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NATIONAL FIRE-FIGHTING AND RESCUE SYSTEM IN EMERGENCY SITUATIONS

Introduction

The sense of security “is determined by objective and rational factors as well as subjective, difficult-to-measure and not necessarily rational factors. The conviction of the existence of a threat is the impetus to act for the creation of security as a state; it is also understood as a process in which the state of security and its organisation are subject to dynamic changes depending on natural security conditions. Security as a process means the continuous activities of individuals, local communities, countries and international organisations in creating the desired state of security. There is no such thing as permanent or once created or organised security”².

Each country must develop a system to protect the security of its citizens against the dangers which they are exposed to and their sense of security. A threat is any situation in which there is a likelihood of a dangerous condition for the environment, including people.

This article deals with the issue of the place of the national rescue and fire-fighting system in crisis management during the occurrence of states of emergency.

State of emergency

States of emergency are institutions of internal law. In the legal doctrine, they are usually associated with states of a particular threat to the state³.

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² Nowak E, Nowak M, Zarys teorii bezpieczeństwa narodowego – zarządzanie bezpieczeństwem. Warsaw, 2011, p. 14.

³ See: Gebethner S, Stany szczególnego zagrożenia jako instytucja prawa konstytucyjnego. *Państwo i Prawo*, 1982, p. 8, 5–19.

Pursuant to Chapter XI of the Polish Constitution of 1997⁴, in situations of particular threat, if ordinary constitutional measures are insufficient, an appropriate emergency may be imposed: martial law, a state of emergency, or a state of natural disaster (Article 228). A state of emergency can only be introduced on the basis of an act, by way of an ordinance, which is subject to additional public disclosure.

The rules of operation of public authorities and the extent to which human and citizen freedoms and rights may be restricted during individual states of emergency are set out in the act.

This act may also specify the grounds, scope and procedure for compensating property losses resulting from the limitation of the state of liberty and human and citizens' rights during a state of emergency.

Actions following the imposition of a state of emergency must correspond to the degree of danger, and should aim at restoring the normal functioning of the state as soon as possible.

During the state of emergency, the Constitution, electoral regulations for the Sejm, the Senate and local government bodies, the Act on the election of the President of the Republic and the act on States of Emergency may not be changed.

During the state of emergency and within 90 days after its termination, the term of office of the Sejm may not be shortened, a nationwide referendum may not be held, elections to the Sejm, the Senate, local government bodies and the elections of the President of the Republic may not be carried out, and the terms of these bodies shall be extended accordingly. Elections to local government bodies are possible only where no state of emergency has been introduced.

In accordance with Article 229, in the event of an external threat to the state, an armed attack on the territory of the Republic of Poland, or when an obligation regarding joint defense against aggression arises from an international agreement, the President of the Republic may, at the request of the Council of Ministers, impose martial law on part or the entire territory of the state.

For its part, Article 230 declares that in the event of a threat to the constitutional system of the state, the security of citizens, or public order, the President of the Republic, at the request of the Council of Ministers, may introduce, for a fixed period of not more than 90 days, a state of emergency in part or in the entire territory of the state. Prolongation of the state of emergency may take place only once, with the consent of the Sejm, and for a period not exceeding 60 days.

Article 228 of the Polish Constitution of 1997 contains several legal norms addressed to state authorities⁵. They are primarily:

⁴ Constitution of the Republic of Poland of 2 April 1997 (Dz.U. No. 78, item 483).

⁵ See: Skrzydło W, *Konstytucja Rzeczypospolitej Polskiej. Komentarz*. Krakow 2000, pp. 309–311.

- prohibiting the introduction of an emergency in situations where the threat is not of a special nature or can be prevented usually by constitutional means,
- an order to statutory regulation of the rules of operation of public authorities and the scope of limitation of individual freedoms and rights during individual states of emergency,
- an order to introduce a state of emergency by way of a regulation of the President issued on the basis of an act,
- an order to maintain the adequacy of the means employed in relation to the degree of risk,
- a ban on amending certain legal acts during a state of emergency,
- a ban on shortening the term of office of the Sejm, and holding a national referendum and elections during a state of emergency, and also within 90 days after its termination.

The features of the states of emergency are:

1. States of emergency are a legal institution that is usually regulated at the level of the constitution and specific laws.
2. States of emergency are of an intra-state nature.
3. They are characterised by temporality. An emergency cannot exist permanently.
4. The accepted design of the state of higher necessity is important.
5. The decision to introduce a state of emergency is a manifestation of the sovereignty of the state.
6. Institution of a state of emergency may only be implemented in conditions of extreme danger.
7. An important element is pro-citizenship regarding the ad hoc and directional actions that are taken during the duration of one of the states.

The introduction of a state of emergency provides the possibility of allowing temporary restrictions on the rights and freedoms of people and the citizens⁶.

Martial law can be imposed when dealing with⁷:

- an external threat to the state,
- an armed assault on the Polish territory,
- a commitment to defend against aggression together with another state.

The prerequisites for introducing a state of natural disaster is the occurrence of:

- natural disaster – events related to natural forces, in particular such as lightning, seismic shocks, strong winds, intense precipitation, prolonged occurrence of extreme temperatures, landslides, fires, drought, floods, ice phenomena on rivers and the sea, and lakes and water res-

⁶ Brzeziński M, *Stany nadzwyczajne w polskich konstytucjach*. Warsaw, 2007, p. 64.

⁷ Prokop K, *Stan wojny a stan wojenny w Konstytucji RP. Państwo i Prawo*, 2002, No. 3, pp. 23–34.

ervoirs, mass occurrence of pests, plant or animal diseases or infectious human diseases, or the action of another element,
— technical failure – sudden, unforeseen damage or destruction of a building, technical device or system of technical devices causing a break in their use or loss of their properties.

The essence of security is to ensure the survival, development and implementation of one's own interests in the given conditions by taking advantage of opportunities (favourable circumstances), accepting challenges, and opposing, counteracting and preventing all kinds of threats to entities and their interests⁸. This applies to individual units as well as entire communities created by these units. These exceptional circumstances necessitating the introduction of states of emergency require exceptional instruments to guarantee the security of the population. One of the safety links is the national rescue and firefighting system.

National rescue and firefighting system

A specific type of system is the safety cell system. The concept of a "nexus"⁹ has many meanings in Polish. Security links in the security system are interrelated institutions that perform functions to protect against the dangers of armed and extra-military crisis and war interactions: the population, state structures and national property.

In Poland, there are several subsystems of the cell system ensuring security. One of these is the one that directly relates to counteracting existing and potential threats to security— national rescue and firefighting system (hereinafter referred to as: the KSRG). It was created as a response to the ever-growing need to adapt and specify the framework for cooperation between individual forces and rescue services that cooperate during events that threaten the life or health of citizens. It covers the whole body of issues related to broadly understood rescue. The essence of rescue consists in unifying the efforts of individual safety links, which perform many types of activities. Consequently, the assumed goal was to build efficient and effective relationships between individual rescue entities¹⁰.

⁸ Koziej S, *Bezpieczeństwo: istota, podstawowe kategorie i historyczna ewolucja. Bezpieczeństwo Narodowe*, 2011, No. 2, p. 20.

⁹ *Mały słownik języka polskiego (A Small Dictionary of the Polish Language)* (Warsaw, 1999, p. 558) defines the word „link” in the following way:

- ‘one of the rings forming a chain; an element connecting something, a joint,
- a unit of an organisation/ institution maintaining communication with the others’.

¹⁰ Masłoń W, *Relacje pomiędzy zarządzaniem kryzysowym a Krajowym Systemem Ratowniczo-Gaśniczym*, [in:] Częścik R, Nowakowski Z, Płusa T, Rajchel J, Rajchel K (Eds), *Zarządzanie kryzysowe w administracji*. Warsaw, 2014, p. 587.

The term 'rescue system' can be defined as a complex, active socio-economic-administrative system whose overriding goal is to effectively counteract all crisis threats by means of available forces and material means, on the basis of the generally accepted organisational and functional system under applicable law¹¹.

The KSRG inaugurated its activities on January 1, 1995. Article 127 of the Act of August 24, 1991 on the State Fire Service¹² imposed on the Commander-in-Chief of the State Fire Service the obligation to organise a functioning system no later than within 3 years after its provisions entered into force.

The KSRG operates in Poland as one of the three most important elements of rescue, the other elements being the National Emergency Medical Services and the Emergency Notification System. The intention of these three pillars is to:

- enable the citizens to inform the emergency services about dangers and threats,
- guarantee professional medical care,
- provide current, temporary rescue assistance in the broadly understood context of threats¹³.

The main task of the KSRG is to ensure the continuous functioning of qualified rescue forces at clearly defined levels of public administration¹⁴. The functioning of the KSRG is regulated by the following legal acts: the Act of 24 August 1991 on the State Fire Service, the ordinance of the Minister of the Interior and Administration of 3 July 2017 on the detailed organisation of the national fire and rescue system¹⁵ (until July 3, 2017, the ordinance of the Minister of the Interior and Administration of February 18, 2011 on detailed rules for the organisation of the national rescue and fire-fighting system was in force).

The organisational chart of the KSRG is shown in Figure 1.

¹¹ Ficoń K, *Inżynieria zarządzania kryzysowego. Podejście systemowe*. Warsaw, 2007, p. 227.

¹² Ustawa z dnia 24 sierpnia 1991 o Państwowej Straży Pożarnej (Dz.U. 2017, item 1204 as amended).

¹³ Radkowski R, Krajowy System Ratowniczo-Gaśniczy jako element organizacji ratownictwa i ochrony ludności w Polsce. *Zeszyty Naukowe Państwowej Wyższej Szkoły Zawodowej im. Witelona w Legnicy*, 2015, No. 14, pp. 37–38.

¹⁴ Kogut B, Charakterystyka Krajowego Systemu Ratowniczo-Gaśniczego, [in:] Kogut B, *Współczesność oraz perspektywy Krajowego Systemu Ratowniczo-Gaśniczego*, t. I. Krakow, 2014, p. 99.

¹⁵ Rozporządzenie Ministra Spraw Wewnętrznych i Administracji z dnia 3 lipca 2017 w sprawie szczegółowej organizacji krajowego systemu ratowniczo-gaśniczego (Dz.U. 2017, item 1319).

Figure 1

National fire-fighting and rescue system

Working area	Organizational units	Range of activities
Country	<div style="border: 1px solid black; padding: 5px; margin-bottom: 5px; width: fit-content; margin-left: 20px;">The Ministry of Internal Affairs and Administration</div> <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px; width: fit-content; margin-left: 20px;">National Headquarters of the State Fire Service</div>	<ul style="list-style-type: none"> } coordination of rescue operations } KSRG organization
Province	<div style="border: 1px solid black; padding: 5px; margin-left: 20px;">Provincial Headquarters of the State Fire Service</div>	<ul style="list-style-type: none"> } KSRG organization in the province } organization of alerting, management and coordination of rescue operations
County	<div style="display: flex; align-items: center;"> <div style="border-left: 1px solid black; border-right: 1px solid black; border-bottom: 1px solid black; width: 10px; height: 100px; margin-right: 5px;"></div> <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px; width: fit-content; margin-left: 20px;">District Headquarters of the State Fire Service</div> </div> <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px; width: fit-content; margin-left: 20px;">Volunteer fire brigades — in the system</div> <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px; width: fit-content; margin-left: 20px;">Factory fire brigades — in the system</div> <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px; width: fit-content; margin-left: 20px;">Factory emergency services</div> <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px; width: fit-content; margin-left: 20px;">Municipal fire brigades — in the system</div> <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px; width: fit-content; margin-left: 20px;">Municipal rescue services — in the system</div> <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px; width: fit-content; margin-left: 20px;">Other emergency services — in the system</div>	<ul style="list-style-type: none"> } organization of rescue and fire-fighting units } organization, management and coordination of rescue and fire-fighting activities in the county } organization and carrying out rescue and fire-fighting activities } performing rescue tasks

Source: Author's own study.

KSRG activities in emergency situations

The activities of the KSRG are always adapted to the type of threats and the possibility of performing events in specific conditions, including states

of emergency. Depending on the type, a suitable functional subsystem is established¹⁶:

- chemical rescue,
- ecological rescue,
- emergency medical services,
- technical rescue,
- fighting fires and other natural disasters.

KSRG activities in the fight against fires include planning, organising and implementing the rescue operations necessary to extinguish a fire and to reduce or eliminate a fire or explosion hazard.

Rescue activities in this case include, in particular:

- diagnosing and identifying threats,
- securing the rescue area, including the designation and marking of a danger zone,
- enabling or disabling installations, devices and utilities affecting the safety of persons at risk or injured, as well as the safety of the rescuers, using valves or fuses on the utility installation of the facility covered by the rescue operation,
- priority execution of actions enabling:
 - reaching and making access to people at risk or injured, along with carrying out medical rescue and evacuation activities outside of the danger zone,
 - preparing evacuation routes for endangered or injured persons and the rescuers,
 - evacuating and rescuing persons and then animals as well as saving the environment and property against the effects of fire or explosion,
 - assessing the magnitude of the fire or explosion hazard and forecasting its development,
 - adapting the equipment, techniques and extinguishing media and other rescue measures to the type, scale and location of the fire or explosion,
 - liquidating, reducing or extending the danger zone,
 - mobilising additional forces and resources of KSRG entities,
 - smoke extraction from the danger zone.

The fight against fires under the KSRG is conducted by:

- forces and means of KSRG entities competent for the place of the fire,
- sub-branches or divisions of operational divisions within the provincial or central operational diversion.

KSRG activities in the fight against other natural disasters include planning, organising and implementing rescue operations necessary to save lives, health, property, and the environment.

Rescue activities in this case include, in particular:

- diagnosing and identifying threats,
- protecting rescue areas, including the designation and marking of a danger zone,

¹⁶ Masłoń W, *Relacje...*, *op.cit.*, p. 589.

- enabling or disabling installations, devices and utilities affecting the safety of at-risk or injured persons and the safety of the rescuers, using valves or fuses on the utility installation of the facility covered by the rescue operation,
- priority execution of actions enabling:
 - reaching and making access to persons at risk or injured, together with carrying out medical rescue operations and evacuation outside of the danger zone,
 - preparing evacuation routes for endangered or injured persons and the rescuers,
 - ensuring the safety of persons at risk or injured, as well as the rescuers;
- eliminating threats related to the natural disaster,
- adapting rescue equipment and techniques to the size and type of natural disaster,
- liquidating, reducing or extending the danger zone,
- mobilising additional forces and resources of KSRG entities,
- assessing the size of the resulting natural disaster.

The fight against other natural disasters under the KSRG is carried out by the forces and means of KSRG entities, subunits or departments of operational reserves in the provincial or the central operational reserve.

KSRG activities in the field of technical rescue include planning, organising and implementing rescue operations necessary to search for and reach endangered or injured persons and animals, as well as to reduce or eliminate the threat to life, health, property or the environment.

Rescue activities in this case include, in particular:

- diagnosing and identifying threats,
- securing the rescue area, including the designation and marking of a danger zone,
- enabling or disabling installations, devices and utilities affecting the safety of persons at risk or injured, as well as the safety of the rescuers, using valves or fuses on the utility installation of the facility covered by the rescue operation,
- priority execution of actions enabling:
 - reaching and making access to persons at risk or injured, together with conducting medical rescue operations, or their evacuation outside of the danger zone,
 - preparing evacuation routes for endangered or injured persons and the rescuers,
 - ensuring the safety of persons at risk or injured, and the rescuers;
- making passages and access ways, and access to endangered or injured persons along with removing obstacles limiting access to them and hindering the performance of medical rescue operations or their relocation,
- the use of water or ice rescue techniques for the evacuation of endangered or injured persons from water basins and ice-covered areas and flood areas,
- evacuation of people from places which are high above or below ground level,

- the use of toolless and instrumental techniques and the use of animals to search for persons at risk,
- evacuation of endangered and injured animals outside of the danger zone,
- assessment of the magnitude of the resulting threat and forecasting its development,
- lighting of the incident site and its protection against bystanders as well as performing other activities in the field of logistic protection,
- embanking, pumping out and sealing places of leakage of water or other hazardous media,
- ventilating danger zones,
- enabling or disabling installations and devices affecting the size of the danger zone,
- stabilising, cutting, spreading, lifting or moving structures, installations and equipment, as well as parts of facilities and natural and artificial obstacles to eliminate or reduce risks to persons, animals, the environment, infrastructure and other property.

Rescue activities in the field of technical rescue to the extent resulting from the rescue plan are carried out by KSRG entities, including their specialist equipment and personal protective equipment, and in particular specialised groups:

- search and rescue of the State Fire Service and other KSRG entities that are fire protection units,
- height rescue of the State Fire Service and other KSRG entities that are fire protection units,
- water and diving rescue of the State Fire Service and other KSRG entities that are fire protection units,
- technical rescue of the State Fire Service and other KSRG entities that are fire protection units.

KSRG activities in the field of chemical and ecological rescue include planning, organising and implementing rescue operations necessary to reduce or eliminate direct threats posed by dangerous substances to humans, animals, the environment, and property.

Rescue activities in this case include, in particular:

- diagnosing and identifying threats,
- securing the rescue area, including the designation and marking of a danger zone,
- enabling or disabling installations, devices and utilities affecting the safety of persons at risk or injured, as well as the safety of the rescuers, using valves or fuses on the utility installation of the facility covered by the rescue operation,
- priority execution of actions enabling:
 - reaching and making access to persons at risk or injured, together with conducting medical rescue operations, or their evacuation outside of the danger zone,

- preparing evacuation routes for endangered or injured persons and the rescuers,
- ensuring the safety of persons at risk or injured, and the rescuers,
- evacuating and rescuing people and then animals as well as saving the environment and property against the effects of direct threats posed by dangerous substances;
- assessing the magnitude of the threat and forecasting its development,
- liquidating, reducing or extending the danger zone,
- adapting rescue equipment and techniques to the place of the incident and type of hazardous substance in order to limit the effects of leakage, evaporation or emission of a dangerous substance,
- putting up dams in tanks, watercourses or waters endangered by the spill of hazardous substances,
- binding or neutralising dangerous substances,
- securing the area affected by the leakage of a dangerous substance,
- carrying out activities in the field of initial decontamination,
- assessing the size of the occurring event.

In the event of a terrorist event involving the use of a biological agent, the KSRG's rescue operations include:

- initial checking of unidentified consignments for the possibility of a biological threat, and their protection, excluding consignments with explosion risk,
- transport of unidentified consignments potentially posing a biological risk for final verification.

Summary

Emergency situations require extra-coordinated instruments to ensure a sense of security for the citizens. The KSRG is a system that coordinates the activities of individual links, ensuring this security. It rationally and effectively utilises the available human and hardware potential, as well as the experience gathered by the individual links in their daily statutory activities.

The safety cell system is a response to the challenges of today in terms of guaranteeing security at all levels. It is designed with the assumption that it will be effective at the level that currently requires support.

The effectiveness of interactions carried out by safety cells coupled into one system depends not only on the form of their organisation, efficiency of operations, and specialist equipment possessed, but above all on the rights conditioned by law allowing them to take effective actions in the event of a threat to public security and order.

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Keywords: safety, states of emergency, national fire and rescue system

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