assembly of individuals

irrespective of their nationality, profession or gender, regardless of the chance to put them together. The crowd can be successfully manipulated, subject leaders instinctively.

Functioning of the crowd:

1. Social facilitation – our behavior is strengthened in the presence of other people and we tend to ingratiate others.
2. Unexpected help – deindividuation of members. It is a phenomenon, that occurs is so called distributed responsibility and it means, that everyone in the crowd expected to provide necessary assistance to someone else.
3. Infected emotions – mood of crowd quickly infects all its members. Emotional contagion with depersonalization temporarily suspend „social behavior“ and give space to the instinctive behavior.
4. Killing panic – widespread prejudice is that people in the crowd were trampled. Cases of trample are unusual, there is a little space in the crowd a there is nowhere to fall. Much more dangerous is pressure mass, that can curve metal railings and sweep away everything in its path. People in the crowd die mostly due to suffocation following too much pressure. Chances to exit or escape are small, since research has shown, that a good escape route for people fleeing their miss.

While other types of crowd are able to some kind of organized behavior, that leads to achieving goals, the crowd in panic starts to behave irrationally. Research shows, that although people in panic constantly looking around for other members of crowd, who desperately looking for some useful information to save lives, they are not able to perceive words or even the body language of others. They let themselves to be carried away through the crowd, which has at this time lack of any purposeful negotiation. The movement of crowd significantly slows down. This is probably due to the complete disorganization of most its members.

Chance to escape from the dangerous situation of the crowd is lower than that you would have in small group. This is surprisingly not due to the size of exit or escape routes. Research shows, that the crowd have good escape route, it often misses on his unnoticed escape.

2. Models of crowd behavior of soldiers in various forms of asymmetrical threats

So far collected and analyzed research data allow to establish a general idea of social psychological factors and conditions affecting the survival and behavior of soldiers intervening against multiple clusters. The mental state of soldiers in specific conditions of intragroup confrontational interaction is above all:

- Conduct of crowd participants and it is unfolding behavior
- Activity of intervening soldiers as behavioral expression of the fulfillment of the current social role
- Specific conditions, in which the intervention take place by perceptions and feelings of intervening soldiers.

We generated 9 types of situations by the secondary analysis of collected data and classifying them according the above mentioned criteria, in which soldiers intervening under the unified command to participants find themselves in the crowd, and which differ from each character of reactions of crowd participants – soldiers, their conduct, specific conditions, characteristic for this situation affecting survival and behavior of intervening soldiers and create conditions for their eventually failure :

1. Concentration more people

2. Crowd participants move to destination
3. Crowd participants advancing to intervening cordon of soldiers
4. Crowd participants individually or in groups try to get into the protected area, or area defined by intervening soldiers
5. Conflict between the warring groups results in peer assaults, beatings
6. Crowd participants stay in space despite repeated challenges
7. Aggressive behavior (verbal and physical) of the most active crowd participants
8. Aggressive behavior of participants within the normal range, slightly go beyond the standard
9. Aggressive physical attacks of crowd participants against intervening groups of soldiers

All situation types are analyzed on the basis of intervening situational variables and relics of intervening soldiers.

Conclusion to behavior models

Actual performance of soldier in various interventions is determined by the level of personal internal conflict emerging between demands of particular situation and subjective sense of preparedness of intervening soldiers to handle these demands.

Preparedness of soldiers to intervene involves both professional habits and skills and emotional dispositions of cognitive process acting stimuli, always act in accordance with the objective of military action, its role in situation and maintain an optimal level of motivation to intervention, ability to cope with mental stress, that is caused by intervention. These are conclusions, that lead to innovations in content of psychological preparation not only of ordinary soldiers, as well as commanding officer and noncommissioned officer.

These dispositions are reflected in the attitudes of soldiers to object procedure – ie. participants in collective group and their activities as a holder of a current military role in a particular situation, activities and actions to other participants (colleagues, bosses, terrorists, other people) and the conditions, in which is the military situation in progress (command, organizational, technical, time, location, material and other). The proposed model situations may be an appropriate methodological tool to predict soldiers behavior during deployment in missions (and also elimination of potential failure). Research shows, that interaction that soldiers perceive as real life and health threatening and their co-belligerent in military actions (it could be likened to action in self defense, or extreme distress) are assumed a change in motivation - the goal fo achieving military intervention to protect life and health.

Use the result of solution of crowd behavior

The project's results show, that crowd is generally defined as a collection of more people, who are in very close physical meetings at time and in particular space, have mutual interest, attitude or belief and act on its behalf. This meeting of people significantly differ from those individuals, who creat it.

Laws, that governed the crowd:

It consists of the collective soul, undoubtedly temporary, but has specific properties. Some special features of the crowds are for example impulsiveness, irritability, inability to think, lack of judgement and critical spirit, superlative emotions etc. Conscious personality and

emotions disappear and thoughts of all units are focused in the same direction. In our very large group of people are not able to make rational decisions. Individual acts under certain conditions quite different. The crowd consists of normal people, relatively stable, differing each other's thinking, behavior and survival – except when the crowd is creating. Then individuals merge into a common thought and feeling, the momentary unit under the Act creates a collective mind, crowd soul, in which lose their conscious personality, prevail irrational, primitive layer in their psyche. Collective soul is formed only temporarily, until pursued certain goals. Many problems arise from the summary of theoretical analyzes and analyze of research on crowd behavior, that affect not possible to solve this scientific task, which should be continued to be addressed in the creation of specific models of crowd behavior. These models should be focused on the specific situations, where are participants members of the Armed force. It is a very serious problem and it is very important to improve professional's training in missions.

A COUPLE NOTES ON HISTORY OF ADMINISTRATIVE PUNISHMENTS

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Abstract

The article focuses on the development of legal regulation of administrative punishments after 1945. When the democratic system of law was being abolished after 1945, legal regulation of administrative punishments got changed too. During the so-called “lawyers’ two-year term”, the Ministry of Interior was assigned a task to prepare basic legislative acts concerning the branch of administrative law. Mainly, the article analyses the Act no Administrative Punishments NO 88/1950 Coll. Moreover, the legal regulation of misdemeanour law of the Sixties, which got changed during the Seventies, is outlined in the article too.

Keywords: Legal Regulation of Administrative Punishments; Misdemeanour Law; People’s Committees; Offence Commission

Within short excursion into the history of administrative punishment we look at the development of legislation, especially since 1945, more or less in the totalitarian socialist legal system.

The post-war Czechoslovakia continuously followed the pre-war republic, but not in all areas. Public administration was one of those areas, which was characterized by discontinuity. Complicated and highly criticized system of public administration based on rules emerged from the administrative reform of 1927 was clearly proscribed by post-war political parties. System of national committees forming at the end of war and relating to traditions of these institutions at the end of the First World War although was accepted by all governmental centres, but with a slightly different understanding of his character. This resulted in even change in misdemeanour law, resp. legal regulation of administrative punishment. It was necessary to respond to the fact, that the competence of national committees was much wider than in pre-war two-tier local government. It was assumed, that offenses still prosecuted by the courts are transferred to them. Offenses prosecuted by administrative authorities in Czech lands were concentrated in one standard, but were fragmented into the series of rules governing relations in various branches of government. For example, about 212 legal regulations of administrative punishments were used by administrative agencies in the post war period. The situation in Slovakia as a result of Former Hungary’s heritage was quite different. There was a offensive criminal code (Act No. XI/1879) and a criminal police order (Reg. Minister of Interior and Justice No. 65 RT 136/1909). Criminal magistrate prosecuted offenses, they did not have role of judges but administrative agencies. Political officials were entrusted with this function in the pre-war Czechoslovakia. Later there was a number of administrative offenses contained in various rules of administrative law in Slovakia, and therefore an offensive criminal code could be viewed as a uniform codification of administrative offences. Globally the administrative criminal law was characterized by the fact, that criminal sanction against sanctions prosecuted offenses were in principle milder and an administrative punishment did not result in the loss of „integrity“.

At the destruction of legal democratic order in 1948 affected was the administrative criminal law too. During legal biennials the Ministry of Interior has imposed a task of preparing of basic legislative acts in the field of administrative law. The task was not dividend into the period of two years as carried into effect the Ministry of Justice, but for much longer. For example he did not count the fact, that it should be immediately issued a new administrative order and a comprehensive revision of national committees have not reached yet that time on the agenda. On the other hand criminal law (including administrative criminal law) has become a subject of overriding „interest” of communist structures. Therefore the first task was ordered to draw up codes of criminal law and administrative criminal law. In technical sense, a legislative work has become a basic guideline, the next approved by the government in November 1949. These rules were published in form of internal order and contained determination of general principles and methods of planning legislative work, procedure for devising rules from developing principles through various phases amendment procedure to the approval of the final text by government and National assembly. However critical was the opinion of party organs.

On 22th June 1950 were discussed both proposals by constitutional law committee of the National assembly and on 12th July 1950 were they submitted to the plenum chamber. The administrative criminal law was issued under 88 col. and administrative criminal code as Act No. 89 Sb.

Both codes were issued with the criminal justice codes. At this point we will particularly not evaluate a punitive nature of these codes and their ideological basis. It belongs to the field of political science literature. Our aim is just an overview of the development of post-war legal regulation of administrative punishment.

New legislation of administrative punishment was primarily simplified by hierarchy of offenses in the sense, that from this moment there are only two kinds of punishable acts – criminal offenses and administrative offenses. Punishment of crimes under criminal law and criminal order were entrusted to the judicial authorities, while administrative punishment was generally entrusted to the government, at that time National Committee.

Offenses under the legal regulation of administrative punishment had subsidiary nature of offenses. The criminal code did not have definitions on offenses and offenses on criminal law in § 2. In § 2 of legal regulation of administrative punishment as mentioned, that according this act are prosecuted such offenses, that are under the criminal law not punishable. According to the needs of the communists hierarchy provisions of both laws, especially those that contain facts of crime, was formulated quite flexible, so as to prevent escape from punishment of those, who violated interests of the people’s democratic state.

Highly repressive character of former misdemeanour law is highlighted by the constant supervision of prosecution. Prosecutors had to have regular contact with the criminal of the National Committee. Normatively, this practice was adjusted in Act No. 65/1952 on prosecution, especially in § 6 article 2, giving prosecution authorities an opportunity to participate in national committees, their bodies, and other authorities. Act No. 102/1953 again returned to this (especially §3, §6 article 2).

The administrative criminal law in its original form did not have long life and the first amendment to the Act was in 1953. The causes must be sought rather in the political field than in technical. Act No. 102/1953 and No. 14/1957 were issued.

The revision in 1953 brought determining boundaries of specific penalty area and it was determined a maximal amount and type of punishment. Decisions in cases of doubt about

offences, whether the court or administrative authority fell into the hands of the prosecutor. However the criminal jurisdiction was limited, excluded was the imprisonment, if an amount was limited, administrative authorities could not impose as by-sentence of forfeiture of assets and prohibition of stay.

The amendment in 1957 further reduced the limit of penalties to offences. New offences were included in administrative criminal code, some facts and were made adjustments in the field of punishments.

In 1960 there was a publication of so called socialist constitution and consequently began to reshape the entire legal order. Recast of misdemeanour law again became a priority. This resulted in publication of Act No. 60/1961 on the task of national committees in ensuring the socialist order, which was after all previous regulations qualitatively different. The focus of treatment consisted in definition of crimes, while in the procedural field were defined only basic provisions and other expected alternative use of administrative order.

At the same time were issued the Act No. 60/1961 and on 1st July 1961 the Act No. 38/1961 on local people's courts. The most problematic part of the judicial system followed on the comradesly courts from 1956 – 1961. The task of these basically amateur courts were hearing of less serious violations of socialist legality. National committees were guided in the same spirit, they were authorized to discuss next offences instead of local people's court also guiltiness. This contingency came into the play in the event of discuss offense of citizens, there were established local peoples' courts in the place of residence or place of work. National committees opposed to local people's courts set up in workplace but cannot replace with disciplinary authorities under the Act No. 24/1957 on disciplinary prosecution of theft and damage to property in socialist ownership. In addition the National Committee is limited in deal with guiltiness, so guiltiness are just measures listed in § 26 of Act No. 60/1961.

This legal status remained in its origin form until 1965, when there was a first change. The punishments and offences of people repeatedly committing hooliganism, violence and parasitism were tightened by law and entrusted within the scope of district courts. The Act No. 126/1968 on some measures to consolidate public policy and its § 3, which defined additional facts of offences and concurrently for this offence increased maximum penalty 3000 Kč, it was another intervention to existing effecting treatment of offences.

Essential and the most significant change brought the Act No. 60/1961 and the Act No. 150/1969 on offences, which was cancelled at the end of 1969, and the Act on Local people's courts § 5 and §§ 33 – 41 of offensive law and the aforementioned Act No. 58/1965. As a result of entry into the force of the Act on Offences occurred on 1st January 1970, there was a replacement of guiltiness category new category of legal offences, called as torts.

The legal status in 1969 did not stay long unchanged. The first most important intervention was a legislation of the Act No. 142/1970 on Foreign Exchange management. In his § 27 were newly established specific facts on foreign exchange offences fined up to 5000 Kč.

Offences fined up to 5000 Kč in penalties for offences were calculated by reference to the general clause of offences as it was published in the Act No. 60/1961 as well as the Act No. 86/1972 on Breeding of livestock, which in § 23 defined, that breach of obligations set out in this Act shall be prosecuted in accordance with § 6 of the Act No. 60/1961. A similar solution was also chosen in § 52 of the Act No. 68/1979 on National road transport and domestic forwarding, where also offences fined up to 5000 Kč and further referred to the Act No. 60/1961.

New misdemeanours, raising offences with intermediate intervention to the origin text of the Act No. 60/1961 were further reflected in provisions of the customs Act No. 44/1974 as well as provisions of the Building Act No. 50/1976 and Act No. 153/1976, which amended and supplemented Act No. 60/1961.

Customs offences were in practice given outside the Act No. 60/1961. For the same reasons as in specified currency offences occurred the raising of the upper limit of penalties, and differentially to 1000 Kč and 5000 Kč. In contrast to the Act on Foreign Exchange management, which upheld provisions of the Act No. 60/1961 On Merits of foreign Exchange violation, the Customs Act cancelled a similar provision in § 15 of the Act No. 60/1961. The Custom Act discussed on punishments in § 88, that differed from measures in § 26 article 1 of the Act No. 60/1961. At the same time his §§ 89 and 90 specifically modified the prevention of goods and merchandise, and modified as mentioned provision in § 26 article 2 and 3.

A similar trend can be observed even for offences in construction section.

There were no significant interventions offensive law in subsequent years.

After 1989 changes of misdemeanour laws necessitated social and political changes. It was published the Act No. 200/1990 on Offences, which was many times amended. Under this act is the offence a culpable violation, which violates or threatens interests of society and it is expressly identified in this act, it is not other administrative offence punishable under a special legislation or crime.

Offence is not a negotiation by which someone distracts

- a) Adequately directly threatened or continuing attack on interests protected by law, or
- b) Risk of directly threatening interests protected by law, if that conduct wasn't probably due to the same serious consequence than that, which threatened and this risk cannot be averted otherwise in this situation.

For wilful negligence is suffice to responsibility for offence, unless the law expressly provides that it is a wilful culpableness.

The offence is committed by negligence, if the offender

- a) Knew, that their actions may violate or threaten interests protected by law, but without reasonable grounds relied on the fact that this interest does not violate or endanger.
- b) Did not know that his action may violate or threaten the interests protected by law, although given circumstances and personal circumstances should and could know.

The offence is committed wilfully, if the offender:

- a) Wanted violate or threaten the interests protected by law
- b) Knew, that his action can affect interests protected by law, and in case it breaks or threatening, was along with it.

Dealing means and omission of such conduct, to which the offender was under circumstances and their personal circumstances indicted.

The offensive law of 1990 is the primary source of Czech offensive law, which follows a number of other laws and regulations governing specific types of offences.

INTERNATIONAL CRISIS MANAGEMENT AND GLOBAL SECURITY

PhDr. Patrícia SOPKOVÁ

Abstract:

The contribution focuses on the clarification of the functioning of international crisis management from the perspective of the functioning of its operation at the UN, the EU, NATO and the OSCE. In the wake of that it deals with security links of the current changes in the global security environment, defines the concept of globalization and its threats. Another part of the contribution is paid to the impact of international crisis management on global security of Europe, points to Common foreign and security policy (CFSP) of the EU – as a tool of International crisis management In the end defines the position of the Member States of the EU in crisis management in the EU.

Key words: international crisis management, globalization, Common foreign and security policy of the European Union

INTRODUCTION

World peace and stability between the countries is constantly exposed to a broad range of military and non-military risks, which may act in different directions and are sometimes hardly predictable. These risks consist of uncertainty, instability, regional conflicts, which could be extended, as well as economic, social and political problems, ethnic and religious conflicts, and the disintegration of the state establishment. The results of the tensions are extensive crisis, which may go as far as armed conflict.

1 INTERNATIONAL CRISIS MANAGEMENT

An important role in dealing with crises and conflicts in the world plays the international crisis management (hereinafter referred to as “ICM”) and its organisations, especially The UNITED NATIONS, NATO, the EU and the OSCE. Their task is difficult, must ensure a safe environment, collective defence, they must also deepen relations with its partners, to preserve its political will and, in particular, must retain the means, which make use of to ensure their safety, These organizations of crisis management shall try to achieve stability, security and peace not only for the benefit of its members, but also endeavour to create the conditions necessary for the creation of partnerships, cooperation, dialogue with other global players, who also have their political goals.

One of the objectives of the international community is that it has timely and adequately responds to emerging tensions and crisis situations and actually with this objective builds and uses a system of international crisis management.

International crisis management can be defined as a set of coordinated actions of states and international organizations, which take place in resolving the crisis, in order to prevent with appropriate political, diplomatic, economic and military means its escalation into armed conflict.

The aim of ICM is to contribute to reducing the tension and prevent hi a crisis situation that could be formed from it, to effectively manage the crisis and prevent conflicts that could arise

from them and ensure constant civilian and military preparedness for responses to the crisis. To achieve these objectives, the ICM uses the following functions: monitoring of the situation and reporting, assessment of the situation, planning, decision making, implementation of agreed decisions and return to normal operation.

Partial conclusion:

In these dynamically changing periods it is important that all participating organisations active in the field of ICM unite their tools in dealing with the crisis situation. It should be noted that the environment of military operations is currently composed of military and civilian environments. Military environment is characterised by military forces and means, for the purposes of military use. The civilian environment is made up of persons who are not participants in the military operation, but are an integral part and influence leadership of the military operations and in this area. In the areas of crisis situation operate multinational units, further international communities such as the UN, EU, NATO, the OSCE, but also the non-governmental, voluntary and humanitarian organizations. All the mentioned entities are making efforts to solve the crisis. Thus, they are components of the ICM. Overall, we can say that the common mission of the entities mentioned is a mitigation of the crisis among the civilian population.

1.1 ICM operations from the perspective of the UN

Maintaining and building international peace and security is a major role of the UNITED NATIONS. It focuses on the areas of:

- military and security (disarmament, the destruction of weapons)
- humanitarian (repatriation of refugees and care for children affected by conflict, security, food, water and pharmaceuticals)
- protection of human rights (the supervision of compliance with human rights, the reform of the security system, the judiciary and investigation of crimes)
- economic and social measures (reconstruction of the infrastructure, the elimination of economic and social inequality, development of public administration and, of course, economic growth)

The UNITED NATIONS has a key place in terms of the legitimacy of ICM operations, has the most experience of the preparation and implementation of operations, whether military, civilian or regional offices.

Crisis management is one of the main instruments of the UNITED NATIONS in the resolution of conflicts, the maintenance of peace and security in the world. ICM on UN area includes:

- Preventive diplomacy - Conflict Prevention - regards the diplomatic measures to prevent escalation of inside or inter-state tension, ideally this prevention should be based on early warning and analysis and the factors causing the conflict
- The mission of the peace building - Peace building – (e.g. demobilisation, again involving the warring into society)

- The interim report - Transitional Administration (The UNITED NATIONS participated in the administration of the country in the transitional period. This Institute is specifically applied for example. in Cambodia 1992-1993, in Kosovo and East Timor in 1999)
- The mission to maintain peace- Peace keeping – the quest for the preservation of peace after the cessation of fighting)

Issues of safety and crisis management are dealt within the structures under the Office of the UN Secretary General. In terms of crisis management is also important The Situation Centre SITCEN UN. Its tasks are to organize, for example, the initial crisis management and quickly to organize a Crisis Action Team (CAT), or to organize and maintain a video-conference with missions in the field.

1.2 ICM operations from the perspective of NATO

They represent a new understanding of peace-keeping operations, are in response to changes in the operating environment. They are multifunctional, conducted impartially and are designed to achieve a long-term settlement of the conflict or peace conditions. In order to begin the operation NATO shall be fulfilled some conditions; in the first place it must be analysed security environment, it must be issued a favourable opinion of the host country with the deployment of military units, at the same time it is required the consent of the Member countries of NATO with the participation in the operation, and last but not least, it must be ensured an effective cooperation and coordination of military units, civilian institutions, humanitarian organization.

Operations of NATO can be according to Jurčák et al.(2009) divided into :

- Collective defence (according to the article 5 of the Washington Treaty)
- Crisis operations (outside the article 5 of the Washington Treaty – NA5CROs.)

Here it should be added that the participation in such operations is not mandatory for Member States). These are operations such as: peace-support operations (Peace Support Operations), operations against irregular threats, humanitarian aid operations, operations to evacuate civilians, retreating operations, operations on the enforcement of sanctions and embargoes, operations of freedom and navigation and flights.

1.3 ICM operations from the perspective of EU

All military operations are carried out on the basis of UN Security Council resolution and have a non-military character. The obligation to provide national units is based on the decisions of the Member States and at the same time, all the actions depend on the willingness and resources of the Member States.

In the broader importance, the crisis management of EU represents a summary of the activities of the relevant institutions of member countries and authorities of the EU intended for the analysis of security risks and threats to internal and external security of the EU, for the monitoring of risk factors, prevention of crisis situations and to planning, organizing, implementing and controlling the activities designed to create conditions for a solution and for influencing the course of crises.

In the narrower sense constitutes a crisis management of the EU a tool of common foreign and security policy (hereinafter referred to as the „CFSP“) on peace-keeping, conflict

prevention and strengthening international security outside the territory of the Member States in accordance with the principles of the Charter of the United Nations. The CFSP has set itself the objective of maintaining the common values, independence and integrity, to reinforce the security of the EU, to maintain peace and international security, promote international cooperation, to develop and promote democracy, the rule of law and, of course, human rights.

Among operations of ICM of the EU belong humanitarian and rescue operations, peace-keeping missions including the performance of the tasks of combat forces and efforts to bring peace to.

1.4 ICM operations from the perspective of OSCE

OSCE defined its security policy in Helsinki in 1992 and in Istanbul in 1999. Unlike security organization as the UNITED NATIONS, NATO, the EU it does not have its own internationally-legal personality, or tools of power for sanctioning the behaviour of the participant state, which violates made commitments.

The OSCE fulfils tasks in the provision of assistance and advice and monitors the implementation of the commitments. It also carries out aid in organizing and monitoring elections and carries out support in maintaining order and law.

Programmatically it focuses on preventive diplomacy and the monitoring of contracts and agreements. Finally, it addresses issues of ethnic minorities, and carries out a permanent presence in crisis areas.

Centre of conflict prevention with its Operational Centre disposes of the share personnel with expertise for all types of OSCE operation, which is possible if necessary, quickly expanded. His task will be planning and deployment of operations in the area, including operations using sources REACT. In accordance with the platform for co-operative security, its role is to maintain contact with other international organisations and institutions.

2 THE SECURITY CONTEXT OF THE CURRENT CHANGES IN THE GLOBAL SECURITY ENVIRONMENT

In the last period occur changes in factors of safety, this applies to both the external but also internal factors. Interesting perspective brought a message of United States National Intelligence Council (NIC), from which it is clear that the world will likely face in the immediate future permanent crises, turbulences, chaos and violence. According to the report Global trends 2025 it is possible in the following decades, inter alia, to expect these phenomena (Micah – Leszczyński, 2010)

- in individual countries increase social risks and social crises, there is a shift to militancy in dealing with the social, ethnic and religious conflicts,
- Expand the sources of threats to security, for example. natural disasters, the increase in crime, sabotage, acts of terrorism,
- Growth the need to strengthen the security of states, as well as the internal security (of individual citizens, order, legality, etc.),
- There are changes in the environment and climate change give rise to the need to strengthen the preparedness of not only individuals but also self-governments and states themselves, increase the requirements for the creation and protection of the environment

- Grows need to strengthen security at all its levels, i.e. the individual, national and international level.

In General, as the most important factors that have an impact on the security situation in the world can be included:

- Technological advances
- unexpected fluctuations in the economy in strongest countries of the world
- economic development of emerging countries (People's Republic of China, India) – their growing political and military strength
- over competence – occupancy of the world market as a result of the economic globalization

In relation to these phenomena, it is necessary to define the concept of globalization. So what it is actually globalisation?

There are many definitions of globalization, their content filling, however, depends on the dimension, or the angle of view of its creator. Oftentimes is globalization connected only with its economic impact without its wider dimension, which includes the political, social, but also security area. Globalization can be defined as the integration of economic, social and cultural relations beyond the limits.

Globalisation is best understood as the creation of various cross-border mechanisms that reflect the developments in the economy, politics and security. (Kay, 2004)

Švihlíková (2010,p.10) defines globalization as “dynamic ambivalent process, entailing a profound asymmetry at the various levels of the world economy and policy. The core of globalization according to her forms the link of technology-economic core, and this nucleus gives rise to pressures, which appear in the other subsystems: in the political, cultural and in the subsystem of international relations of which international economic relations are an integral part.“

According to the definition adopted by the participants of the World Economic Forum in Davos in Switzerland “globalization is the result of the digital revolution and represents unstoppable process supported by the development of global communication and information systems, global transportation systems and barrier-free transfers of capital around the world and the creation of company networks.”

Another definition says that „globalization is primarily a spontaneous unmanaged process that represents the diversifying products and services, which are placed on international markets as a result of trade liberalization and economic rules, increasing freedom in setting up organisations and technical and technological innovations that allow for the provision of services without spatial limits“. (Nečas – Ivančík, 2011, p.9)

The International Monetary Fund defines globalization “as the growing economic interdependence of countries on a global scale as a result of the growing volume of international capital and cross-border transactions of goods and services, as well as a more immediate and broader dissemination of technologies.“

Keller (2000) in its definition of globalisation combines multiple elements, when talking about globalization as about a complex process involving changes in the field of technology, economy, politics, but also about the changes in the social and cultural field.

From the above mentioned definitions can be stated, that, thanks to its economic, political and cultural dimension has a significant impact on the state. Ian Clark (2009) says that globalisation is to be understood as a series of changes within the state and not only as external influences.

In the era after the cold war there have been used terms such as fragmentation and globalization, while globalisation is perceived as good and fragmentation as evil. However, according to Guehenno (2009), these two concepts are united and coexist; therefore they are not in opposition. In addition, economic, military and political globalization and fragmentation are reflected both inside the state and also between states.

Looking at the analysis of globalization, security becomes a multidimensional, because new threats transcend national boundaries. In the period after the cold war, the role of the states reduces while the role of multinational companies, financial institutions and non-governmental organization is increasing with globalisation. These changes are not limited only in the sphere of financial and economic. Globalization changes the nature of the states and of the political community (Karacasulu, 2006). Thus has an impact on the international security agenda.

In connection with the fact that globalization is multidimensional in nature, it should be pointed out, as well as on the existing threats of globalisation (Guehenno,2009):

1. in the era of globalization is developing terrorism
2. in the era of globalization, the state cannot physically control security aspects such as the protection of information and technology and the state cannot prevent their movements no longer
3. the state itself cannot prevent the transmission of harmful substances in the air, transmission of diseases and thus blurs the difference between national and transnational security and globalization shapes the security policy
4. Reduces the impact of national industries and that as a result of foreign direct investment in national economies, and the state loses control over the domestic economy. Such companies with foreign participation are sensitive to international crises that threaten their economic security
5. Expands the influence of the mass media, for example. in the case of the conflict in Kosovo, there was broadcasted deportations and the victims of conflict in the television, what caused that it was not possible to ignore the pressure of international intervention.
6. globalization facilitates access of states to weapons of mass destruction, and so in some cases, even weak states can face a stronger state
7. the globalizing process supports the expansion of terrorism, because in the process of globalization creates a marginal, socially and economically weaker groups which realize that they can't have an equal share in a global world, their claims do not recognize the powerful nations and their reaction to this situation is to fight against globalization in the form of terrorism. Regardless of whether the terrorist is an individual or terrorist group, it is always threatening the whole, globalised world.

3 ICM TOOLS FROM THE PERSPECTIVE OF THE EU IN THE FIELD OF GLOBAL SECURITY

Since the end of the cold war, there were numerous turbulent changes that touch not only the individual but also to society as a whole. The individual alone cannot overcome these changes, but on the contrary, cooperation between society and the individual must coexist, whose aim is not only to accept changes, but these changes will be overcome and this by the way that have not materialised into a crisis situation, or even armed conflict. These changes affected the economy, the environment, politics and, of course, as a result, even safety. Therefore, the Slovak Republic, to make it feel safer entered into NATO. After joining the EU and with cooperation with its Member States has acquired a wider economic benefits and membership in the UNITED NATIONS has confirmed its loyalty towards countries that need aid from more stable states, thus became part of ICM.

At the end of the 20th century began to grow, the importance of the EU from the perspective of building a European security and defence. In 2003, cooperation agreements were concluded between the EU and NATO (Berlin plus). The European Council in December 2003 endorsed the historically first European security strategy. In the case of the adoption of the Constitutional Treaty, the EU would have broadened the spectrum of possible EU missions beyond the Petersberg tasks and it would have provided new mechanisms to deepen integration in the area of security and defence.

ICM operations are according to Petersberg's tasks divided into:

- humanitarian and rescue operations
- peace-keeping operations
- operations to peace-making

The EU approach to the current threats can be expressed by the following thesis:

- no threat is purely of military nature,
- any threat cannot be countered only by military instruments,
- each threat requires a combination of different tools

It should be noted that the European Parliament itself called on the EU to develop its means of security strategy, from the diplomatic tools to avoid crises and economic and development aid to the civilian capacity in the area of stabilization and reconstruction, as well as military means. (European Parliament Resolution on the role of NATO in the security architecture of the EU, 19.02.2009).

3.1 Common foreign and security policy (CFSP) of the EU – as a tool of ICM

The CFSP of EU was brought to life by the Maastricht Treaty, which entered into force on the 1st November 1993. To some of the changes in the structure of the CFSP has become by the adoption of the conclusions of the European Council in Nice in December 2000. The CFSP area is significantly touched by the Treaty of Lisbon, which entered into force on the 1st December 2009. The important thing is that in spite of the interference of the pillar structure of the EU in the Lisbon Treaty, decisions in the field of the CFSP will continue to be taken by consensus. CFSP therefore does not replace the foreign policy of the Member States, but it continues to be a tool for enforcing policy, on which the present member countries agree. Measures resulting from the Lisbon Treaty are directed first and foremost to better coherence and efficiency of the CFSP of the EU. In this sense, is a key change creation of the post of EU High Representative for foreign and security policy, who is also a Vice-President of the

European Commission (EC). By this step is institutionally stated ambition of EU to talk in foreign policy uniformly.

Objectives of the CFSP

- To maintain the common values, independence and integrity
- To strengthen the security of the EU
- To preserve peace and international security
- Promote international cooperation
- Develop and promote democracy, the rule of law, human rights

Tools of CFSP

- Common strategies.
- Common actions – operations of crisis management
Common positions

Other tools:

- Political dialogue – declarations, demarches
- Sanctions - embargoes on arms, freezing of the funds, the restrictions on investment, imports and exports
- Long-term tools for geographical assistance

3.2 Common foreign and safety policy (CFSP)

Entry into force of the Amsterdam Treaty in 1999 was in the framework of the common foreign and security policy (CFSP), in response to the European security and defence identity (European Security and Defence Identity – ESDI) within NATO, created the European security and defence policy (ESDP). From the 1st December 2009, when the Lisbon Treaty entered into force, the European security and defence policy has changed for the common security and defence policy (CSDP). CSDP is defined as an integral part of the CFSP, which provides the EU with an operational capacity drawing on civilian and military means. These can be used on missions outside the territory of the EU, which are focused on peace-keeping, conflict prevention and strengthening international security in accordance with the principles of the Charter of the United Nations. In carrying out these tasks are utilized the capabilities provided by the Member States. No member country can be forced to engage in missions automatically.

Through the CSDP has EU ambition to strengthen its ability to respond to crises in the world with no geographic restrictions, and thus fulfil a key requirement, as defined in the framework of the European security strategy: strengthen the role of the EU in the context of global security, in accordance with its potential. For this purpose, the EU needs to be more active, more capable and more coherent. To this corresponds also its efforts on building capabilities and strengthening mutual coordination and synergies of all its major players. (Ministry of Foreign Affairs, 2011)

3.3 The position of member countries in crisis management in the EU

- Member countries have permanent representation in committees and working groups and bodies of the EU
- Member States shall cooperate closely with the authorities of the CSDP and EU crisis management at all levels of political control and the military command
- Member countries participate at all stages of the management of the crisis management from making the concept of crisis management through approval procedures, the implementation phase only after the termination of the operation
- Member countries contribute their contingents to civilian and military crisis management instruments

According to D. Chaa (2000) the EU should be ready to assume its share of responsibility for global security, because security is a necessary condition for development. In a nutshell, Europe must be ready to so called „preventive wars“, because preventive engagement can avoid more serious problems in the future.

CONCLUSION

In the current security environment, the attention shifted from the State to the global security. Only military means to address security threats appear as ineffective.

The United Nations is a community, which also as EU does not have its own armed forces which can be deployed to a crisis situation, therefore it needs for its existence to cooperate with NATO and the EU. The UN is coordinating body, and it is therefore important to promote mutual cooperation among organisations of ICM in the future, despite the fact that these organizations use a variety of tools, resources, but without any mutual coordination, cooperation and communication between them it is not possible to effectively use them. It would therefore be appropriate that there was a concentration of these forces on the one hand and on the other hand to the clarification of their scope, therefore, the UNITED NATIONS would be included as a component which will coordinate the global problems, the EU would provide the mission mainly in Europe (the Balkans), and NATO would focus attention on rest of the world. However, this is only a vision, and the issue of cooperation remains on individual institutions.

In a world of global threats, security depends on a well-functioning multilateral system. The common aim should be to create a stronger international community, well-functioning international institutions and a rules-based international order. The fight against the new dynamic threats, therefore, requires an active policy at all levels.

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POLITICAL EXTREMISM AND TERRORISM AS DESTABILIZING ELEMENT OF INTERNAL SECURITY OF THE STATE

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Summary

This contribution deals with political extremism and terrorism as a possible destabilizing element of the internal security. The paper discusses the possible reasons and causes of manifestations of extremism and it is pointed out that the manifestations of extremism penetrating through the concrete structures, people in the armed forces and state administration. In conclusion, there are proposed general principles and approaches to solving this current phenomenon of our time.

Keywords

External security, internal security, fascism, left-wing extremism, , nazism, neofascism, neo-nazism, political extremism, right-wing extremism, racism, terrorism, vigilantism, xenophobia.

Manifestations of political extremism are the current phenomenon of contemporary global world, with the rising trend of political (or other) up to extremism, takes on locally such proportions that cause very strained relations between states or nations, creating a tense international political and social situation in general. The reasons for political extremism and political tensions between countries are different, but it can be said to outweigh the reasons for ethnic, geopolitical, racial, and religious. Is the specific manifestation of fascism, neofascism, nazism and neo-Nazism. But this leads to mistrust and hostility between the EU and the manifestations of intolerance between specific persons or groups of individuals regardless of nationality, and is even capable to induce destabilization of internal security in the state. Recently, a particularly striking increase in political extremism and its manifestations, particularly in Central Europe, the Czech Republic and Slovakia is no exception. These expressions are characters from the extreme vigilantism to opened racism and xenophobia in contemporary concepts mainly domestic extremism among EU countries, after minor provocation and distortion of traditional good neighborly relations with neighboring countries. All these and other activities of political extremists are a possible source of destabilization in particular internal security.

Very often one may find public journalists or policy statement, that any action, any symbol or a position is extreme or extremist. What this does is extremism, as it manifests itself, where his roots are and who is extremist, and from what perspective? This phenomenon now is worthy of scientific investigation and evaluation. At the same time is also essential to this phenomenon clearly and distinctly named, respectivel identify its causes and have a solution, or at least try it. Extremism can be viewed from different perspectives, exploring, in terms of extremism, in terms of potential distribution of extremism, whether in terms of addressing extremism and the response of society. Partial view of the phenomenon is much more possible, and fully in keeping with the multidisciplinary phenomenon. Extremism can be seen as a sociological, psychological or political science, but especially as a legal

phenomenon. However, it is urge the phenomenon of extremism seen in a multidisciplinary, respectively. comprehensive interdisciplinary evaluation and possible solutions.

Extremism is often divided on political extremism, religious, ethnic (racial), ecological, and sometimes we meet with another division, respectively identification. These divisions are not only trying to detailed specification of a particular expression, but extremism, respectively extreme position has only one definition, respectively one common denominator. You can rely on the definition, which, although it may seem to appear somewhat earlier, but it is still valid and used definition. This definition was first used in its form (already) in "Report on the Issue of Extremism in the Czech Republic in 2002", but is used in scientific circles to this day.

The term "extremism" are referred to the strong ideological positions that contradict the constitutional, statutory, standards, characterized by elements of intolerance and attacks against the basic democratic constitutional principles, as defined in the Czech constitutional order (or, more generally, the principles as contained in the Declaration of the Rights and Freedoms).[1] These principles include respect for the rights and freedoms of man and citizen (Article 1 of the Constitution of the Republic), sovereign, unified and democratic rule of law (Article 1 of the Constitution), the immutability of the elements of the democratic rule of law (Article 9, paragraph 2 of the Constitution CZ), popular sovereignty (Article 2 of the Constitution), competition between political parties respecting fundamental democratic principles and rejecting violence as a means of promoting their interests (Article 5 of the Constitution), protection of minorities in the majority decision (Article 6 of the Constitution); free and equal in dignity and human rights, inalienability, and irreversibility of fundamental rights and freedoms without distinction of sex, race, color, language, faith and religion, political or other opinion, national or social origin, membership of a nationality or ethnic minority, property, birth or other status (Article 1, Article 3 of the Charter of Fundamental Rights and Freedoms). Given the similar principle, the basics of constitutional law, incl. inclusion of the Declaration of Rights and Freedoms (the Charter of Rights and Freedoms) to the constitutional system in the vast majority of European countries, the above can be generalized to all countries in central and western continental Europe. This is an interest protected by the State, in the form of a particular criminal law, respectively. specific facts of the case. Violation of these rights of citizens (in the form of a criminal offense) are also sometimes referred to as a "**hate crime**".

Political extremism is then in accordance with the official documents, in this article is understood as a term that refers to "the strong ideological positions that contradict the constitutional, statutory, standards, characterized by elements of intolerance and attacks against the basic democratic constitutional principles, as defined in Czech constitutional order ". The basic structure is a right-wing extremism (neo-Nazism, Czech nationalism) and left-wing (dogmatic communism, anarchism), and variants of right-wing extremism will be discussed further.

Political extremism is often defined as an abstract space of the political spectrum and should be seen that the actual policy, it brings up more players. They are mainly political parties, interest groups (active registered and unregistered, or openly and secretly, while scope is hidden characteristic for various extremist plot center), media, subcultures (especially youth subcultures, respectively their internal currents). Overall, the extremists could form a movement, respectively. social movements, such as in the twenties and thirties of the twentieth century fascism. In the event that the extremists come to power, can the player to designate the extremist political regime. The extremists are taking action in their various

methods of gaining influence. The legal framework is a common political propaganda, public legal demonstrations, education and awareness against supporters of extremism and so is characterized by democratic mechanisms misused to gain political power to remove or restrict democracy. These goals are often also openly declared with various excuses and reasons.

Besides the legal methods extremism in democratic methods also often resorted to the edge of legality and completely illegal. These are mostly various forms of violence, from the impromptu nature of the attacks against political opponents to the sophisticated terrorism. Violence can also serve as a tool to spread propaganda and to other tools, along with a suitable situation for the political regime change by coup or revolution[2].

In the general picture is extremism rather political concept, but its multi-disciplinary internal content is certainly a concept of socio - educational and legal. Extremism is becoming a security risk at a time when the engine sharply antagonistic attitude toward the existing social order and intransigence resulting in specific projects and activities designed to destabilize and remove the political and social system. In a free society would be extremely fiercely contested victory, democracy hostile attitudes, beliefs and ideologies mean a retreat from human rights and establishment of authoritarianism, totalitarianism or anarchy [3]. In identifying what is and is not extreme manifestation must first identify what is a legitimate expression of the meaning of the right to freedom of speech and when it is an illegal speech restrictions constitutional principles or constitutional rights of others.

With terrorism, as a frequent manifestation of extremist manifestations are encountered frequently by news media. Thanks to them nearly every citizen has an idea of what it means and what are the means to fight extremists. The vast majority of major terrorist attacks carried out by Islamic fundamentalists, and is directed against Israel. In Europe we meet with attacks by groups like the IRA or ETA. Ideologies of terrorist groups is largely an attempt to acquire a certain territory (Hezbollah, the PKK, the IRA or ETA ...), bring another order (fundamentalist groups - holy war). Groups arise where there has not achieved any result of political means. Opinions on the actions of these groups vary and are largely frowned upon, but on the other hand, it is necessary to take into account their goal, such as restoration of the original inhabitants of Palestine, who were expelled during Israel's creation. In this context, it certainly offers the question whether terrorism would be much enhanced if Israel arose, and who is the villain [4].

Currently, the most dangerous form of political extremism in our country is neo-Nazism and nationalism. Neo-Nazism is a movement that conceptually at least partly linked to the original Nazism. Nazism was originally a movement arising in the twenties of the twentieth century, especially in Germany (or in other countries with the German population), which after seizing power in 1933 in Germany and created an aggressive totalitarian regime, which suppressed massive human rights (and intended to wipe out entire nations especially Jews and Roma) and in 1939 led an aggressive war. The occupied territories (often with the help of local collaborators) realized the terror of occupation. After the defeat of Nazi Germany (surrendered in May 1945), at least for some of his ideas, trying to establish neo-Nazism, which currently mostly left the sole link to Germany and the Germans and try to use a Nazi racist, antisemitic and power goals, ideas and strategies across "white race". Neo-Nazism are generally not reported in the global concept of struggle and racial superiority of white Aryan Nations, based on the traditions of the original Nazi [5].

Currently, there are also several smaller streams inspired working-class ethos of Nazism from the late twenties and thirties. There are different national variations due to historical traditions, whether it be related to the disposition to the pagan traditions of different

peoples, taking into account the traditional national enemies, or traditions of collaboration during the Second World War. The Czech republic can be traced to neo-more connected with the original concept of German Nazism, whose expression is specific link to the Sudeten German Nazi tradition, and equal respect for neo-identity within the Czech neo-Nazi Pan-Aryen movement (partial continuity to flag's concept of the Protectorate of Bohemia and Moravia) [5]. The basic forms of neo-Nazi activities are:

- party-political agitation (in CZ to date have not made a strong neo-Nazi party in recent years, some neo-Nazis cooperate with the Workers' Party)
- gaining public sympathy and strengthening the identity of the movement spread propaganda (demonstrations, internet, stationery, clothes, music, the so-called White Power music, and trading of those artifacts serve as a funding source movement,
- violence (use of expressions of aggression) to influence adversaries and allies.

For the second basic current of the Czech right-wing extremism can designate Czech nationalism. Right-wing extremist nationalism is different from the democratic nationalism high nationalist intolerance of other nations and ethnic groups (or at least some of them) and focus anti-democratic impulses. Czech extremist nationalism can be further broken down into:

- Czech Hussite nationalism based on the tradition of Czech history, chauvinistic forwardthinking-based "national-liberation ethos" and Czechoslovakism Czech and expansionism,
- Czech nationalism, which follows the tradition of Czech history deprived "forwardthinking myth" (conservative integral Nationalists) [6], in which some groups are more strongly inclined to the traditions of Czech fascism (neo-fascists) and may appear differently there is a strong link to Christianity, authoritarian Christian conservatism, where links with fascism klerofašismus (recently merging with the stream of neo-Nazism).

As the future work of political extremism are particularly known dogmatic communism, left-wing extremist autonomous and anarchism, but they can be counted as specific forms of fascism, neo-fascism, nationalism, neonacionalismu, pan-Slavism, etc. Due to the particular legal, political and sociological discourse of groups activities of political extremism, when they try to gain visibility and civil support (be passive), you must use the tools of legal science, political science, philosophy, psychology and social work, respectively social work education to the public with the aim of eliminating the growing influence of aggression and intolerance in society. In terms of strategy in the fight against political extremism law is, in any case necessary to focus attention on the core objectives of the fight against extremism, which are:

- a) preventing the influence of extremist propaganda, especially against members of the armed forces, which is now particularly timely,
- b) preventing the adoption of extremist forces and government in general,
- c) generally to act so that the extremists was no credible cause for propaganda diatribes, which would assist them in reaching impact on the public and meeting their antidemocratic goals, as perceived by the current legislation.

It should be noted that political extremism can manifest in different ways, from verbal assaults, despite sympathy for the organizations pushing human rights and fundamental freedoms to the office, and deliberate obstruction of government administration,

respectively its activities. The most serious manifestation of political extremism, however, the individual physical aggression against exclusive groups of people, or against all races and nationalities in the form of terror, and whether individual and group (mass). And expression of extremism of terrorist attack (or its threat) is the most serious threat and a destabilizing element in the internal and external security.

However, there isn't a universally accepted definition of terrorism as an expression of extremism. Various organizations are working with different definitions. Even the U.S. government can not agree on a definition. There are many reasons why that is. The question of defining terrorism has a place in discussions among states for decades. The first attempt to reach an internationally accepted definition was made under the League of Nations, but the convention proposed in 1937 never entered into force. The lack of unity on the definition of terrorism is a major obstacle to meaningful international means of defense. To solve these problems in 1992 contributed terrorism expert A. Schmid, whereby when the kernel is a war crime - the deliberate attacks on civilians, hostage taking and killing of prisoners - extended for a period of peace, we can simply define terrorist acts as war crimes peace counterparts. Other experts on terrorism characterize it as "use of force or threatened use of force designed to achieve political change" (Brian Jenkins), the "unlawful use of force aimed at innocent people to achieve political goals" (Walter Laqueur), "thoughtful deliberate systematic murder, injury health threat and the innocent in order to create fear and intimidation to achieve political or tactical advantage "(James M. Poland).

Most definitions, however, has certain common elements, stresses the systematic use of physical violence directed against civilians, which is to cause a general climate of fear in the target population for political and social change. Define terrorism so that affected all aspects of its manifestations and impacts, it is not easy. Content definition would certainly differed according to whether terrorism is viewed in terms of legal, security, or even sociology. For any such definition would be common, it is a systematic perpetration of illegal acts of violence against the population assassin and state authorities in order to induce fear, panic and destabilization of the current political situation.

Also interesting is the origin of the word terror. It comes from the Latin "terrere" - scare. In modern Western dictionaries came through the French language until the 14th century. The first use is recorded in English in 1528. The basic mechanism of terror is contained in an old Chinese proverb: "Kill one and scare ten thousand." Over the decades have changed the methods of terrorists, the consequences of contemporary terrorism are the same.

In light of the above can be said that the international legal framework for combating terrorism is not unique. Following the attacks in the USA from 11 September 2001 is mainly the Resolution and Action Plan of the Extraordinary European Council meeting, published on 21 September 2001 in Brussels (Government Resolution of 19 December 2001 No. 1364), Council Common Position on Combating Terrorism (2001/930/CFSP of 27 December 2001) and the EU Council Common Position on the use of special measures combating terrorism (2001/931/CFSP of 27 December 2001), including all the updates concerning the lists of people and groups sanctioned from the European Union. EU Council in its document entitled "EU Council Common Position on the application of specific measures to combat terrorism (2001/931/CFSP) gives the definition of a terrorist act. A terrorist act is understood as a set of enumerated offenses, which may, by its nature or context, seriously hamper the functioning of a particular country or international organization. [7]

In the context of national laws with the offenses that were committed with the intent to seriously intimidating a population, causing undue government or international organization to act or not doing specific actions; seriously destabilizing or destroying the fundamental political, constitutional, economic or social structures of a country or an international organization and [7]

- assault on human lives, which can cause death;
- attacks on the mental integrity of persons;
- kidnapping or the taking of hostages;
- causing extensive destruction of public or government facilities, transportation systems, infrastructure, fixed platforms on the continental shelf, a public place or private property or threatening human lives, resulting in major economic loss;
- cast aircraft, ships or other means of public transport or goods transport;
- manufacture, possession, procurement, transportation, delivery or use of weapons or explosives, nuclear, chemical or biological nature, as well as work on research or development of such weapons;
- letting these dangerous substances into free circulation, setting up fires, explosions or floods zapříčiňování whose conduct endangers human lives;
- interruptions or disruptions of water, electricity or other basic resources, which may also endanger human lives;
- threatening to commit such acts, mentioned above;
- leadership of terrorist groups;
- participation in a terrorist group, also function as an informant, a provider of financial and material support, knowing that this assistance will help the commission of criminal activities of the group.

For the purpose of the document is a terrorist group is defined as a structured group composed of more than two persons established for a longer period of time and acting within the scope of division of labor necessary steps to commit terrorist acts. It is not accidental or a single organization. Following the Madrid attacks of 11 September 2003 also is notably the Declaration on combating terrorism adopted by the European Council on 26 September 2004 update of an annexed Plan of Action of the European Council. By joining the EU in the CR binding and directly applicable to all EU Council Regulation implementing common positions, of which terrorism concerns, particularly the EU Council Regulation 2580/2001 on specific restrictive measures directed against certain persons and entities in the fight against terrorism.

In light of the above it is possible to observe that both the Czech Republic and Slovakia are parties to these international legal instruments binding on the issue of terrorism. These include: the Convention on Offenses and Certain Other Acts Committed on Board Aircraft (Tokyo, Decree No. 102/1984 Coll.) Convention for the Suppression of Unlawful Seizure of Aircraft (The Hague, Decree No. 96/1974 Coll.) Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation (Montreal, Decree No. 16/1974 Coll.) Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons including Diplomatic Agents (New York, Decree No. 131/1978 Coll.) International Convention against the Taking of Hostages (New York, Decree No. 36/1988 Coll.) Convention on the Physical Protection of Nuclear Material (Communication Ministry of Foreign Affairs No. 114/1996 Coll.) UN Convention on the

Suppression of Terrorist Bombings (published as No. 80 / 2001 Coll. ms), the European Convention for the Suppression of Terrorism (Strasbourg, Communication No. 552/1992 Coll FMZV.), the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons (Decree No. 96/1975 Coll.). CR also signed recently ratified as the UN Convention on the Suppression of Financing of Terrorism (New York, Communication Ministry č.18/2006 Coll. Ms). [7]

As mentioned above, especially the issue of political extremism and its penetration through specific people to the military and state administration is a topical issue that requires particular attention, especially in connection with the increase of extremism in the current economic crisis and dissatisfaction with this condition in the population. Extremely dangerous and destabilizing the internal development of the manifestations of terrorism, in connection with political extremism (or religious, ethnic or otherwise). It is also appropriate to emphasize the need for good neighborly relations among EU, which are devoid of mutual animosity, deliberate and wicked manifestations neighborhood. It should however be taken into account that these symptoms often arise from mutual experiences and historical facts. It is clear that further qualitative and quantitative increase in manifestations of political extremism and its manifestations in the form of terrorism is capable of destabilizing or even threaten the internal security of States, it would certainly point to this phenomenon more attention than ever before, both in the form of adequate and appropriate legislation and formation and in the form of monitoring that situation, and through expert design centers and teams receive organizational and legislative measures.

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INTERVENTION OF THE FRC UNITS IN ENSURING AND WITHDRAWAL OF SUSPECT MATERIAL OF BIOLOGICAL ORIGIN

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Abstract

The aim of this contribution is to describe the intervention in ensuring and withdrawal of suspect material of biological origin from the point of view of units of the Fire and Rescue Service and to refer to the factors that may affect the actual intervention. The conclusion of the contribution is devoted to material and technical equipment of intervening units and means of performing of disinfection.

Keywords: decontamination, intervention, the suspicious material of biological origin

Introduction

The intervention of the members of the Fire and Rescue Corps to ensure consignment, which is suspected to contain pathogenic micro-organisms and can cause contamination of the surface of the skin, mucous membranes, digestive system, respiratory tract or the blood and consequently cause infectious diseases of persons who come into contact with a suspicious letter, shall be subject to the strict rules. But often we are facing a situation where the circumstances force the unit to improvise or customize procedures to a given situation.

1 Management of intervention

The task of rescue units is an organized activity, which is aimed at saving lives, identification of a place of fires, explosions and other incidents and their subsequent disposal. This objective is subordinated to the decision-making process of the commander in response to events [1].

Decision making of the commander of intervention passes in a number of stages, which could simply be described as

- Finding the situation
- Seeking solutions
- Issue of a warrant
- Checking of a warrant fulfilling (Figure 1)

The above mentioned model is very general, but in fact it is the basis for a all decision-making models and guides for the solution forms variety of situations. Each model is basically a set of questions, to which the commander of the intervention is looking for answers. At the Figure No 2 is illustrated the procedure of the units of the Fire and Rescue Corps (hereinafter referred to as „FRC“) in case of intervention aimed to ensure and remove of suspected material of biological origin.

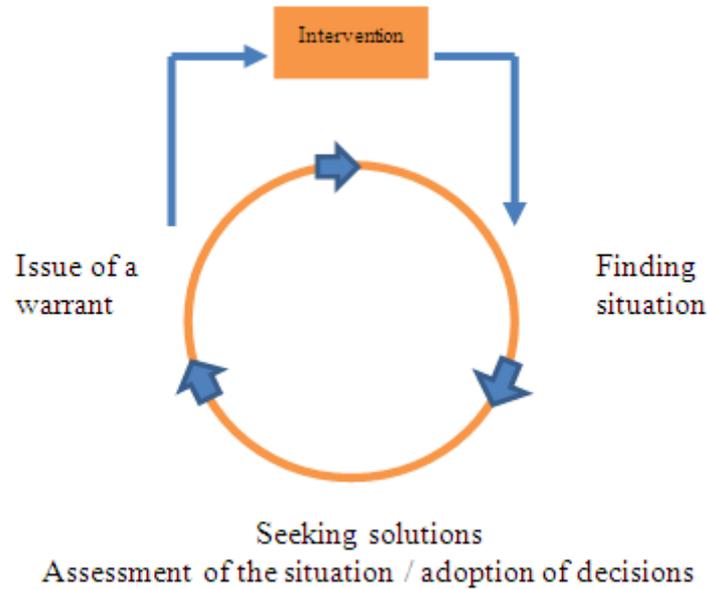


Figure 1: A circular model of process management [1]

Report of the event

Operating officer (hereinafter referred to as „OO“) when reporting consignment suspected on the content of the material of biological origin must to get the most out of the notifier. Then he must make a reverse authentication of the event.

Declaration of an alarm

The alarm is declared in a standard manner to local radio. Operating officer shall indicate all relevant data connected with the event and determine the forces and means, which shall carry out the intervention. In night hours, the alarm turns on also the lights, so called: “fighting illumination”.

Departure

Way to intervention runs by the shortest route, according to the weather conditions. During the trip, the vehicles of the FRC use the typical sound sign accompanied by a special warning blue light [2, 3].

During the way to the site of an event, the operating officer shall report to the commander of the intervention the additional information.

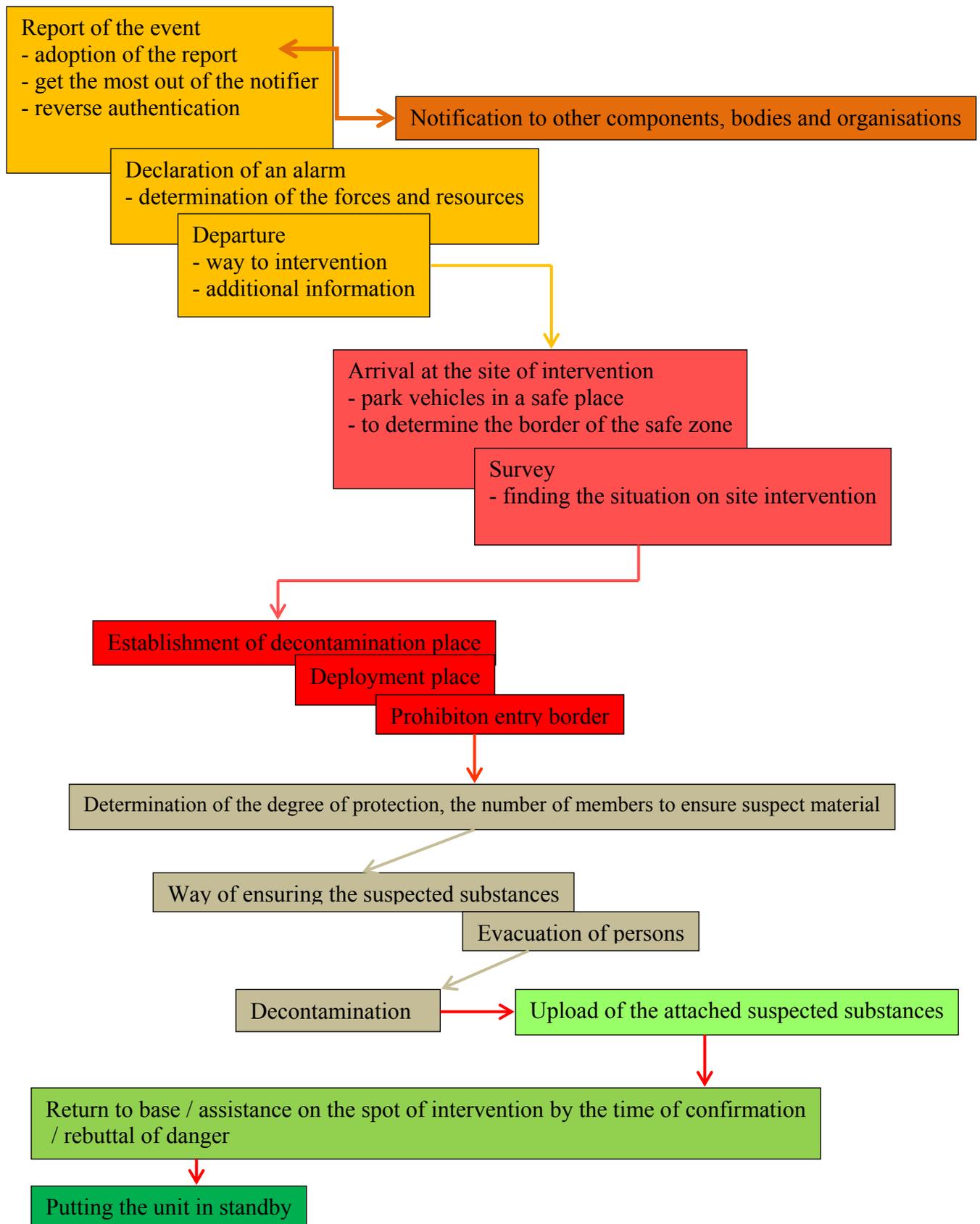


Figure 2: Procedure of the FRC unit in case of intervention aimed to ensure and remove of suspected material of biological origin [2012, prepared by Štefanický]

Notification to other components, bodies and organisations

Operating officer of the District Head-office of the Fire and Rescue Corps without delay, reports the event to the coordination centre of the IRS and the operational centre of the Presidium of the FRC. Subsequently, he/she reports the operational centre of the Police Corps and asks for intervention of Police Corps to ensure the place of intervention against non-aligned movement.

Following the confirmation of the event by the commander of the intervention, the operational centre of FRC shall notify the Regional Office of public health on the occurrence of suspect material of biological origin and shall request the cooperation of the district hygienist to ensure the supervision over compliance with health-safety of the population [4,5].

Arrival at the site of intervention

Arrival to the site of intervention is necessary to choose according to the climatic situation from the windward side and park vehicles at a sufficient distance.

Survey

By the survey of the situation in the field detects commander facts like how many people are in a dangerous area, the need for the evacuation of persons, area of possible contaminated area, the possibility of spreading of a dangerous substance (ventilation), etc.

Determination of the degree of protection, the number of members to ensure suspect material

Commander of intervention (hereinafter referred to as „CI“) determines the border of the incidence of suspect material of biological origin and border of the safe area. In conjunction with the members of Police Corps, there is ensured the space against the movement of non-aligned persons. The commander of intervention determines deployment and decontamination space [6, 7].

Determination of the degree of protection, the number of members to ensure suspect material

Personal protective equipment, which the members of FRC use during intervention, is determined by commander of intervention. In the case where it is not possible to identify the risk of enlargement for intervening members, the commander of intervention determines the highest degree of protection – an autonomous breathing apparatus and gas-proof protective clothing against chemical substances and biological materials [6, 7].

Commander of the intervention according to the situation on the ground and according the number of those at risk determines the number of members who carry out seizure of the suspect material and possible evacuation of persons. He/she also determines the number of members who will be ready waiting in the wings in case of unforeseen events and ensure deployment of additional forces and resources in case of necessity.

Method of disposal

With the material of biological origin must not be handled differently than store it in the gas-proof or dust-proof containers and containers (for example, pickled vegetable or fruit bottle fitted with a lid on the bayonet thread, containers for food s attachment stopper, plastic containers with screw cap installation).

Suspicious mail (letters or packages) shall not be opened upon request, too. Persons, who have been in contact with the materials of biological origin, it is necessary to isolate them, move them to facility which enables isolation with increased health surveillance and provide for a medical examination. After the identification of biological agents it is necessary to ensure the isolation of such persons at a special isolation unit of infectious department of clinics in selected cities of the Slovak Republic. [5, 8].

Decontamination [5, 7, 8]

In the outbreak of disease that is declared by hygienist, the members of the FRC are acting in cooperation with health service and hygienist, which are aimed at the implementation of effective ant epidemic measures in the outbreak of disease.

Evacuated person, animal or used means must have been disinfected in a hygienic cleansing area without delay, and to their hygienic cleansing use, as far as possible, all available disinfectants. Disinfected personal protective equipment has to be saved on a reserved place.

All waste water, which arises during disinfection, shall be collected. After the completion of disinfection it may be added the collected water a concentrate reagent in order to increase the concentration of the active ingredients and leave to act for at least 30 minutes. Then it is possible to dilute and remove such water into drains.

The surface of the gas-proof container, the dust-proof container or the container after the imposition of the seized material of biological origin disinfect by prepared spray and allow it to operate for at least 30 minutes to set up. After the surface is dry it is labelled with following data:

- a) date and time of collection,
- b) place of collection,
- c) telephone and fax number for non-stop notification (it means number of operational centre of the District Head-Office of the FRC of the occupied territory),
- d) name and address of the sender of the sample (it means address of given District Head-Office due to the fact that means used for transport should be returned back to the owner),
- e) signature of member of FRC.

The handing over of consignments

Collected suspicious material of biological origin with disinfected surface of a closed box or container and with label is in a stated manner uploaded to a given Fire and Rescue Brigade of the FRC or to selected place at fire station of the District Head-Office of the FRC and Fire and Rescue Brigade of the capital city Bratislava or at some other in advance stated place in a district (e.g. at hygienic station, District Head-Office of the Police corps).

Operational centre of the Presidium shall ensure in stated time removal of the collected suspicious material of biological origin by the vehicle of Fire and Rescue Brigade after a set route to the specified medical institutions in Bratislava, Banská Bystrica and Košice [5].

Return to base

Intervention ends with a return to the base. The Commander of the intervention before leaving the place forwards it to the owner or other responsible person. Departure from the place of intervention shall commander of intervention notify to the operational centre (command centre, operational department) [9].

Putting the unit in standby regime

Putting the unit in standby regime follows immediately after return from the point of intervention.

To put the unit in standby regime, the commander shall provide for supplement the missing instruments, execution of repairs, cleaning and decontamination of techniques, material resources exchange and prepare means of chemical services, radio stations, lighting fixtures and similar sources. He defines the regime of regeneration of members of the FRC so as not to disturb ability of unit to intervene. Regeneration of members of the FRC consists of personal hygiene, replacement and cleaning of clothing and protective equipment, meals and rest. [5, 9].

2 Factors affecting intervention

Inaccurate download of the report about the event

Inaccurate taking of a report about occurrence of an incident can occur from a number of causes. The major problem at the time of receiving message is still not fully operational system of location of the caller. This problem occurs mainly when reporting events through mobile phones.

Another factor that affects receiving message is the interruption of the call. The most common cause is a failure of the signal by mobile operators. Operating officer then assesses the message from available information and on the basis of them sends the unit to the intervention.

The problem may cause also the reporting of an emergency by a foreigner. Currently, not all operations officers are multilingual, to the extent that they can smoothly interact with person who notifies emergency. This also can lead to inaccurate receiving of message. [10].

Inaccurate download of the report from other unit of IRS

The reporting of message by another component of the IRS quite often leads to a distortion of the message. This is mainly due to the fact that the component that receives the message has its specific questions on the notifier. Another significant fact is that members of other components are not able to assess the event from the perspective of other components. [10].

Traffic accident, failure of the technology, barrier on the road

During the ride to the intervention, the vehicles of FRC use the typical sound sign accompanied by special warning blue light. In accordance with legislation [3] the driver in the performance of special duties is not obliged to comply with the obligations and prohibitions arising from the law on road traffic, but is obliged to take extra care so that he/she does not endanger other road users.

In today's heavy traffic, traffic accidents are rampant. Unfortunately, from time to time, the firemen are the participants of road accident, too. In such a case, is the procedure laid down in the internal regulations of FRC. The commander of intervention will inform the operating centre and asks to send more forces and equipment. Failure cannot be ruled out, not only on the old, physically obsolete technology, but also on the new modern technique.

During the ride to the intervention can occur situation when there will be an obstacle on the road, about which anybody in the vehicle does not know and that it is not able to delete on its own merits. CV (CV is usually the commander of the vehicle) shall notify the situation to the operational centre and together with the operating officer shall decide on a replacement route or the operating officer sends to intervention another team from the base or from a different station, whose seat is the closest to the place of emergency.

Interruption of the connection with the operational centre

Interruption of the radio link with the operational centre most often occurs when the unit while driving to intervention gets to places which are not covered by the radio signal of FRC. As a rule, these are valleys, mountainous terrain and densely forested areas. To a break of connection may also occur due to a technical malfunction of the radio station. In order to ensure the transmission of information between the operating centre and the point intervention are commander of vehicle and the operational centre equipped with so called layout mobile phones [10].

The unavailability of the place of intervention

The unavailability of the seat of intervention means to search such solutions to prevent the progress of the emergency and thus an increase in damage, so the liquidation of the event has been carried out in the shortest possible time. The commander of vehicle reports the situation on operating centre and asks to send more forces and equipment to the place of emergency.

The operating centre by map or software programs is looking for the most suitable access routes, calls for necessary force and equipment and informs the commander of vehicle about facts [10].

The most common cause of unavailability of the place of intervention in this case is parked vehicles and work on the road.

Insufficient number of members of FRC on the base

It may occur that the report of event to ensure the suspect material of biological origin comes at a time when the unit is carrying out another intervention. Operating officer sends to intervention the members of the FRC, who ensure the area of intervention until the time of arrival of other unit. Operating officer calls on duty other members of the FRC, who will then

be posted on the intervention, he sends to the intervention a unit from another station or if the situation permits, appeals a unit from previous intervention.

Strong wind

In the case when the suspect material of biological origin is located on the open space, it can come to its blowing in case of strong wind.

It would mean increased claims to the number of intervening members; move the borders of the safe area and also staying of potentially endangered persons in this space until the time of carrying out the necessary anti epidemic measures.

The lack of space for setting up workstations

The lack of space during intervention is typical for housing estates, where in addition to a dense urbanism have a great impact on the speed and quality of the intervention also parked vehicles. In the absence of other appropriate places for the execution of intervention, the commander of the intervention must determine other places suitable for decontamination, storage of used protective clothing, autonomous breathing devices, etc.

3 Material - technical equipment of the FRC units for the implementation of intervention in ensuring and taking the suspect material of biological origin

At the fire station, there are following resources used to implement the intervention to ensure and remove the suspect material of biological origin [5, 6]

- a) at least four pieces of chemical gas-proof and overpressure clothing to protect the body's surface
- b) at least four pieces of autonomous breathing devices to protect respiratory system
- c) at least four pieces of gas-proof and dust-proof boxes or containers for the storage of catered material of biological origin
- d) protective face shields, rubber gloves, boots and apron at least for two members
- e) plastic and metal buckets, barrel with lid, sprayer and decontamination device
at least of 10 kg of sodium chlorate, 1 dm³ of Savo (commercially sold sodium hypochlorite solution) and 1 dm³ of Persteril or Pedox PAA 50 (commercially sold peroxide acetic acid solutions)
- f) first aid kit accompanied by a neutralizing substance of 0,1 kg of sodium carbonate for food application and 1 dm³ of 8 % solution of acetic acid

At the fire stations of the type from III to V should be for the workplace carrying out disinfection of the used means and for the implementation of these activities also [5, 6]

- a) personal protective equipment to protect the surface of the body(shields, rubber aprons, rubber gloves, and so on), and this for each member participating at performance of disinfection
- b) one piece of sprayer with prepared aqueous solution of disinfectant solution
- c) one piece of container or tray to save means after the completion of their disinfection.

Minimum recommended amount of decontamination agents for fire service station [8]

- 2 (l, kg) detergent
- 1 (kg) sodium carbonate (soda) or potassium carbonate
- 2 (l) 8% acetic acid
- 1 (kg) citric acid
- 1 (l) hydrogen chloride acid
- 2 (l) sodium chlorate (SAVO)
- 10 (kg) calcium hydroxide (slaked lime)
- 2 (l) peroxide acetic acid (persteril).

To the basic equipment to carry out decontamination of chemical clothes belong the following resources

- a) source of water, decontamination agent
- b) nozzle, brush, sprayer, decontamination shower
- c) container for decontamination solution
- d) mat
- e) the containment and collection containers
- f) bag, plastic bag, pad.

Decontamination equipment should be chosen depending on the type of contaminant. (Table 1) [8, 11]

Table 1: Resources for the implementation of decontamination [8, 11]

Contaminant	Decontaminant agent (mixture)		
	Biological agents	Name of product	Recommended concentration
A,B,©	Divosan forte	0,1 až 0,5 %	10 min
A,B,C	Oxonia aktiv 150	0,1 až 0,3 %	10 min
A,B,C	Persteril	0,1 až 0,5 %	10 min until it is dry
A,B,C	Pedox PAA 50	0,1 až 0,5 %	10 min until it is dry
A,B,C	Pedox PAA 30	0,1 až 0,5 %	10 min until it is dry
A,B,©	Savo	5,0 až 25,0 %	10 min
A,B,C	SupraSporT/TB	1 %	10 min. 10 min

A – the killing of vegetative forms of bacteria, yeasts and some species of microscopic filamentous fungi,

B – inactivation of the virus.

C – the killing of spores of the bacteria.

© - partial spores effect.

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EXTREMISM - AN OBSTACLE FOR WESTERN BALKAN'S INTEGRATION TO CONTEMPORARY WORLD

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Summary

Balkan Peninsula, well known today as a Western Balkan after ending Cold War still remains as a security tension arena, but in a different form. Authors are trying to explain terms "South Eastern Europe and Western Balkan" and to define right-wing extremism in Croatia, BaH and Serbia. Comparing characteristics of right-wing extremist organizations in Western Balkan countries is visible that roots for them were nationalists and separatists movements, while in EU is mainly caused by inadaptability of immigrants to new political, social and economic conditions. Right-wing extremism in Western Balkan is one of the biggest obstacle for the integration to contemporary world.

Key words:

Extremism, Western Balkan, extremists groups, religious extremism, ethnic extremism.

Introduction

Conflict potential Balkan countries had entered to extreme violent phase in the beginning of nineties twentieth century, leaving in its wake numerous victims and mass destruction. The agenda switched to reconstruction and the building of (lasting) peace, with a tendency to convert the "Western Balkans" into a stable region of Europe. Bearing in mind the character of problems in this region, the scars left behind by the conflicts, as well as the existing potential for conflict, it is indispensable to reinvestigate the premises of regional progress, especially in view of the barriers limiting it.

Extremism, as a phenomenon only in recent years reaching the pedestal of importance for understanding conflicts of various scopes, is becoming one of the most important topics in the "turbulent" area of the "Western Balkans". Specificities of the region have in a striking manner conditioned the escalation of extremist thinking and acting.

In almost any modern society, extremism is regarded as an undesirable form of political thinking and acting. Every type of extremism is characterized by an aggressive approach accompanied by a lack or complete absence of tolerance, very often characterized also by acting in the name of so-called "exalted goals". Thus, extremists always perceive themselves as the only true guardians of their collectivity, and a barrier to the "immense danger" to their collective (which mainly pertains to race, nation or religious affiliation). Extremists are characterized by excessive efficiency in finding culprits and enemies. An important characteristic of extremist groups and movements is that they are not a goal in themselves nor

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are they sufficient. The incitement of non-extremists to violence, by raising the level of their aggressiveness and directing it toward a “culprit” labeled in advance is imposed as the main mission.

Extremism obviously is both the cause and the consequence of conflicts, deepening mistrust between communities, and acting as a pronounced destabilizing factor in the region. With all its potential for conflict, it represents one of the most significant challenges to the normalization of ethnic relations between countries of the “Western Balkans”.

1. „Balkan“, „South Eastern Europe“ and „Western Balkan“

Profiling in a political sense term Balkan has shown two facts: from one side is a demonized phenomenon (with negative connotation), while from other side has a polyvalent determination from its complexity.

Etymologically, word Balkan means mountain and its background coming from Turkish language, while primordial name was Haemus, from Latin language. Term Balkan in written document for first time has found in fifteen century, thank to Philip Kalimak.² Finally, brings into official usage as a geographical term thank to German geographer Johann August Zeune 1809. for land south of rivers Sava and Danube.



Picture 1 Balkan Peninsula in geographical sense

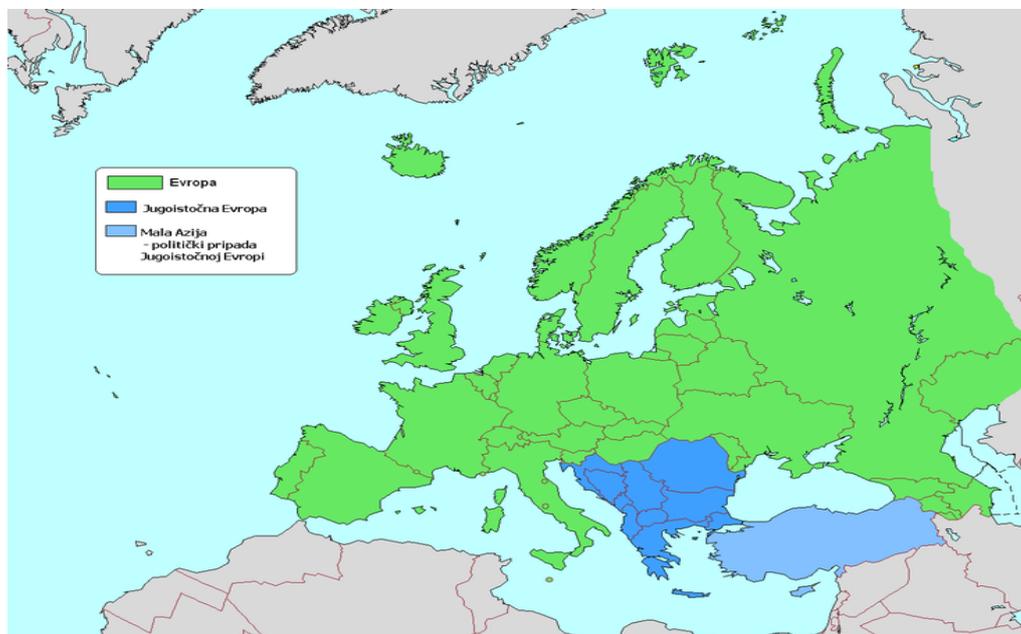
The disintegration, former pillar of the Balkan Peninsula former SFR Yugoslavia (1991–2008) was accompanied by the striving of the new post-communist elites to form new, monoethnic state entities (state-nations) in this area.³ This process has now mostly been brought to a close owing to the constituting of four monoethnic (Slovenia, Croatia, Serbia and Macedonia), one three-ethnic (deeply divided Bosnia and Herzegovina), and one declared civic (Montenegro) state, in the post-Yugoslav area.⁴ The bad legacy of armed conflicts in the post-Yugoslav area (1991–1999) has left deep imprints on the relations between the newly

² Prema: Marija Todorova, *Imaginarni Balkan*, Čigoja štampa, Beograd 1998.

³ See: Robert M. Hayden, *Blueprints for a House Divided: The Constitutional Logic of the Yugoslav Conflicts*, University of Michigan Press, 1999.

⁴ Dragan Đukanović, *Institucionalni modeli i demokratizacija postjugoslovenskih država*, Institut za međunarodnu politiku i privredu, Beograd, 2007.

formed states in the region which the European Union has designated the “Western Balkans” at the beginning of this decade. Namely, in order to avoid any potential lack of clarity relevant to the defining of the regional approach of the European Union to the southeast of the continent, the end of the final decade of the 20th century first brought delineation between the concepts – “Southeast Europe” and “Western Balkans”.



Picture 2 South Eastern European Countries

On one hand, the term “Southeast Europe” is used in its original, i.e. geographical meaning. Therefore, this is a region spreading from the Black Sea to the east to the Trieste bay of the Mediterranean sea to the west, encompassing Greece, Turkey (more precisely its European part), Bulgaria, Romania, Croatia, Serbia, Bosnia and Herzegovina, Macedonia, Montenegro and Albania, and very often also Slovenia. The “Western Balkans” are, however, the states originating in the area of the former Yugoslavia, with the exception of Slovenia (Croatia, Bosnia and Herzegovina, the former Federal Republic of Yugoslavia/State Union of Serbia and Montenegro – today the Republic of Serbia and Republic of Montenegro, Macedonia), and Albania.⁵

The introduction of the term “Western Balkans” almost coincides with the gradual development of the regional approach of the European Union (after 1996) to the region burdened by many years of conflict. In dominant public communities (political, expert, cultural, etc.) of countries belonging to the region of the Western Balkans two directions of further development of relations between states in the Balkans still dominate. On one hand, there is the orientation where by establishing the truth, responsibility and conciliation the bad legacy of the Balkan conflicts of the 1990-ies should be overcome,

⁵ More details in: Predrag Simic, “Do the Balkans Exist?: Vision of the Future of Southeastern Europe: Perspectives from the Region”, in: Predrag Simic, Gordana Ilic, Zlatko Isakovic, Ivan Krastev and Krassen Stanchev (eds.), *The European Union, NATO and their Southeastern European Neighbors*, Institute of International Politics and Economics, Konrad Adenauer Stiftung, Belgrade, 2002,



Picture 3 Western Balkan Countries

while on the other hand there is the approach according to which conflicts are inherent to the Balkans peninsula and are cyclically repeated almost as a rule. This approach is based also on the confirmation of civilization, religious, ethnic and other differences between the South Slavic, as well as the Albanian peoples in the “Western Balkans”. Both bilateral and multilateral relations between the states in the region are created based on if the dominant political, cultural or scientific elites are advocating one or the other approach. In political sense, Balkan countries are on different levels of integration into European and Euro-Atlantic structures, which could be both a difficulty and a driving force for further efforts in stabilizing political, economic, social and other circumstances. Stabilization conditions in the area should be one of priorities in achievement of national interests.⁶

Still, during the last fifteen years or so there is a gradual transition of the “Western Balkans” from a zone of armed conflicts, to a region with stabilizing democratic, economic and security circumstances, to a region where all countries are unequivocally oriented toward accession to the European Union. This offers hope that regional countries will in perspective be ready to also accept numerous European values – peace, democracy, human and minority rights, principle of equality and principle of solidarity, which would to a significant degree passivate, largely present, extremist tendencies of all countries individually, and thus also of the entire region.

2. Determination of Extremism

Extremism is one of phenomenon which is exploited in everyday life, but theoretically to define term extremism is extremely hard. It was abused to disqualify opponents (usually political), while additional colloquial confusion was imparted by its identification with terrorism. Contemporary political theory also gives no significant contribution to this field, limiting itself mainly to extremism or to describing its manifestations, objectives and actors. Responding to the “hunger” of the public, authors, mostly superficially but spectacularly, create a “deluge” of texts on extremism, where they cunningly avoid placing it in any

⁶ Col PhD Katarina Strbac, General overview of the asymmetric threats in Balkans, Evolving Asymmetric Threats in the Balkans, NATO Science for Peace and Security Series, E:Human and societal Dynamics-Vol.85, pp 3-13.,

framework, much less to deal with its definition. In fact, the main reason for such a superficial approach to the problem lies in the difficulty of this “undertaking.”⁷

Stephen Atkins states, “there are few things that are as hard to define, as it is to define extremism” and continues: “However hard it may be to define terrorism, this is still an easier task than to define extremism. Extremism smolders behind the political scene and can produce far more serious consequences than a terrorist act.”⁸

It can be said that much of what is extreme reaches the limit of the permitted, often its extreme limit. Many extremists lead, one would say, quite a normal life that by no means differs from the lives of peace loving people. It is impossible to penetrate their minds or control their opinions in any democratic way. Thus, they are in a comfortable position and act from this position. Only when suitable conditions are created, their rigid attitude turns into action, but the number of people who have any extremist attitude is not easy to estimate for the simple reason that they generally do not want to honestly express their opinions fearing the consequences. These additional difficulties only contribute to resentment when clearly defining extremism.

For all of the above reasons, attempts to define extremism are too generalized or overemphasize one or two properties of extremism as a phenomenon. According to certain attempts to define extremism, extremism is only and exclusively “criminalized” (example: definitions of Thomas Coffey according to which “political extremist is such that uses violence and criminal activities in order to realize his political objective.”⁹ According to Robert Nozick¹⁰, extremism, apart from regarding the enemy as evil, has as its main characteristic that it causes stress and does not accept compromise. There is also a significant number of stereotypical thoughts of which only some have practical value for further investigations of extremism. For example, Walter Laqueur’s¹¹ view that “people with an authoritarian character usually join the extreme right”¹², cannot be regarded as particularly original, yet its particular usefulness in the determination of extremism can not be disputed.

Since these listed definitions contain only specific fragments of the broad concept that extremism unequivocally presents, only certain parts of these definitions in the form of their sublimation, would offer us “material” to comprehensively define this phenomenon.

For his reason, Dragan Simeunović introduces a broad, but comprehensive definition according to which: “*Extremism is a complex social phenomenon based on overemphasized biological needs of self-protection and a xenophobic variant of the identity mechanism, that serve to form and justify hardly permissible views and aggressive behavior whereby, some social, religious, ethnic or other group is threatened as being hostile. Extremism is characterized by a vigilant formally-protective attitude toward one’s own group which implies excessive zeal in*

⁷ More details about the difficulties to determine the concept of extremism, as well as the causative relations between extremism and terrorism in: Subotić Milovan, *Određenje ekstremizma*, Vojno delo, Beograd, autumn 2010,

⁸ Atkins, Stephen, *Encyclopedia of Modern Worldwide Extremists and Extremists Groups*, Greenwood Press, Westport, Connecticut. London, 2004.

⁹ Thomas J. Coffey, A better democratic model – Extremism a definition, National Library of Canada Cataloguing in Publication, 2003.

¹⁰ Robert Nozick (1938-2002), American professor and political philosopher. His most important work “Anarchy, State and Utopia” (1974) is regarded a capital work of modern political philosophy which strongly influenced theories and convictions of the new right.

¹¹ Walter Laker, American historian of Jewish-German origin in his capital work “Europe in our Time”, advocates the thesis that “easing conflicts between states can lead to strengthening of conflicts within individual societies, to develop in them different types of aggressive nationalism and destructive action”.

¹² Laqueur, Walter: *Fascism*, New York: Oxford University Press, 1996.

discovering enemies and the “right” to intolerance, hatred and aggression toward a true or a presumed enemy, as well as tendency to take over the leadership in one’s own group or agglomeration in order to mobilize it with the intention to systematically cross the borders of socially acceptable behavior, all in the name of preserving the values, identity and perspectives of one’s own group”.¹³

According to many of its manifestations and consequences resulting from them, and mostly according to the degree of destructivity and success in destabilizing a certain political community, extremism is to a large extent, although not always, inextricably linked to politics. In the general definition framework, political extremism represents the opinion and behavior of the political extreme right, left, or (a frequent case in the modern world) of some radical religious group.

After such a comprehensive definition framework, it becomes evident that terrorism is a logical point of origin of extremist ideas, and that, in principle, **terrorism without extremism is not possible**. It can rightly be said that all terrorists are also extremist, but it must be borne in mind that all extremists are not terrorists. A good example for the above mentioned are skinheads and in general, the latest Neo-Nazi and Neo-Fascist groups. They can originally not be considered terrorists. The striving to revive Nazism and Fascism, or the banditism of skinheads are phenomena within the sphere of extreme thinking and acting, but this has still not become terrorism as long as it remains in the domain of verbal expression or violent incidents as is the case with by a no means small number of Neo-Nazis and especially skinheads, who along with the above mentioned, do not have clearly articulated political pretension or goals. Even though their activity is a phenomenon endangering the society, they can still not be qualified as terrorists. On a scale of phenomena harming or endangering the society, extremism is just one of them.

3. Extremism and the “Western Balkans”

Since: unfinished urbanization, specific forms of industrialization, change of ethnic-demographic structure of the society (especially under conditions of turbulent and unregulated migration processes), emphasized predisposition toward tradition and history, as well as national, identity and cultural marginality, are stated as the key reasons of extremism, it is easy to note that most countries of the “Western Balkans” (if not all) “are today in almost exemplary conditions for the strengthening of extremist tendencies”¹⁴.

In addition, it is important to emphasize that according to many of its manifestations and resulting consequences, and to a highest degree according to the potential degree of destructiveness and success in destabilizing a political community, the issue of extremism is a *par excellence* political issue with, to a greater or lesser extent pronounced, specificities characteristic for its particularities through:

- political extremism (recently most frequently in the sphere of the radical right);
- religious extremism;
- ethnic extremism;
- ethnic extremism with clearly pronounced elements of ethnic separatism;
- extremism that includes all the listed varieties – combined extremism

¹³ Simeunović Dragan, *Terorizam, opšti deo*, Pravni fakultet u Beogradu, edicija Crimen, 2009.

¹⁴ Subotić Milovan, *Suočavanje sa ekstremističkim tendencijama kao neminovnost u (pre)oblikovanju političkog identiteta Srbije*, *Godišnjak političkih nauka* Beograd, br.8/2012.

Under conditions coinciding with the fall of the Berlin Wall and the disintegration of SFR Yugoslavia, countries of the “Western Balkans” became a “place” where all listed varieties of extremism “flourish”. In connection with this, in general the conclusion can be drawn that the subspecies of extremism which includes the combining of all listed types, is simultaneously the one that best reflects all the antagonisms in the region of the “Western Balkans”.

In countries created after the disintegration of SFRY there is a significant number of extremist groups that inherit their ethnic extremism from principles of Neo-Nazi groups. Viewed individually, these groups remain on the margins of society, since each of them has relatively few members. However, these facts make them no less dangerous, and as such, they should not be underestimated. In certain larger cities in Slovenia (Maribor and Ljubljana), Croatia (Zagreb, Osijek, Split, Zadar), and Serbia (Beograd, Novi Sad, Niš), there are Neo-Nazi groups belonging to the international movement “Blood And Honor”.

Somewhat more numerous and influential are Clerofascist groups, linking elements of the Fascist ideology and religious fundamentalism: in Croatia and Croatian parts of Bosnia “Catholic-Ustasha”, and in Serbia “Orthodox-Fascist youth” are on the rise.¹⁵ In Bosnia and Herzegovina (residentially), as well as in the region of Raška (“Sandžak”) and in Kosovo and Metohija (reflectively) there are pronounced tendencies toward Islamist fundamentalism and terrorism, which will in part be elaborated through the influence of Islamist extremism in the territory of the Republic of Serbia.

The basis of right wing extremists in Croatia is formed by war veterans, the so called fans and smaller chauvinist parties. They are connected with their Neo-Nazi equivalents – related groups in Hungary, Germany and Austria. In Bosnia and Herzegovina, these structures are divided by nationality (Serbs, Croats and Moslems/Bosniacs), and mainly consist of so-called fans with a right wing orientation, war veterans and paramilitary groups. The right wing scene in Serbia which pertains to groups belonging to the segment of ethnic extremism will be elaborated in more detail in the following chapter (“The example of Serbia”).

The problem of handling extremist organizations and groups in the region of the “Western Balkans” is additionally complicated by the fact that many of the mentioned groups enjoy (in addition to the most common covert, sometimes also open) support from certain political parties, certain university professors or public figures. In addition, the very latent character of extremism is an aggravating circumstance for defining and implementing efficient measures against this form of political violence. Namely, it is not possible to use such diverse mechanisms as in the case of antiterrorist measures. It could rather be said that, when it comes to the issue of finding the adequate response to extremism, we are speaking of a body of mechanisms of prevention, while the repressive character of the measures (characteristic as one of the most immanent to the battle against terrorism), is used to a significantly lesser extent.

3.1. The Example of Serbia

3.1.1. Religious extremism

The region of Raška (so-called Sandžak) is an area where opposing interests of Islamic, western and certain neighboring countries are juxtaposed. Poor economic development, accumulated social problems, growing tensions among nationalities (frequently also inter-

¹⁵ *Desni ekstremizam – ultradesničarske i neonacističke grupacije na prostoru bivše SFRJ*, Centar za socijalna istraživanja, Alternativna kulturna organizacija, Novi Sad 2011, str. 7.

Islamic tensions), as well as the phenomenon of spreading radical Islamism, are significant characteristics of the status of this part of Serbia. Due to mentioned factors, which have already been labeled as an exemplary category for establishing extremism (above all that inspired by religious reasons), the political-security situation in the Raška region periodically, acquires complex characteristics.

The religious component of contemporary extremism is to the greatest extent reflected through the activity of the radical Islamic movement – Wahhabism (Salafism)¹⁶ in the Raška region. In fact according to the interpretation of experts for this type of political, it is exactly this region that is regarded as a potential hotspot of radical Islam, and, in this context, also as a possible crisis region. The gradual expansion of the Wahhabist movement represents a potential safety risk. Wahhabists, as “guardians of the original Islam”, or as they are called in modern times, bearers of religious radicalism, do not renounce expressions of ultimate extremism in the form of naked terrorism, all with the purpose of realizing own goals – the creation of a so-called Microcalifate, i.e. a regional linking with counterparts in Bosnia and Herzegovina and on Kosovo and Metohija, in the south of Serbia, in Montenegro, Macedonia and Albania. Their activity is now characterized by the striving to create a more massive movement, primarily by adding younger supporters, a rigid approach to the female population, the offering of financial aid to poor supporters, the expansion of the Wahhabist network to other regions of the Republic of Serbia, as well as by aggressive manifestation of religion, and its radical interpretation in the sense of the lack of the possibility of cohabitation with non-Moslems, but also with Moslems who do not practice religion in accordance with their perceptions.

In the past period, religious extremism appeared also through antagonism, and often also opens conflicts of opposing options within the Islamic religious community. Lately, these conflicts have been passivized to a large extent, but numerous consequences originating from them remain, of which the most serious one is presented in the form of the effort, by founding certain institutions, to realize stronger ties and strengthen the religious and political influence from Bosnia and Herzegovina. In this respect, the activities of the Islamic community in Serbia and of its leaders, to a major extent transcend the framework of religious activity, acquiring the character of political extremism.

¹⁶ Wahhabism (Salafism) is an Islamic movement founded by Muhaamad ibn Abd-al-Wahhab (1703-1792), a scholar and religious sheikh, after whom the Wahhabi movement was named. Wahhab thought that every true believer must make an effort to cleanse Islam of that which according to his opinion, represented theological innovations (bida), superstitions (hurufa), deviations and revisions of faith, heresy, polytheism (sirk) and idolatry. This is therefore a conservative and puritan Islamic movement, that could be determined as fundamentalist, because it speaks in favor of returning to basic and original teachings of Islam, with open intolerance of Shiites, Sufism and Dervishes, as well as liberal teachings of Islam. Modern Wahhabism, i.e. Salafism differs from similar Islamist movements, which were active in the 1970-ies and 1980-ies. The difference is, for example, that Wahhabists reject not only “Western ideologies” (such as capitalism, socialism, etc.), but also all other “western concepts”, such as nation, political parties, social justice or law, politics, constitution, human rights, democracy, revolution, economy, etc. Consistent Wahhabists are opposed to modern political Islam (Islamism) and have frequently severely criticized prominent Islamists, such as for example, Sayyid Qutb, Abul Ala Maududi or, even, Osama bin Laden. They are extremely critically disposed toward almost all Islamist groups, such as the Moslem Brotherhood or Al Takfir val Hijra (“Anathema and Exile”), as well as the methods that they use (political parties, terrorism, and others). They regard them as misguided Moslems, who have accepted certain western ideas, and have thus strayed from true original Islam. Many Wahhabists remain emphatically intolerant toward the adherents of other religious teachings and infidels, citing the practice that existed in the first centuries of Islamic history. They are frequently of the opinion that all Moslems should practice Islam in the manner they themselves do. Otherwise, they will be heretics and enemies of Islam, which is religious justification for the potential use of force against them.

In addition, it is important to mention that a respectable number of extremist groups in the Republic of Serbia, vocationally placed among the ethnical-extremist, are openly flirting with the “only true” Orthodox reasons. This example also expresses the dispersive character of extremism, and the justification for introducing so-called combined extremism as a category especially characteristic for this region.

3.1.2. Separatism motivated by ethnic and ethno-separatist motives

Due to accumulated economic-social problems, sluggishness to substantially democratize the society, and the persistent lack of quality building of preventive mechanisms of the society in the sense of promoting tolerance, there is occasional escalation of violence of right wing extremist group and movements. Various motives appear as triggers for the escalation of violence, and thus also for violation of the general security of the society: disagreement with the manner of realizing key national interests, homophobic and xenophobic tendencies, and the like. The majority of groups, approximately 20, are active at the local level, and have up to one hundred members. The other ten or so that are most often mentioned among the public are “Nacionalni stroj” (*National Front*) and “Obraz” (*Honor*), (organizations whose activities were banned by the Constitutional Court), “Krv i cast” (*Blood and Honor*), “SNP 1389”, “Nasi” (*Ours*), itd.¹⁷ Analysts estimate that this type of extremism in Serbia began to develop to a more significant extent since 2000, and that the character of these extremist groups (although they are primarily guided by ethnic reasons) is divergent to a considerable extent (nationalist, clerofascist, “fan oriented”, etc.).

Although Serbia is home to numerous different national minorities, ethnic extremism appears sporadically, and does not pose a serious threat to the society. An exemption, to a limited degree, are tensions most often generated by individuals and groups belonging to the body of extremism with a Hungarian ethnic prefix, active in the territory of the Autonomous Region of Vojvodina. Their activities are directed toward the unification of all relevant Hungarian organization and the securing of international support in order to create conditions for a more determined battle for autonomy within Serbia. The main bearers of extremist and separatist activities belong to the Hungarian extremist organization “Omladinski pokret 64 zupanije” (*64 Counties Youth Movement*) with a program commitment to restore the “Pre-Trianon (greater, aut.comm.) Hungary”. Activities of this organization and incidents resulting from them to date were of a local character. *The elaboration of the ethno-separatist character of the activity of Kosovo Albanians, as a striking form of ethno-separatism in modern Europe, would require significantly more space than that envisaged for this paper.*

Overall, ethnic, religious and other extremist organizations and groups do not have the potential to endanger the security of the Republic of Serbia to any serious degree. However, further aggravation of socio-economic circumstances in the country, as well as the absence of continuous and systematic work with youth in the sense of promoting pluralism, tolerance and acceptance of diversity, could make the already favorable conditions for extremist activity even more favorable.

¹⁷ The MoI created the first official list of Neo-Nazi and other extremist organizations in the Republic of Serbia in 2005.

Conclusion

Exploring different forms of extremism is very complicated, having in mind multiplicity of meaning which are in practice (political, ideological), and similarity with phenomenon of terrorism, radicalism, fundamentalism, etc. Extremism still has amorphous character, but contemporary extremism is easy to recognize because of intention to cross boundaries of allowed behavior which is limited with religious, legal and custom norms.

In this regard, the appearance of extremist movements, as a pathological phenomenon and an expression of the state of the society and the decadence of the value system of contemporary humanity, is a significant problem, primarily in the global context, and by all means in the “turbulent” region of the Balkans Peninsula. The example of the ruinous several decades of influence of communist ideology, as well as many other similar examples, confirm the unwritten rule of social sciences: that one type of extremism (left wing), is very often responded to by an antagonistic type of extremism (ethnic-right wing, religious, etc.), which can be simplified in the following manner – violence bears violence. Abrupt and radical changes that occurred immediately after the Cold War, resulted in following processes: while in the West there was integration (the fall of the Berlin Wall), in the East communist systems disintegrated (the example of SFR Yugoslavia).

Processes of disintegration resulted not only in the formation of new states, but also within them, the old value systems disintegrated. Antagonisms in the form of old ideological, religious and ethnic quarrels, simultaneous with the lack of readiness of societies for a rapid transition from a planned to a market economy, created fertile ground for planting extreme ideas, primarily right wing and radical-religious. In this manner, after several decades of the monopoly of communism as the extreme left, the extreme right with its range of varieties now takes the scene. In addition, globalization created an army of dissatisfied and frustrated people who, desiring to protect their identity and integrity, drift to extremism out of fear, with fear being the perfect base for developing aggression. After all, in its essence, the right is no particular friend to transition and globalization, precisely because it advocates “tested solutions”, tradition and conservatism.

Since the thesis has already been stated that extremism as an especially resilient, but also a hidden phenomenon, requires an especially multidisciplinary response, both in the sense of the implementation of various measures (harmonization of legal regulations with newly emergent extremist threats, public condemnation of extremism, promoting tolerance, respect for diversity, uniform economic development, etc.), and in the dispersity of those who implement them (legislature, police, education, civil society, media). A comprehensive response as a sublimation of all listed measures and those who implement them, will determine clear orientation of the Western Balkan region and every single country according to admission to contemporary trends today.

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CESSATION OF CRIMINAL LIABILITY IN RELATION TO CRIMES AGAINST PEACE, HUMANITY AND EXTREMISM

Juraj TITTL

Summary

This article provides a complex overview upon the problematic of cessation of criminal liability within the legal system valid in Slovak Republic. At the beginning of this article the term extremism and its indirect adaptation in the criminal law is observed. International documents are also mentioned, upon which it was necessary to adopt ways of penalization of criminal acts related to extremism. Cessation of penalty and cessation of criminal liability which are two different institutes of criminal law are explained in detail in the first chapter. Further in this article the differences between circumstances excluding criminality of act and cessation of criminal liability are discussed. Forfeiture as one of the reasons for cessation of criminal liability and the adaptation of forfeiture in valid law are described in chapter two. Here, the problems with applicability of forfeiture are described, as well as law amendments which made these problems possible. The final chapter pays attention to the possible solutions of these problems, which has risen in connection with the state of the law and the *de lege ferenda* proposal.

Key words: extremism, forfeiture, cessation of penalty, cessation of criminal liability, circumstances excluding criminality of act, circumstances of criminal liability.

1. Extremism and its adaptation in criminal law

One of the characteristics of the society is some the diversity of attitudes, respectively opinions. A certain group of citizens, however, inclines up to extremely idealistic attitudes, in contrast to the views of the ordinary citizen. In a certain way, it is possible this inclination denote as kurtosis of the commonly acceptable opinions in society. The ideological influence to us, but also to the Czech Republic comes mainly from Germany, from England, Austria and the countries of the Middle East should be remembered too. A group of professional public considers extremism to be a pathological product of democracy, because it does not have a sufficiently developed defence mechanisms, to be able to defend yourself against these phenomena. So, as it is difficult to define precisely what extremism is, so it is difficult to label a person as well, when someone can be described as extremist. Currently extremism is mostly divided into left-wing extremism and right-wing extremism. Right-wing extremism stems primarily from racial discrimination and considers the white race for parent over other races. Also within the framework of right wing extremism should be remembered on terms such as anti-Semitism, fascism, Neo-fascism etc. On the other hand there is left-wing extremism, which perceives the State and its hierarchical arrangement for unneeded and seeks to eliminate all differences that govern society.

In the framework of ideology, the left-wing extremists take the view that man is deformed by depraved society.¹

¹ Chmelík, J. and col.: Extremismus, Plzeň: Aleš Čenek, 2012. p. 1-5.

On the basis of the above, we can define extremism as a pathological phenomenon of in society, connected with the ideology and the different manifestation as is common in society or as a kurtosis of normal behaviour, understanding, expression, which is a commonly acceptable by society.

Extremism can be considered as pathological and dangerous only when it endangers rights and protected interests of other persons. To ensure that extremism is considered a crime, it must meet certain characters.

In the Penal Code No. 300/2005 as amended (hereinafter referred to as Pen. C.) the concept of extremism is not defined directly; therefore we have to come from the definition which we have already mentioned. Indirectly is extremism or its forms referred to in the provisions of §140a Pen C. Among the specific qualifying terms in the context of this amendment, ranked its author unjustifiably also a crimes of extremism (§ 140a Pen. C.) The concept of crimes of extremism, however, is not among the specific qualification concept, because it does not occur in any of the merits of the crime.

Due to its nature, would this definition, in my opinion, should be included in the first volume of the fifth head between the interpretations of the terms². This amendment was adopted by law No. 257/2009 Coll.

The amendment was a response to the European Parliament resolution on the increase of racist and homophobic violence in Europe. Resolution of the European Parliament was the basis for the issue of the framework decision of the EU Council, in which the criminal law is considered as one of the means of combating racism and xenophobia.³

This Amendment included in Pen. C. concepts such as extremist group (§ 129 (3) Pen. C.), which means the association of at least three persons for the purposes of committing the crime of extremism. Another is the notion of extremist material (§ 130 (8 and 9) Pen. C.). At the same time it was incorporated in Pen. C. also the concept of specific extremist motive, which is referred to in the provisions of § 140 let. D) and f) Pen. C. It also added a new factual nature of the offences, as the production of extremist materials (§ 422a Pen. C.), the dissemination of extremist materials (§ 422b Pen. C.), the possession of extremist materials (§ 422c Pen. C.) etc. We do not question the need to revise the Pen. C. in our article, but rather the way how this legislature did and we want to point out an error that was caused by this Amendment. Revising Pen. C. you need to proceed sensitively, and perceive the context, because it is the *ultima ratio* and an error to which we point out would not occur in the amendment of Pen. C. Studying Pen. C. and the code of criminal procedure No. 301/2005 as amended by later legislation (hereinafter referred to as C. of CP.), however, we find the exact opposite. Whether it is merely a distraction, we leave to your discretion, but from the above amendment three years have passed and the error in relation to a demise of the criminalisation due to a limitation in the Pen. C. persists.

2. Cessation of criminal liability a cessation of penalty in the Slovak criminal law

Cessation of penalty and cessation of criminal liability are two different institutes of criminal law. In particular, they cause problems to students, because they are often unaware of their diversity. As the reasons for the demise of the criminalisation may be given: a) change of the law, b) active remorse, c) limitation of prosecution, d) disappearance of an offence on the

² Záhora, J.: Európska únia a boj proti extrémizmu. In Právny obzor č. 5/2010, p. 455.

³ Official Journal, L 328, 06/12/2008 p. 55 – 58.

basis of the specific provisions of the Act, e) the death of the offender. Among the reasons for the demise of the penalty include: a) limitation of an enforcement of a sentence, b) the death of the offender, c) the remission or mitigation of punishment.

Cessation of penalty and cessation of criminal liability should be distinguished from the circumstances excluding illegality. These circumstances act *ex tunc*, therefore, we cannot speak here about the offence, but about the criminal act otherwise. In this case, it is not possible to talk about an offence, because these offences are missing the illegality. The circumstances within the cessation of criminal liability act *ex nunc* cause that originally judicial criminal offence loses its illegality and criminality. Criminalisation of such act must be after the fulfilment of the legal conditions created directly from the law. Circumstances causing cessation of criminal liability is necessary to distinguished from the case when criminal liability could not be drawn. These are fitness to stand trial and age. The difference between cessation of penalty and cessation of criminal liability is in the fact that considering the cessation of penalty already exist a final condemning judgment, respectively decision.⁴ As we already mentioned in cessation of criminal liability it goes on certain statutory conditions, which occur only after the commission of an offence, but before the case was finally decided. Cessation of criminal liability is taken into account *ex officio*.⁵

In the context of the issue, which we will address in our article, we will deal with limitation as one of the reasons for the cessation of criminal liability and we will highlight a problem that arose in the context of amendments referred to the Pen. C.

3. Limitation and its application in the context of the twelfth head of Pen. C.

Limitation of prosecution means that based on expiry of the period laid down in the Act, it is no longer possible to follow up on criminal liability for the offence. Limitation is possible, by analogy, to mark as prescription in the civil law; in the criminal law it means the demise of the option of the State to affect a given offender criminally. One of the reasons for the cessation of criminal liability on the basis of the limitation period is the one that the offender is no longer a threat to society, but only in that case when he didn't commit another offense. The saved penalty would fail to fulfil his purpose in this case and also the society does not seem keen on the offender punishment. From a procedural point of view, it should be mentioned the problem with evidence which weakens their strength and credibility.

As an example we can mention the offences, which were committed before 1989, where prosecutions have been initiated against specific individuals also ended rather negative than positive.⁶ If the society is not interested in punishing the offender, respectively, the purpose of punishment will not meet the aim, it can be queried. Rather, we are to believe that if someone commits a crime, so it should be exerted against him/her criminal liability, because if the offence was committed, we perceive non-drawing of criminal liability as a certain loss of a justice.

⁴ Kratochvíl, V. and col.: *Trestní právo hmotné. Obecná část*. Second edition. Praha: C.H. Beck, 2012, p. 421. - 425.

⁵ Ivor, and col.: *Trestné právo hmotné. Všeobecná časť*. Second edition. Bratislava: Iura Edition, 2010, p. 327.

⁶ Kratochvíl and col.: *Trestní právo hmotné. Obecná část*. Second edition. Praha: C.H. Beck, 2012, p. 477.

Within a given problem, however, it should be noted that the limitation periods are long enough and at the professional public, it is possible to meet up with the view that in some cases there are limitation periods for far too long. We will solve the issue of duration of limitation periods in a separate chapter. It is really hard to determine the time when drawing the criminal liability will meet its purpose. Comparing our legislation considering the rules of limitation, the limitation period in the Czech Republic legislation is more moderate in the context of the highest limitation period. In the Czech Republic is the ultimate limitation period fixed for 20 years, unlike Slovakia, where the maximum limitation period is 30 years. The period of limitation always begins to run from the day after committing a crime. Our legislation divides the duration of limitation periods in terms of the top border of a criminal rate. It is thirty years, twenty years and ten years when these are crimes, while when these are misdemeanours it is five years to three years. In particular are set the limitation periods for juvenile offenders (ten years, five years, up to three years).

Due to the interest of society to punish the offenders of certain types of crimes and on the basis of international documents binding for the Slovak Republic is in § 88 of the Pen. C. stated that due to the expiry of the limitation period shall not be waived from the criminalization of the offences referred to in the twelfth head of the Pen. C.⁷. This is called forfeiture offences.

The expiry of the limitation period shall not extinguish the criminalization of the offences referred to in the twelfth head of special section of this Act inspire of the crime of support and promotion of the crime groups bound to inhibit the fundamental rights and freedoms under § 421 of the Pen. C. and § 422 of the Pen. C, criminal offence of defamation of a nation, race and conviction under § 423 of the Pen. C. and the crime of incitement to national, racial and ethnic hatred pursuant to §424 of the Pen. C.

Convention on forfeiture of war crimes and crimes against humanity was released on 26th November 1968. Czechoslovakia acceded to the Convention on 21st May 1969, and the Convention entered into force on 11th November 1970. It was released in the journal of laws by Decree of the Minister for Foreign Affairs on 5th March 1974 (53/1974 Coll.). On 17th July 1998, was adopted in the Rome Statute of the International Criminal Court, in which are defined the crimes against humanity and war crimes.

Twelfth head of the Pen. C. is divided into three parts. Within the topic which is being solved by us we will be just dealing with the first episode. The second object is especially the need to protect society from threats to fundamental human values. These values as a whole are mainly formulated in international documents. A subject is generic, so that the perpetrators of these crimes can be anyone. Subjective side forms intentional fault.⁸ As we already mentioned in the provisions of § 88 of the Pen. C. are stated exceptions to the limitation as one of the reasons for the extinction of the offence.

All the offences referred to in the twelfth head of the Pen. C. are forfeiture up to exception on that we point.

Threat of peace (§ 417 of the Pen. C.) Genocide (§ 418 of the Pen. C.) Terrorism, and some forms of participation in terrorism (§ 419 of the Pen. C.) torture and other inhuman or cruel treatment (§ 420 of the Pen. C.) Involuntary Disappearance (§ 420a of the Pen. C.) are

⁷ Ivor J. and col.: *Trestné právo hmotné. Všeobecná časť*. Second edition. Bratislava: Iura Edition, 2010, p. 335 - 341.

⁸ Ivor, J. and col.: *Trestné právo hmotné. Osobitná časť*. First edition. Bratislava: Iura Edition, 2006, p. 541 - 543

forfeiture offences. Their offence by reason of the passage of the limitation period after their sentencing never ceases.

The crime of involuntary disappearance (§ 420a of the Pen. C.) was styled into our Pen. C. by Amendment No 262/2011 Coll.. Forfeiture of this crime is again a mistake of the legislature, but in our article we do not pay attention to this offence, because it does not relate to the issue of extremism, but we only pointed out the illogicality of the next in our Pen. C.

From the so-called forfeiture offences is exempted an offence of support and promotion groups bound to inhibit the fundamental rights and freedoms (§ § 421 and § 422 of the Pen. C.). In 1st part of the § 421 of the Pen. C. it is the misdemeanour and the limitation period is for a period of five years. Qualified majority is contained in 2nd part of the § 421 of the Pen. C., when it is already a crime. The limitation period is therefore increases to ten years.

It is a misdemeanour in the provisions of § 422 of the 1st part of the Pen. C.. As regards misdemeanours, with a ceiling within three years, the statutory limitation period is five years.

The problem arises however within criminal offences, which have been incorporated in the Pen. C. by already mentioned Amendment of the Pen. C. No 257/2009 Coll.. These are: offences of production of extremist materials (§422a of the Pen.C.), the dissemination of extremist materials (§ 422b of the Pen.C.), the offence of possession of extremist materials (§ 422c of the Pen.C.) and the crime of Denial of the Holocaust and similar ideological motivated crimes (§ 422d of the Pen.C.).

The offence of production of extremist materials in both parts is a crime because it is an intentional criminal offence with a maximum of six to eight years, respectively. The object of this crime is the protection of society and its fundamental rights and freedoms against certain extremist manifestations.

What is considered to be extremist material, is referred to in § 130 parts 8 and 9 of the Pen. C. In particular, it regards to the written, graphic, visual and sound design of texts, programmes and pictorially-ideology, which tend to inhibit the fundamental human rights and freedoms.

Qualified merits is contained in part 2 § 422a of the Pen. C. It regards forfeiture offences, so it does not come into consideration the possibility of using the extinction of punishment and even the disappearance of the criminalisation of the given criminal offence.

This legislative error arose when the legislature expanded the list of new factual nature and did not realize that in the provisions of § 88 of the Pen. C. and in the provisions of § 91 of the Pen. C. are governed exceptions of forfeiture of prosecution of imprescriptibility of penalty. In the first case, it is one of the reasons for the extinction of the offence, and in the latter case, it is one of the reasons for the extinction of the punishment, therefore it is already foreseen a final conviction.

It is inconceivable that this or other offences, to which we point, were included among the forfeiture crimes.

This is another amendment that should fulfil our international obligations, but also in fulfilling these obligations, you need to realize what impact on our Pen. C. It ultimately will have. You always need to be aware of the context, because the Pen. C. acts as a whole.

How to solve the problem and also how to make this legislation more transparent, we will be solving in a separate chapter. Whereas, in both paragraphs regards crime, so the limitation period should be properly adjusted in duration of 10 years. We also regard a penalty in a given criminal offence with regard to the object and objective page seems inappropriate.

The extremist materials dissemination (§ 422b of the Pen. C.) is after amendment also a criminal offence and again the legislature made the same mistake as in criminal offence of Production of extremist material. Adjustment of the offence the dissemination of extremist materials (§ 422b of the Pen. C.) consists of two paragraphs. In the first paragraph is a misdemeanour with a maximum rate of up to five years, and in the second paragraph goes on a crime with a maximum rate in eight years.

The object is a protection of society from the manifestation of extremism, which impinges on the fundamental human rights and freedoms. Subject is once again generic.

Objective side of this criminal offence is to be filled in different ways. For example, it can be obtaining, making available, putting into circulation and the carriage of extremist materials, etc. On subjective offence it is necessary to deliberate fault of the fulfilment site.

Paragraph 2 § 422b of the Pen. C. is a qualified merit that you need to fill by one of the forms referred to in that paragraph. To the said offence here is the decision of the District Court, in which it approved the agreement on guilt and punishment.⁹ The limitation period would in proper amendment of the Pen. C. takes in paragraph one to five years and in paragraph two ten years, because this is a crime. In the opinion of M. Kordík is the provision of § 422b in proportion of subsidiarity to the provision of § 422a of the Pen.C..¹⁰ Our legal opinion is that the provision of § 422b of the Pen. C. is not in proportion of subsidiarity to the provision of § 422a of the Pen. C., so how writes D. Kongo.¹¹

Whereas in § 422a it is a crime, using the asperating principle would be the upper limit of the rate increased by one-third because of overlapping more effective uniform. But we are still of the opinion that the criminal rate in the provisions of § 422a is disproportionately high in view of the gravity of the deed.

In the § 422c of the Pen. C. it is governed the issue of possession of extremist materials. The object of the offence is also the protection of human rights and freedoms before the interventions of the extremist manifestations. The subject is just as generic. The fair site is a procedure that consists in the possession of the extremist material. After amendment of the Pen. C. is this offence also non-barred.

It is an offense, so the limitation of criminal prosecution would in the correctness last three years. Some doubts might arise in applications containing the provisions of § 422c - possession of extremist materials. On the basis of the wording of the relevant provision strictly: *Who held extremist materials, rebuke ...* could lead to erroneous conclusions.

In literal interpretation it could go to recourse of persons professionally dealing with the issue, whether in the field of history, or the students process the subject matter in question within the framework of qualifications, or other student work.¹²

Holocaust denial and similar ideologically motivated crimes is regulated in the provisions of § 422d of the Pen. C. By amendment No. 262/2011 Coll. has been to our Pen. C. introduced

⁹ 9T/103/2011

¹⁰ Burda, E., Čentěš, J., Kolesár, J., Záhora, J, and col.: Trestný zákon. Osobitná časť. Komentár. 2nd part. Praha: C.H. Beck, 2011, p. 1465

¹¹ Ivor, and col.: Trestné právo hmotné. Osobitná časť. Second edition. Bratislava: Iura Edition, 2010, p. 566

¹² Mašľanyová, D.: Postih extrémizmu podľa slovenského Trestného zákona. In Zborník príspevkov z celoštátnej konferencie s medzinárodnou účasťou s názvom „Aktuálne otázky trestného zákonodarstva“. Bratislava: Eurokódex, 2012, p. 155

this offence, which, however, at all does not fall into the concepts of criminal law as a means of *ultima ratio*. Our view is that such proceedings should not be penalized by means of criminal law.

This amendment but the legislature once again did not change the provisions of § 88 of the Pen. C. and also, this offence is non-barred. The same problem also arises in criminal offence of incitement, defamation and threats to persons for their affiliation to any race, nation, ethnicity, skin colour, ethnic group or origin of the genus (§ 424a of the Pen. C.).

Incorporation of § 424a of the Pen. C. caused the Amendment No. 257V/2009 Coll.. Also in paragraph 2. and also in paragraph two goes on offense, where the limitation period should be correctly adjusted for a period of five years. In the framework of the 2. chapter we have pointed out the problems of the application of limitation institute within the framework of the so-called extremist novels. We have also pointed out the contributions of J. Záhora and D. Mašľanyová, who paid attention to this issue. In the last chapter we'll discuss a proposal *de lege ferenda*.

4. Proposals *de lege ferenda*

Proposals how to solve the problems, which occurred after the already mentioned amendments is more. In the first place, really need to reflect on the manner in which the legislature amends the Pen. C. and C. of CP. Really would be enough a little logical thinking and to increase attention to the legislative process and we could avoid many absurdities in the legal order of the Slovak Republic. The vagueness and uncertainty of new illicit is noted by J. Záhora¹³ It should also be agreed with the view that the legislature in this way violates the basic principle of substantive criminal law and the principle *nullum account sine lege*. The requirement of certainty of legal standards should be a self-explanation based on the *sine lege certa commonplace aspect of nullum*¹⁴. Again, however, let us return to the institute of time-barred within solved issue. Within the framework of this chapter, we will try to propose a number of solutions. Some of the proposals have already been designed by professionals.

The quickest way to solve the problem, would be a recasting of the provisions of § 88 and § 91 that it would contain, in addition, § 420a §422a, § 422b, § 422c, § 422d, and the provision of § 424a of the Pen. C. Again, however, it should be pointed out the uncertainty of the illicit pointed out by J. Záhora and D. Mašľanyová, therefore it would be needed these factual substance to refine, to make it clear, in which case it would be possible to follow up on criminal liability.

We come with the proposal that the provisions of § 88 of the Pen. C. and § 91 of the Pen. C. would not state the exceptions from non-barredness. Limitation periods would not be treated in general, but each offence should have its own limitation period, which would be established by the top border of a criminal offence. It is true, that it would give us a large amount of limitation periods, but we believe that it would be easier and in practice would be avoided the problems and uncertainties that arise today. Over this proposal it would be needed a professional discussion and, in particular, on how it should adapt the limitation period for qualified factual essence and how to deal with the limitation period for the overlapping of criminal offences.

¹³Záhora, J.: Európska únia a boj proti extrémizmu. In Právny obzor No. 5/2010, p. 453

¹⁴Ivor, J. and col.: Trestné právo hmotné. Všeobecná časť. Second edition. Bratislava: Iura Edition, 2010, p. 22

In this case, the limitation period could be adjusted so that it could be of a stricter criminal offence. In a lifelong, or an exceptional punishment period could generally edit on thirty years, as it is today. If this was a non-barred offense, so this had to edit the non-barredness always in the merits of a given offence. It is also possible to meet up with the view that limitation periods should be adapted in such a way as in the Czech Republic, so that limitation periods have been modified in a shorter duration. On the disparity between the Slovak and the Czech legislation in terms of the duration of limitation periods, we already pointed out, in its article.

It is possible to also meet with the view that exceptions to the non-barredness should be repealed. Here, however, it must be said that non-barredness is undertaken by international documents to which we have devoted our attention. A practical solution could be the adoption of a new legal framework of the twelfth head of Pen. C.

For example, the separate parts would govern the crimes against peace and humanity, the second part would modify the terrorist offences and extremism, the third parts would modify the war offences and the fourth and at the same time final part would govern the common provisions.

Also we come across and we agree with the view that in the provisions of § 88 and §91 of the Pen. C. should be rather positive calculation of the non-barred offences. In the current legislation is the negative calculation and when frequent amendments will problems occur more and more.

Positive calculation would include non-barred crimes and thus we would avoid the irregularities because non-barred offences are not amended and supplemented as often as crimes of extremism. One of the ways of solving the problem of non-barred criminal offences is to include non-barredness directly within factual substance, for example, in their last paragraph. Examples of how to solve the inconvenience, we have more than one. To these solutions is needed a wider professional public discussion, so that we have not a similar problem *pro futuro to avoid*. First and foremost, it is necessary to put requirements on the improvement and, in particular, on the precision of the whole legislative activity.

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EXTREMISM AND PROTECTION OF DEMOCRACY

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Summary:

Extremism is very frequently used term in society. His condition and expansion are directly dependent on the configuration and state of society in which it manifests itself, as well as on law enforcement. Extremist activities are immediate response to the growing internal contradictions in a society. According to some authors, extremism is a product – a phenomenon of a democratic society.

Keywords:

extremism, democracy, protection of democracy, right-wing extremism, religious extremism, leftist extremism

Extremism is a phenomenon of nowadays and its exact specification and description that could be generally accepted have not been formulated yet. Reason for an origin and existence of extremist groups or movements are various ideologies leading to confrontation with a political system and a state system and disturbing overall security of a democratic state. Refusing of essential democratic values, social standards and ways of behaviour that form present society are unifying element of these ideologies.

Extremism is negative expanding dynamic and multidimensional social phenomenon that is a threat for society, democratic principles and constitutional values. It threatens primary values of human rights and fundamental freedoms; has anti-systematic attitude and impacts destructively on existing democratic system and its arrangement, on legal plurality state principles, on correct functioning of state power and authorities; and it can jeopardize even territorial integrity of individual states or inviolability of state boundaries.

It is prevailingly a type of politically motivated activity that refuses principles of parliamentary democracy and pluralism, its ideology and activities are based on intolerance, xenophobia, anti-Semitism, and ultra-nationalism. Extremism is present in all democratic states; only efforts for its elimination are often significantly different.

Extremism shows general signs of social pathology connected with present violence. If group members that can be classified as “subcultures” in primary stages proclaim open conflict with society, behave aggressively and violent and focus on certain society part, then they became a threat for society. Such evolution, however, takes place also as a consequence of confidence loss of state authority and its rules if evident malversation of power, public life vulgarity and impunity occur. A support for positive social and cultural values in all society segments is therefore very important.

Actual status of extremism topic within the Slovak Republic

Taking into account a fact that Slovak Republic legal order does not define the term “extremism” directly, three basic extremists’ orientations were identified for detection, clarification and documentation purposes of such criminal activities, and not the least, for the

Police Force preventive activity purposes:

1. *right-wing oriented* - presented by racism, Nazism, neo-Nazism, anti-Semitism, and xenophobia ideas promotion;
2. *left-wing oriented* – presented mostly by anarchists anti-globalists and anti-corporative ideas and radical ecologists;
3. *religiously oriented* - presented by religious associations that can endanger persons' life, health or property and break-up generally bound legal regulations by their ideology, opinions and consequent activities carried out.

The right-wing extremism as well as the left-wing one has common features in antidemocratic approaches and in individual freedom limitation while the left-wing extremism demonstrates as a fight against capitalism (communists) or refuses any kind of authority form (anarchists). The right-wing extremism is connected by racism (anti-Semitism), but also with anti-capitalism (so-called New Generation or autonomic nationalists).

Extremists in the Slovak Republic join together in subcultures, movements, non-registered organizations, civil associations, and in political parties. Slovak extremists try to penetrate legally into official political scene since the nineties of the 20th century. After several unsuccessful attempts in own political party registration, extremists or their fans infiltration into subjects having been registered yet was used as a successful strategy.

The democracy protection theory and practice topic began to be important in a extremism theory frame prevailing in the German environment affected by knowledge with the Nazi party that successfully win the power in fact by legal constitutional way in 1933. Actually in Germany, a discussion on a concept of fighting democracy (*streitbare Demokratie*) takes place for a longer time that actively enters a combat with political extremists and is able to really protect against their subversive activities (Mareš 2005: 17). Having a look into the Federal Republic Germany second half of 20th century history one can find that the German democracy reach several successes in this field; among them dissolution of the Socialist Reich Party of Germany (Sozialistische Reichspartei Deutschlands - SRP) or the Communist Party of Germany (Kommunistische Partei Deutschlands – KPD) can be involved but they were accompanied by painful failures – for example traumatic long-term inability to cope with growth of the neo-Nazi National Democratic Party of Germany (Nationaldemokratische Partei Deutschlands – NPD).

Andreas Klump states five approaches in general level to democracy protection:

1. *valuable-relativistic approach* – rendering in principal the same space to all political forces thus also non-limited freedom to democracy enemies; it hand to democratic constitutional state possibility to act for state's defence only in case of breaking law (as a such example is exemplified the Weimar Republic);
2. *authoritative approach* – this does not guarantee any freedom to liberty enemies a contains principally uncompromising steps against every extremists activity
3. *anti-communist approach* – representing only one-sided orientation against left-wing extremists;
4. *antifascist approach* - similarly does not grant any freedom only against right-wing spectrum extremism;
5. *liberally-democratic approach* – characterized by slogan „**no unconditional freedom to liberty enemies**” and is located between the valuable-relativistic approach and the

authoritative approach for democracy protection and acts principally against every extremism variant (Klump 2001).

Mentioned German fighting democracy (*streitbare Demokratie*) is marked as one of possibilities the liberally-democratic approach for democracy protection. Nowadays, it is further develop within the continental political science framework as a broader concept of so-called *militant democracy* fundamentals of which were established by Karl Loewenstein's work at the end of thirties of the 20th century.

The principle of a rule of law state according him is based on the citizen's priority in front of the state and thus on priority of basic civil rights and freedoms. Such understanding *de facto* means that an individual fundamentally can do anything what his abilities allow with only one restriction: "performing his rights collides on possibility to perform rights and freedoms of other people who have the same rights and freedoms". According to Černý, this results in conclusion that essential tool for democratic constitutional state protection is restriction of basic civil rights and freedoms of individuals and groups acting of which is oriented to restriction or even disclaiming of basic rights and freedoms of rest society members (Černý 2007b: 59).

One of the first decisions that within the (Czech-) Slovak liberal democracy environment stated the necessity of democracy reaction on its enemies' activities, was the justification of the Czech and Slovak Federal Republic Constitutional Court Finding relating to the Lustration Act of the November 26th, 1992. The Constitutional Court there states:

"the democratic state has not only the right but also the duty to promote and protect principles on which it is based and thus it cannot be inactive under conditions when managing posts at all state authorities levels, economical management, etc. were assigned according to nowadays unacceptable criteria of the totalitarian system" (Černý 2007b: 32-33).

According to Daniel Milo, extremism and democracy enemies' topic became urgent in the ninetieth especially in connection of violent demonstration of at that time prevailing right-wing radical subcultures that were characterized by a sharp racism and xenophobia and that consider violent attacks and pogroms orientated prevailingly against minorities as a normal fighting tool. In such atmosphere, the state tried to eliminate such type of antidemocratic actors mostly within the Penal Code. Parts of the criminal law gradually became articles dealing with violence against a group of inhabitants and against an individual (§ 196); vituperation of nation, race and conviction (§ 198); genocide (§ 259); and support and promotion of movements directed to suppressing citizens' rights and freedoms (§ 260). But actual more sophisticated methods by which democracy enemies promote their ideas finally means that criminal law reacting on events taking place is not able to take actions in every case in adequate way against democracy jeopardize. Democratic constitutional state therefore enters other combat spheres with democracy enemies and through preventive interventions restricts danger resulting from political extremists activities.

The first step to anti-extremists policy in most cases used to be democracy protection by constitutional engineering. According to this assumption, democratic forces taking part in anti-extremists consensus created entrenched political culture that principally refuses cooperation with extremists and projected this consensus also in the legal system. It can be manifested mostly in pole system arrangement or in system for balancing particular powers (*checks and balances*) that should secure that an individual or a group would not be able to catch all power for itself only. The rule of certain rigidity of the constitutional order that should not be a subject of often amendments should ensure an impossibility to change

Constitution in such way to profit from such changes is favourable only for one political participant.

The second most frequent step is restriction of speech and propaganda freedoms of democracy enemies. According to Hannah Arendt, movements directing to totality can fight restrictively only for their victory in constitutional governing and freedom conditions; thus they use propaganda tools and try to face acceptable in front of the public. She said. "Totalitarianism power can attract only society scum and elite; masses need to be recruited by propaganda" (Arendt 1996: 473). According to Karl Loewenstein, the freedom of speech belongs to the most exposed freedoms that democracy enemies take over and misuse against the democracy itself. Petr Černý said that the freedom of speech is the most often serving to "antidemocratic wolves to penetrate into a democratic society (...) because yet it was many times shown that democratic freedoms can be used for democracy destruction" (Černý 2007b: 121). According to Michal Bartoň, the freedom restriction level is necessary understand in a context of danger of promoted opinions and ideas consequences. He refers to the doctrine *clear and present danger* cited by the US Supreme Court in recent time. According to this doctrine, character of every acting depends on circumstances under which it was carried out.

The essential question in every case is fact, if above mentioned words were said under such circumstances and are of such nature that they represent clear and immediate danger and they cause such principal badness against which democratic constitutional state is authorized to prevent (Bartoň 2002: 156-157). At present, for such acting are considered mostly hateful expressions against certain citizen groups, promotion and signs of groups attempting democracy subversion and especially support for violent methods and terrorism or even direct appeals and direct instructions for violent behaviour.

The third step for democratic constitutional state protection against subversive activities of its enemies is restriction of freedom for political extremists assembling. The Constitution Act of the Slovak Republic as regards assembling right in the Article 28 stipulates following:

1. The right to peaceful assemble is guaranteed.
2. Conditions for exercising this right shall be laid down by law in the event of assemblies in public places, if such a measure is necessary in a democratic society to protect the rights and freedoms of others, public order, health and morals, property, or the security of the state. An assembly may not be made conditional on the issuance of an authorization by a state administration body. (Slovak National Council 1992)

An assembly thus need not be permitted by any administration body but it shall be announced forwards. Local administration bodies, however, have no right to *permit* any assembly but according to the Assembling Act they may *forbid* it under certain circumstances; in cases if the purpose of the assembly is:

1. to negate or restrict personal, political or other citizens' rights due to nationality, gender, race, origin, political or other opinions, religious conviction, and social status thereof; or to instigate animosity and intolerance from these reasons;
2. to commit violence or rough unmannerliness;
3. to break the Constitution and other regulations by other ways (National Council of the Slovak Republic 2007)

Similarly, as in assembling right case, the right as assembling in political parties or civil associations may be refused for individuals or for groups. The Assembling Act allows restriction of citizens' assembling right in political parties or civil associations when it

stipulates that:

There are not permitted associations that

1. are aimed on refusing or restricting of personal, political or other citizens' rights due to nationality, gender, race, origin, political or other opinions, religious conviction, and social status thereof; or to instigate animosity and intolerance from these reasons; support violence or break the Constitution and other acts in other ways;
2. pursue their goal reaching by ways that are in contrary with the Constitution and other acts;
3. are armed or with armed bodies; associations member of that own or use firearms for sportive competitive purposes or for hunting right performing are not considered to be above mentioned (Federal Assembly 1990).

Extremism is difficult removable phenomenon because it is connected mostly with irrational factors (identity, psyche, religion). However, it is possible to regulate it. In this case, the state with its power tools plays non-substitutable role, other actors are non-governmental organizations, education, school system, etc. Extremism has also sufficient potential for its further existence. Its demonstrations are and will be conditioned, except historical connections when it was created and formed, mostly by development within the globalizing world.

The combat against extremism is not matter only of the Ministry of Interior of the Slovak Republic and the Police Forces but also other state authorities and bodies and security bodies, governmental and non-governmental subjects. A precondition for reaching necessary result in the field of the fight against extremism is mentioned establishing of expert branches within the legal expert list managed by the Ministry of Justice of the Slovak Republic and consequent securing of plenitude of legal expert persons.

To mitigate extremists groups impact will be possible probably only under condition when the society will be sufficiently informed on essential civil and human rights, ethical and moral values, political and social system and its operating, and when, at the same time, reasons creating extremism either right-wing, left-wing or religious one will be successfully removed.

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CORRUPTION IN THE DOCUMENTS OF INTERNATIONAL NATURE

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Abstract

One of the most serious and the most up-to-date global problems in present society is corruption. It is not possible to restrict her on certain state borders or continents long time ago, while she gets into whole parts and spheres of present society life. She is entirely and reasonably received as global and safety problem already. Submitted article refer on transnational (international or European) level of fight against corruption in form of the most important documents (UN, COE, OECD, EU), which describe this main topic.

Key words: corruption as a global problem, international anti-corruption documents, European anti-corruption documents.

1. Corruption and its global nature

Corruption can be currently justifiably regarded as not only a serious national problem, but in the same context, it is necessary to think about it in terms of European or international. It is only the minimum negative social phenomena, which would have historically such a long-term globalizing nature.¹ Corruption already a very long time has not been restricted to certain areas or borders of certain countries or continents. Corruption, as such, has actually penetrated already in all areas of life in our society as well as to all states of the world. This fact does not change the fact that in some states, there is larger and in other countries a less attention devoted to it from the legal or medial point of view. Corruption should be seen as a serious overall social, global problem, and, which justifies not only its prevalence and a high frequency, but also the fact that interferes with the legal, democratic and economic pillars of the state and society as a whole.

Speaking about globalization it is necessary to mention also due to a conflict of interests (public interest and private interest) to which it occurs. Stable and effective economic and market environment should eliminate the possibility of the emergence and expansion of the corruptive behaviour, whereas such behaviour fundamentally harms them.

According to the rules of the economy, state interference in these areas should be only a minimal and these in the form of framework and specific terms and conditions of business and the functioning of the market. Just the strengthening of state interference in these areas is seen as a factor that creates a space for the emergence and growth of corruptive behaviour. As a result of corruption within economic and market environment in one state, corruption is reflected also into the world economy, and it is clearly visible in international politics. Not only that it interferes with the functioning of the state in the economic sphere, it disputes legitimacy of government and in a negative way influences public opinion, but in its essence it is directed against democracy and the rule of the state. Ultimately, it may be observed from the view of particular states as the serious security problem as well.

¹ David, V., Nett, A.: Korupce v právu mezinárodním, evropském a českém. Praha: C .H. BECK, 2007, p. 1

Naturally, despite the global nature of the corruption, it is necessary to be aware of, global inequality of its layout. How it is accessed to corruptions in the individual states, how is corruption perceived at the same time eliminated, it lets to talk about groups of states with a low, medium or high level of corruption. It is typical for countries such as Iceland, Norway or Finland that there is a very low level of corruption, which is generally reasoned with a high level of civilization and the preference of moral values. On the other hand, in African countries is corruption so widespread form of the conduct that it is impossible to imagine the daily life of society without it.

Apart from the more or less frequent incidence of corruption, the forms and methods of corruptive behaviour are different depending on the particular society. They are derived from its civilization, historical context of development, the current conditions of life, and also from the applicable rules of the regulation of its repression. In global terms it is only very hard to summarize its diverse manifestations. Due to its high latency, which is characterized for corruption not only from national but also international point of view, its concrete forms are often difficult to be demonstrated.

2. International documents covering corruption

In the context of perception of corruption as a global overall social issue, it is necessary to perceive the actions towards its elimination. Just transnational level directs toward effective unification of national tools, institutes or selected aspects of their application. From this level come and at the same time from transnational documents are drawn also a number of national activities aimed at minimizing and eliminating of corruption in specific conditions. This is a joint and at transnational level normatively coordinated approach as the basis for an effective and efficient fights against corruption.

Naturally, the transnational tools to combat corruption can have both the nature general, but also partial, relating to a particular subject area. Already in the 90 's. of the 20th century began to appear a number of unification transnational and regional Treaties, which were involved in corruption issues. In addition to the severity of corruption their formation encouraged several major corruption scandals, in particular in the public sphere.

In principle, one can speak of unification treatment in relation to national institutes or their chosen aspects. The essence of this unification treatment is an obligation for states, to transpose this unification treatment their legislation. The content of the following transnational instruments, however, is not the text of the rules of international law, but an internationally harmonized wording of future national legislation.

The international nature is admitted only to a fraction of the states to implement the mentioned unification at national level.² Such treaties, which represent the international standardisation to the national transposition, there is quite a few.

More frequently we encounter with international treaties that should be in a certain way (by law) transposed into a national law system of individual member states.

In addition to the agreements relating to corruption and corrupt action is possible to include in this group the arrangements on combatting transnational crime, international terrorism and organized crime. Another possible criterion, according to which it is possible to subdivide the transnational activities in the fight against corruption, is a platform, basis or transnational

² Čepelka, Č., David, V.: Úvod do teorie mezinárodního práva. Spisy Právnické fakulty. Brno: UJEP, vol. 51, 1983, p. 111

grouping, in which they were received. You can distinguish between both anti-corruption documents adopted at the level of the UNITED NATIONS, the Council of Europe, the OECD and the EU level.

2.1 Anti-corruption documents adopted at the level of the UNITED NATIONS

From international instruments adopted at this level, it is necessary to mention, in particular, *Vienna Convention on Law of Treaties (1969)*, *Resolution „Corruption in public administration“ (1990)*, *United Nations Declaration against Corruption and Bribery in International Commercial Transactions (UN Resolution No. 51/191 from 1996)*, *Draft of International Code on ethical principles of civil servants (1996)*, *Dakar Declaration on the Prevention and Control of Organized Transnational Crime and Corruption, (1998)*, *The Global programme against corruption (1999)*, *Vienna Declaration on Crime and Justice: meeting with the tasks for the 21st century (2000)* and *United Nations Convention Against Corruption – Merida Convention (2003)*.

Vienna Convention on Law of Treaties (1969, from May, the 23rd 1969, Vienna) represents the base of an international treaty, which codified the previous common law in the field of international treaties adoption. This was through the Convention, appropriately supplemented and expanded. Preparatory work was based on the knowledge of the particularities of the corruption as a whole. In particular, there was stressed the fact, that there is a big difference between violent behaviour and the behaviour of the corrupt. While violence in any form is unilaterally targeting procedures, corruption always consists of active and passive components. While the violence is directed against the free will of the parties, corrupt procedure distorts the basis for granting the consent (as with any fraudulent proceedings). In the context of contract law was stressed, that the Treaties shall be adopted on the basis of consensus, expressions of the will of the parties. In the case of the existence of legally relevant defects of such an expression, this expression of the will is invalid and causes the nullity of a contract from the beginning (*ex tunc*). To the defects, that for this purpose indicates the Vienna Convention on Law of Treaties, belongs not only a mistake, but also a fraud, the use of force, threat of force and ultimately corruption. Invalidly expressed will, in this case, bases on the relative nullity of contract.

Corruption is defined as the providing of the unauthorized personal benefits to a representative of the state with the aim to influence him to misuse his position and duties (his/her “full power”) for the benefit of the other party. Consent that will be obtained in this way is referred to as “purchased acceptance”³. Of course, it is necessary to refer to the fact that who is corrupting is the state and to this can be added also the wrongful conduct in connection with the conclusion of the contract. The body, which represents the state which is the object of bribery, decided itself on the basis of this rule under influence, so under normal circumstances, it would decide itself on the basis of factual and legal context and assumptions otherwise. This procedure shall entail a degree of shame, so between the corruption and the relevant expressions of with the consent of the other party there must be a causal relationship.

Fraudulent conduct in connection with international transactions has already received attention of the UN General Assembly already in the year 1975 in the form of Resolutions No 3514. On its basis of the Member States adopted certain measures, which more or less addressed issues of corruption.

³ Potočný, M.: *Mezinárodní právo veřejné. Zvláštní část*. Praha: C.H.BECK, 1996, p. 156 and the following.

Subsequently, at the level of the UNITED NATIONS it took place an Interregional Seminar on corruption, which is committed by state officials (in December 1989 in Hague) and the 8th Congress of the UNITED NATIONS on the prevention of crime and the treatment of offenders (September 1990, Cuba). Result of the mentioned congress was a specific *Resolution "Corruption in public administration"*. It recommended the Member States to review, or to adopt new measures into national legislation aimed at the Elimination of corrupt behaviour in any form.

Subsequently, on the ninth Congress of the UNITED NATIONS in Cairo (1995) was corruption defined as "bribery, or other behaviour in relation to persons who have been entrusted with the responsibility, which is in breach of their obligations arising from the position and seeks to gain inappropriate benefits of any kind for themselves or for others". The Congress also called on the Member States to pursue a bilateral or multilateral cooperation for the purpose of the in-depth research of corruption.

United Nations Declaration against Corruption and Bribery in International Commercial Transactions (UN Resolution No. 51/191 from 1996, as other important document from this group, assumes that the Member States of the UNITED NATIONS themselves or through international organisations, shall provide for appropriate, efficient and effective measures in the fight against corrupt acts in this area (in the field of international business transactions). This assumes adoption of appropriate legislation that is able to eliminate the occurrence of the corrupt action. This should be applied to all under national law legally existing companies. At the same time it should also apply to corrupt actions of foreign public officials. According to this document, corruption is an action in the form of offer, promise, or the provision of any payment, gift or other benefit, directly or indirectly, by private or public commercial company, including transnational companies or individuals of a particular state, transnacionálnych for any public official or elected representative of another country in the form of illegal income with the aim of performance or non-performance of his official duties in connection with an international commercial transaction.

Dakar Declaration on the Prevention and Control of Organized Transnational Crime and Corruption, (1998) was adopted African Ministerial meeting (Dakar, July 1997) and later it became a content part of the resolutions of the UN General Assembly in January 1999 content.

In annex No III, this Declaration included a Report on the cooperation and technical assistance in the fight against corruption and organized transnational crime, which was the result of the meeting of the heads of the regions. In order to eliminate corruption and organised crime as well it was recommended to the Member States to enhance their existing institutional security, where appropriate, to properly complete it. This should create an effective mechanism of coordination of actions undertaken at national level. It was also recommended a suitable modernisation and harmonization of criminal legislation and (material and procedural) in the field of the fight against corruption so as to avoid it due to gaps in a valid and effective legislation. It was also very strongly underlined the requirement of international cooperation in the fight against corruption.

Draft of International Code on ethical principles of civil servants (1996) in introductory provisions stresses the fact that public service is the commitment of the parties to act in the public interest and in accordance with national law. It is expected from public officials to perform their duties properly, effectively and to be the most honestly, so that public resources for which they are responsible are spent in an effective and efficient manner. Impartiality and independence of their functions, particularly in relation to the public, is seen as an essential

requirement for this performance. It is prohibited to abuse their position and discrimination of certain groups or individuals. To each officer is determined according to the rules of national law to disclose their assets and financial liabilities. Likewise, it should be in relation to their family members.

Global programme against corruption (1999) is one of three programmes of the Office for drug control and crime prevention (ODCCP) with the seat in Vienna. From the perspective of the authorities involved in the corruption issue it is a key authority. But it does not deal with corrupt activities inside the UN (it is the competent authority for internal surveillance), but corruption in the broadest sense of the word. The aim of this programme is to create such anti-corruption mechanisms in countries involved, which would lead to significantly better detection of corruption cases, including the value. In its content, it deals also with connection of corruption with organised crime, the criminal justice system and preventive measures. Monitoring of the development of corruption constitutes a separate chapter. The fact that this document is not a one-time Act strengthens the requirement enshrined in the regular meetings, reviews of developments in the coming years and the creation of working groups for this purpose.

Vienna Declaration on Crime and Justice: meeting with the tasks for the 21st century (2000) pay attention to the whole range of criminal phenomena, the multinational community confronts. Among other things, it was stressed the requirement to create effective and efficient tools in the fight against corruption. The Commission for crime prevention and criminal justice was invited by the participants, to require from the Secretary-General of the UNITED NATIONS that on the 10th meeting put forward a detailed report (and a summary analysis) of all existing international instruments and recommendations, whose summary should form the basis of further cooperation.

Convention against transnational organised crime – Palermo Convention (December 2000) directly in the part 8 regulates the question of criminalisation of corruption and in part 9 sets out measures against it. It is a document, which is of fundamental importance from the perspective of the fight against corruption. It also includes a link to the liability of legal persons, since this is a question very closely associated with corruption in trade relations.

United Nations Convention Against Corruption – Merida Convention (2003) is an essential document concerning questions of the fight against corruption. To its elaboration has contributed in particular the fact that from year to year is stronger and stronger not only organized crime but the corruption.

The UN General Assembly, in its resolution of December 2000 {A/RES/55/61 (2000)} created an ad hoc Committee to elaborate an International Convention on corruption, which had followed up on the Palermo Convention and its protocols. Originally, it had to be created his new fourth protocol, but later the view on the development of a completely new document prevailed.

This Convention has been opened for signature in Mexican city Merida, and the Slovak Republic acceded to it in December 2003 and ratified it in April 2006.

The Convention entered into force for the Slovak Republic on 1st July 2006. The main objective of this document is to enforce and strengthen the measures that lead to more efficient and effective fight against corruption. In its content is expressed the requirement to promote, help and support of international cooperation and technical assistance in terms of prevention of corruption and the return of the property. Similarly it should be treated in order to promote integrity, accountability and proper management of public affairs and public

property. The range of entities to which the document relates, is quite wide. This is not just about public officials, but also the individual persons and companies. The limiting factor is that it must go on the cases of corruption with an international element. Therefore, it does not apply to national cases of corruption. From the point of view of implementation into national law, namely criminal code it contains fairly simple, clearly and precisely formulated requirements.

2.2 The anti-corruption documents adopted at the level of the Council of Europe

To the issue of corruption is dedicated attention also at the level of the Council of Europe. On the one hand, it is possible to mention activities that develop this multinational group, but also those being carried out in cooperation with the European institutions, in particular with the European Commission.

In order to hamstring corruption in its global sense, was at the level of the Council of Europe set up a *Special Multidisciplinary Committee on corruption (GMC)*, which defines the measures with a view to eliminating corruption in public services.

For this purpose, it is proposed, in particular:

- ensure the publication of cases of abuse of power, particularly bribery, all executives, political parties, as well as the media,
- to develop a Manual of procedures for the prevention against bribes,
- publish the income and assets of elected representatives and members of the government and senior officials of the public administration,
- transparency in the financing of political parties.

The documents, which were adopted at the level of the Council of Europe (alone or in collaboration with the authorities of the EU), and which at the same time touched the anticorruption, you can include the following:

- a.) The Programme of Action against Corruption adopted by the Committee of Ministers (Strasbourg, 1996),
- b.) Resolution on the 20 Guiding Principles for the Fight against Corruption (1997),
- c.) Agreement establishing the Group of States against Corruption (GRECO),
- d.) in cooperation with the European Commission has been drawn up project OCTOPUS (Strasbourg, 1994) on the suppression of corruption and organised crime,
- e.) the second joint programme of the EU and the Council of the EU on the fight against corruption and organised crime in states in transition, OCTOPUS II.,
- f.) The Criminal Law Convention on corruption,
- g.) The Civil Law Convention on corruption,
- h.) Recommendation of the Committee of Ministers to Member states on codes of conduct for public officials. (2000).

Recommendations adopted by the GMC, also focus on maximizing the transparency of the rules applicable to public procurement contracts, as these are considered to be most at risk from the perspective of the possible emergence and development of corrupt behaviour. On this basis, in 1994, was designed to Member State a set of measures that should ensure better

cooperation between Member States and also cooperation with other organizations and special services, which develop their activities in the field of the fight against corruption. They were also directed to the coordination of cooperation of transnational groups and non-governmental international organisations (Transparency International, the International Bar Association). In the framework of stated measures there was also stressed the need to prevent the monopolization of the media that have come from interest groups, the need for increased protection of witnesses and checking of suspicious financial operations.

The Programme of Action against Corruption (November 1996) in essence, represents a summary of the main tasks of the GMC in the fight against corruption. It is a public document, on the basis of which the GMC should develop one or more conventions, which will focus on the fight against corruption to its content. The original intent, to draw up a framework Convention against corruption, however, replaced the model of development of the twenty principles to combat corruption (1997).

The documents adopted at the level of the Council of Europe, which affect corruption, have in the vast majority of cases a preventive nature. Therefore they formulate preventive means to combat corruption, although in recent years, more and more appear such materials that are dedicated to aspects of criminal repression.

The Committee of Ministers of the Council of Europe adopted in its 101st meeting *The 20 Guiding Principles for the Fight against Corruption – Rezolution (97)24*. The Committee of Ministers calls on the national authorities to take those principles into their national legislation and practices; it imposed the GMC expeditiously to complete of international legal resources on the basis of the Programme of action against corruption, it imposed the GMC to submit without a delay a draft document proposing the creation of an appropriate and effective mechanism, under the auspices of the Council of Europe, for the control of compliance with these principles and the implementation of international legal means, which have to be taken.

In May 1998, *The Agreement* was signed, which was set up by the Group of States against corruption (Group of States against Corruption – GRECO) with the seat in Strasbourg. Its real activity began in May 1999, when approached it the required number of states.⁴ The purpose of this group is the cooperation between Member States on a professional level, so as to improve and strengthen the national anti-corruption mechanisms as far as possible.

An interesting thing is that it was taken before any criminal and civil law conventions in this area were adopted. It can be mentioned that an implementation mechanism was adopted in principle, sooner than conventions, which contain material right.⁵

This fact is directed at the following activities of the group, which was the control of speed and sustainability of introduction of the Criminal Law Convention on corruption and Civil Law Convention on corruption in the legal orders of the Member States.

4 As the founding are considered (17) Belgium, Bulgaria Estonia, Finland, France, Ireland, Lithuania, Iceland, Cyprus, Luxembourg, Romania, Slovakia, Slovenia, Germany, Greece, Spain, Sweden. In 1999, Georgia, Hungary, Poland and United Kingdom also acceded to the agreement, and the United Kingdom. The number of states was subsequently increased, and these were member atates of the Council of Europe. In the year 2000 acceded also Bosnia and Herzegovina, Croatia and Denmark, Latvia, Macedonia and the UNITED STATES, in 2001 Albania, Malta, Republic of Moldova, the Netherlands and Norway, in 2002 the Czech Republic, Portugal, in 2003 Serbia and Montenegro, Turkey and Armenia.

⁵ Šturma, P.: Ustavení Skupiny států proti korupci (GRECO) a návrhy úmluv o korupci. In *Právní rozhledy*, No. 11/1998, annex: Evropské právo, p. 3

In terms of composition, all Member States shall nominate two of its representatives to this transnational group. The rules of procedure of the group are elaborated in detail, while leaders meet at least twice a year at a private session. From the results of this meeting, an annual report on the activities of the group is worked out.

Essential activity of the group is evaluation carried out by the evaluation groups on the basis of questionnaires drawn up and approved in advance.⁶ After dealing with partial reports, there is adopted a final evaluation draft, which is accepted by the members of GRECO.

Representatives from each of the Member States have naturally the option to express their views to it orally or in writing. The result of this process is the adoption of a final report, within which may recommend to Member States adoption of certain measures, which should be directed to the improvement of the national situation in the field of corruption. The given Member State is obliged to take appropriate measures on this background to achieve the desired state. Their adoption, adoption failure (passivity), insufficient adoption will then appear in a public statement of the Statutory Committee. In the case of failure or partial failure follows a further action.

The evaluation reports shall be published on the website of GRECO, so that the positive and negative results in the Member States can help in the application of measures in other Member States.

Monitoring and evaluation activities carried out by GRECO affects the application of a further significant document, which was adopted at the level of the Council of Europe and this is *Criminal Law Convention on corruption (1999)*. In terms of content it consists of a preamble and five titles (42 articles) and to this text can access not only the Member States of the Council of Europe, but also states that participate in its preparation.

The basic aim of this document is the coordination of a wide range of criminalizing of the whole scale of corruption conduct and the progressive alignment of the different national legislation in such a way that in each state it is possible for the same or similar conditions as far as it is possible to prosecute persons guilty of corruption conduct. The other aim is to speed up the time-consuming, and unfortunately often very slow, criminal prosecution of persons in order to ensure the effective criminal prosecutions of persons towards them. The first chapter is devoted to the particular terminology and definition of terms used for these purposes, as it should be taken into account in national criminalization of the corruption proceedings. The second chapter covers specific measures – legislative and other, which should be conducted by states in order to adequate prosecution of active and passive corruption. Active bribery of domestic public officials is defined in art. 2 so that it is a direct or indirect offer or promise or grant of insufficient benefits by any person to the public official party and regardless of whether it is directly to him or to another person to act or fail to act in the performance of its functions. The Contracting States have, naturally, such measures to make these proceedings punishable as a criminal offence, if they are covered by the corruption intent.

It is possible to extend the criminal sanction to a bribery of members of domestic parliamentary assembly, foreign public officials, members of foreign parliamentary assemblies, public officials of international organisations, members of the Parliamentary Assembly, the members of International Parliamentary Assemblies, as well as judges and officials of international judicial authorities.

⁶ Kočan, Š.: Charakteristika vyšetřovania korupcie. Bratislava: Police Academy in Bratislava, 2012, p. 57 and the following.

This applies equally to the private and the public sector. Active and passive bribery, as well as direct and indirect corruption, shall be through national mechanisms punishable.

The Civil Law Convention on corruption (1999, Strasbourg) represents in fact the first attempt to define the essence of international rules in the area of combating corruption in the private law instruments.

Compared to the criminal area, where the basic and key activity belongs to the state, in this case, come to the fore the activities of individual persons to defend against fraud property by appropriate means. According to this document, all persons who have suffered the injury and the damage as a result of corruption have the possibility to rely on protection of their rights, including compensation for this damage.

Compensation for damages in this case has not only cover actual loss but also for loss of profit and the non-pecuniary injury. In view of this, it can be stated that this is a key document, since there was no such a document until now.⁷

If it is considered a relatively simple application of the Criminal Law Convention into the legal orders of the Member States, in this case, it is exactly the opposite. Naturally, the Member States have an obligation to adopt measures and regulations, so that the requirements of this Convention are reasonably possible also in accordance with their legal systems. In the context of this document, it is important to note that this is the first document which seeks to insert the international rules into domestic law with the assistance of the rules of private law.

In the context of a complementary objective, which is the establishment of effective legal measures for a remedy for persons who have suffered damage as a result of corruption, in order to effectively protect their rights and interests, including compensation, compensation range and contents play an important role.⁸

In addition to the actual loss (*damnum emergens*) in the form of a real reduction of the value of the property of the injured person shall be replaced also the loss of profit (*lucrum cessans*) if it goes on the indirect damage. In cases where restitution is not objectively possible, it comes into account financial compensation or other appropriate compensation. In the case of any intangible damage, the injured person is directly on the basis of rules of international law entitled to rely on the satisfaction. The parties always have the option of agreeing on a combination of various forms of compensation for any damage suffered.

In connection with joint activities of the Council of Europe and the EU it is necessary to mention programmes aimed at fighting corruption – OCTOPUS I. and OCTOPUS II. OCTOPUS I represents a programme of the Council of Europe and the European Commission towards suppression of corruption and organised crime, in particular in the countries of Central and Eastern Europe, which passed through the transformation process. This program began in 1998 and its aim was the elaboration of the interim reports on the state of corruption in those countries, together with proposals for solutions to the situation. For the candidate countries, this project represented an opportunity to solve corruption and organised crime at the same time. It pointed in particular to the strengthening of the effectiveness of the activities of the executive bodies, the establishment of special investigative, police and justice bodies, it suggested solutions to solve corruption in the public administration overall, and so on. It is

⁷ Kanáliková, T.: Možnosti náhrady škody spôsobenej korupčnými trestnými činmi. In Proceedings from international conference DNY PRAVA 2011. Brno: PF MU, p. 2011, p. 4 and the following.

⁸ Pomahač, R.: Evropská civilněprávní úmluva proti korupci. In Právní rozhledy No. 2/2000, annex: Evropské právo, p. 5

important to note that also called for cooperation between states in order to eliminate new possibilities of corruption.

OCTOPUS II. as a second joint program, was aimed at the help to states in Central and Eastern Europe in the fight against corruption and organised crime. This project took part in a total of 17 countries from Central and Eastern Europe and in the course of the years 1999 and 2000, a number of seminars and study visits of experts took place from transition countries. Their goal was to collect, summarize, and then the exchange of information, on the basis of which there were formulated recommendations, which should be included in this concept. In addition to organised crime and corruption, attention was paid to the criminal liability of legal persons, to the strengthening of the investigative methods, to the cooperation of various components with aim to create specialized services, to the protection of witnesses and victims, to economic and financial crime, to the prevention of juvenile delinquency, to forms of international judicial co-operation and to the sharing of sensitive information at transnational level.

Recommendation of the Committee of Ministers to Member states on codes of conduct for public officials (2000) were adopted by the Council of Europe at its in the order of 106th meeting.

This is a complex of the recommendations, which were addressed to the Member States concerning the conduct of public officials, in order to establish a pattern, a basic standard of conduct of those officials. Of course, there is also a requirement in their content to make it clear to the public so as it will be clear them what kind of behavior and what kind of procedures are expected from of public officials.

The EU Council framework decision on combating corruption in the private sector (2003) obliges Member States to adopt regulations within its legal tools leading to the criminalization of active and passive corruption in the business community and business activities. This obligation applies to both the profit and nonprofit entities, to promote the idea of criminal liability of legal persons.

2.3 Anti-corruption documents adopted at the level of OECD

At this level it is possible to mention in particular *the OECD Convention against bribery in international business transactions (1997)*. Its development was preceded by three preparatory documents:

- a.) Recommendation on bribery in international business transactions (1994),
- b.) Recommendation to reduce the tax liability of bribes to foreign public officials (1996), which points to the fact that the bribes did not constitute or create any allowance, and
- c.) Revised recommendation on combating bribery in international commercial transactions (1997).

Already in the first of the above recommendations there was set the requirement that the Member States take effective measures to deter, to prevent and to combat bribery of foreign public officials in international business transactions. For these purposes, it was required to adopt appropriate criminal-law, its modification or change or addition.

Efforts to eliminate corruption in the activities of the OECD are clearly palpable. In 1997, the first great document was adopted and that the above-mentioned Convention against corruption in international business transactions, which came into force in 1999. It was signed

by 29 Member States of the OECD and five non-member countries, including Slovak Republic. Its meaning is unquestionable, as it includes approximately 70% of the world exports and 90% of foreign investment.

It is interesting that until now national interests were protected; from this point onwards there are protected also foreign interests. A prerequisite for this is internationalization in all areas of life of today's society, which is a reflection of the international cooperation in the suppression of crime phenomena (acts).

As a result of the adoption of this document, the Member States are obliged to adopt provisions, which in an appropriate manner define a concept of a public official for the purpose of bribery offences.⁹

This is essentially an extension of the term to the other persons so that the corrupt activities of foreign public officials could be sanctioned in the same manner. The Convention seeks to ensure good stability and is seen as a complementary (partial).

Attention is given to the prevention and detection of corruption of foreign public officials in the form of thorough record-keeping procedures, or in the form of audits. In relation to the Slovak Republic it was directly recommended that the issue of the accounting and auditing in relation to corruption is periodically explored as necessary requirements of education of auditors, inspectors and introduce for auditors the obligation to inform about a possible criminal act of corruption the competent internal control bodies.

3. ;European anti-corruption activities (EU)

To corruption as a socially harmful phenomenon fully corresponds the fact that in addition to the amounts of international instruments it is given attention to it also at EU level. In this respect, it is necessary to take into account a wide range of documents of varying legal force, which focus on the fight against corruption, as well as activities that are develop in this direction by a number of European institutions. In view of the extensive work and activities of the EU in this area, it is not possible to pay in detail and even passing all relevant. For this reason, we select only the most important ones below.

Of a number of important documents it is possible to mention, in particular, the *Convention on the protection of the financial interests of the EC (1995)*, which for the Member States in the article. 1 stated the obligation to transpose into its national legislation rather wide definition of fraud against the financial interests of the EC. It entered into force, after ratification by all Member States in October 2002. The primary issue is governed by the criminal-law protection of the EC/EU budgets against the unauthorized and fraudulent dealings in drawing. It dedicates to corruption in its content only marginally, indirectly, but in the area of combating corruption laid the foundation for further activities. These are reflected, in particular, in its additional protocols.

Protocol to the Convention from the year 1996 is directly focused on the issue of corruption and provides for Member States an obligation to introduce into its criminal law arrangements the offence of bribery.¹⁰ In the *second Protocol to the Convention from 1997*, it calls on

⁹ Baláž, P., Jalč, A.: Spoločenskoprávna ochrana pred korupciou. Bratislava: Vydavateľstvo Trnavskej univerzity v Trnave, VEDA – Vydavateľstvo SAK, 2006, p. 107 and following

¹⁰ K tomu pozri Tóthová, M.: Vývoj právnej úpravy postihu korupcie vo svetle prvého Protokolu k Dohovoru o ochrane finančných záujmov ES. Proceedings from workshop „Akademické akcenty“. Bratislava: EUROKÓDEX, PEVŠ, 2010, p. 142 and following

Member States to take such measures that in the framework of their national legal systems will lead to effective criminal liability of legal persons for the fraudulent and corrupt acts (crimes). In the same name, also contains a definition of money-laundering.

The Convention on the fight against corruption of the EC and EU Member States officials, drawn up on the basis of art. K3 part 2 letter c) of the EU Treaty sees corruption as a problem that affects or threatens the interests of EU corruption and at the same time as a case when there is a damage to the Member States on the basis of conduct of EU staff.

The Member States are undertaken to adopt the definition of active and passive corruption of European officials and officials from the Member States in their jurisdictions. Such offences should be seen as a criminal from the point of view of national law as well as abroad. It also lays down the requirement to take such measures, in order to achieve effective, dissuasive and proportionate penalties of corruption, including the imposition of a custodial sentence.

Police and judicial cooperation in criminal matters is one of the areas, which after movement of a large part of the agenda retained a part of the former 3rd pillar of the EU. It is implemented on the basis of articles 29-42 of the EU Treaty, while its aim is to ensure a high level of protection against unlawful, criminal activity. Corruption is here only one of the types of crime for which this cooperation aims. In addition to the corruption it is also organised crime (trafficking in persons), terrorism and fraudulent proceedings in relation to the resources of the EU budget. For these purposes, use the following tools:

- a.) minimal common harmonisation of merits of criminal offences, in particular in the form of framework decisions,
- b.) to strengthen and expand cooperation between police, customs, judicial authorities of the Member States in the relevant criminal law proceedings, dealing with conflicts of competence,
- c.) the mutual recognition of criminal decisions, as well as information and their evaluation,
- d.) the approximation of rules of criminal law in the Member States,
- e.) help in surrendering persons between Member States,
- f.) the European arrest warrant for the purposes of criminal prosecution and also taking a person into custody,
- g.) the possibility of using undercover agents.

Unité de Coordination de La Lutte Anti-Fraud (UCLAF) provides the basis for activities designed to combat fraud and corruption in connection with the financial interests of the EC/EU. It was established on the basis of the decision of the EU Council of 24 June 1988 No 88/376/EEC.

Its basic task in the context of combating corruption was to provide representation of the EC/EU interests in relation to the Member States. It has not been entrusted with the enforcement of criminal and criminal-procedural tasks, therefore, could not even carry out investigations, hearings, and could not ensure the perpetrators, to carry out searches and other acts of criminal proceedings. These tasks belong to the Member States and the Unité, as soon as found within the Member States the corrupt activities; it has notified the competent law enforcement authorities on the territory of the state.

These, in turn, began its proceedings in accordance with the national criminal law. In addition to the fraud and corruption, there belong within the competence of UCLAF also money

laundering (by the way of the first and the second additional protocol to the Convention on the protection of the financial interests of the EC).

The European Anti-fraud Office (OLAF) was set up by the European Commission and began its activity in June 1999. So, in essence, it came to replacement of the originally established UCLAF. For the purposes of the investigation, OLAF has powers that are conferred to the Commission by the legislation and agreements with third countries in the field of protection against fraud, corrupt activities and to all illegal activities affecting the financial interests of the EC/EU. Organizationally it is a part of the Commission, and participates in the preparation and drafting of legislation. It has the ability to carry out external and internal investigation. An external investigation is being carried out in partnership with the national investigators against the international crime. An internal investigation is conducted with a view to the proper functioning of the community in the framework of its institutions. An internal investigation is based on the fact that not only the countries, but also institutions and its authorities are not immune to corrupt activities and infringements of the obligations arising from the relevant legislation for their officials.

The head of OLAF is Director-General, who is appointed by the European Commission on a five-year term, renewable once (but not more than twice in a row). The investigation must be conducted impartially and independently without any instructions from the governments of the Member States and European institutions, including the Commission. In order to control its activities it has been set up the Supervisory Committee, which is made up of five members. Deciding to launch or not to open an investigation, as well as the decision on the choice of the most appropriate form of investigation belongs to the director. In the conclusion of an internal and external investigation a report on its progress, identified facts and results is issued. In the case of positive findings of the relevant crime, documents shall be submitted to the competent judicial or administrative authorities of the Member State of the EU.

The basis for activities of *European Police Office (EUROPOL)* was mentioned for the first time at the meeting of European Council in Luxemburg in 1991. Its legal and existential basis is found in the Maastricht Treaty from February 1992, while the aim of its operation is to ensure Europe-wide coverage (information) in the area of crime. Originally was formed a drugs unit and later were created more and more units, which gradually cover the scope of organized crime.

Its seat is in Hague, while its employment base is made up of representatives of the Member States (of the police, customs authorities, etc. An important support for Europol's activities is enshrined in the Treaty of Amsterdam, specifically in article 30. On its basis the Council shall allow to Europol, to support training and cooperation and carry out concrete steps to promote the investigation, which is conducted by the competent authorities in the Member States, the operational actions of joint teams, where should act as a support element also the representatives from Europol. The Council was imposed by a duty to take measures, on the basis of which EUROPOL will be able to require from competent authorities of the Member States execution and coordination of investigations in certain cases. Also in these cases will be able to carry out a specific expertise, which would have been available also to the Member States.

Ultimately, it should be noted that EUROPOL should as part of its activities to promote judicial and investigative bodies' contacts, whose activity is directed to the suppression of organized crime.

4. Conclusion

Clearly it is possible to agree with the view that corruption poses a serious global and in many ways also a security issue. It hurts and threatens the legal and democratic pillars of states; it interferes with the internal economic, market and political stability in the country.

In doing so, effective and appropriate mechanisms in relation to minimizing and eliminating corruption in many countries completely absent, or are only slightly effective.

Undoubtedly, in this respect, an important role plays conditions of an environment, level of maturity and overall civilization of a particular population. The fact, however, is that corruption is one of the top world's problems today, to which are not immune no States, no society.

In the form of such a fundamental problem, more or less all of the transnational (international and European) groupings focused on corruption, with a view to its minimisation, elimination and disposal of negative consequences. The severity and essentiality of corruption is reflected also in the fact that the issue has been included into the center of attention of such institutions, which had originally quite different, for example purely human-civil, basis.

It is now possible to find a number of documents on a transnational level that pay attention to corruption in general or partially. In addition to the key issues of the definition of active and passive corruption they also set out a series of actions that lead to its elimination. Despite the great diversity (in concepts, definitions, etc.) it is necessary to bear in mind that such a serious problem, such as corruption, cannot be resolved in isolation and independently on the national level. In this respect, it is necessary to perceive the benefits of transnational documents, which declared dismissive approach to corruption, the need for its solution and inferring responsibilities, defined the measures which Member States with a view to its elimination should adopt and established a framework of activities aimed at combating this serious problem.

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AUTONOMOUS ALERT AND WARNING SYSTEMS OF POPULATION

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Abstract

The paper presents an elaborated standard project of an autonomous system with ammonia as a kind of refrigerant for an ice rink. The implementation of the proposed project can make the process of warning and alerting the population in danger more effective.

Introduction

Modern autonomous systems (AUS) correspond to the current global technical standards and European principles of prevention of industrial accidents. Their construction requires a purposeful and systematic approach of investors.

Information is the basic and common nature of emergency warnings and emergency notifications. If a real danger or accident has occurred or is about to occur, it should generate the information that should be communicated from the emergency site to and across the IRS, regional and governmental controlling bodies as well as other bodies and organizations involved. Such information is called notification. [1,2].

The competent authority shall accept process and evaluate the information. If the situation is evaluated as the one requiring the protective measures, the information will be processed review the appropriate form and forwarded to inhabitants. The information processed in such way is called a warning or warning and emergency information. [3]

1. Autonomous alert and warning system

Warning and notification network of civil protection is complemented by an autonomous system of notifying and warning the population. They are built in the areas at risk of possible leakage of hazardous substances and the dams endangering a significant number of people, and with a high death toll expected in case of accident. A network of sirens for warning and notifying the population provides an audible warning covering at least 80% of a continuously inhabited urban zone with particular reference to the densely populated areas.

In the plants where hazardous substances are handled, an operator is obliged to ensure the initiation of the warning message on the site. The basic requirements for an autonomous system, in particular:

- interactivity with the network of warning and notification of civil protection,
- operability at least 72 hours after the failure of primary power supply,
- option to be run from a remote place. [4]

A model project an ice ring comprised there phases:

- analysis of areas at risk,
- analysis of acoustic background,
- a system design of AUS. [3]

2. Determination of the risk area due to the operation of technical equipment

The indication "A recommended area of health hazard" determines the size of territory which should be provided with a notice and warning, and thus also the size and complexity of the system. This assessment is also processed for the purposes of developing and updating the emergency plans and documents, and further development of the plan for the population protection. [4]

The risk analysis is carried out in the following steps:

1. Identification and assessment of hazards as a source of potential risk accidents.
2. Analysis of possible initiation of the transition phenomena and processes in the performance of process equipment (output of the selected method of risk analysis (FTA, HAZOP, etc.).
3. Expert estimate of the range of possible consequences of an accident.
4. The final assessment, which defines a recommended zone of direct threat to as well as a recommended area of health hazard. [5]

A hazardous substance of liquid ammonia in the amount of 6 000 kg in the cooling device was identified as hazardous. [6] In compliance with the new REACH and CLP legislation, it is classified as follows (Table 1).

The presence of ammonia refrigerant in the engine room and in a control channel is monitored by leak detector. The accidental release of ammonia occurs most often due to:

- the failure of the safety valve on the circuit with ammonia (after its incorporation it fails to close),
- the loss of circuit integrity with ammonia.

Most of the ammonia is in a liquid state at a pressure of 0.2 to 1.0 MPa. In case of emergency leakage, it starts boiling intensively owing to its low boiling point (-33 ° C) at atmospheric pressure, which leads to the subsequent formation of a cloud of ammonia gas.

The evaluation and calculation were focused on its dispersion in the inhabited area with civic amenities and medical facilities near the ice rink. HAZOP method determined the top event – an operational accident: "significant leakage of NH₃ from the tank (collector)". [7] The ammonia leakage can be categorized into three stages:

1. Ammonia outflow of maximum 200 kg due to leaking demountable joints with the possibility of immediate closure of the damaged part without further supply of ammonia.
2. Ammonia outflow up to 500 kg due to the damaged inlets in a part of the system, e.g. a collector of ammonia, when the ammonia cannot be drained off in emergency in order to prevent its escape from the damaged system.
3. Ammonia outflow over 500 kg due to damaged inlets in a part of the system, e.g. a collector of ammonia, or as a result of extensive events (flood, storm, plane crash, sabotage, etc.), when it is impossible to estimate the amount of the spilled substance and the equipment is damaged to the extent which does not allow closing the damaged parts, and the leakage of ammonia in the range of 2 500 kg max. is impending. [11,12]

3. Expert estimate of the range of possible consequences of an accident

Estimate of the effects in the two model scenarios was calculated under various meteorological conditions, both daily and yearly (Table 2). The mathematical model was based on a point loss of substance and the subsequent dispersal. The escape from a pool (surface) is modeled as a gas escaping from a single point located in the geometric center of the pool and forming a mist.

Table 1: Labeling according to the EC Directive 1272/2008 (CLP)

Warning pictograms	
Codes of warning pictograms	Danger
Warning notice	<p>H331: Toxic by inhalation.</p> <p>H221: Flammable gas.</p> <p>H314: Causes severe skin burns and eye damage.</p> <p>H280: Contains gas under pressure, may explode if heated.</p> <p>H400: Very toxic to aquatic organisms</p>
Safety warning	EUH071: Caustic to the respiratory tract.
Prevention	<p>P260: Do not breathe in dust, smoke, gas, mist, vapors and aerosols.</p> <p>P280: Wear protective gloves or protective clothing and eye/ face protection.</p> <p>P210: Keep away from heat / sparks / open flames and hot surfaces. Do not smoke.</p> <p>P273: Avoid release into the environment.</p>
Response	<p>P304 + P340 + P315: IF INHALED: Remove victim to fresh air and let him rest in a position comfortable for breathing. Get medical advice/care immediately.</p> <p>P303 + P361 + P353 + P315: IF ON SKIN (or hair): Remove / Take off all contaminated clothing. Rinse skin water/shower. Get medical advice/ care.</p> <p>P305 + P351 + P338 + P315: IF IN EYES: Rinse with water for a few minutes.</p> <p>If you wear contact lenses, if possible, remove them. Continue rinsing.</p> <p>P377: a leaking gas: Do not extinguish, unless leak can be stopped safely.</p> <p>P381: If safe, remove all ignition sources.</p>
Storage	<p>P405: Keep locked up.</p> <p>P403: Store in a well ventilated place</p>

Based on the required data, various versions of the representative accident scenarios have been developed. The simulations prepared by using a simulation software determine the danger zones for hazardous substances (HS) of concentration profiles IDLH, ERPG and LEL.

The cooling device was judged against the most unfavorable scenarios of running events or accidents, such as the leakage of ammonia from the tank through the largest expansion valve and connected pipelines. The course and extent of the postulated toxic variances in urban area at the north wind speed 1.0 ms^{-1} directly influencing the field of toxic dispersion parameters would cover 236 m of the direct danger zone. Sensory effects of ammonia leakage can reach the distance of more than 1000 m. The postulated accident scenarios fully considered the location of the objects with more people, such as medical institutions and schools.

Pipelines in the ice rink represent a major system; however, their construction and layout do not pose a primary threat in case of accident as the potential defects can be easily eliminated. The scenario of ammonia dispersion was not therefore assessed individually.

Models for the danger zone of a flammable mixture in the assessed scenarios achieve 60% of the assessed value of the lower explosion limit in the range of 20 to 67 meters, which indicates that the risk of flash fire of gas atmosphere is unlikely but possible in case of sufficient activation energy such as external explosion or fire.

Models of pressure effects of explosive atmosphere in the danger zone proved that they will never take place. [8]

Table 2. The model scenarios calculated under various meteorological conditions [9]

Model scenario	A	B
	Average meteorological conditions	
	Daily	Yearly
Weather conditions		
Wind speed	3 [m.s^{-1}]	1 [m.s^{-1}]
Relative humidity	75 [%]	75 [%]
Cloudiness	No. 5	No. 5
Average temperature of air	18 [$^{\circ}\text{C}$]	9.8 [$^{\circ}\text{C}$]
Stability class	D – neutral conditions	F – very stable conditions
Specifications of the chemical		
Name	AMMONIA	
Molecule weight	17.03 [g.mol^{-1}]	
ERPG-1	25 [ppm]	
ERPG-2	150 [ppm]	
ERPG-3	750 [ppm]	
IDLH	300 [ppm]	
LEL	160 000 [ppm]	

UEL	250000 [ppm]	
Boiling point	-33.4 [°C]	
External boiling point	-33.5 [°C]	
Vapor pressure at ambient temperature	Bigger than 1 atm.	
Concentration of the saturation temperature	1,000,000 [ppm] or 100 [%]	
Information on the source intensity		
Diameter of tank	1.5 [m]	1.5 [m]
Length of tank	5.66 [m]	5.66 [m]
Volume of tank	10000 [l]	10000 [l]
Contents of tank	liquid	liquid
Internal temperature	-10 [°C]	-10 [°C]
HS amount in tank	4.5 [t]	4.5 [t]
Filling the tank	65 [%]	65 [%]
Diameter of the circular hole	3.85 [cm]	3.85 [cm]
Hole in the height of	1.5 [m]	1.5 [m]
Time of leakage	34 [min]	32 [min]
Max. time of gradual sustained leakage	53.9 [kg.min ⁻¹]	41.9 [kg.min ⁻¹]
Total amount of ammonia leakage	680 [kg]	572 [kg]

Based on the results of the hazard (Table 3) area estimate, the provider is obliged by the legislation of the Slovak Republic to build an autonomous system of notifying and warning the population, including the system of monitoring the risk areas, to maintain it permanently and keep it in operation, while:

- the recommended zone of direct hazard is 312 m,
- the recommended zone of health hazard is 818 m (concentration IDLH).

Table 3 Result of hazard analysis [9]

scenario	Max. leakage (kg.min ⁻¹)	Total leakage (kg)	Cloud impact (m) concentration (in ppm)						
			IDLH (300)	LC ₅₀	ERPG-3 (750)	ERPG-2 (150)	ERPG-1 (25)	DMV (15 %)	HMV (28 %)
A	53.9	680	269	53	269	169	385	-	-
B	41.9	572	818	173	523	1100	2700		-

4. Measuring the Acoustic Background

Measurements of acoustic background were carried out for the purposes of AUS system proposal. They will be used for the design of individual sirens' performance, their emitting characteristics and distribution of horn cabinets.

Acoustic background of ice rink ranged from 50 to 70 dB and was dependent on operating conditions.

Acoustic background of the external environment in the range of protective measures ranged from 55 to 69 dB, while the highest level was reached in the vicinity of roads and intersections. [10]

5. System Proposal of AUS

The proposal includes description of deployment, amount and performance characteristics of the AUS elements determined on the basis of the measurements of acoustic background on the danger territory, its geographic coverage and urban conditions. It illustrates the coverage of the acoustic signal on the maps (Figure 1).

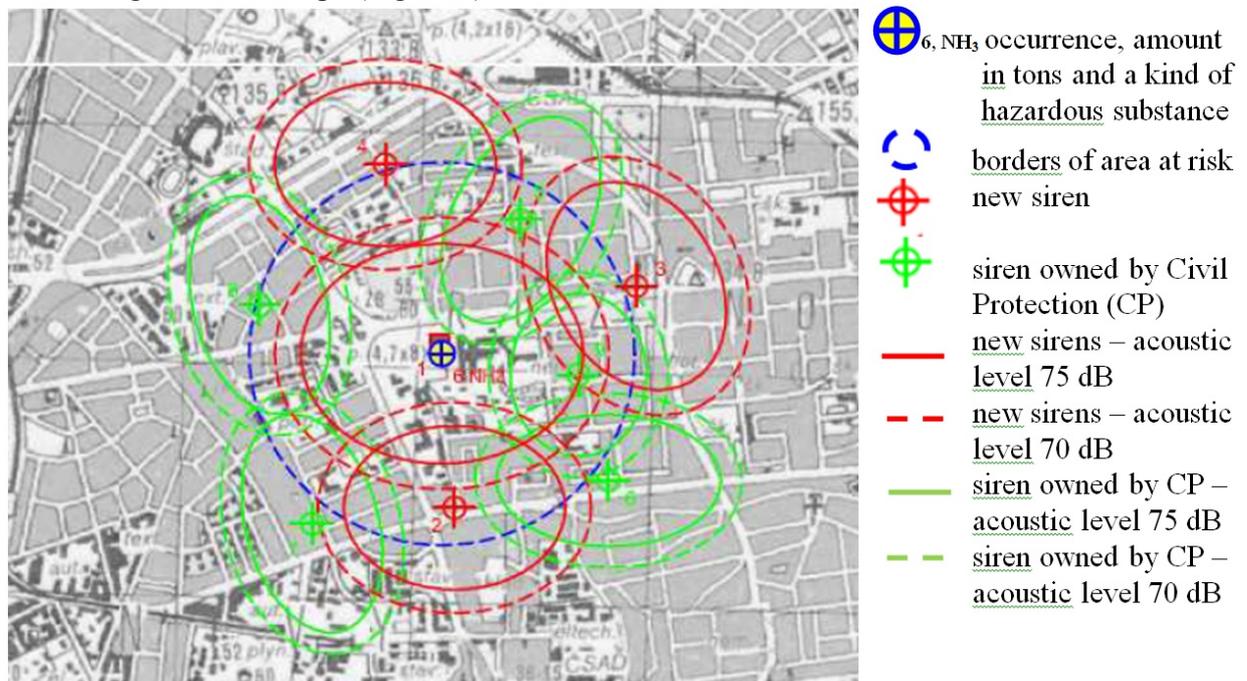


Figure 1 Coverage of alert acoustic signal [9]

AUS project is designed as a system consisting of the Control Centre (CC) and a system of electronic sirens (ES). Regarding the urban area, the electronic siren system is designed as a combination of nine new ES and a number of ES of PAVIAN warning and notification network of civil protection of the Ministry of Interior, Slovak Republic. All ES forming the AUS of Primary School will be controlled by its own CC via radio telemetry system for communication, as well as operational work of the related district office via one-way communication system. [10,11]

The calculated levels of alert sound signal in different measuring points and noise load maps are the basis for integration into an alert and warning CP system.

Conclusion

This paper presents an approach linking risk analysis of chemical ammonia with noise analysis in the environment, while optimizing a suitable and advanced project of an alert and warning system. Similar ammonia risk is the most common hazard especially in the densely populated areas, since there are also other sources of ammonia leakage, such as meat-processing plants, cold stores, food stores and etc. An autonomous system for ice rink is thus a model type of system regarding its technology and management.

The development of electronic sirens has faced a significant progress in the recent years. Slovak legislation imposes strict requirements on the technology and implementation of alert and notification systems. To work properly in emergency, i.e. effectively warn residents, the system must meet certain conditions; particularly, it should be well designed.

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SAFETY IN ROAD ACCIDENTS HYBRID CARS

Martin ZACHAR, Tomáš PAVELKA

Abstract

Road safety is a paramount issue for car drivers. In fact, there is a lot of road traffic accidents related to road traffic. Road transport is a complex system, without which we cannot imagine our present life. The car is an essential need for everyday human activities. Without the rules of the road transport would probably be chaotic. While there are rules in force, there is often a traffic accident. The most common cause of accidents is high speed, but the wrong way driving, inexperience drivers overestimate their circumstances and consequent inability to handle critical situation vehicle. High speed in case of an accident consequences increases.

Saving people is fighting for time is extended by reporting bad traffic accident, transfer of technology to the rescue site hit at rush hour, the lack of rescue and special technical equipment.

INTRODUCTION

Currently there is an increase of vehicle's number on the road. Compared to earlier ones used increasingly any kind of alternative fuel. Therefore it is very important pay attention to them especially from the perspective of emergency responders. With the increase of alternative fuel vehicles is associated constantly greater demands in terms of content and specification for preparedness of rescuers involved in removing of car accident consequences.

Car accident is involved in a spill of hazardous substances such as sealing liquid, we can talk about incident, where intervening members follow methodological letter No. 90 - Activity of fire rescue services – car accidents on roads and methodological letter No. 100 - Intervention involving hazardous substances.

Main factors affecting risk of incident involving the release of hazardous substances on roads is shown in the work of Coneva and Makovická- Osvaldová.

Accident rate in the Slovak Republic

Number of persons annually die or injure in road accident, therefore it is necessary to increase demands on security of vehicles. Issue of rescue works on road accidents is shown in work of Hlivák and Svetlík (2006).

Rescue people from crashed car and first aid is the most important role in road accidents as it is shown in work of Bulíková and col. (2011).

As it is shown in work of Tomková (2007) technical support by using special equipment is very important for a qualified intervention. Among special technical equipment can we include a rescue truck, special recovery tools and first aid.

Statistics on road accidents is crucial for determining forces and resources of the Fire and Rescue Corps. For the last five years there were 182 670 car accidents on the territory of Slovak Republic. Number of the Fire and Rescue Corps exits to these events for the same period was 37 923, representing 21 % of interventions from the all road accidents. The year 2011 was most favourable for accidents. It was recorded least accidents in the last 5 years (14 991), least slightly injured persons (5905) and least killed persons. The 2007 was the year with the most unfavourable indicators in the number of road accidents (61 071), slightly

injured persons (9274), severely injured persons (2036) and killed persons in road accident (627). From the perspective of the Fire and Rescue Corps is recorded the increase of interventions of fire units in road accidents 13% from total accidents of 44% (in 2011) during the reporting period (year 2007).

The information on the number of road accidents are mostly very important to review activities of safety components, their representation can be seen on the Figure 1.

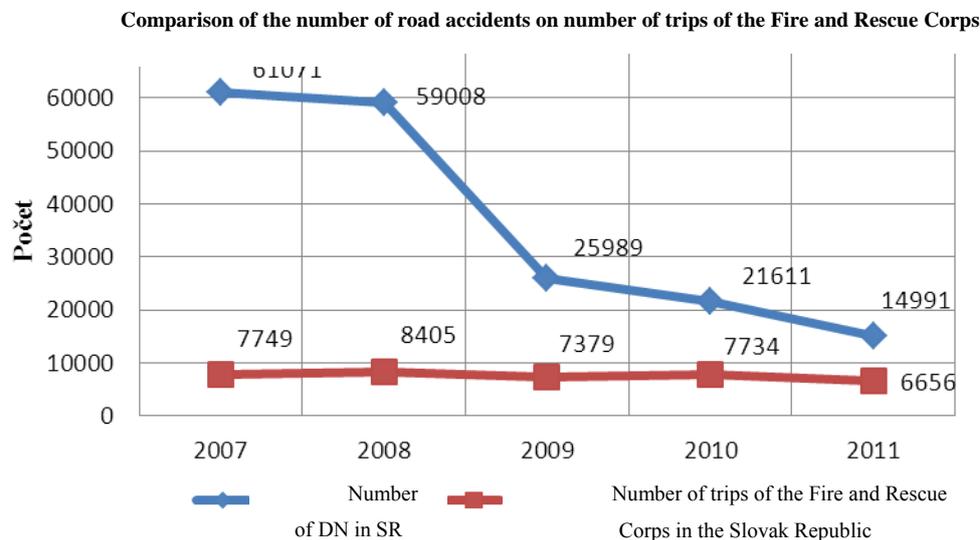


Figure 1 Graphical representation of the proportions of unit's exits of the Fire and Rescue Corps to road accidents in last 5 years.

ANALYSIS OF CURRENT STATUS

The Fire and Rescue Service carries out rescue and first aid, when life, human health or environment is at risk and for rescue it is necessary a special training readiness and equipment related to road accidents. The Fire and Rescue Service in their activities uses fire trucks, which are classified according to the criteria of predominant type of use and technical equipment and according to capacity weight.

Rescue and salvage equipment are generally designed for use in rescue operations, where it is necessary to use larger forces and pressures, that are hydraulically or pneumatically induced, in dividing material, pull, push or lift burdens.

Hydraulic rescue equipment and salvage equipment mainly include: expander pliers, scissors, expanding cylinders, combination pliers and pressure hoses and pumps.

For using this technique are applied a specific legislation. This technique does not have specially designed technical parameters.

All hydraulic rescue equipment shall meet requirement of STN EN 13204 – Double acting hydraulic rescue equipment for fire and rescue services – safety requirements and performance.

RESULTS AND DISCUSSION

Cars with hybrid drive

A hybrid car is a car, which includes two independent drives (combustion engine and electromotor).

For environmental protection it is very necessary to reduce the amount of carbon dioxide in exhaust gases. Another important factor is the reduction of dependence on oil. This can be achieved by various ways such as:

- Reducing fuel consumption through increase efficiency of combustion engine and transmission system,
- Reducing driving resistance of motor vehicle,
- Better using of its kinetic energy

Designers are trying to reduce the tire rolling resistance and drag car. A major problem is the resistance of inertia, which is reflected in every acceleration and braking. During start up or overtaking the resistance of inertia consumes a lot of fuel. When a car is braking, the most of kinetic energy in brakes is converted into heat, which greatly increases fuel consumption.

Hybrid cars transform by recuperation this part of kinetic energy to electricity and store in battery. When starting up again, this unused energy is taken from the battery to electric drive. We can save a lot of fuel by frequent changes in speed. Therefore, especially in the cities, in lines of vehicle and traffic jams hybrid cars compared to conventional cars save a large amount of fuel. Hybrid cars are increasingly appearing on our roads.

Distribution

Hybrid drives have three kinds of structural arrangement:

- Serial
- Parallel
- Combined

In the serial arrangement for hybrid drive are combustion engine and electromotor connected in series, see Figure 2. The combustion engine operates in an environmentally preferred mode with low fuel consumption and good torque in a relatively narrow speed range.

The car normally drives electromotor. When a battery is not enough to proper the vehicle, automatically turns on a combustion engine, which also recharges the battery. The advantage of serial arrangement of hybrid drive is its simple construction and that it is not necessary a gear. The disadvantage is its low efficiency of drive.

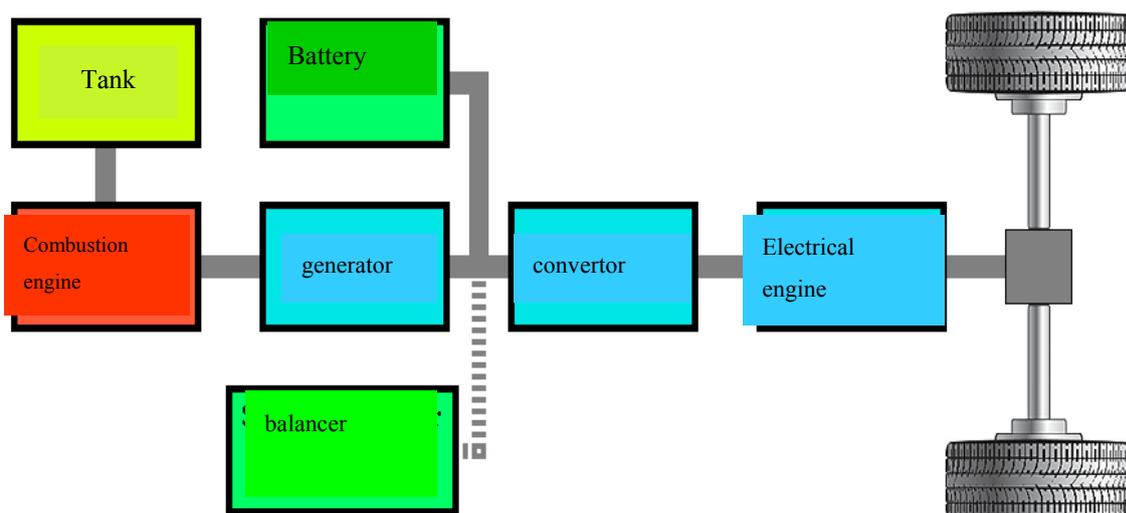


Figure 2 Serial arrangement

In the parallel arrangement of hybrid electric electromotor cooperates with a combustion engine by gear, see Figure 3.

Current use of both sources of drive at low evolves of combustion engine can be significantly increase by connecting driving force of wheels, whereby significantly improves acceleration of vehicle.

The parallel hybrid drives are divided into:

- Micro
- Mild
- Full
- Plug-in

Micro hybrid drive mainly uses combustion engine. Electromotor is used only to improve acceleration. Mild hybrid drives also use electromotor only to increase torque at acceleration. However, they have more engine power.

Full hybrid cars are powered only by electromotor, or by combustion engine, or both drive units.

Plug-in hybrid drives have a similar structure as full hybrid cars, but the battery can be recharged from mains.

The advantage of parallel construction of hybrid drive compared to the serial arrangement is a greater efficiency, lower weight and possibility of using multiple modes of drive vehicle. However, they need a certain transformation device between an electric motor and combustion engine and require complex engine control.

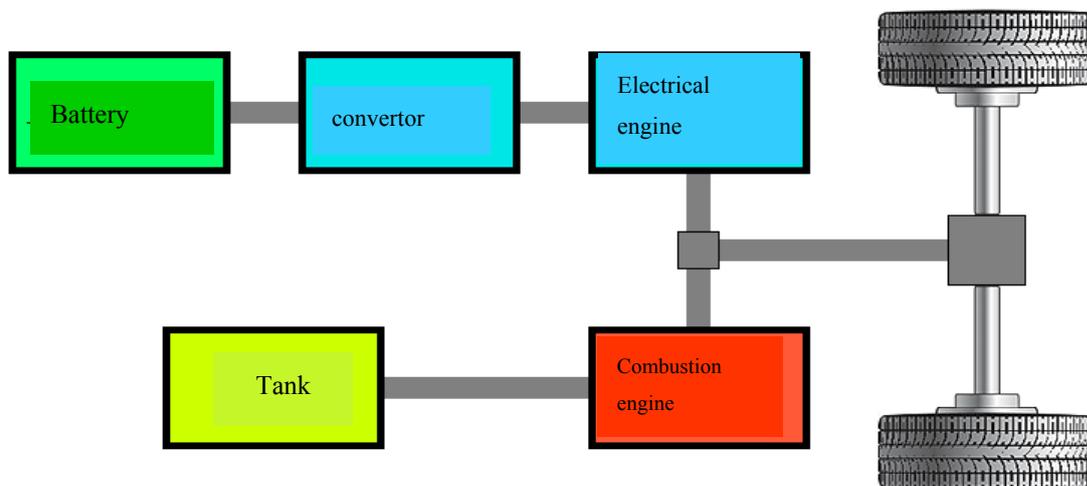


Figure 3 Parallel arrangement

The combined structure of hybrid drive resembles a parallel arrangement, see Figure 4. Performance of combustion engine can be transmitted through two branches of planetary gear or electrically.

The aforementioned combined structure of hybrid drive has advantages of serial and parallel arrangement. The disadvantage is its higher engine weight.

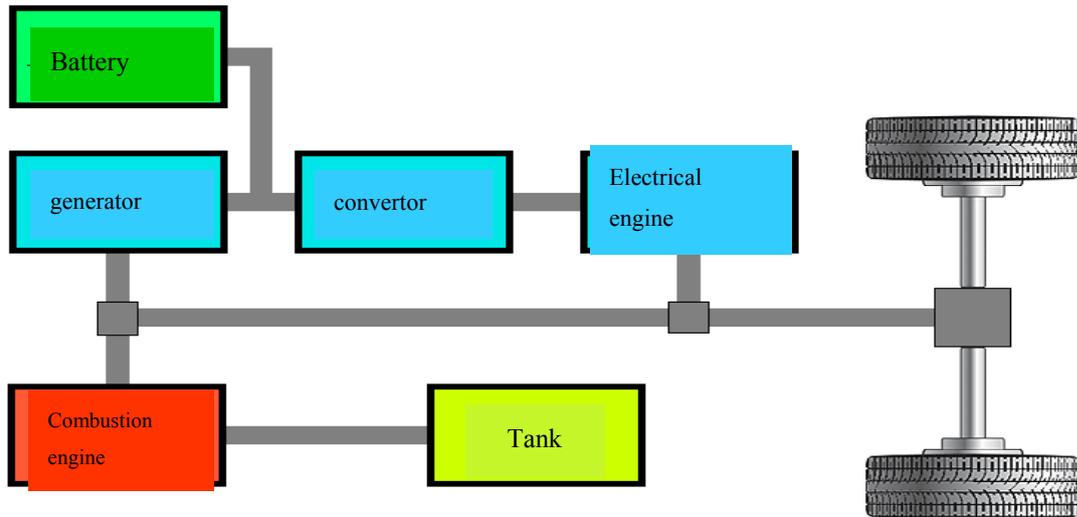


Figure 4 Combined arrangement.

Parts of hybrid car energized electrical current life – threatening or health of persons

- High voltage on-board network – on board network with DC voltage (200 – 400 V)
- High voltage battery – powered to the electrical circuits of vehicle
- Service connector – is used to safely disconnection or connection to the high voltage system of vehicle
- Module of power electronics – assembly containing electronic circuits:
 - Drive and control of hybrid car in both drive mode
 - DC/DC voltage converter (from 200V to 12 V and conversely)
 - Electric machine – three-phase synchronous motor with permanent magnets on rotor (motor operates as a generator)
 - Electric air compressor ensures selected interior temperature of vehicle, it is powered by DC network
 - High-voltage wires – ensure connection of the components of high voltage board network in vehicle (orange coloured), see Figure 5

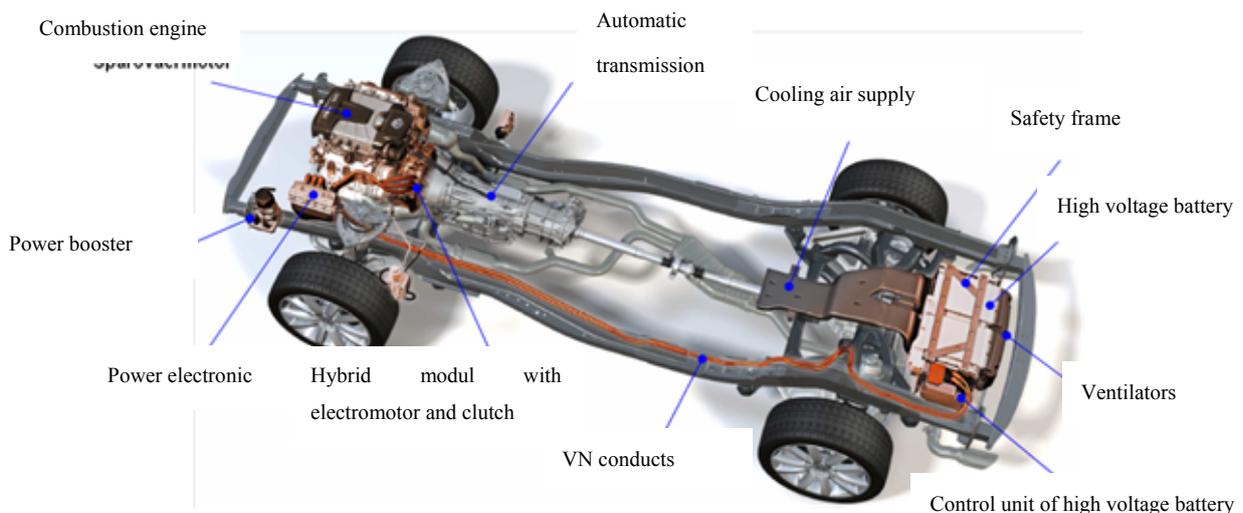


Figure 5 Parts of hybrid car energized electrical current life-threatening or health of persons

Intervention specifics in hybrid car accident

Methodology of intervention in road accidents of cars with hybrid drive is the same as for conventional types of cars (petrol, diesel) except of high-voltage electrical system. For different types of vehicles may procedures or techniques to rescue passengers differ. Improper rescue techniques may cause death or serious personal injury.

Car identification

To correct and fast identification of hybrid car because of intervention manufacture should use common identifiers. We can say, that among these identifiers belong for example:

- Name HYBRID on the back of car
- Alphanumerical identification number (VIN) in the low corner of front window
- LCD display in the interior of car
- Logo on the front lid of car
- Hole filling the fuel tank – not in the plug-in

Rescue persons

- During stabilization and handling car struts or air cushions cannot be placed under high-voltage cables.
- After disconnect car from power the voltage is maintained for a period of time
 - 1 – 2 min. in airbags
 - 5 – 10 minutes in high-voltage systems
- Information on high voltage in car is shown on LCD display
- Light indicator that says READY
- Never open high voltage battery or any other way to interfere with them
- Do not touch, cut or disconnect orange high voltage cables and their high voltage components.

During rescue operations its preferable to use electrically isolated wrecking tools. Vehicle of Fire and Rescue Service Type 4 A, Iveco Eurocargo ML 14 has in its equipment electrically isolated hydraulic wrecking tool for intervention on hybrid car, which is shown in Figure 6. Advantages of electrically isolated hydraulic wrecking tool compared to standard hydraulic wrecking tool:

- *LS 330 Fi (44t) electrically isolated cutting scissors*
 - Full electrically isolated to 1500 DC or 1000 V AC
 - Designed for rescue work in road accidents with additional hybrid high voltage engine, high voltage lines cutting
 - Nonconductive hoses 3 m, protective capsules for quick coupling
- *LKS Fi (35 t cut/ 9,3 t expanding)*
 - Full electrically isolated to 1500 V DC or 1000 V AC
 - Excellent balance between weight and performance
 - Designed for rescue works in road accidents with additional hybrid high voltage engine, high voltage lines cutting
 - Nonconductive hoses 3 m, protective capsules for quick coupling



Figure 6 Electrically isolated hydraulic wrecking tool

High voltage battery fire

In case of fire there is a leakage of toxic gases.

- Suitable extinguishing agent is water
- Water stream may not flow into water bodies
- We must perform quick and aggressive intervention
 - Offensive
 - Defensive

Offensive intervention consists of flooding high voltage battery with sufficient and copious amounts of water from safe distance.

Defensive intervention consists of maintaining high voltage battery burn and fire units only locate the fire, protect environment from effects of fire itself.

High voltage battery spillage

- When handling electrolyte battery we must use appropriate protective equipment
- Electrolyte battery is a strong hydroxide – caustic, neutralization by acid
- Stricken areas rinse with water for at least 20 min.

When these procedures cannot be carried out for any reasons and rescuer must intervene, he must be remembered that he could be a danger of injury or death.

It is necessary to use right tactics and methodology of design intervention with appropriate protective equipment and designated special rescue tools.

CONCLUSION

There is an increasing number of vehicles with hybrid or electric drive on the roads in some countries and specifics associated with interventions for these types of cars are established special centres for comprehensive training courses and how to intervene. For example the U.S. National fire protection association established nationwide project called – Electric vehicle safety training. The project is funded by the U.S. Ministry of energy and is aimed to provide information to firefighters and rescuers how to most effectively intervene in potential emergency electric vehicles.

Experience shows us, that in any kind of incident involving hybrid cars is disposition forces and resources with specialized training of members of the Fire and rescue service and special technical equipment of vehicles of the Fire and rescue service, removal of consequences safer, easier, faster and more efficient compared with the disposition of forces and resources, where such training or equipment is missing.

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THE NEW CONCEPT OF THE MOST GENERAL TERM "DANGER"

Vasyl ZAPLATYNSKYI

Summary

The article is devoted to the ground of term «danger». Existent today numerous determinations of this term substantially differentiate on sense and are not general. In the article, taking logical and philosophical approaches, a new determination of this term is formulated. That was basic pre-condition that danger, as well as safety, are notions subjective, which can change because of practical activity of man, development of science and society. These notions ascend to notions well and it is badly, which can be perceive even at an instinctive level. The decision of question of formulation of base terms is of not only interest from point of theoretical science, but it has an important practical aspect. In history there are enough examples of good actions, including directed to the rise of safety, which turned around, farther more, by the calamities, catastrophes and etc.

The new definition of "danger" is as follows: danger is a subjective concept that refers to the possibility of circumstances in which the matter field, information, energy, or a combination thereof may affect the way a complex system, it would lead to consequences that are perceived and valued stakeholders (at the level of thinking, feeling or instincts) at a certain stage of development of the perceiver as negative until implementation of the risk or after occurrence of adverse effects.

Keywords: danger, determinations, circumstances.

Introduction

Till nowadays in a scientific and educational environment dealing with security problems, there is a free interpretation of the fundamental terms «danger», «security», and as a consequence many words derived from them. Lack of a commonly accepted science-based terminology is not only an obstacle to an extensive development of the science of security in general, and mankind and human security (securitology) namely but also promotes the wrong approach to the solution of a number of theoretical and practical issues of security.

Question for rationalization and wording of the terms danger, security and derivates thereof is not just important – it is a question of understanding the problem, question of security strategy from a risk and question of achieving security.

1. Concept of the term „Danger“

The basic notion of all terms and definitions in the security industry is the concept of «danger». After all, talk about human security, any object or system without using understanding the meaning of danger is impossible. Namely, danger is a fundamental term of all safety and security science.

Several authors, in formulation of the term «danger», namely got reasons as an unambiguous characteristic of certain or other external factors. In particular, S.V. Belov and others [1, 2] defines danger as a *negative attribute of living or non-living matter, which could cause loss of matter itself: to people, environment and material value*. Following this definition, we must

recognize that in every element of nature has some negative feature. However, what negative feature is in a drop of water, sand, flower?

Perhaps the author of this thesis formulation considers potential adverse properties of matter and objects; in this case, these potential negative properties must be objective ones and have to be an integral part of every object of the Universe. But nothing like that we have not seen. The danger is not the result of internal negative potential of objects within the environment. Thus, to talk about the negative properties or much less about the aggressiveness of a subject is pointless.

Sergey Belov believes that the *danger is common to all systems that have energy, chemical, biological, or other components that are not compatible with human life*. At the first glance, this definition seems quite convincing. However, it should be rephrased on the above basis, namely, that dangerous may be all systems having energy, chemical and biological components. Actually except for information, all material objects up to an electron or even smaller particles have energies. So, any material object in the Universe may be potentially dangerous. Similarly besides matter, any field and information can be dangerous - the latter one does not have any energy, chemical, or biological components. This leads to the conclusion that, at first, the danger is not a property of objects or systems, it can result from their actions, and the second output - not only material objects can be dangerous but also information and a field.

The third point, which has to be found out, is what the author means by the words «... incompatible with the human life». If you use an argument that the danger can threaten only human beings, so it is a subjective concept. Then the question arises whether it is possible to speak of the danger to anything else except the human.

In science and practice, the concept of danger is not related only with persons, but also with technical systems, the environment, etc. Therefore, the use of the phrase «... incompatible with the human life» in the formulation of danger would be too narrow.

Yaroshevskaya V.M. et al [3] in the formulation of the term «danger» besides the concept of incompatibility included also the concept of adverse factors for human beings what is much more correct. In formulating the term danger, authors started from the concept of influence. As a result, the concept of «danger» is defined as an event or adverse or even incompatible with life factors effects on human persons.

Šimák L., Horáček J., Novák L., Németh L., Míka V. formulate the definition of danger in following way: «Danger: The latent characteristic of a system or its components, which can cause unexpected negative phenomena that violate security, threaten the stability and functioning of the system, and possibly its environment, too» [4, 5]. This definition is in some features similar to the definition given Belov S.V. because the authors in determining the danger apply a thesis about hidden properties of the system or its components; but they do not talk about negative characteristic only about the characteristic itself, what is quite acceptable. Each system has a number of characteristics inherent to it. Depending on the characteristic features of the system, it interacts with its environment, as well as undergoes internal changes. These characteristics or characteristic may be obvious or hidden until certain time, and thus the thesis of the hidden characteristics used by the authors would have been extended to all characteristics (obvious and latent ones).

From the definition the thesis of unexpected manifestations should be excluded because quite a number of hazards are whole anticipated and some ones just expected. Also the thesis on a security breaking should be excluded from this definition, too, as it is illogical to formulate an

essential definition of the danger through using the derivative, which is the term security in relation to the danger. Consequences of the danger considered by the authors are satisfactory. This definition would significantly triumph if the stability and functioning would be added by certain development. We shall return to this point later.

Pistun I.P. [6] in the formulation of the term «danger» is not just talking about a phenomenon or an effect, but also about specific conditions under which they operate. The term «danger», according to his definition, - *the central concept of life safety, which combines phenomena, processes, objects that can under certain circumstances cause damage to human health*. The shortcoming of this definition is the "fuzziness" of the concept, since the author included processes, phenomena and objects into the definition. This indicates some liberty levels in the terminology. According to the Dictionary of Russian language by S.I.Ozhegov and N. Shvedova, the *object* is «... that which exists outside us and independently of our consciousness, the phenomenon of the external world». And the second definition of the *object*: «The phenomenon, the subject which someone's activity, someone's attention is aimed on» [7]. The *phenomenon*, according to the same dictionary is «manifestation or expression of basic essence; that in what it is found. In general, any detectable manifestation of something». The *process* defined in the same dictionary: «the course, the development of some phenomenon, a consecutive change of states in the development of something».

Thus, based on the definition of danger, which is formulated Pistun I. P. there is not clear what, after all, the danger is - the subject or process, that one should agree in principle. This definition has the same shortcoming as the one of S.V. Belov, since the author formulates the danger through the possibility of «cause damage to human health», thus eliminating not only technical, biological, and other systems, but also significantly curtailing impact on the livelihood of persons, limited only by their health.

As for the term "certain conditions" used by Pistun I. P., its use without additional interpretation does not allow to understand whether these conditions originated or not what they actually represent. That is the reason why into the formulation of the term «danger» it is necessary to introduce the concept of the possibility and / or the reliability of the origin of these conditions. After all, danger - an action that has not happened yet, but it may happen in the near or far future, or do not take place at all. The danger is only a *possibility (probability)* of the influence on a person or a particular system.

In the Big Dictionary of Modern Ukrainian Language, the term «danger» is treated as an *opportunity* to some trouble, misfortune, a disaster, harm, and the like. Figuratively – a condition where someone or something is being threatened by something. [8] In practice, the same wording can be found in the Explanatory Dictionary of the Russian Language by S.I.Ozhegov and N. Yu. Shvedova [9] - a *possibility* for threatening of something very bad, some misfortune. The adjective "dangerous" – something what is able to cause, to cause any harm, misfortune.

Lipcan A. V. [10] in the textbook on safe behaviour ("Bezpekoznavsto" in Ukrainian language, author's remark) gives the following definition of danger - *this are possible or actual phenomena, events and processes that can harm a person, social group, people, society, the state, the planet or even destroy them, can harm their well-being, can destroy the material, spiritual or natural values, can cause degradation, close the road to development*. This definition is, at the first, cumbersome; Lipcan A. V. when formulating it made the same mistake as as Pistun A. R. introducing simultaneously the concept of phenomenon, event and process. An event in accordance with the wording contained in the Russian Language Dictionary by S. I. Ozhegov and N. Yu. Shvedova is - «... what happened, that or other

significant phenomenon, the fact of public and private life». Thus in the definition, the concept of nature, process, and also the terminated process (event) are present, which further blur the concept of danger. Using of the possibility and reality in the definition does not allow understanding what the danger is - running or completed action or possibility to occur of that. The author by the formulation of the concept of danger includes not only a person as an individual and his life, but also a social group, people, society, the state, the planet. He says not only about negative effects but also about degradation, destruction, destruction of values, termination of development, thus significantly expanding consequences of the danger to the higher level. However, the question arises whether the author takes into account all the manifestations of danger, would it not be an error to exclude of biological, technical, and other systems. Restricting by whatever systems narrows the concept of danger.

In the dictionary reference to life safety by Karmazinov F. V., Rusak O. N., Grebennikov S. F., Osevkova V. N. [11], danger is defined as *a situation (in the nature or in the technosphere), which may cause events or processes origin that are able to infect humans, cause material damage, destroy the humans' environment*. This definition significantly differs from the previous ones, because it considers the danger neither as a phenomenon, object nor process, but as the situation. Actually, *the situation* has to be understood as «the sum of circumstances, states, conditions» according to the dictionary by S. I. Ozhegov and N. Yu. Shvedova, or as «the condition, the state created in the result of a combination of circumstances», according to the dictionary by Efremova T. F. [12] or the «sum of the circumstances», according to the dictionary S. I. Ozhegov. The concept of the danger is thus transferred from the material objects, information or a field to the system that includes the aforementioned components. Actually, such system should also include and the object of activity. As a result, the term danger refers to the circumstances; that is, the relationship and mutual interaction, not just objects themselves, the field, energy or information.

Zhelibo E. P., Zaveruha N. M., Zatsarny V. V. [13] in determining the danger add to the situation also conditions. In their work they give several definitions of dangers. One definition these authors may borrow from S. V. Belov and expanding it a little «*Danger - negative property of living and non-living matter capable of causing damage to the matter itself: people, environment, and material values*». The second danger is stated as follows: «*Danger - this is a condition or situation that exists in the environment and can lead to undesirable release of energy, which can cause physical harm, injury and / or damage*». Considering this definition, we determine firstly whether it should be necessary to include the condition besides the situation into a definition.

Condition, according to the dictionary by S. I. Ozhegov and N.Yu. Shvedova means: «The circumstances created or existing in which there is, takes place something». Comparing this with the definition of the situation, we conclude that they have very close meaning. Thus in the definition, would be sufficient to consider only one of these terms. Second part of the danger definition, suggested by these authors, significantly narrows the concept of danger, limiting it by release of energy. Do not forget that danger may also be information functionality of which is not directly related to the release of energy. Authors also narrowed the results of the danger effects - limiting the definition, at the first, by the matter, in particular by people, natural environment, and material values; and at the second, by physical harm, injury and damage. Fact that Zhelibo E. P. and others used two definitions in their work indicates significant problems with the formulation of the term danger.

The precise formulation of the danger requires yet one more parameter, namely the definition - the possibility to define what exactly type of influence the danger is. For the formulation of

this concept, the authors as already indicated above, use different approaches. However, none of the above statements can not be used successfully in scientific theory and practice because such definitions require additional parameters, for example, specify what kind of "some catastrophe," or what is meant by a damage of matter itself, because the matter does not disappear it just turns from one form to another one. In order to generalize consequences of influence of the danger it is appropriate to use the term "negative (unfavourable) impact (activity)," which is partly introduced in the definition by Šimák L., Horáček J., Novák L., Németh L., Míka V.. The concepts of negative and unfavourable are most common and combine all of the above formulation of the negative impact, causing damage, disaster, etc. In Russian, the two words are used as synonyms. [14] Choosing from two similar terms «negative» and «unfavourable» in the dictionary, we use the definitions by S. I. Ozhegov and N. Yu. Shvedova «Negative - the same as the unfavourable. From the German negativ or French négatif, comes from the Latin. Negative - contains a denial, rejecting anything. Have poor characteristics, qualities. In mathematics: is the value taken from the «minus» (-), less than zero. It is a copy from the Latin scientific term negativus, compare Latin negativus 'denying, rejecting'».

Widespread use of the term negative in other languages gives it a particular priority in the use. However, for a more convincing, consider the use of these terms in other languages, in particular, in the Ukrainian one. The Big Dictionary of the Ukrainian language [15] gives a definition of the concept of "negative" (*негативний*, in Ukrainian. Author's remark): «Bad due to the properties, characteristics, destination, etc., which does not cause approval, and should be condemned, which does not cause the approval or positive attitude to someone or something, unfavourable, poor». Analysis of the use of the term negative in other languages has shown its wide distribution, so in English it sounds like - negative, in Slovak - negatívny, in Czech - negativní, French - négative, in Spanish - negativo, in Italian - negativo, in German - negativ, in Polish - negatywny. Taking into account the specifications of the words negative and unfavourable, it is better to use the word negative in determining the danger and of harmful effects, also on the basis of the wide spread of the term in other languages.

Performing of the subsequent phraseological research of the term negative shows that it is often formulated using the word «bad». Ozhegov in the dictionary [16] gave the following interpretation of the word "negative": «one that has poor properties, one that has in itself an objection, which refuses anything». This leads to the need to define the word "bad", in fact it is a fundamental characteristic of the word negative. According to the Big Dictionary of the Ukrainian language [15] the word "bad" means:

- 📖 one that has not good qualities, properties; not the same as it should; which causes a negative evaluation;
- 📖 one having unpleasant qualities, properties (tasteless, smelly, etc.);
- 📖 useless or harmful, adverse, gloomy (weather, day, etc.);
- 📖 one that does not meet the necessary conditions, does not meet the specific needs, made unperfect, clumsily;
- 📖 stupid, inept;
- 📖 one that does not meet the normal standards; one that distinguishes from the normal (on the state, feeling, vital body functions, etc.);
- 📖 unhealthy, sick (of body organs, organism);
- 📖 one that does not bode well, foreshadows trouble, danger or a nuisance;

- 📖 hopeless, sad, unhappy;
- 📖 . cruel;
- 📖 . one that portends trouble, danger or a nuisance;
- 📖 . one which is characterized by a negative moral qualities (of a man);
- 📖 . one that is worthy of condemnation (of manners, behavior, actions, etc.);
- 📖 . one that shames, spot someone (a man);
- 📖 . rude, obscene;
- 📖 . what is reprehensible;
- 📖 . one that causes condemnation, disapproving, negative;
- 📖 . unattractive, ugly or disgusting in appearance;
- 📖 . dirty, unclean;
- 📖 . one that causes hate, bloody;
- 📖 . worthless, lousy.

As we can see from the definition of the word "bad", its wording and consequently the wording of the term "danger" is based on people's perceptions of right and wrong (good and bad). The concept of good and evil can not exist without certain conditions, and the most essential, can not exist without the man. Therefore, the concept of danger exists as a concept that reflects some people's ideas about the bad (negative). It is based on a world view, ideas, developed over the centuries, research, and always meets certain conditions of human existence, the level of civilization, ideas, moral principles, and the like.

Thus, the *danger appears as a subjective concept* that can be applied only referring to the goals, interests, etc. It is logical to consider the danger as a subjective concept in relation to the man. Concept of danger arises only when there is a feeling that it is inherent in the human being. It can be assumed that in the plant and animal world there is some notion of risk, too, but at its own level. Naturally, question arises what a man's feeling lays in the basis of the concept of danger. One of the essential feelings is the self-preservation feeling; it is often treated as a natural instinct. In this case, the danger is inherent in the concept of the common wildlife, including elementary organisms, plants and animals. Sense of self-preservation is a desire to save oneself or one or another system in the same state or in a state of a certain direction of development. Usually we talk about the danger only when it relates to a person or certain of its interests.

It is necessary to clarify one more thing. Is it correct to speak on the danger of this or another technical system, on environmental hazards, etc.? Usually it is justified. The concept of danger is used when it relates to any object (mechanism, construction, etc.), with which people somehow interact and with respect to which a person has certain desires. The term "danger" is expedient to use only in cases when the impact (negative) is directed to an object or a subject to which a human being has some kind of relationship, or is interested in it, and in those cases where the effect is seen from the point of view of another system: animal, plants, and other biological objects, or even inanimate objects.

Thus, we conclude that the danger is the subjective concept and no relationless concept (principles or properties) of the danger exists in the nature. The concept of the danger is always associated with certain feelings, goals, ideas, people, animals, plants, or other complex

systems which are capable of it, and thus will be different for each of the above mentioned categories.

Danger is the possibility of a certain negative impact. That is why, it is necessary to clarify a number of questions for the definition of the term "danger". What exactly can cause this effect? What quantitative and qualitative features have a negative impact, how it differs from the positive impact and can the effect be the neutral one?

Anything that exists in a nature can affect a person or a complex system - any material object, field, information, energy, and their combination. The definition of the danger, which was formulated by the author in previous works in this way: "The danger: it is the possibility of the origin of circumstances under which the matter, field, information, or a combination thereof may influence the complex system, it would lead to a deterioration or failure of its operation and development ", in particular in [5, 17], was missing one of the most important elements, namely energy. Energy - a scalar physical parametre that is the only measure of various forms of the mater motion and a transition measure of the movement of the matter from one form to another [18]. In this case, the energy can not exist by itself alone; it must always have a tangible medium. Actually due to the energy impact and interaction in the material world are running. It is possible that in nature there is, so far, something unknown - the basic elements; but to date, we introduce 4 elements into the concept of the danger: *matter (in the understanding of objects, subjects), field, information and energy under all their appearing forms and combinations.*

Actually, the impact according to the dictionary of the Russian language [19] is «action exerted by someone, something to someone, something, the action». The impact - it is only the effect, this term does not describe the quality (negative, neutral, positive) and it is possible to assess it through basis of action results applied on the system, respectively, from the point of view of a person or other systems. Depending on the results of the impact may be different: negative or positive. If the result could not be fixed using existing techniques or tools, or the result will manifest itself directly or indirectly, to estimate its direct action or long-term effects is not possible, then we can talk about a neutral action.

The term «*negative impact*» has previously been formulated by the author in «The terminology of the science of security» «Терминология науки о безопасности» [17], as *an action on a complex system (human), which leads to the deterioration of its development, operation, or its complete destruction*. From the standpoint of modern science, such definition of the negative impact is not acceptable. What shall be consequences to recognize them as negative ones? Obviously, especially those that we believe to be negative because of their understanding, development, mentality, and science and society development level, and the possibility of predicting long-term outcomes. Further development of the science and society will give more and more opportunities to establish relationships between different phenomena, to predict not only the immediate consequences, but also very, very distant. Based on the foregoing, we formulate a new concept of «*negative impact*» – *it is such influence on a complex system, which leads to consequences perceived, evaluated and predicted as negative at given stage of development of society and science*. Using the formulation of the term «negative impact» we can define the following derivative term «*negative consequences*»" - *the result of a specific impact, which is perceived, evaluated and expected to be negative, at given stage of development of society and science*. It should be taken into account that the negative consequences and therefore the negative impacts can be treated (perceived, evaluated, predicted) in different ways, depending on the set of external conditions and internal factors.

Using the term "danger" we do not mean the inevitable negative impact on the complex system (human), that is, the terms "danger" and "negative impact" are different things. The negative impact is a process when the danger transfers into the actual manifestation - namely into a negative action. The danger, in turn, is understood not as an influence, but merely as a definite possibility of such influence. Moreover, the formulation of the term danger does not necessary to specify the value of danger - its magnitude or likelihood of exposure. The danger is the subjective perception of the possible negative direction of the process development within the objective reality.

For the final definition of the "danger", we give definition of other key concepts in accordance with the explanatory dictionary [9], which are used to describe the danger:

- The threat - a possible danger.
- The possibility - a means, conditions, circumstances that are necessary to taking place of anything.
- The condition - a circumstance on which something depends. Situation in which something is carrying out.
- The object - something that exists outside us and independently on our consciousness, the phenomena of the external world. Phenomenon, a subject on which someone's his activity or someone's attention is directed.
- The process – course of development of a phenomenon, the obvious change in the state of the development of something.
- The phenomenon - manifestation or expression of the essence, what it is. In general, any detected manifestation of something.
- The situation - summary of circumstances, position, condition.

Let us have more detailed look at some of these statements and evaluate the potential and feasibility of their use in the formulation of the term «danger».

The term «threat». The term in its meaning is very close to the term danger. Detailed definition of the term "threat" gives Korzeniowski L. [20], considering it as a potential cause of an unexpected state. The threat, in his opinion, and the opinion Świniarski J. [21], Kaczmarek J., Skowroński A. [22] is not a separate category, it is always related to a specific subject, for which is destructive. The threat may be significant (negative) for life, existence, stability, improvement and development of the object. It is through the concept of "threat", Korzeniowski L. formulates the concept of "security". In this context it is necessary to establish whether the concepts of "danger" and "threat" are synonymous. The term "threat," according to the explanatory dictionary [9] is a possible danger. According to the dictionary of the Russian language [20]: «The threat is a promise to cause any harm, nuisance. The possibility of the danger for any affliction, misfortune, bad events. One who (or what) can cause harm, trouble». The «threat» in other dictionaries considered as intimidation, promise to cause anyone harm, evil. A comparison of the term «threat» with the above formulation of the term «danger» indicates that the concept of danger is much wider and it points to the possibility of negative impacts in principle, therefore, to use the term "danger" in general terms is better. The term "threat" is usually used with the definitions clarifying what type of the danger actually threatens. The term "threat" is often used to show that the probability of an adverse event is high enough or dramatically improved. Thus, the term «threat» appears as a derivative definition from the term danger.

Further logical premises put us in front of one very important task, namely the need to determine how actually the danger proves. Based on the above mentioned, the danger is a possibility of a certain impact. To carry out this impact, conditions are necessary. From the number of almost equal terms denoting the complex relationships existing in time and space «conditions», «situation», «circumstances», we choose the term «circumstances».

With a goal of the final definition of the term "danger", we list all components necessary for the formulation of the concept, as it is: a complex system; an object that affects the system by the flow of energy, matter, field or information; a probability of occurrence of certain circumstances under which this impact is not only can happen, but will be negative one; the subject, which assesses whether the possible impact leads to negative consequences.

The final determination of the danger formulated by taking into account all of the above theses is as following: ***danger - a subjective concept that refers to the possibility of origin the circumstances under which the matter, field, information, energy, or sum of them may influence the complex system in such way that this impact leads to consequences that are perceived or identified, by involved subject (through the level of thinking, feeling or instinct) at a certain stage of development of the perceiving subject, as negative ones before the danger takes place or after the negative consequences come into effect.***

A specific feature of this definition is that, at the first, it defines the danger as the subjective evaluation of objective reality. Secondly, the danger is formulated not only for the human beings, but with respect to any complex system, which is endowed with certain feelings and can somehow assess or feel danger. This definition can be applied also on any complex system, which can only contain a live elements, such as ecological community and the like, and in theory, even a relatively lifeless system if replace its feelings (understanding) by its ideas. At the third, this definition says that dangerous can be all that exists in nature, because the surrounding world is a combination of matter, fields, energy and information. At the fourth, the danger is defined as a possibility. It means that a danger is not seen as a real action or impact but as a potential possibility of the certain action. At the fifth, the danger is the possible negative impact not only on the person, society, state and the like, but on any complex system. At the sixth, the negative consequences as the main criterion in the decision on the assessment of possible action (impact) and the definition of its danger are considered not only from the standpoint of the present, certain theory, regulations, institutions and individuals but also with the position of any subject that is currently estimating the danger or can appreciate it in the future. At the seventh, the specific feature of the concept of danger is that its evaluation is running not in compliance with its certain properties, but in accordance with the possible future impact. Therefore, the evaluation of danger will be the more accurate; the better one can predict future impacts. Besides this, as the criterion of danger appears negative consequence, that can occur much later than the time when the danger was evaluated and will not be understood or will be assessed at the time of its implementation, but only in the near or distant future. Thus, the possibility of a specific impact can be qualified as a danger not only by or at the time of its implementation, but also after the negative consequences came in effect.

The above referred definition of danger can be successfully applied in all fields of science and practice. In general, small and big mistakes made during the development of every person and of civilization can be explained by this definition. Just at a certain stage of development, there was not enough knowledge to anticipate the consequences early and thus priorities of development changed.

Conclusion

The new definition is somewhat complicated, but in general satisfactorily defines the term. The definition takes into account almost all details related to this term. The danger, based on this definition does not appear as something permanent, but as a subjective concept which characterizes the objective reality and which can vary depending on the external and internal conditions of the «expert». So-called experts can act not any complex system, but only the one that is endowed with certain abilities to assess somehow the possible consequences of any action.

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TAKTIKA A TECHNICKÉ MOŽNOSTI HYDRAULICKEJ VYSLOBODZOVACEJ TECHNIKY PRI DOPRAVNÝCH NEHODÁCH

Milan Marcinek

Abstrakt

Autor sa vo svojom článku zaoberá problematikou používania hydraulickéj vyslobodzovacej techniky pri technických zásahoch z oblasti vyslobodzovania osôb, bližšie charakterizuje jednotlivé technické prostriedky a systematický postup pre riešenie mimoriadnej udalosti v prípade dopravnej nehody na území Slovenskej republiky. Charakterizuje materiálno - technické vybavenie zasahujúcich zložiek a v konečnom dôsledku vyzdvihuje potrebu systematického riešenia každej mimoriadnej udalosti vo sfére vyslobodzovania osôb.

Kľúčové slová

hydraulická vyslobodzovacia technika, rozpinák, hydraulické nožnice, hydraulické zdvíhacie valce, pohonná jednotka, mimoriadna udalosť, materiálno-technické vybavenie.

Každá záchranná akcia je špecifická a unikátna. Voľba záchranného náradia a techniky vždy závisí od veliteľa zásahu, ktorý nesie plnú zodpovednosť za určenie vážnosti situácie a následne za výber záchranného náradia a techniky použitej v danej situácii, ktorý je ešte ovplyvnený aj inými faktormi, ako sú napríklad typ poškodeného vozidla, počet a miesto zúčastnených vozidiel, počet obetí a ich stav, vek, miesto nehody a iné závažné činitele.

Záchrana postihnutých osôb uväznených pri dopravných nehodách vo vozidlách je trvalo sa rozvíjajúcim oborom. Súčasným trendom automobilového priemyslu sú stále modernejšie, krajšie, úspornejšie, silnejšie, dokonalejšie, stabilnejšie, rýchlejšie či bezpečnejšie automobilové „hračky“, čo je nielen pre záchranárov, ale aj používanú vyslobodzovaciu techniku, alarmom pre udržanie si tempa s modernou dobou. Navyše, práve automobil, ktorý si človek s detskou radosťou kúpi je v niektorých prípadoch aj posledným miestom, kde vydýchne a k čomu ale prispeje aj typická ľudská bezohľadnosť a hazardovanie iných vodičov.

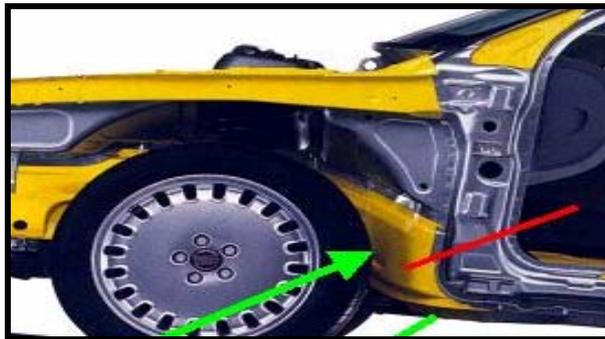
Stále novšie a nezničiteľnejšie vybavenia samotných automobilov, ktoré vychádzajú z výroby sú postrachom ciest a dokážu záchranné práce veľmi skomplikovať. Zasahujúce jednotky musia prekonávať laminované zasklenie, výstuže z ocele s vysokou pevnosťou, ktorá je schopná poškodiť, alebo dokonca vyradiť z činnosti hydraulické nástroje. Náročnosť záchranných prác je teda každým rokom ťažšia.

Právne normy a predpisy upravujúce používanie vyslobodzovacej techniky

Právne normy, ktoré súvisia s používaním vyslobodzovacej techniky a technických prostriedkov pri dopravných nehodách sú v dvoch rovinách, a to právne normy ktoré sa dotýkajú tejto témy len všeobecne a normy, ktoré sa priamo týkajú vyslobodzovacích prostriedkov a práce s nimi. Spomedzi všetkých je dôležité spomenúť európsku normu EN 13204:2004 *Double acting hydraulic rescue tools for fire and rescue service use. Safety*

and performance requirements, ktorá má názov: „Dvojčinné hydraulické záchranárske náradie pre použitie pri požiaroch a záchrane. Požiadavky na bezpečnosť a parametre.“ V tejto norme sú obsiahnuté témy ako je hasičské vybavenie, záchranárske vybavenie, strihacie náradie, hydraulické vybavenie, hydraulicky ovládané zariadenia, riziká, bezpečnosť vybavenia, bezpečnostné opatrenia, vlastnosti, testovanie vlastností, kontrola, pohotovostné vybavenie, odhad rizika, obsluha a údržba. Touto normou sa riadia priamo aj výrobcovia hydraulickej vyslobodzovacej techniky. Požiadavky na vyslobodzovacie náradie sú vo všetkých krajinách Európy rovnaké a podľa tejto normy musia výrobcovia spĺňať všetky súčasné požiadavky na výkony, vlastnosti, bezpečnosť aj údržbu. Samozrejme aj požiadavky sa s vývojom automobilov menia. Pre konštrukciu rámu vozidiel sú v súčasnosti používané vysoko odolné zliatiny. Predmetom novej konštrukcie vozidla sú hlavne nové deformačné zóny v prednej časti vozidla pri čelnom náraze. Zábranové tyče proti bočným nárazom, ktoré sú umiestnené v bočných dverách automobilu. Pri čelnom náraze je dôležitá veľkosť a systém vychýlenia kolies a motora, pre ochranu dolných končatín prepravovaných osôb. Posledných pár rokov sa hovorilo o vysoko legovaných oceľových rámoch karosérie alebo o titánových oceliach či spevnení najdôležitejších častí karosérie (stĺpiky) pomocou, tzv. pásoviny, ktoré niekedy nie je možné prestrihnúť s HVT staršieho roku výroby, ako je 2002.

Každá automobilka má vlastné vývojové štúdiá, kde bezpečnostní inžinieri vymýšľajú karosérie, ktoré sa skladajú z mimoriadne tuhého ochranného rámu, čím sa myslí bezpečný priestor pre cestujúcich, ktorý je ďalej obklopený deformačnými zónami zachytávajúcimi energiu nárazu (Obr. 1.).



Obr. 1. Deformačná zóna s odklonením energie nárazu

Deformačné zóny absorbujúce energiu nárazu a pomáhajú minimalizovať nežiaduce účinky zrážky. Bočné deformačné zóny, umiestnené medzi vonkajším dverovým panelom a vnútorným obložením, rozptyľujú energiu nárazu na rozsiahlu plochu, zatiaľ čo nárazu vzdorné výstuhy pomáhajú minimalizovať nebezpečenstvo v prípade bočného nárazu.

Aby dvere karosérie neboli slabo chránenými miestami karosérie sú do nich pridávané ochranné výstuže (Obr. 2.) a priestor vo dverách vyplnený aj absorpčnou penou, ktorá ešte viac znižuje možnosti zranenia.



Obr. 2. Použitý materiál na výrobu automobilu Volvo SX60

Popis a technické možnosti prostriedkov HVT

Vznik a vývoj vyslobodzovacej techniky priamo súvisel s rozvojom automobilového priemyslu a dopravy. Práve zvyšujúci sa počet automobilov a silnejúca premávka na dopravných komunikáciách priniesla zo sebou aj zvyšujúci sa počet nehôd a zranených osôb. Vývoj nových technológií a materiálov priamo súvisel s narastaním rýchlosti a výkonov dopravných prostriedkov, čo malo okrem zjavných výhod aj dopad na ich závažnosť.

Dôležité je, že z celkového počtu DN tvoria relatívne veľký podiel nákladné vozidlá. Musíme vziať do úvahy, že hmotnosť a veľkosť vozidla má veľký vplyv na závažnosť a následky DN. Nesmieme zabudnúť na rozvoj diaľničnej a cestnej siete, kde zvyšujúca sa prepravná rýchlosť a hustota prevádzky mali za následok mnoho DN. Je potrebné spomenúť aj niekoľkých železničných nešťastiach a zrážkach automobilov s vlakmi. Práve všetky tieto uvedené faktory viedli k tomu, že veľa zranených osôb zostávalo uväznených v havarovaných dopravných prostriedkoch a bolo potrebné ich z vrakov čo najskôr vyslobodiť. Vzhľadom k narastajúcemu množstvu a závažnosti DN, bolo nevyhnutné zvýšiť technickú vybavenosť, rýchlosť a pružnosť zasahujúcich príslušníkov. Riešením bolo postupné zavádzanie špeciálnej vyslobodzovacej techniky do výbavy zasahujúcich jednotiek HaZZ, ktorá je potrebná hlavne pri likvidácii DN.

Vyslobodzovacia technika je významný technický prostriedok, potrebný pri DN s výskytom zranených osôb. Použitie vyslobodzovacej techniky výrazne skracuje dobu prístupu k postihnutým v havarovanom vozidle, čím sa urýchľuje poskytnutie prvej pomoci.

Technické prostriedky, ktoré slúžia k priamemu vyslobodeniu osôb môžeme rozdeliť do troch nasledujúcich skupín:

- Hydraulická vyslobodzovacia technika
- Pneumatická vyslobodzovacia technika
- Mechanická vyslobodzovacia technika

Hydraulická vyslobodzovacia technika

Hydraulická vyslobodzovacia technika tvorí najvýznamnejšiu časť z vybavenia zasahujúcich jednotiek HaZZ. Jej silové pracovné oblasti a vzájomná prepojitelnosť

jednotlivých nástrojov umožňujú jej široké uplatnenie v oblasti vyslobodzovania postihnutých osôb. Môžeme ju rozdeliť na niekoľko častí, ktoré spolu dávajú jeden celok.

Pohonná jednotka

Motorová pohonná jednotka slúži ako zdroj výroby tlakovej energie. Skladá sa z:

- hydraulického čerpadla
- nádrže na hydraulický olej
- poistného ventilu
- rozvádzacích ventilov
- nosného rámu

Hydraulické piestové radiálne dvojstupňové čerpadlo vytvára v hydraulickom okruhu v prvom stupni tlak 1,5 MPa a v druhom stupni pracovný tlak 72 MPa.

Pohonné jednotky delíme podľa počtu tlakových vývodov na jednovetvové a dvojvetvové, ktoré môžu zabezpečovať pohon pre:

- jeden nástroj /STO/
- dva nástroje súčasne /MTO/
- dva nástroje alternatívne /ATO/

Ďalší možný spôsob delenia je podľa spôsobu pohonu motorom:

- pohon spaľovacím motorom
- pohon elektrickým motorom

Pre lepšiu manipuláciu s pohonnými jednotkami je ako ich súčasť zabudovaný hadicový navijak s dvoma párami 20 m vysokotlakých hadíc s rýchlospojками alebo jedno hadicovým vedením. Navijak môžeme ovládať samostatne, ale aj s hadicami pod tlakom. Môžeme ho pripevniť na bočnú alebo prednú stranu rámu pohonnej jednotky. Nevýhodou je zvýšenie hmotnosti samotnej pohonnej jednotky.

Jednotlivé možnosti pohonu majú svoje výhody, ale aj nevýhody. V prípade väčšej vzdialenosti, ako je dĺžka hadíc je možné pohonnú jednotku vybrať a preniesť k miestu havárie, zatiaľ čo elektro - pohon, ktorý síce zabezpečuje plynulý výkon, ale jeho akčný rádius je limitovaný súčtom dĺžky tlakových hadíc a prírodného kábla od zdroja elektrickej energie.

Tab. 1. Technické údaje pohonných jednotiek

Agregát	E 330 L	V 330	V 40 Silent	V 50 Turbo
Motor	El. motor 220V/50Hz	4 – taktný benz. motor	4 – taktný benz. Motor	4 – taktný benz. motor
Olej. náplň	2 l	2 l	2 l	4 l
Výkon	0,5 kW	1,3 kW	1 kW	2,6 kW
Prac. Tlak	630 / 700 bar	630 / 700 bar	630 / 700 bar	630 / 700 bar
EN - trieda	STO	STO	ATO	MTO
Hmotnosť	19 kg	18 kg	24 kg	28 kg

Tlakové hadice a navijak

Umožňujú dopravu tlakovej energie od motorovej jednotky k adaptéru vyslobodzovacieho zariadenia. Na navijaku je jeden alebo dva páry tlakových hadíc farebne odlišených kvôli zámene o dĺžke dvadsať metrov. Jedna hadica z páru vždy privádza olej k pracovnému nástroju vyslobodzovacieho zariadenia a druhá olej odvádza. Ďalšia možnosť je rozvod tlakovej energie jedno hadicovým vedením. K pripojeniu tlakových hadíc k adaptéru slúžia rýchlo spojky vybavené bezpečnostnou poistkou.

Pracovné nástroje hydraulického vyslobodzovacej techniky

Táto časť je koncovou pracovnou časťou hydraulického vyslobodzovacej techniky. Slúži k priamemu vyslobodzovaniu osôb. Tento pracovný nástroj môžeme rozdeliť na niekoľko typov, podľa možnosti pracovného výkonu.

Hydraulický rozpínací nástroj

Slúži k rozpínaniu, otvoreniu dverí zdeformovaných pri DN, stlačení stĺpikov a ich odstráneniu, zdvíhaní bremien a približovaniu. Dôležitým doplnkom sú reťazové úväzky s rýchlo zámkami, ktoré významne rozširujú použitie hydraulického rozpínacieho nástroja. Rozdeľujeme ich podľa veľkosti sily ktorou pôsobia na dráhe rozpínania.

Tab. 2. Technické údaje rozpínacích nástrojov

Rozpínák	SP 35	SP 40	SP 60	SP 80
Rozpínacia sila	42 – 93 KN	48 – 118 KN	68 – 245 KN	90 – 470 KN
Ťažná sila	38 KN	48 KN	77 KN	105 KN
Roztvorenie	615 mm	710 mm	815 mm	620 mm
Hmotnosť	17,7 kg	19,4 kg	24,9 kg	25 kg
EN- trieda	AS 35	LHS 40	BS 63/810-25	CS 87/600-25

Hydraulické nožnice

Sú určené výhradne ku strihaniu a oddeľovaniu častí karosérie, napr. strechy za pomoci rezných nožov. Môžeme ich použiť na ploché alebo profilové materiály. Nesmú sa použiť na nápravy, listové pružiny a volant vozidla, kde hrozí ich poškodenie. Rozdeľujeme ich podľa výkonu a maximálneho rozovretia rezných nožov (Tab. 3.).

Tab. 3. Technické údaje hydraulických nožníc

Nožnice	S 140	S 180	S 260	S 270	RS 165	RS-170
Roztvorenie	140 mm	180 mm	260 mm	270 mm	165 mm	170 mm
Max. priemer guľatiny	Ø 22 mm	Ø 30 mm	Ø 32 mm	Ø 36 mm	Ø 36 mm	Ø 43 mm
Hmotnosť	9,1 kg	13,5 kg	14,9 kg	17,4 kg	16,8 kg	18,9 kg
EN - trieda	D	G	H	H	BC-165-F	BC 170-H

Hydraulický kombinovaný nástroj

Je to kombinácia nožníc a rozpínacieho nástroja v jednom. Môžeme s ním vykonávať rozpínanie, stlačovanie, zdvíhanie a priťahovanie. Špeciálne rezné nože sú vybavené britmi, ktoré umožňujú strihanie plechu aj profilových materiálov. Pri použití kombinovaných nástrojov je možná kombinácia s reťazovými úväzkami a s rozpínacím nástavcom. Delíme ich podľa výkonu (Tab. 4.) a spôsobu pohonu s motorovým alebo mechanickým pohonom.

Tab. 4. Technické údaje kombinovaných nástrojov

Kombinovaný nástroj	HANDVARIO SPS 250 H	VARIO SPS 330	VARIO.SPS 400
Roztvorenie	250 mm	330 mm	425 mm
Rozpínacia sila	40 – 83 KN	36 – 90 KN	48 – 726 KN
Ťažná sila	-	32 KN	58 KN
Max. priemer guľatiny	Ø 22 mm	Ø 25 mm	Ø 35 mm
Hmotnosť	10,4 kg	13 kg	18,5 kg
EN – trieda	-	F	H

Hydraulický rozpínací valec

Slúži k odtláčeniu, podporeníu a odťahovaniu častí konštrukcií, alebo ku zväčšeniu otvorov vytvorených hydraulickým rozpínakom, kombinovaným nástrojom. Pri použití koncových adaptérov v spojení s reťazovým úväzkom a výmennými pätkami je to vhodný doplnok zvýšenia akcie schopnosti zasahujúcich príslušníkov. Rozdeľujeme ich podľa typu pracovného piesta na dvoj činné (tab.5.) a teleskopické.

Tab. 5. Technické údaje dvoj činných valcov

Rozpínací valec	RZ 1- 850	RZ 2-1250	RZ 3-1600
Tlaková sila	120 KN	120 KN	120 KN
Ťahová sila	23 KN	23 KN	23 KN
Poč. Dĺžka	530 mm	750 mm	1100 mm
Zdvih piestu	320 mm	500 mm	500 mm
Kon. Dĺžka	850 mm	1250 mm	1600 mm
Hmotnosť	12,5 kg	16 kg	18,5 kg

Hydraulický strihač pedálov

Mimoriadne ľahké a kompaktné nožnice pre použitie v stiesnených priestoroch, ako jednoručný nástroj. Slúži k odstráneniu pedálu pri zacviknutí nôh po DN. Delíme ich podľa veľkosti strihacích čeľustí. (Tab. 6.).

Tab. 6. Technické údaje strihačov pedálov

Strihač pedálov	S 30	S 50
Roztvorenie	33 mm	50 mm
Max. priemer guľatiny	Ø 15 mm	Ø 16 mm
Hmotnosť	3,7 kg	4,5 kg

HVT s elektro - hydraulickým pohonom

Záchranárske vyslobodzovacie nástroje s integrovaným batériovým elektro - hydraulickým pohonom na 12 V jednosmerného prúdu majú mnohostranné použitie. Vzhľadom na ich nezmenenú výkonnosť a v porovnaní s klasicky poháňanými nástrojmi, sú flexibilné a majú neobmedzený akčný rádius. Sú priestorovo nenáročné, tiché a ekologické (Tab. 7.).

Tab. 7. Technické údaje HVT s akumulátorovým pohonom

Nástroj	SP 35 A	S 140 A	SPS 330 A
Rozpínacia sila	34-170 KN	-	40-90 KN
Max. priemer strihanej guľ.	-	22 mm	25 mm
Ťažná sila	29 KN	-	32 KN
Max. roztvor	615 mm	140 mm	330 mm
Ťažná dráha	530 mm	-	400 mm
Hmotnosť	22 kg	13,5 kg	17 kg

HVT s mechanickým pohonom

Sú to hydraulické nástroje určené pre špeciálne použitie alebo zvýšenie účinnosti už nasadeného HVT. Sú to napríklad:

- sada pre otváranie dverí
- zdvíhacia sada
- ručná hydraulická pumpa
- ručný kombinovaný nástroj

Doplňky vyslobodzovacej techniky

Medzi TP používané jednotkami HaZZ pri DN nepatria iba prostriedky uvedené vyššie, ale aj prípravky, ktoré neslúžia k priamemu vyslobodeniu osôb z havarovaných vozidiel. Sú to predovšetkým prípravky k ochrane zasahujúcich záchranárov, ale aj samotných zranených ako sú:

- TP pre ochranu zranených (deka, celta, apod.), umožňujúce ochranu zranených osôb pred prípadným ďalším zranením, ktorým by mohli byť vystavené v priebehu vyslobodzovania napr. črepiny, ostré hrany a pod..

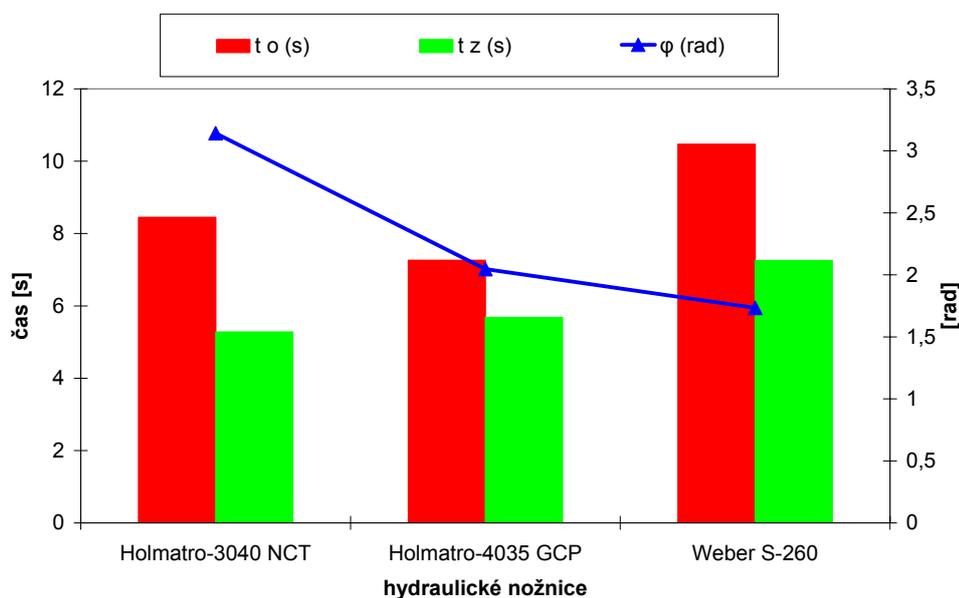
- TP pre stabilizáciu havarovaného vozidla (kaskádovité hranoly, vzpery, a pod.), zaisťujúce zamedzenie následných otrasov havarovaného vozidla a tým zhoršenie zdravotného stavu zranených.
- Sada pre prácu so sklom.
- Zachytávač airbagu.
- Pílka na rezanie lepených bezpečnostných skiel.
- Pružinový rozbíjač skiel.

Vzájomné porovnanie časov otvorenia a zatvorenia vybraných hydraulických nožníc

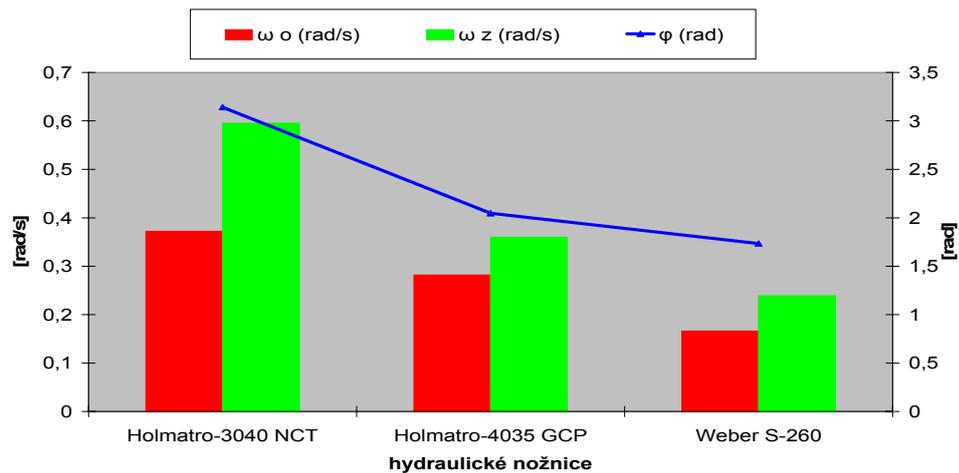
Na základe vedeckých skúmaní uvedenej problematiky, môžeme porovnať tri jednotlivé typy HVT z pohľadu rýchlosti pracovných ramien (Tab. 8.). Ako vidieť na obr.3a) časy otvorenia a zatvorenia sú odlišné. Súvisí to s φ (rad), ktorý je vypočítaný z príslušnej plochy ramien. Pri čase zatvorenia je možné tvrdiť, že s klesajúcou hodnotou φ (rad) narastá čas uzavretia.

Tab. 8. Vzájomné porovnanie časov otvorenia a zatvorenia hydraulických nožníc .

Hydraulické nožnice	t o (s)	t z (s)	φ (rad)	ω o	ω z
				(rad.s-1)	(rad.s-1)
Holmatro-3040 NCT	8,448	5,278	3,142	0,372	0,595
Holmatro-4035 GCP	7,258	5,682	2,047	0,282	0,360
Weber S-260	10,47	7,252	1,734	0,166	0,239



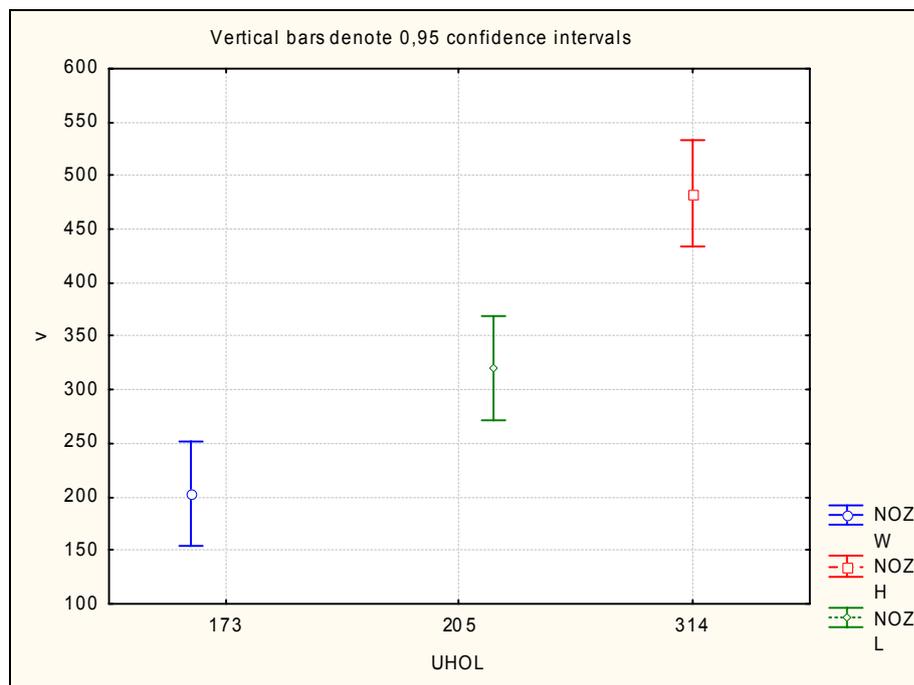
3 a)



3 b)

Obr. 3 a, b. Vzájomné porovnanie sledovaných parametrov u hydraulických nožníc a) časy otvorenia a zatvorenia s φ (rad), b) uhlová rýchlosť

Pre účely vyvodenia konkrétnych výstupov sme použili štatistický výpočet. Pri sledovaní vplyvu jednotlivých faktorov sme použili matematický softvér STATISTICA 7 konkrétne 1-faktorovú analýzu rozptylu ANOVA, s vytvorenou matematickou maticou v programe Excel Office. Zistili sme signifikantný (štatistický významný) vplyv faktoru – uhla na rýchlosť strihania, a to s narastajúcim uhlom narastá rýchlosť (obr.3c).



Obr. 3c. Vzájomné porovnanie sledovaných parametrov u hydraulických nožníc

c) Grafické znázornenie 1-faktorovej analýzy vplyvu faktorov uhla hydraulických nožníc na rýchlosť strihania.

Legenda: Uhol 173 - W-S260, 205 - H-3040 a 314 - H-4035m v je rýchlosť (rad/s) a skratky NOZ W – Weber S260, NOZ H Holmatro H-3040 NCT a NOZ L - Holmatro-4035 GCP.

Na základe našich meraní (Tab. 8), môžeme konštatovať, že z hľadiska času otvorenia nožníc, je najrýchlejší skúšobný model hydraulických nožníc H-4035 CGP, druhé sú nožnice H-3040 NCT a nakoniec W-S 260. Z hľadiska času zatvorenia bolo poradie pri meraní časov zatvorenia nasledovné. Ako najrýchlejšie nožnice môžeme považovať H-3040 NCT a hneď za nimi sú nožnice H-4035 CGP, pričom posledné sú W-S 260. Z praktického hľadiska, ak vezmeme do úvahy hmotnosť týchto nožníc, sú z hľadiska hmotnosti a následnej vynaloženej fyzickej námahy pri práci výhodnejšie nožnice H-4035 CGP. Pri praktickej časti experimentov sa ako ďalší plusový bod v prospech tohto tvrdenia ukázala aj výhoda jedno hadicového napojenia nožníc H-4035 CGP s pohonnou jednotkou, zatiaľ čo nožnice H-3040 NCT a W-S 260 boli napojené dvojhadicovým spôsobom. Pri nožniciach typu H-4035 CGP sa tento spôsob zapojenia ukázal ako výhodnejší v porovnaní s dvojhadicovým zapojením čo do rýchlosti premiestňovania príslušníkov s nástrojom pri strihaní a ich manipuláciou s nožnicami. Dvojhadicové vedenie malo pri premiestňovaní snahu sa zasekávať, vytvárať slučky a vyžadovalo si väčšiu pozornosť príslušníkov pri premiestňovaní s nožnicami, pričom pôsobilo pomerne strnulo. Ak zoberieme do úvahy aj čas potrebný pre zapojenie dvoch rýchlo spojok v porovnaní s jednou spojku pre H-4035 CGP, môžeme konštatovať že najvýhodnejšie z tohto praktického porovnania, sa nám javia nožnice H-4035 CGP. Pre ozrejmienie pohľadu na celkovú kvalitu ovládania skúšobných nástrojov z hľadiska ergonómie a na základe získaných praktických skúseností počas vykonávania experimentov môžeme zhodnotiť aj spôsob ovládania nožníc. V tomto prípade sme brali do úvahy vyjadrenia príslušníkov a ich názory získané z praktických situácií pri zásahoch s hydraulickou vyslobodzovacou technikou, kde ergonomicky výhodnejšie je používanie ovládania nástrojov typu H. Tento spôsob je oveľa výhodnejší hlavne pri práci a držaní nožníc nad úrovňou plic, kde je ovládanie pohodlnejšie a menej náročnejšie ako pri ovládaní nožníc W.

Návrh bezpečného spôsobu použitia HVT pri zásahu s dopravnou nehodou

Hasičský záchranný zbor vystupuje na mieste zásahu pri dopravných nehodách spravidla ako časť tímu. Pri väčšine mimoriadnych udalostí vytvárajú hasiči, polícia a rýchla záchranná služba jadro zložiek Integrovaného záchranného systému (ďalej len „IZS“). Každá zložka vystupujúca pri udalosti sa pripravuje na svoje úlohy oddelene. Výcvik každej jednotlivéj zložky sa podstatne líši od ostatných. Pretože všetky sú sústredené na pomoc obetiam nehody, úloha každej zložky je iná, špecifická. Dôležitá je neustála komunikácia medzi zložkami navzájom. Za nebezpečenstvo považujeme stav pri ktorom hrozí zranenie, škoda na majetku, životnom prostredí, alebo iná ujma a riziko je pravdepodobnosť, s ktorou tento stav nastane, pokiaľ nebudú splnené podmienky dodržania bezpečnosti. Z toho nám vyplýva, že len znalosť rizika a možných následných nebezpečenstiev umožňuje podniknúť potrebné opatrenia k ich maximálnemu zníženiu.

Riziko prostredia pri práci s HVT

Každý technický zásah pri dopravnej nehode je jedinečný svojím prostredím a nie je možné vysloviť jednoznačnú definíciu tejto situácie. Veľkosť rizika, ktoré zo sebou prináša prostredie dopravnej nehody je dané faktom, že v úplnej väčšine uvažovaných situácií je celkové riziko dané množstvom možných predvídateľných rizík, ktoré môžeme rozdeliť na:

- ohrozenie prepravovaným nákladom
- ohrozenie účastníkmi cestnej premávky
- ohrozenie samotným automobilom

Bezpečnosť prostredia pri práci s HVT

Za technické zásahy považujeme všetky zásahy, ktoré majú charakter záchranných prác pri živelných pohromách a iných mimoriadnych udalostiach. Dopravné nehody sú technické zásahy, ktoré sú charakterizované vyslobodzovacími prácami súvisiacimi s kolíziou dopravných prostriedkov. Technická pomoc sú technické zásahy, ich podstatou je odstránenie nebezpečenstva alebo nebezpečných stavov mimo technologické procesy. Pri vykonávaní samotných technických zásahov v prípade ohrozenia života a zdravia osôb, rozlišujeme spravidla nasledujúce etapy, ktoré by sa mali vykonávať v logickom slede po sebe.

Istenie, znamená urobiť všetky opatrenia, ktoré majú za cieľ redukovať ohrozenie zasahujúcich síl a zachraňovaných osôb v priebehu vykonávania záchranných prác.

Prístup, znamená vytvoriť podmienky potrebné k preniknutiu k ohrozeným osobám a k vykonaní okamžitých opatrení k záchrane života.

Stabilizácia, znamená vykonať všetky dostupné opatrenia pri záchrane života, ktoré sú potrebné k stabilizácii zdravotného stavu zraneného tak, že až do stavu vyslobodenia nedôjde k jeho zhoršeniu.

Vyslobodenie, predstavuje všetky činnosti, ktoré sú potrebné pre vykonanie činností k záchrane života postihnutých s následným transportom z ohrozeného priestoru a odovzdaníu zranených zdravotnej záchrannej službe.

Transport, obsahuje všetky činnosti zdravotníckej záchrannej služby, ktoré je potrebné vykonať na mieste zásahu k ďalšej stabilizácii zdravotného stavu pred transportom zraneného do nemocnice. Tieto úkony vykonáva tím zdravotníckej služby.

Riziko pri práci s HVT

Veľkosť rizika, ktoré zo sebou prináša používanie HVT, je daná faktom, že v úplnej väčšine uvažovaných situácií je celkové riziko dané množstvom možných predvídateľných rizík, ktoré môžeme rozdeliť na:

- riziko dané konštrukciou a technickými vlastnosťami HVT
- riziko dané situáciou a jej vývojom pri použití HVT

Medzi riziká musíme počítať aj tie, ktoré vyplývajú z prípadného nedodržania ergonomických princípov z hľadiska výrobcov HVT, čo má za následok ovplyvnenie ovládateľnosti a zníženie pozornosti zasahujúceho hasiča, napr.:

- Zle ovládateľné zariadenie:
 - hmotnosť nástroja
 - zlé umiestnenie ovládacích prvkov
 - nevyváženosť nástroja
- Anatomické možnosti:
 - práca v rukaviciach
 - ovládacia sila
 - anatómia nôh a rúk
 - zanedbanie použitia ochranných prostriedkov

Bezpečnostné podmienky pri práci s HVT

Pre zaistenie maximálneho zníženia uvedených rizík musíme vždy dodržiavať bezpečnostné podmienky, návod na použitie od výrobcu HVT a dôkladne sa oboznámiť s obsluhovaným zariadením. Zároveň je tiež potrebné udržiavať všetky súčiastky HVT v bezchybnom stave, používať len originálne príslušenstvá, dodržiavať periodicitu revízií podľa výrobcu. Pri podozrení, alebo poškodení daný nástroj vyradiť z používania a vykonať na ňom odbornú kontrolu.

Pri každom preberaní, alebo používaní je potrebné vykonať nasledujúcu kontrolu:

a) optický:

- všeobecná tesnosť
- rezné hrany a piesty bez vrypov a deformácií
- uloženie poistných čapov a stav ich zaistenia
- čitateľnosť typového štítku
- nepoškodenosť a celistvosť tlakových hadíc

b) funkčný:

- rychlospojky musia zaisťovať tesnosť pri zapojení a odpojení
- pohyb pracovných častí nástroja musí byť v súlade s piktogramom ovládacích prvkov
- pri zmene ovládača z pracovnej polohy do neutrálnej sa musia všetky pohybujúce časti okamžite zastaviť
- stav funkčných častí, plné otvorenie, vysunutie
- výmenné časti nástrojov musia byť zaistené

Požiadavky na vyslobodzovacie náradie sú jednoznačne definované práve automobilmi, ktoré sa vyrábajú a jazdia po cestách. Závisí od výrobcov vyslobodzovacích prostriedkov, ktorí musia tieto požiadavky posúdiť a vyrábať náradie, ktoré si dokáže poradiť aj s novými technológiami, ktoré sa používajú na konštrukciu automobilov. Tieto technické prostriedky smerujú predovšetkým ku skráteniu času potrebného na zásah, ale aj k ochrane zasahujúcich hasičov a zvýšeniu ich bezpečnosti. V neposlednej rade zlepšujú ergonómiu ovládania a používania vyslobodzovacieho náradia, čo v nemalej miere šetrí aj sily zasahujúcich záchranárov.

Bezpečnosť na mieste zásahu všetci hasiči, ktorí pracujú na mieste zásahu, musia používať predpísané prostriedky osobnej ochrany, osobnú výstroj a výzbroj, chirurgické rukavice, ochrana očí (pokiaľ nie je súčasťou ochrannej prilby), reflexívna vestu. Akékoľvek úlomky by mali byť zaistené tak, aby neboli nebezpečné. Rozumieme pod tým, napr. prekrytie ostrých hrán, odstránenie skiel, zaistenie voľných dielov a odnesenie veľkých prvkov častí mimo oblasť činnosti.

Vzhľadom na rastúce požiadavky bezpečnosti automobilov, výskum sa v tejto oblasti zintenzívňuje a objavujú sa pravidelne nové inovačné riešenia. Je zjavné, že staršie automobily nie sú vybavované všetkými modernými prvkami bezpečnosti, ktoré sú dostupné na súčasnom trhu nielen z dôvodu ich vysokej finančnej náročnosti, ale najmä z dôvodu roku výroby, príp. z dôvodu výrobcu, ktorý ich na rozdiel od iných výrobcov do svojich automobilov nezavádza. Vzhľadom na hodnotu ľudského života a jeho krehkosť môžeme ale vidieť určitý posun smerom ku spotrebiteľom, pretože najnovšie bezpečnostné prvky sa pomaly a určite stávajú takmer bežnou výbavou dnes už aj nižších tried automobilov.

Bezpečnosť posádky vozidla je na piedestáli hodnôt, ale nové automobily sa javia ako postrach vyslobodzovacej techniky. Modernizácia hydraulickéj vyslobodzovacej techniky by ale mala rásť aritmeticky s výrobou nových automobilov. Záchranu ľudských životov znamenajú sekundy, ktoré práve zložitejšia karoséria automobilov v kombinácii s prvkami pasívnej bezpečnosti môže natiahnuť až do niekoľkých minút, ktoré môžu znamenať pre človeka aj smrť ak človek po dobu 5 minút nemá prísun kyslíka, nastáva neodvratné poškodenie mozgových buniek s následkom telesného poškodenia či dokonca smrti.

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TRAINING AND USE OF DOGS IN SECURITY SERVICES

Ivan Fazekaš, Milan Jonis

Summary

There is a description of activities and structure of police and forensic kynology as a separate branch in the first part of contribution. The author of this contribution wants to highlight the importance of access to training service dogs, focusing on scent work, „accurate tracking“, system for evaluating and assessing the performance of dogs for training scent work.

Key words

Forensic footprint, kynology, smell, scent, identification, police dog

The meaning of term „police dog“ as a purposefully trained dog to help police need not to be highlighted. The reason may be the fact, that despite millennia after the domestication of wild ancestors of today's dog was able to maintain some exceptional features, that can be used by training. Unsystematic approach to this issue has led to the fact, that the dog had to be replaced by technical means. This thought has been applied once in history and in 50s, when the lack of solid scientific basis led initially to reevaluation and underrate of dog abilities.

This contribution is an attempt to highlight new knowledge and developments in training police dogs with respect to application of new knowledge from other disciplines such as kynology and other social sciences.

We want to rouse experts from police practice to discuss and engage in given problems (especially invaluable dogs ability to distinguish an individual smell from the smell alone) to prevent recurrence of the 50s just because new knowledge, experience and achievements in police kynology be insufficiently theoretically and analytically processed mainly for their further use in police practice.

Description and structure of the current police kynology

- In classic kynology, which is oriented to the original cynology activity – patrol service, walk service and maintenance of public policy – the police use versatile trained dogs for classic defense and scent work (defense handler, blocking troublemakers, detention and escorting offenders, develop scent trails of offenders); search objects and things related crime (special scent work in classic cynology for example look up fired cartridge cases, objects that offenders have lost or thrown away, describe offenders of objects or trails) and to identify persons and things by method of odor tin allowing comparison smell traces collected at the crime scene with odor samples, that were removed from the bodies of suspects;
- In specialized kynology, which cover and coordinate training of police dogs specially trained to search for narcotics and psychotropic substances (natural and synthetic drugs);

explosives and explosive devices, firearms and ammunition; accelerator fire; tobacco and tobacco products; banknotes; trained dogs for rescue work (search of lost, missing, buried and trapped persons) and dogs trained to search corpses on the ground, underground and underwater.

Irreplaceable odorology in kynology

Forensic odorology is one of the forensic technique, that explores origing, meaning and features of smell, developing methods to ensure scent, their examination and comparison with odor of particular object using analytical equipment or specially trained animals. Its aim is an individual or at least species identification of persons or things. This is a relatively young branch of science that is used in practice to convict the presence of offender at the crime scene. From the 70st – 80st of 20th century is a scent taken as evidence for criminal proceedings, and irrefutable, subsidiary.

The forensic odorology can be divided into two parts, according to the method of examining odor:

- **Olfactorics** – subjective examines odor, biological method used especially dogs specially trained for scent work – odour identification methods.
- **Olfactronics** – objective examines odor, technical method, it is based on an examination of odor using instrumentation, especially by physico-chemical method of gas chromatography.

All agents have under certain condition ability to disengage from their surface atoms or molecules, that characterize their composition. The intensity of this release is different. It is related to fluidity of substances, ambient temperature and other factors. Released shares are essences of various odors, which are present in organic and inorganic nature. Forensic odorology is based on above mentioned knowledge, when the small particles with their chemical composition characteristic for a particular object are released, they contain information on composition of original substances from which are evaporated. Sometimes the odor can be received by human olfactory system, sometimes can not. Thus comes a dog or an opportunity to use gas chromatographs and ongoing experiments to analyze by using a complex technology physicochemical nature.

The odor of human body is the most important and most difficult examination subject in odorology. Other important objects are inorganic substances, especially drugs, explosives, accelerants, weapons and ammunition.

Scent

In terms of odorology the scent can be defined as a gaseous substance, which is capable of following reaching the threshold concentration (usually in air) cause human olfactory perception or animal or analytical response of the device. The treshold concentration is accomplished by cluster of released atoms and molecules, that scent characterize the chemical

composition of organic and inorganic substances. At higher temperature, the particles are released faster.

These particles are the essence of people and things scent.

In terms of using scent is distinguished:

- General consideration – a phenomenon – response of human olfactory or animal on the presence of certain substances in the air, or the ability of an object release scent;
- Forensic perspective – a proportion of evaporated particles contained in the air and their chemical composition characterized by a particular object, from which it arises.

According to the source, from which a scent arises, it can be divided into two subgroups. It is a natural scent (human, plant and animal scent) and also scent associated with any of the human activities (industrial scent and traffic origin). But not all scents are important in forensic odorology. The emphasis is only on scents, that may be at least potentially criminological relevant.

Human scent and its components

It can be characterized as a scent complex to specific terrain surface. It consists of:

- Personal human scent
- Common human scent
- Associated scents

It is practically a cluster of odorous molecules, that make up so called odor cloud at the place, which way a person passes. A certain chemical process pass off, because odor molecules are moving and their durability is affected by surrounding influences such as air flow, air humidity, but not at least biological processes that human foot step down to a specific part of the field. What is it in practice?

While walking the stacker track breaks surface ground by their weight, which results in the change of concentration and amount of odorous molecules, that mingle with stacker track. This example is typical for an aluminium surfaces. After plowing there is an amount of scents, rotting plants, live microorganism, scents of the soils lower layer in plowed area. The particles constituting these scents become a part of the already mentioned odor cloud, that arises from the transition of stacker track.

It is necessary to say, that scents occurred after scrunch plants or microorganism animals make it difficult dog to draw a track. That should we keep in mind always when training tracks in different terrains and particularly after the evaluation result of the work dog. What will this mean in practice? Other scents will differ after plowing stubble residues of oilseed rape at the plowed area, which is for dog quite difficult terrain, and certainly will be different a mixture of scents on meadowy stand with a height of 10 cm in morning dew, which can be considered almost ideal condition for development tracks even though there are other factors – flow and pressure. Other conditions will be on mown meadow or with rest of remnants of hay or even without it; it means difficult track.

Dividing of tracks:

- a) According to origin of odor binder
 - Self – it is established by handler and then to keep her dog
 - Alien – it is established by foreign person, helper
- b) According to established track time
 - Fresh – to 1 hour
 - Normal – 1-3 hours
 - Cold – over 3 hours
- c) According to ground surface on which is track formed
 - Grass
 - Plowed area – oracin
 - Stubble
 - Clover, alfalfa, corn – forage crops
 - Sand
 - Forest
 - Edge and part of communication
 - Combination of above mentioned terrains

During the training it is necessary to assume, that each terrain has different condition to keep scent, even in combination with above mentioned factors.

- d) According to the shape of track:
 - In sports cynology is a shape of track mostly the same for all tests (except of tests SP-1 and SP-2, and FH)
- e) According to the length of track:
 - In all types of tests is defined minimum and maximum length of track in steps, however a certain tolerance is valid.

We should take a think both the training, but also in evaluating the performance of dogs, over the above mentioned tracks characteristics. The above characteristics can be not consider only as a simple division, but in many cases significant factors significantly affect the dogs work.

Do you know exact tracking?

Most handlers in the past taught their dogs to work in odorous cloud. In contrast, today we prefer accurate smell of tracks. This way of working dog is called „accurate tracking“.

Any object drawn on surface leaves scent. Thus man while walking makes an odor print.

Natural tracking has its pitfalls

Odor print is not steady. Odorous molecules are released from it into the environment. Wind carry them and create an odor cloud in its direct and immediate vicinity. An odor cloud sit at

the surface of agricultural crops, in which the track is laid. Then comes a dog with a higher nose.

Another pitfall is quarries, where the dog gets earlier information on direction of another section (most in sharp quarries) and then they are reduced or even worse, get into the non odorous space.

Scent source is right.

Conversely accurate tracking is based on the search of scent source, thus tracks. When the dog hit an odor cloud, he nose dup to the point, where a scent source is situated, ie track. In addition to there is more odorous molecules than in odor cloud. Track is a scent source for more days.

Presentation of using dogs

Drugs detection – the beginnings of training since 1988, the first successful result in drugs detection:

- On 23th October 1992 in Brezno – the police dog of kynology department found during a house seeing marijuaha.

The first successful case finding heroin in Slovakia

- On 24th October 1992 the dog of kynology department found 2,05 kg of heroin during car seeing Volvo at the border crossing Bratislava-Čunovo.

Explosives detection – due to certain similarity in the nature and methodology of training has evolved along with searching drugs.

The first successful case of using police dog:

- On 17th September in 1992 the police dog Cesar found after negative residential and non residential seeing 1 kg of red Semtex A1 and 70 initiators in vehicle Avia in Holešová Czech Republic. An explosive was found in an old school bag behind the passenger seat in cab. The handler was requested from the Federal Criminal Police Office – Branch Prague.

Firearms detection – training starts in 1995, the first documented results:

- On 20th September in 2000 the police dog Elmar found one pistol in the trunk during a car seeing, three explosive devices and booby traps.

Search corpses below the surface and underwater, the training began at the end of 1991, the first successful case is bounded with finding of cadaverous odor:

- The police dog Dan designated a place of finding victims, who had selected internal organs. This case occured one month after tragedy in summer 1192.

Search burning accelerators – there were included two dogs in training in 2004. The first successful case:

- On 30th. December in 2004 was used a police dog Taxter Police – Slovakia to search burning accelerators in fire of motor vehicle VW Golf next to the state road for village Tomášov. The offenders fled in car after committing a serious crime and then they set fire.

Search banknotes as a new method for forensic tactics into action of PZ was introduced in connection with Slovakia's euro currency in 2008. Its aim was to prevent organized crime connected with produce, transport and distribute counterfeit banknotes to business. It is also an effective method to detect and locate banknotes from different crime.

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USE OF OPERATIVE-INVESTIGATIVE METHODS IN CRIMINOLOGY

Jana Tadenaiová

Summary

The author focuses attention primarily on applying methods of forensic techniques in operative-investigative activity. Specialty of forensic-technical methods in operative-investigative activities is that they serve for application the content and of technical means possibilities in forensic activities. Adequate space is devoted to forensic fingerprint, which is considered the most reliable means of identifying individuals. Using the fingerprint ridge, police authorities within the operative-investigative activity can identify a person in many cases. The author refers to the application of forensic and technical methods used in the operative-investigative activity and also outlines this specific police activity.

Key words

operative investigative activity, investigative techniques, forensic engineering, supporting methods, fingerprint data.

Due to empirically and scientifically proved fact that a perpetrator's acting leaves certain reflections in an objective reality, it is possible to obtain information on previous activities by available means and methods. The obvious result of forensic methods application in an operative-investigative activity concerning individual or group identification of persons or things is evidence. No method of forensic techniques has a privilege position neither is more or less preferred in an operative-investigative activity. Use or not use of certain method within the actual cause investigation is limited just by actual fact where primarily a type of offence, amount and character of information are highlighted as well as circumstances resulting from collaboration and cooperation with other services and from technical securing.

As regards mentioned facts I am trying to outline possible solutions of application of forensic methods having technical nature in an operative-investigative activity as a specific police activity.

Forensic methods, terms, their bases and application in an operative-investigative activity

Immanent part of each science system is a system of methods. It is so because each science has own methods for investigation of its subject; without these methods the science cannot be included into science system as an independent separate science. Methods of each science, among knowledge itself, are specific value added by an actual science into system of scientific cognizance¹. The word "method" has its roots in Greek language that defines it in several meanings:

1. a way how to reach certain theoretical or practical aim; e.g. medical method, learning method, producing, experimental or innovative method;

¹ METEŇKO, J., HEJDA, J.: Predmet a metódy kriminalistiky [Subject and Methods of Criminology]. In: Pokroky v kriminalistike [Advances in Criminology]. Proceedings of the International Conference taking place on June 26th–28th, 2005. Bratislava, Academy of Police Forces APZ, 2005, pp.42-43.

2. rationally structured data, a way or procedure how with certain methods can be reached true knowledge serving for next derivation of all true statements of this theory;
3. intentional purposive aimed procedure of work or acting .

Forensic methods are created by own scientific development within the definition of subject and object to be investigated in a criminology but also by implementation and adaptation of other sciences methods. Forensic method has usually complicated structure and consists of several acts, operations or steps following each other in time. Its means are certain technical equipment, apparatuses and various tools that are incorporated into the system of psychical and somatic activities of a man.

Forensic method shall meet demanding criteria:

- it must be consistent with legal act in force;
- it must be based on a scientific basis;
- it must be verified by forensic practice;
- it must be recognized by forensic practice.

While forensic methods have relatively constant nature, procedures for their application are hugely variable. Choice of the actual procedure depends prevailingly on situation nature and on possibilities to apply other sciences knowledge – namely of police and juridical sciences – for example at investigation and verification of information and evidences.

They also allowed effective application for example in operative-investigative activities at obtaining and verification of information (evidences). The choice of methods is carried out by actual subject on base of universal complete and objective analysis of the situation in question.

It can be said that forensic science work not only with forensic methods but also uses non-criminalistics methods. In my opinion, most of methods, particularly non-criminalistics ones, get forensic nature at the moment of its application for forensic investigation purposes.

Use of forensic-technical methods within the operative-investigative activity frame

Performing operative-investigative activities (hereinafter only “OIA”) as regards its nature resulting from legal, personal, economical, technical, tactical and other requirements leads to knowing criminality objects that can be hardly identified by other less complicated procedures².

According to legal standard in force, these essential (supporting) methods of OIA are applied and used in an operative practice:

- operative questioning of persons,
- operative survey of information,
- operative check,
- operative watching and observing,
- operative screening,
- personal investigation.

Based on above mentioned, investigating subjects use most often a wide spectrum of forensic methods.

² LISOŇ, M.: Operatívna a spravodajská činnosť v systéme poznávania kriminality. [Operative and investigative activities in system of knowing criminality.], In *Kriminalistika* No. 2/2006, pp.112–118.

By these technical methods, forensic experts can investigate large amount of information relating to behaviour of various elements of mass systems, evaluate it and react in an adequate way.

Review of forensic technique methods most often used in the operative-investigative activities

- forensic dactyloscopy;
- forensic biology;
- forensic podiatry (trace evidence analysis);
- forensic chemistry;
- forensic mechanics.

Specific features of forensic technical methods in the operative-investigative activities lies in a fact that they serve for exploiting of the contents and possibilities of technical tools in the forensic applied activity.

Forensic dactyloscopy and its application in the operative-investigative activities

Dactyloscopic identification, i.e. identification based on comparison of fingerprints is a specific method of clarification and is successfully used in the forensic practice. It is recognized evidence method for more than one century. Till nowadays it is considered to be the most reliable tool for person individualization³.

Since the dactyloscopy origin, various classification Dactyloscopic systems based on sorting last hand phalanx fingerprints according to papillary lines patterns. These systems significantly increased effectiveness of forensic dactyloscopy aimed for criminal acts investigation, thus also within the operative-investigative activities field.

Dactyloscopic data sets and their use within the operative-investigative activities

For criminal registers purpose, data concerning person together with dactyloscopic patterns in form of dactyloscopic data sets are collected. Dactyloscopic data sets contain:

- fingerprint and palm patterns of known criminal acts perpetrators. They are collected on dactyloscopic cards that have negotiated shape and format;
- tracks from unclarified criminal acts. All suitable and exploitable dactyloscopic imprints and track from unclarified criminal acts are collected that were gained in relation to criminal activity in question where a perpetrator was not found.

Forensic investigation of papillary lines patterns were subjected to certain development and significantly was influenced by methods and procedures of criminology registrations of persons based on hand phalanx fingerprints and on collections of dactyloscopic tracks. Criminological dactyloscopic registrations through technical improvements acquired form that can be considered as a system – criminology registers. At forensic investigation, within the operative-investigative activities also criminology registers are used; they help to evaluation and recording facts relevant for operative-investigative activities.

³ KRAJNÍK ,V.,et al. Kriminalistika. [Criminology]. Bratislava : Academy of Police Forces, 2002, p. 53.

At identification of persons according to dactyloscopic tracks obtained at incident sites, the systems were exploitable only in cases when classifiable tracks existed – the track (imprint) had at least partially readable basic pattern allowing its classification and it was possible to partially determine sub-classification. In my opinion, police authorities within the operative-investigative activity can in many cases identify a person using papillary lines patterns; that for the police practice usually means an identification of perpetrator; identification of dead body which identity was not clear; identification of migrants; or clarification of a criminal act.

At a final analysis of forensic technical methods applied within the operative-investigative activities we can say that forensic methods in the operative-investigative activities play significant role and in most of cases have a decisive influence on criminology situation and on whole result as well as successfulness of clarification.

Use of forensic methods in a practical activity is conditioned also by certain level of theoretical knowledge of criminology but also of criminal law theory, operative-investigative activity as well as of some parts of psychology and several technical sciences.

These forensic technical methods and consequent use thereof by Police Force members performing operative-investigative activities usually secure that information from obtained tracks have a significant evidence value.

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