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OPTIMIZATION OF THE EU AND CZECH SECURITY SYSTEM IN THE FIELD OF EFFECTIVENESS OF THE RISK MANAGEMENT AND PROTECTION SYSTEM FOR SECURITY PRACTICES

The proposals and starting points relate to the current issues of security practice in the EU and the Czech Republic from the perspective of 15 years of research at the Police Academy of the Czech Republic in Prague

Abstract: *Risk management and Population protection in the Czech Republic is based on a long tradition and knowledge from dealing with emergencies and crisis situations. However, it appears that there is a need to continuously improve this area of state security policy on the basis of practical experience and deeper analyses. The possibility of optimizing the basic areas of security systems is the subject of security research by a number of Czech authorities and organizations, where the Ministry of the Interior of the Czech Republic and its educational institution, the Police Academy of the Czech Republic in Prague (hereinafter referred to as "PA"), play an important role. At this University focused not only on police topic, but also on the protection of the population and economy, public administration security and civil emergency planning, a number of research activities have been carried out, which are also used in this proposal for the optimization of security systems in the Czech Republic and partly in the EU.*

Keywords*: Security policy, optimization of risk management, population protection; terrorism; emergency event; crisis situation; crisis management authorities; integrated rescue system.*

INTRODUCTION

The objectives of this optimization are based on more than 15 years of research and teaching activities carried out at the PA, where a number of security research projects have been successfully carried out in collaboration with a large number of foreign and local researchers. The focus of these projects was very broad and covered, for example, homeland security and public order, population protection and crisis management, nuclear safety and protection against CBRNE substances, safety of schools and school facilities, forest fires, economic measures for states of emergency and protection of the economy, etc. A number of outputs have been published in the framework of this research, such as peer-reviewed publications and methodologies, articles in yearbooks and presentations at dozens of international conferences. However, the Police Academy has also published a number of professional monographs that significantly reflect the level of scientific knowledge in the above-mentioned safety and security fields and disciplines. In addition to these demonstrable results, it is gradually becoming apparent that both within the EU security system and at the national level of the Czech Republic, due to the current deterioration of the security situation and in particular some new threats, it is necessary to propose and discuss the possibility of optimizing the EU and Czech security system, which will be focused at improving the provision of information and standardizing better ways of management and cooperation at the international and national level. Within the framework of the PA research task "Streamlining the functioning of the system of population protection and crisis management in the Czech Republic", which was launched in 2017, there were addressed issues that included areas of scientific research priorities of the state, taking into account the current situation in the country and the world. The project solvers originated, among other things, on the document "Analysis of Threats for the Czech Republic" (adopted by the Resolution of the Government of the Czech Republic No. 369 of April 27 2016), which identified a total of 22 types of hazards for the Czech Republic (types of hazards with unacceptable risk), for which the declaration of a state of emergency can be reasonably expected. Specifically, this research focused on the most serious and likely risks that have already affected us, or threaten to affect the territory of the state immediately. In the area of the most serious threats such as migration,

floods, pandemics, scarcity of raw materials, terrorism, etc., the modelling of the course of threats has been carried out using risk analysis tools and new and more optimal procedures for dealing with them have been proposed. The correctness of some of the outputs and conclusions of the conducted research was confirmed in the basic strategic documents adopted by the Government, such as the "Concept of Population Protection until 2025 with an outlook to 2030" issued by the Ministry of the Interior or in the "National Security Audit 2016". The main task of the project was to propose improved measures to minimize the impact of emergencies and crisis situations on society, the state, regions, cities, municipalities, people's lives and health, the economy and the environment on the basis of an analysis of the strengths and weaknesses of the existing system and status. This includes in particular the development and improvement of technical, organizational, management, planning, control, legislative, methodological and other procedures and measures in the area of population protection and crisis management. The research process was focused on the following areas:

- **To create** models of main security scenarios for individual selected "stress situations".[1]
- **To elaborate** proposals for streamlining (helping to address potential weaknesses) the functioning of the crisis management system within the Czech Republic (a proactive approach to some emerging challenges).
- **To map** new trends in the field of "crowd management", i.e. the management of potentially aggressive crowds by security forces, technical measures and other means.
- **To map** possibilities and limits for the potential use of other components of the security system, such as new forms of volunteerism (volunteer groups) or the use of private security service capacities (of the private sector as a whole).
- **To suggest** measures (technical, organizational or other) to reduce the vulnerability of critical infrastructure (national and European) in the Czech Republic (including vulnerability to external influences, effects of natural disasters and deliberate anthropogenic actions like terrorist attacks and sabotages).[2]

[1] See: The collective of authors (2018).

[2] Ensuring the recovery of critical infrastructures means an effort to minimize the recovery time so as to avoid the development of a crisis situation (the severity of which usually increases exponentially depending on the duration of the interruption of the critical infrastructures) with regard to the impact of the interruption of the critical infrastructures.

- **To formulate recommendations** to improve communication between public and private actors, education of owners and operators (manuals of recommended behavior for operators of places of high concentration of people). The same applies for the topic of communication with the public (groups of society) during emergency events and crisis situations.
- **To methodically support** the application of **operation continuity management** within the subjects of critical infrastructure.
- **To suggest** recommendations to improve the efficiency of the population protection system and protection of critical infrastructure (including protection against the transport of decoy explosive systems and weapons to the site of a terrorist attack).

Partial results of the research were published mainly in peer-reviewed journals and in proceedings of international conferences and congresses. A number of monographs and articles have been produced on individual areas of research.[3, 4, 5]

In the current period, this ongoing research project also focuses on the current challenges outlined in the updated Government programme statement. The goal of this article is, on the basis of the research and deep safety and security analysis of the materials received and opinions presented in professional publications and presentations at conferences, to inform about possible proposals for specific measures that can contribute to the optimization of the security system of the EU and the Czech Republic with the aim of improving cooperation, improving the functioning of the system of risk management and population protection with an emphasis on current threats and risks.

PROPOSALS AND STARTING POINTS FOR THE POSSIBILITY OF OPTIMIZING THE EU SECURITY SYSTEM

In the transformation of the former totalitarian states in Europe after the dissolution of the Warsaw Pact in the early 1990s, there was a big question how to build their security systems and ensure their optimal connection to the security structures of other democratic states. In the mid 1990s, principles were recommended for the development of emergency legislation (the so called Stockholm principles) and thus for the provision of security management in transition states.

[3] See Blašková et al. (2022).
[4] See Sabol (2022).
[5] See Sabol and Krulík (2021).

Unfortunately, this activity, implemented under NATO's Partnership for Peace Programme, did not allow a comprehensive linking of national security structures on the continent for closer cooperation, but had only a positive impact on the future joining of Central and Eastern European states to NATO. So the way of dealing with non-military risks remained more or less in the competence of individual nation states, throughout Europe.

The deteriorating security situation is pushing EU members to improve their cooperation along the lines of NATO or the IAEA-led multinational nuclear security system. Increasing threats to Europe from migration, pandemics, economic threats, terrorism impacting e.g. the misuse of weapons of mass destruction, cyber-attacks, threats to critical infrastructure, chemical accidents (see SEVESO III), etc. are forcing EU states to improve and link cooperation systems and thus better coordinate the necessary measures. Despite these partial efforts, there is still no consensus within the EU on the need to optimize the system of cooperation, e.g. along the lines of NATO, and thus to unify the systems of the member states into a single and comprehensive system enabling the exchange of information, the unification of preparation for emergency and crisis situations and to ensure a rapid response to all types of non-military threats, including subsequent recovery. Unfortunately, as is often the case in history and current practice, dramatic emergency and crisis situations force politicians and crisis management to realize their responsibility in the need to optimize and interconnect the EU's complex security system.

Starting points for discussion and subsequent recommendations:

- the international coordination of risk management is already coherent and methodologically and legally assured in a number of areas, but comprehensive EU coordination is lacking,
- examples of partial international cooperation in defence, nuclear security, critical infrastructure, terrorism and cyber threats, civil emergency planning, chemical accidents, migration, etc,
- to design a comprehensive system of cooperation using the experience of the previous subsystems – in particular in the area of information provision and use and the introduction of a standard risk management system modelled on the NATO chain of command,
- to implement a comprehensive EU security system, it is not necessary to look for new solutions, but to use existing proven risk management systems such as those used by the American organization FEMA, or how NATO member states coordinate their procedures in

implementing defence measures. The military NCRS system (in the Czech Republic as NSRK) could be certainly applied to the implementation of non-military measures and procedures,

- it is essential to open a general international debate on this proposal and this issue, which will urgently unify the preparation, management and renewal of the public administrations of the EU countries to optimally address the current pressing threats, but also the risks we will have to face in the future. We really can't wait for disasters to hit us, but we need to be prepared for them in the whole Europe!

Examples of good mutual cooperation for a future comprehensive and optimal system of security cooperation within the EU

NATO MULTINATIONAL COOPERATION SYSTEM - NCRSM

The focus of multinational cooperation is the NATO Crisis Response System Manual (hereinafter referred to as "NCRSM"), which clearly describes the NATO crisis management system, the individual phases of this process and sets out procedures for the implementation of measures enabling a timely, coordinated and clearly organized, selective response to potential crises.[6] The NCRSM serves as the basis for the establishment of a national crisis response system. The measures in the NCRS - transformed into a national list of measures for the National Crisis Response System (NCRS) - enable crisis management authorities to respond in an incremental manner to an imminent, emerging or emergent crisis situation. Another contribution of this document is that, in addition to the person responsible for the implementation of individual measures, it also provides information on the cooperation of other bodies in the implementation of the task and references to relevant legislation.

They are therefore included in the List of Measures for the National Crisis Response System:

· measures to prevent the occurrence, or limit the possibility of an imminent crisis situation and its potential consequences,

· measures to ensure operations during a state of danger, state of emergency, state of national emergency or state of war,

· measures and activities of the state related to the use of its available forces, means and resources in dealing with a crisis situation.

[6] See pg. 10 and 11 of https://mocr.army.cz/images/Bilakniha/CSD/Pl__n_obrany1.pdf

The list of measures implements the NCRS Alliance measures in Czech Republic. This makes it practically possible that when the NCRS measures are announced by the alliance bodies, there will be no need to issue special instructions within the Czech Republic for the performance of these tasks. This creates the prerequisite for practically immediate implementation of measures (tasks) and processing of the necessary information on the way of their implementation.

The Catalogue of measures for the National Crisis Response System is not only a basic document of the defence plans of the Czech Republic and related partial defence plans, but also one of the main annexes of crisis plans prepared by crisis management authorities up to and including regional authorities and municipalities. The list of measures respects the fact that the declaration of a state of national emergency or a state of war may occur not only in connection with a purely military threat to the Czech Republic or other NATO countries, but also in connection with asymmetric threats, for which it cannot be unambiguously determined in advance whether the threatened crisis situation will have a military or non-military character. The list of measures also respects the fact that various emergencies and crisis situations of a non-military nature may occur in parallel with the emergence of a military crisis situation on the territory of the Czech Republic. The conditions for their solving may differ to a lesser or greater extent from the conditions for their solving in peacetime due to the effects of the declaration of a state of national emergency or a state of war.

The list of measures is divided into six areas:

1.Management of the state, defence, security and foreign relations - management of the activities of the administrative and self-government bodies of the Czech Republic and its executive units in preparation for and in dealing with crisis situations, including the promotion and defence of the interests of the Czech Republic vis-à-vis other states, international organizations and integration groups.

2.Intelligence support and protection - obtaining and distributing intelligence information necessary for taking measures in response to an imminent, emerging or created crisis situation and providing intelligence protection for the activities of the Czech authorities and its executive components.

3.Ensuring the external security of the Czech Republic - defence against military and paramilitary forces of the enemy, ensuring support for the activities of its own and allied armed forces on the territory of the Czech Republic and ensuring the deployment and support for the activities of the Czech armed forces outside the territory of the state.
4.Ensuring the internal security and public order of the Czech Republic - protection of internal security and public order on the territory of the Czech Republic affected by a crisis situation, including ensuring the deployment and support of the Czech armed forces,
5.Ensuring the protection of the population, the protection of the health and lives of persons, animals, property and the environment on the territory of the Czech Republic affected by a crisis, including the deployment and support of the activities of rescue corps, emergency, rescue, etc. services of the Czech Republic.

6.Ensuring protection of the economy - implementation of economic measures for crisis situations and fulfilment of other basic functions of the economic system of the state in the territory of the Czech Republic affected by a crisis situation.

Protection of European and national critical infrastructure

Based on the current changed security situation in Europe, the European Union has responded, among other things, to the issue of critical infrastructure protection. In particular, Directive 2022/2557 of the European Parliament and of the Council of 14 December 2022 on the resilience of critical entities and repealing Council Directive 2008/114/EC. This Directive:
(a) sets out obligations on Member States to take specific measures to ensure that services necessary for the maintenance of essential societal functions or economic activities within the scope of Article 114 TFEU are provided unrestrictedly in the internal market, in particular obligations to designate critical entities and to support critical entities in fulfilling the obligations imposed on them;
(b) sets out obligations for critical entities aimed at enhancing their resilience and ability to provide the services referred to in point (a) in the internal market;
c) sets out rules for:
- supervision of critical entities;
- enforcing;

- the identification of critical entities of particular European interest and an advisory mission to assess the measures put in place by such entities to fulfil their obligations under Chapter III;
(d) sets out common procedures for cooperation and reporting on the application of this Directive;
(e) sets out measures to achieve a high level of resilience of critical entities in order to ensure the provision of essential services in the Union and to improve the functioning of the internal market. This Directive shall not apply to matters covered by Directive (EU) 2022/2555, without prejudice to Article 8 of this Directive. With regard to the relationship between physical security and cybersecurity of critical entities, Member States shall ensure that this Directive and Directive (EU) 2022/2555 are implemented in a coordinated manner.
In addition, after consultation that is open to the extent practicable to the relevant stakeholders, each State shall adopt by January 17, 2026, a strategy for supporting the resilience of critical entities (the "Strategy"). Building on relevant existing national and sectoral strategies, plans or similar documents, the Strategy shall set out strategic objectives and policy measures to achieve and maintain a high level of resilience of critical actors, covering at least the sectors identified in the Annex to the Directive. Again, there is the question of the need for the complexity of security management within the EU. This already includes the development of a basic strategy and its subsequent elaboration into individual sub-areas. At the same time, the need for coordination and management of this issue by the EU institutions. This consideration is supported by the need for a unified system of communication, data processing and information transfer. The current fragmentation (independent functioning) of sub-areas such as the issue of cyber security, the processing of emergency plans, crisis preparedness plans, the protection of objects important for the defence of the state and objects of possible attack, the protection of "hard" and "soft" targets, etc. creates a number of ambiguities and duplications. All this, of course, taking into account the specificities and real needs of individual Member States.

TRANSNATIONAL NUCLEAR SAFETY COOPERATION SYSTEM

The International Atomic Energy Agency was created to prepare for and deal with major nuclear threats (IAEA for short), which is an international body that oversees and sets the rules for the peaceful use of nuclear energy. It is also the body responsible for monitoring compliance with the Treaty on the Non-Proliferation of Nuclear Weapons. It was established on July 29th 1957

and currently it consists of 159 member states. It is headquartered in Austria in Vienna with regional offices in Geneva, New York, Toronto and Tokyo.[7] This agency is a good example of international cooperation for coordination and collaboration to minimize radiation accidents and other nuclear risks.

U.S. FEDERAL EMERGENCY MANAGEMENT AGENCY

A good example of the coordination of cooperation between states is the Federal Emergency Management Agency (abbreviated as FEMA), which is an agency of the United States of America, originally established by President Jimmy Carter's Executive Order 12127 of July 1978. Since 2003, FEMA has been under the U.S. bureau Department of Homeland Security (Ministry of internal security)[8]. The purpose of FEMA is to coordinate the response to natural disasters or accidents of a larger scale that occur on the territory of the US (or its territories) and the size of which exceeds the ability of local authorities or the given state to deal with them. The governor of the affected state then declares a state of emergency and formally requests the president to have FEMA and the federal government help manage the disaster. FEMA primary focus is on "field" work, however, it can provide other services such as human resources (experts for the respective areas) and funding for infrastructure rebuilding in cooperation with the Small Business Administration. FEMA also assists companies and individuals in obtaining low-interest loans (for reconstruction after the consequences of a given disaster) and funds the training of people across the United States in how to respond to crisis situations of this scale.

CONCLUSION FOR THE POSSIBILITY OF OPTIMIZING THE EU SECURITY SYSTEM

The above examples of cooperation are a good inspiration for further implementation of better coordination of preparations and risk management within the EU. It is up to experts and politicians alike to understand the necessity of optimizing the EU's security system by deepening mutual cooperation and establishing standards of procedures, measures and logistics for traversing and dealing with increasing threats. We believe that it is necessary to open an expert discussion for the emergence of an agreement to deepen this cooperation and thus allow the EU member states to voluntarily improve the situation in this important area.

[7] See https://en.wikipedia.org/wiki/International_Atomic_Energy_Agency
[8] See https://en.wikipedia.org/wiki/Federal_Emergency_Management_Agency

PROPOSALS AND STARTING POINTS FOR THE OPTIMIZING THE CR SECURITY SYSTEM

a) Legal framework of the security system

For simplification and clarity, and as a reaction to the results of the examination, we propose to amend the Constitutional Act No. 110/1998 Coll., on the security of the Czech Republic, while it would probably be appropriate to simultaneously transfer the issue of declaring a state of war from the Constitution of the Czech Republic to the Constitutional Act on the Security of the Czech Republic. In this way, all the issues of declaring a state of war, a state of threat to the state and a state of emergency would be regulated in this constitutional law. The security situation in the world, and by extension also in the Czech Republic, requires responding to this situation with changes that will better enable preparation for dealing with extraordinary events and crisis situations. The process of ongoing requests for changes in the legal security system is part of the programme statement of the current Czech government, from which we extract: *"By the end of 2023, we will prepare a revision of the legislation for crisis management and critical infrastructure and, if necessary, also amend the Competence Act. We will set up effective crisis management consisting of the revision of type plans for handling crisis situations, the analysis of current security threats, preparation for crisis situations (pandemics, floods, droughts, blackouts, industrial accidents, cyber attacks, soft targets...) and a clear strengthening of the functions and activities of crisis authorities, especially the Central Crisis Staff."*[9] This process is currently ongoing. At the same time, it is a continuation of the process of optimizing the security system of the Czech Republic initiated by another new updated version of the Security Strategy of the Czech Republic from 2015[10], the Threat Analysis for the Czech Republic from 2015[11] and the National Security Audit from 2016[12].

Despite the undeniable quality of the process of improving the legal framework of the security system in the Czech Republic, it should be pointed out that the Czech Republic still does not have a separate law on "protection of the population". On the other hand, it is significant that since 2002 the Concept of Population Protection began to be published irregularly, but at certain similar time intervals, as an important conceptual document. Individual concepts of population

[9] See Programme Statement of the Government of January 2022, with the title: *programove-prohlaseni-vlady-Petra-Fialy.pdf*

[10] See Bezpecnostni_strategie_CR_2015.pdf | Crisis management portal HZS JmK (krizport.cz)

[11] For details of the Threat Analysis for the Czech Republic see: www.hzscr.cz › file › analyza-hrozeb-zprava-pdf

[12] For details of the National Security Audit see: National Security Audit - Centre against Hybrid Threats (mvcr.cz)

protection, as they have been gradually issued in the Czech Republic, have played an important role in the development of population protection systems, especially after 2021. The latest Population protection concept of 2021 takes a broader view of population protection and sees it as a system of prevention, preparedness and response to emergencies and crisis situations aimed at protecting lives, health, property and the environment. Actors are state administration bodies, local governments, legal and entrepreneurial natural persons, but also citizens themselves.

a) Activities of the National Security Council

Experience from the past shows that in the period before the emergence of a crisis situation and the preparation for its resolution, and during the resolution of crisis situations, cooperation between crisis management bodies within the State Security Council (SSC), the Central Crisis Staff (CCS), security councils and regional crisis staffs is at an informal level without methodological and legislative anchoring. The biggest shortcoming is the inability of the SSC to impose tasks on regional governors and, in Prague, on the mayor of the capital city of Prague.

It would therefore be appropriate to regulate the position, responsibilities and powers of the SSC in the Act No. 110/1998 Coll., on Security of the Czech Republic (Article 9). In addition, the roles and areas to be decided and addressed by the government and the SSC in these situations should be adjusted and clarified. This would avoid double-track decision-making and speed up the whole decision-making process.

b) Position and role of the Central Crisis Staff

From the experience of dealing with crisis situations in the recent period (the COVID pandemic, migration waves), we recommend amending the crisis law so that, in the event of a danger from a delay in the declaration of crisis situations, the chairman of the CCS can impose on the members of the CCS and the governors to implement the tasks (measures) approved at the meeting CCS. These measures would then be approved or, where appropriate, repealed by the government. At the same time, the possibility of substituting another person for the regional governor during crisis situations should the regional governor be unable to perform their duties for serious reasons. This proposal is based on the fact that the Act sets out exhaustively the powers and duties that only the governor is entitled to exercise, including the declaration of a state of danger for the territory of the region or a part thereof, and does not give the possibility to delegate these powers and duties.

c) Completion of the unified crisis management information system

It appears that the current crisis management information system does not match the capabilities it could have in terms of the information technologies and systems used. Although many things have improved, different information systems are still used at different levels of management, and as a result, the coherence of information communication and consistency in the processing of security and other documentation suffers. Building a truly unified information system would create a comprehensive tool to support rapid and informed decision-making for crisis management authorities at all levels, including up-to-date data to support this rapid and important decision-making. Furthermore, this information system could include an information portal that would inform the public nationwide about the occurrence of an emergency or crisis situation and the measures taken and implemented.

d) Safety field education

The education of experts in the field of security policy in the Czech Republic is spread over many fields of study. It is good from the point of view of the possibility of a detailed study of the issue, but there is practically no system to ensure that this education is at the appropriate level in terms of the necessary knowledge of the lecturers and their approaches to current materials. The proposed solution in this area is to more intensively involve the existing departments and faculties involved in this teaching in the field of research and development within the power departments (mainly the Ministry of the Interior and the Ministry of Defence).

It is therefore recommended that an audit of the existing range of study programmes related to security issues should be undertaken. Recommend to the Ministry of Interior, Ministry of Defence and Ministry of Foreign Affairs to use the capacities of these workplaces for information and research needs of the department. Coordination of the education process should be addressed and implemented in close connection with the approved "Update of the Concept of Education in the Field of Crisis Management" (SSC resolution No. 14/2004 and updated in 2017; coordinator of the Ministry of the Interior), including the involvement of universities (with an emphasis on VŠB - TU Ostrava, the University of Defence and the Police Academy), higher vocational and secondary schools and the Institute of State Administration and the Educational Institute of Public Administration. A weakness is in the area of training of the local government concerned. Given the relatively frequent turnover of positions based on election results, their training in crisis management appears to be a continuous process. Even given the previous

profession of elected officials, it is necessary to start from the very basics. Since, for example, the mayor of a municipality has to acquire knowledge of a wide range of legal norms and implementing regulations related to the daily activities of the municipality within a short period of time, the area of preparation for security issues is often put on the back burner. To some extent, the solution would be to develop detailed procedures for individual types of emergency and crisis situations, which could be followed without prior training in the field. Another possible option would be to train one of the volunteer firefighters in the municipality who could assist the mayor in orientation and decision-making in dealing with emergencies and crisis situations.

e) Typical activities of Integrated Rescue System

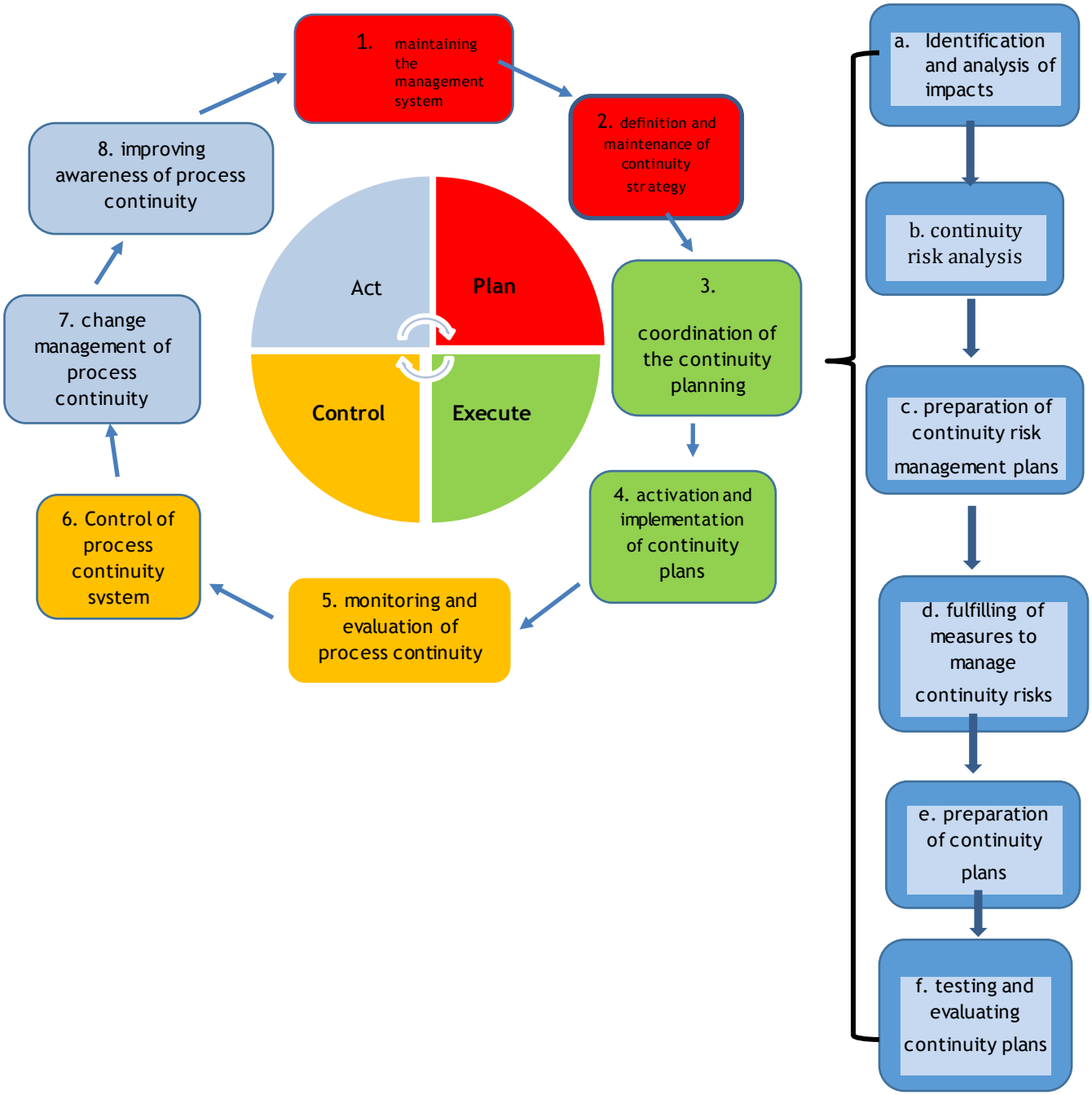
It turns out that the decision on the processing of typical activities of Integrated Rescue System (IRS) during joint intervention (§ 18 of Decree No. 328/2001 Coll. of September 5, 2001 on certain details of IRS, as amended by Decree No. 429/2003 Coll.) as a procedure of the IRS during rescue and liquidation work, taking into account the type and nature of the emergency, was correct and is a fundamental contribution to the fast, reliable and safe operation of the IRS. Although the process of elaboration of other new type activities is constantly underway, it would be preferable to elaborate a type activity on the issue of "Reaction to a chemical attack", similarly to the elaboration of STČ 01/IZS Dirty Bomb. Currently, only the type activity STČ 13/IZS Reaction to a chemical attack in the metro is processed. We also propose to consider elaborating the experience gained from Covid-19 into other type of activities in terms of dealing with other similar viral infections. Another possibility is undoubtedly the processing of the type activity for "tornado", which was significantly underlined by the devastating natural disaster "Tornado in South Moravia" in June 2021, where, among other things, there were six dead people and about 200 persons hospitalized.

f) Activity continuity management

The aim of Activity (process) continuity management is to ensure that the organization operates within an acceptable time limit, even in the event of any disruption to its operations. Within this process, situations that are not dealt with in documents related to the preparation for and handling of crisis situations (Act No. 240/2000 Coll., etc.) or emergencies (Act No. 239/2000

Coll., etc.) are dealt with or supported (elaborated in more detail). This area is not sufficiently secured in many organizations (including entities and critical infrastructure elements).

Picture 1: Phases of process continuity management



Source: Directive on the process continuity management system in the state organization Railway administration SŽ SM094

Therefore, it is necessary for organizations to create a continuity strategy and set achievable and consistent goals of the process continuity management system for a specified period of time, possible risks, plan the resources needed to perform tasks in the system and keep track of them. Inputs for creating a strategy are information about the organization's processes, the current status of the organization's continuity management system, information about the risk management strategy, the security management strategy and other relevant strategies of the organization, and knowledge of the organization's current needs and risks in the area of ensuring the continuity of processes.

The result of the whole process should be the preparation of "Process Continuity Risk Management Plans". Their processing mainly achieves:

- Reducing the impact of incidents;
- increasing the resilience of the organization with an emphasis on limiting the impact of incidents;
- ensuring the continuous functioning of the organization;
- meeting the requirements of applicable legal standards and other regulations in the security field;
- increasing the efficiency of investments spent on ensuring the continuity of the organization's activities;
- a systemic approach to the issue of activity continuity management, its continuous improvement and improving the functioning of the organization's management processes;
- increasing overall security awareness across the organization regarding continuity management.

g) Preparation of the population for handling emergency events and crisis situations

In the long term, this area is the biggest weakness of the security system of the Czech Republic. Population preparedness is only partially and unsystematically addressed. In primary, secondary and vocational schools, the subject "Protection of Man in Emergencies" is taught only 6 hours a year, which is currently quite insufficient. Unfortunately, the efforts of the expert committee at the General Directorate of the Fire and Rescue Corps of the Czech Republic to introduce a separate subject are still unsuccessful. The introduction of a separate subject would undoubtedly be very positive and the overall level of preparedness of primary school pupils and secondary

school students would noticeably improve. Preparedness of the population to cope with emergencies and crisis situations is a very demanding, complex and long-term process, which must be based on the current state of scientific knowledge, but also on scientific forecasts of future developments. In the Czech Republic, there is a noticeable lack of a "System for the preparation of the population for handling emergency events and crisis situations". This dismal situation is solvable, ideally in the form of a scientific research project on security. The new system created should then be tested as a pilot project, followed by a phase of introduction into social practice.

h) Preparing citizens for national defence

Preparing citizens for national defence (POKOS) is an integral part of national defence planning. Pursuant to the provisions of Section 52 of Act No.222/1999 Coll., on ensuring the defence of the Czech Republic, the preparation of citizens for the defence for national defence is voluntary and has the character of education, unless otherwise provided by law or other legal regulation. The Ministry of Defence manages the preparation of citizens for national defence. In reality, this training takes place mainly as education in schools or through leisure activities. It usually takes place in the form of lectures, talks, trainings, competitions, activities of military subjects, presentations for the public, etc.

Given the situation in Europe and the world, preparing citizens for national defence is currently gaining in importance and relevance. The results of the research show that the system of this education is set up correctly. A certain weakness appears to be that, in terms of professionalism, this training can only be carried out by persons who have undergone specific training focused on knowledge in the area of defence and civil emergency planning with an emphasis on knowledge of the activities of individual specialties and components of the Army of the Czech Republic, weapons systems, the effects of weapons of mass destruction, operational preparation of the national territory, protection of the population, etc. This knowledge is practically available only to professional soldiers or reservists. It would therefore be advisable to further expand the education of students at faculties of education on this issue so that they can teach this issue independently in schools. Soldiers could then focus more on methodological guidance and specific professional assistance, including the organization of practical demonstrations, etc.

ANALYSIS OF THE STATE OF PLAY AND POSSIBILITIES FOR OPTIMIZATION IN THE FIELD OF COUNTER-TERRORISM

a) Ensuring and updating basic counter-terrorism documents

The key document that regulates the strategic framework of the fight against terrorism in the **Strategy of the Czech Republic for the fight against terrorism since 2013** (further on in this chapter only "Strategy"). In terms of content, the Strategy covers five key areas – cooperation between interested parties in the fight against terrorism, population protection and other potential targets, security research and communication with the public, prevention of radicalization and recruitment into terrorist groups, and the necessary insight into the legislative anchoring of the issue of the fight against terrorism. The full content of the Strategy is still valid and it is not necessary to change it at this time. To implement the Strategy, the Government of the Czech Republic adopted a new **Action Plan for the fight against terrorism for the years 2016 to 2018** on 31 August 2016. This Action Plan consists of three separate documents. These are the "**Legislative Proposals in the Field of Internal Security**" and the "**Anti-Terrorism Package**", both of which contain specific steps to reduce the risk of a terrorist attack and the negative consequences associated with it. The third document is the "**Proposal for Measures to Increase Security at International Airports in the Czech Republic**" of the Ministry of the Interior, which contains some measures in the field of civil aviation security.

b) Status in the Legislative field

The Czech Republic does not have a special "anti-terrorism law"; however, the issue of criminal liability for terrorism is fully covered by the **Criminal Code** (40/2009 Coll.). Here, the following paragraphs in particular are relevant to terrorism: §311 (Terrorist Attack), §312 (Terror), §272 (General Endangerment), §290 (Gaining Control of Aircraft, Civilian Vessel and Fixed Platform), §292 (Taking of Aircraft Abroad), §314 (Sabotage), §140 (Murder), §174 (Hostage Taking), §175 (Extortion), §279 (Unlawful arming), §280 (Development, manufacture and possession of prohibited means of warfare), §281 (Unlawful manufacture and possession of radioactive substance and highly dangerous substance), §282 (Unlawful manufacture and possession of nuclear material and special fissile material) and §357 (Spreading of alarm). In some cases, also (verbal) offenses disturbing human coexistence § 352 to 356 (e.g. Dangerous threats, etc.).

An **amendment to the Criminal Code** is currently in the legislative process, which further regulates issues such as the financing of terrorism, support and promotion of terrorism, and threats of terrorist offenses. According to the proposal, this should include amendments to § 311, § 129 (where the term "Terrorist Group" is newly defined), § 312, § 361. The amendment is also related to an amendment to Act No. 141/1961 Coll., on Criminal Procedure (Criminal Procedure Code). This amendment specifies some of the facts and avoids some interpretative issues, thus enabling more effective prosecution of terrorism-related crimes. Some partial shortcomings in the existing legislation that may have an impact on the fight against terrorism (e.g. storage of data from telecommunication traffic, use of intelligence information in evidential proceedings, or extension of controls on cross-border transfer of cash) are discussed in more detail in the document "Legislative proposals in the field of internal security".

Recommendations - a series of draft measures have already been adopted by the Government in 2016 in two documents:

c) Anti-Terrorism Package[13]

- Retention of telecommunications traffic data
- Act on the Office for Foreign Relations and Information
- Intelligence information as evidence
- Cancellation of residence of a foreigner who is on the territory of the Czech Republic
- Classified information in administrative proceedings
- Proceedings for granting international protection at the internal border
- Events with a larger number of people (mass events) and police powers
- General evaluation of the current legislation in the area of the punishment of terrorism and related security threats
- Expanding controls on the cross-border movement of cash

d) Legislative proposals in the field of internal security

- Paying attention to the issue of radicalization and recruitment. It is necessary for the relevant authorities to pay attention to the signs of radicalization of individuals or small groups (not only) in the Muslim community environment - this radicalization can manifest

[13] The material is classified according to Act No. 412/2005 Coll., on the Protection of Classified Information and Security Clearance, as amended, therefore it is not possible to include the proposed measures in the text of the Audit.

itself in different ways, e.g. through social networks or other activities in the cyber environment. It is important for the state to intervene when persons who may have a wider influence on a given community (e.g. Imams) abuse their position to spread extremist interpretations of Islam that are incompatible with the principles of a democratic society, or directly call for violence.

- In this regard, it is also advisable to monitor the financing and support of similar activities from abroad.
- Attention must also be paid to radicalization in Prisons - experience from Western Europe shows that the criminal environment is an important radicalization factor.
- To strengthen measures in relation to an active attacker - in particular, continue to practice riot police in AMOK-type events, the creation of a register of offenses, etc.
- To pay attention to the issue of protecting soft targets from terrorist attacks. Attacks on soft targets can be prevented (or their consequences mitigated) by strengthening their security (but it is necessary to balance the aspect of security with the aspect of cost and effectiveness), but also by training the personnel of these places, etc. The general problem with the security of soft targets is that these are mostly owned by private subjects, and the cooperation of the state with the private sector and the participation of the soft targets themselves in their security is therefore key in this regard. The Ministry of Interior was tasked by the government with the task of preparing a proposal for the creation of a nationwide system of support for the security of selected soft targets. This activity builds on long-term experience from cooperation, for example, with the owners of Jewish objects.
- In connection with the issue of foreign fighters, it is also necessary to pay attention to the issues of the formation of paramilitary groups on the Czech territory and the foreign influence.
- Strengthening the protection of critical infrastructure, both physical and cybernetic.
- Support for long-term development of communication infrastructure and technologies of public administration and eGovernment for use in ensuring internal order and security, state security and crisis management.
- The adoption of an amendment to the Criminal Code prepared by the Ministry of Justice, which also regulates certain provisions in relation to terrorism.

- To propose a legislative change that would allow intelligence services and law enforcement authorities in urgent cases to deploy, on the basis of specific information, actions normally subject to the approval of another state authority (typically a court) immediately, with the request for authorization being submitted within an additional period (e.g. 48 hours). Typically, these would be cases where it is possible to prevent the commission or recurrence of a terrorist attack, as well as to subsequently clarify and minimize the harmful consequences of terrorism.
- To propose an amendment to legislation that would allow immediate access for the purpose of identifying or verifying knowledge of terrorist offenses to information about the owners and disposers of bank and similar accounts, the accounts that are in contact with the account of interest, the balance in the account of interest, and that would allow access to a statement of financial transactions in the account of interest.
- An amendment to the legislation to allow, among other things, the prosecution of service in non-state foreign forces is currently being addressed in a working group of the Ministry of Justice. This area should certainly be included among the issues that this chapter of the Audit recommends be addressed.

CONCLUSION

Today's world is undergoing significant dynamic changes that affect all areas of our lives, not least the security environment. In addition to the phenomenon of terrorism, we are constantly confronted by natural disasters, technological crashes, accidents and other serious security risks that have significant negative consequences, whether it is loss of life, health, property or the environment. Security risks and threats are highly variable. They combine. Therefore, expanding knowledge and sharing information is an absolute must. From the variability of the risk and threat characteristics, it can be concluded that the frequency of information, instructions and procedures will never be sufficient. The authors of this article attempted a short analysis and evaluation of the current state of the security system of the European Union and the Czech Republic, with a focus on improving the protection of the population and crisis management. This is a vast and important area of societal security that is in constant and sometimes tumultuous and unexpected evolution, see the recent war conflict in Ukraine. Under the constitutional order of the Czech Republic, the state is obliged to ensure the security of its

citizens so they can live a good life. For this purpose, it creates a security system that develops tools to strengthen the protection of the population. The population protection is undoubtedly an area that deserves high attention. Unfortunately, "population protection" as an important security area is not separately addressed by law, but only partially addressed in Act No. 239/2000 Coll., and Executive Decree No. 380/2002 Coll., which is already outdated.

The stated proposals and recommended measures in this treatise have the task of provoking an expert discussion on the subjects in question and further developing the assignments and tasks specified in the government's programme statement and the basic strategic and conceptual materials discussed in the State Security Council and approved by the government of the Czech Republic. Within the EU, it is also necessary to think deeply about the need to deepen mutual cooperation and thereby optimize the security management system between EU member states as well. This discussion should be reflected in qualitative changes in certain legal regulations, updates of conceptual and strategic materials and the adoption of measures to optimize the security system in relation to developments and changes in security threats.

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