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THE POSSIBILITIES OF TRANS-FRONTIER CO-OPERATION WITHIN THE CRISIS MANAGEMENT IN PUBLIC ADMINISTRATION OF THE SLOVAK REPUBLIC

Abstract. The author presents findings and results of a research performed by experts of the School of Economics and Management in Public Administration in Bratislava in the city districts of Bratislava, the capital city of the Slovak Republic, as well as in municipalities within Bratislava self-governing region bordering to the Austrian region of Burgenland and Salgotarjan city on the Hungarian side. There have been applied standardized research methods. The results are verified by Delphi expert method. The presented results have confirmed the work hypothesis that the frontier cities and municipalities in the Slovak Republic have ability and capacity to provide mutual aid related to the natural disasters. The study presents conclusions and recommendations how to improve the current situation in trans-frontier co-operation during the crisis situations.

Keywords: frontier municipalities; trans-frontier co-operation; mutual aid; natural disaster.

JEL Classification: H12

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МОЖЛИВОСТІ ТРАНСКОРДОННОГО СПІВРОБІТНИЦТВА ОРГАНІВ ПУБЛИЧНОЇ АДМІНІСТРАЦІЇ В РАМКАХ АНТИКРИЗОВОГО УПРАВЛІННЯ У СЛОВАЦЬКІЙ РЕСПУБЛІЦІ

Анотація. У статті представлено висновки і результати дослідження, проведеного фахівцями Вищої школи економіки та державного управління у Братиславі в міських районах Братислави, столиці Словаччини, а також у муніципалітетах Братиславської самоврядної області, що межують із австрійською областю Бургенланд та угорським містом Шалготар'ян. Застосовувалися стандартні методи дослідження. Отримані результати було перевірено експертним методом Delphi. Вони підтвердили робочу гіпотезу, що прикордонні міста та муніципалітети у Словаччій мають достатній потенціал і здатність для надання взаємної допомоги у зв'язку зі стихійними лихами. Автором розроблено рекомендації щодо підвищення ефективності транскордонного співробітництва під час кризових ситуацій.

Ключові слова: прикордонні муніципалітети; транскордонне співробітництво; взаємодопомога; стихійне лихо.

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ВОЗМОЖНОСТИ ТРАНСГРАНИЧНОГО СОТРУДНИЧЕСТВА ОРГАНОВ ПУБЛИЧНОЙ АДМИНИСТРАЦИИ В РАМКАХ АНТИКРИЗИСНОГО УПРАВЛЕНИЯ В СЛОВАЦКОЙ РЕСПУБЛИКЕ

Аннотация. В статье представлены выводы и результаты исследования, проведенного специалистами Высшей школы экономики и государственного управления в Братиславе в городских районах Братиславы, столице Словакии, а также в муниципалитетах Братиславской самоуправляющейся области, которые граничат с австрийской областью Бургенланд и венгерским городом Шальготарьян. Применялись стандартные методы исследования. Полученные результаты были проверены экспертным методом Delphi. Они подтвердили рабочую гипотезу, что пограничные города и муниципалитеты в Словацкой Республике имеют достаточный потенциал и способность для предоставления взаимной помощи в связи со стихийными бедствиями. Автором разработаны рекомендации относительно повышения эффективности трансграничного сотрудничества во время кризисных ситуаций.

Ключевые слова: пограничные муниципалитеты; трансграничное сотрудничество; взаимопомощь; стихийное бедствие.

Introduction. The geographical location of the Slovak Republic in the middle of Europe with the overall length of state border 1,652.8 km; the neighbourhood with Austria, the Czech Republic, Poland and Hungary, the EU member states, at a common internal border of the Schengen Area, and the neighbourhood with Ukraine as a non-member state of the EU at the 977 km long external border of the Schengen Area; and the existence of both external and internal security threats to state (Simak & Ristvej, 2010) [1] and its citizens predetermine Slovakia to develop good relationships with neighbours, based on common values, common history, family ties, culture as well as common economic activities. This was seen in Slovak studies (Tancosova & Svecova, 2012; Gecikova, 2013) [2; 3]. One of the international co-operation tools used by Slovakia is trans-

frontier co-operation. This specific co-operation is part of the management of public administration authorities in frontier areas, including cases of providing mutual aid in natural disasters and catastrophes as follows (Filip & Kovac, 2012) [4].

State security and the protection of individual and collective rights and fundamental freedoms of citizens under the Constitution of the Slovak Republic No. 460/1992 Coll., international agreements [5] and respective laws and other legal regulations are the main responsibility of state authorities and institutions. The exercise of state power in this field is carried out by public administration authorities in an extent and in a way stipulated by respective laws.

Since its establishment in 1993, the Slovak Republic has sought the development of international co-operation in comp-

liance with the security strategy of state. This effort has resulted in the execution of a wide range of bilateral agreements with the neighbouring countries, accession process and the membership of SR in the EU, NATO, the Council of Europe and OSCE. The accession processes required the adoption of respective laws and lower legal norms also in the field of crisis management by the first half of 2004. Further milestone in international co-operation is the accession of SR and its neighbours in the Schengen Area on 21st December 2007, which resulted in changes in crossing external and internal borders. The last change has a significant impact on trans-frontier co-operation in the field of security and crisis management of SR and its neighbours is the adoption of the Treaty on European Union and the Treaty on the Functioning of the European Union in December 2009.

Brief Literature Review. The legal resources of trans-frontier co-operation are determined by international and national legal regulations. The general framework of co-operation between territorial communities or authorities of the neighbouring countries is shaped by the European Outline Convention on Trans-frontier Co-operation between Territorial Communities or Authorities, which was adopted by the Council of Europe in Madrid in May 1980. The Convention's preamble states that the Council of Europe also regards, besides others, the provision of mutual aid in case of catastrophes within trans-frontier co-operation (see in Ministry of Justice of the Slovak Republic. JASPI. 2001).

Referring to the provisions of Article 3, Clause 2 of the European Outline Convention, the government of SR limits the co-operation by the fact that its application in the Slovak Republic conforms to the conclusion of interstate agreements (it can be seen in Ministry of Interior of the Slovak Republic, 2014) [6]. Concluded interstate agreements, however, limit the co-operation by specifying territorial communities and authorities on both Slovak and neighbouring sides, which can conclude public as well as private co-operation agreements only within their scope of activities resulting from the legislation of the individual states.

This measure exempted the self-governments of territorial communities (towns/municipalities and self-governing regions) from the framework of trans-frontier co-operation in case of catastrophes. Only the Ministry of Interior of the Slovak Republic is competent to conclude agreements on mutual aid in case of catastrophes with the neighbouring countries at the national level. SR has concluded the following agreements with the neighbouring countries:

- Agreement between the Government of the Slovak Republic and the Government of the Hungarian Republic on Co-operation and Mutual Aid in Case of Catastrophes – in force since 22nd October 1997;
- Co-operation Agreement between the Slovak Republic and Austria on Co-operation and Mutual Aid in Case of Catastrophes – in force since 1st November 1998;
- Agreement between the Slovak Republic and the Czech Republic on Co-operation and Mutual Aid in case of Emergency – in force since 12th December 2000;
- Agreement between the Government of the Slovak Republic and the government of the Polish Republic on Co-operation and Mutual Aid in Case of Catastrophes, Natural Disasters and Other Serious Accidents – in force since 14th November 2002;
- Agreement between the Government of the Slovak Republic and the Cabinet of Ministers of Ukraine on Co-operation and Mutual Aid in case of Emergency – in force since 1st January 2003.

On the grounds of the aforementioned intergovernmental agreements, only the district offices of the region towns are authorised by the Minister of Interior to conclude agreements on trans-frontier co-operation at regional level. The district offices of the region towns have concluded «Agreements on Voluntary Provision of Mutual Aid in Case of Catastrophes and Information on Possible Occurrence and Occurrence of Such Events, Which Consequences Can Threaten the Territory of the State of the Other Party in the Frontier Area of Respective Region (SR) and

Territorial Community (the Neighbouring Country)». Conventions include «Conventions on Co-operation» between competent authorities of respective neighbouring regions. They include information on basic terms and agreed signs, extracts from the analysis of security risks of respective region and on possible threats to persons and property as it in study (Simak, Holla, & Ristvej, 2010) [7]. They further include information on powers and means allocated for rescue, localisation and liquidation works for the needs of a territory, and a plan of connection, notification and warning of employees itself.

Valid Schengen Agreement enables free movement of people, goods and services means in the common area. A special article of the agreement specifies conditions of co-operation of the police forces of the EU member states at internal borders, enabling the police forces of neighbouring countries to cross internal borders of the Schengen Area in cases of pursuing perpetrators of serious crimes without a prior request for the approval of state border crossing. Unfortunately, this agreement does not include provisions similarly stipulating rules of internal border crossing by rescue units at times of natural and civilizational catastrophes.

Purpose. To analyse and evaluate legal framework of the present state of trans-frontier co-operation of SR with the neighbouring countries. To present the results of research activities at School of Economics and Management in Public Administration in Bratislava, particularly regarding the management processes of public administration authorities upon requesting and providing mutual aid in crisis situations, as well as the results of a research on present possibilities of the neighbouring towns self-government representatives and municipalities to request and provide mutual aid in crisis situations. To identify strengths and weaknesses in a present state, and within discussion, to define some proposals to enhance it.

Results. In order to evaluate the present state of the public administration authorities processes management realistically, a scientific research of management processes in the focal point of the Integrated Rescue System were conducted towards public administration authorities, as well as a sociological research of the mayors of towns and municipalities, and city districts authorities of Bratislava.

The analysis and evaluation of management processes regarding the request and provision of mutual aid by neighbouring countries were carried out at the District Court of Banská Bystrica Region and other crisis management state authorities competent in the solution of a model crisis situation in the frontier area of Novohradsko (districts of Lucenec, Poltar and Velký Krtíš) in a situation if the Slovak side requests aid from a neighbouring country (Salgotarjan city on the Hungarian side). This was seen in the doctoral dissertation (Filip, 2007) [8].

The main goal of the research was to verify the basic hypothesis that the present state of management processes, even though corresponding to the agreed procedures, is tedious, complicated and little effective regarding life-saving and health protection of endangered population and mitigation of damages to property and environment.

The first part of the research was conducted using PERT operational analysis. Results confirmed the formulated hypothesis. For instance, time from the moment of the notification of integrated rescue system of the occurrence of an emergency on telephone number 112 to the notification of crisis management authorities of a neighbouring country at regional level can be minimum 37 minutes and maximum 44 minutes. The notification of the occurrence of an emergency at national level can be carried out in minimum 43 minutes and maximum 50 minutes. Even more complicated and tedious are management processes regarding an approval for a neighbouring country to provide aid. In order to deliver a request of the national authority of SR (Crisis Management Department of the Ministry of Interior of SR) to a neighbouring country, it is necessary to carry out ten consecutive activities and two parallel ones with duration of minimum 86 minutes and maximum 93 minutes, which can almost be irrelevant for the effectiveness of aid provision. The present state of management processes and a possible proposal for improvement are shown in figure (see Figure).

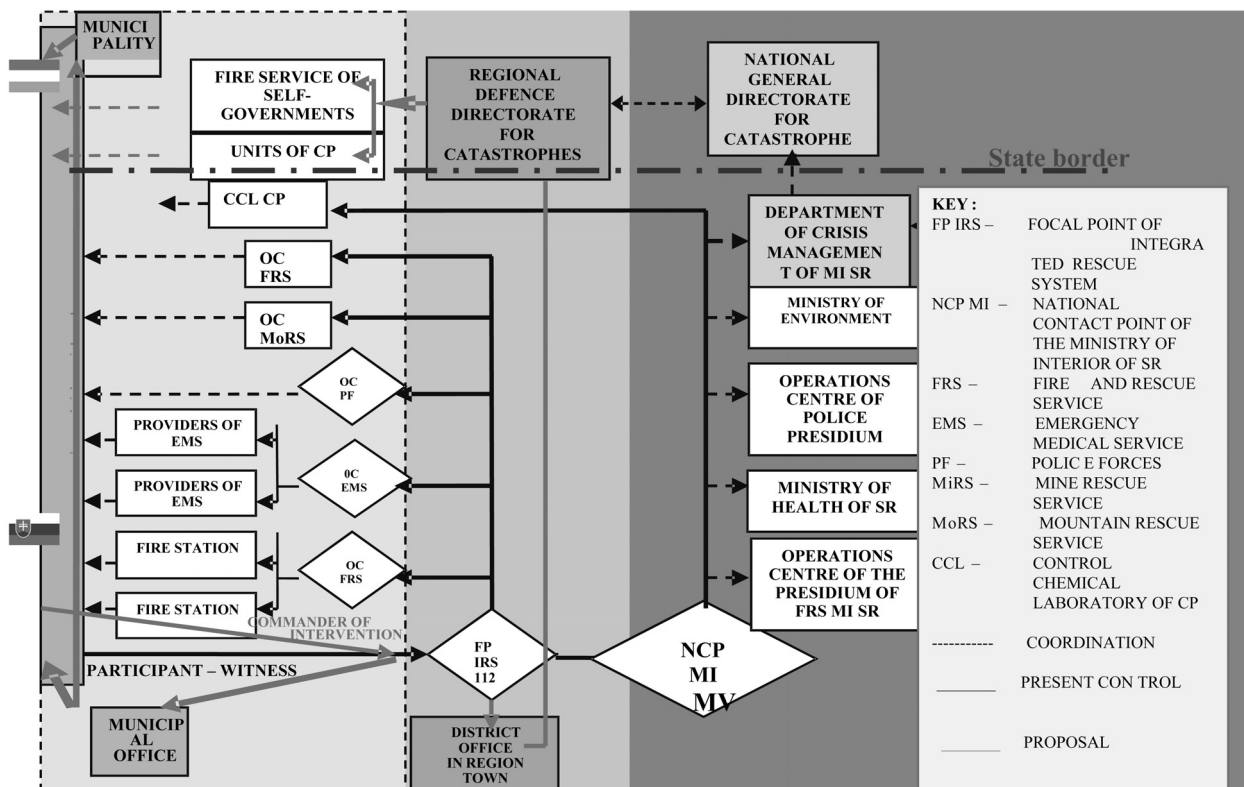


Figure: Proposal of a new model of the trans-frontier co-operation management in case of catastrophes on the internal border of the Schengen Area. An example of the Slovak Republic and the Hungarian Republic
 Source: Author elaboration according to (Filip, 2007) [9]

The second part of the research was focused on the evaluation of the present state of possibilities of towns and municipalities of Bratislava Region bordering to the Austrian region of Burgenland to provide, respectively request mutual aid in case of catastrophes. The research was conducted by means of a sociological questionnaire with a guided interview with a sample of 13 mayors of municipalities and city districts of Bratislava, the capital of Slovakia. Results showed substantial facts:

- the representatives of municipalities in the frontier area are aware of the risks of the occurrence of catastrophes at their territories, resulting in possible endangering of their own citizens and municipal territory (87.5% of the interviewed);
- the representatives of municipalities in the frontier area are not aware of the ways how to warn citizens and notify mayors of a forthcoming catastrophe from a neighbouring country (75.0% of the interviewed);
- respondents are not aware of the present trans-frontier co-operation model of state administration authorities in case of catastrophes (75% of the interviewed);
- the mayors of municipalities in the frontier area are interested in concluding agreements on mutual aid provision in case of catastrophes with voluntary rescue units (municipal fire service, voluntary service of civil protection) and citizens of neighbouring territorial self-government authorities (90.0% of the interviewed);
- the mayors of municipalities in the frontier area are not aware of the possibility to use financial support of the EU programmes of trans-frontier co-operation between the Slovak Republic and Austria (88%).

On the grounds of the aforementioned results, strengths and weaknesses of the present state of trans-frontier co-operation can be identified as follows:

- *strengths* – the existence of a legal framework of trans-frontier co-operation at both national and regional levels, the existence and functioning of the Integrated Rescue System, intense co-operation of crisis management authorities of district offices of the region towns by means of the exchange of

experts and information, by means of carrying out common practice and participation in common projects focused on solving crisis phenomena in frontier areas, interest of the representatives of towns and municipalities of neighbouring territorial areas to conclude agreements and actually provide mutual aid in case of catastrophes.

- *weaknesses* – complex and tedious management processes of requesting and providing mutual help of neighbouring states in case of natural disasters and catastrophes, impossibility of professionals and voluntary rescue units to cross internal borders of the Schengen Area without a prior written request of the approval from competent ministers of neighbouring states, low extent of the engagement of territorial self-government representatives in frontier areas in the organisation and adoption of trans-frontier co-operation in case of catastrophes.

Discussion: Perspectives of Trans-frontier Co-operation of Territorial Communities in case of Catastrophes

Accession of the Slovak Republic and the neighbouring EU member states in the common Schengen Area in 2007 also created room for the legalisation of crossing the EU internal border by the rescue units of neighbouring countries.

Increased effectiveness in mutual aid provision in case of natural disasters and catastrophes by the representatives of territorial self-government authorities and local state administration in frontier areas, and facilitation of the crossing of EU internal borders by voluntary and professional rescue units can be achieved by means of legislative, organisational and technical changes at both national and international levels.

It is necessary at the *national level* to review the organisational structure of state management system in crisis situations, aiming at achieving a unified system of state crisis management at national, regional as well as local levels (Gecikova, 2013) [9]. It is recommended in this relation to enable the self-governments of towns and municipalities of frontier areas, by means of legislative changes, to conclude agreements on co-operation and provision of mutual aid in case of catastrophes with a local

extent of consequences; and enable district offices of the region towns to request aid directly from adjacent regional crisis management authorities of the given country by means of own focal points of the Integrated Rescue System.

There are two ways at the *international level* to reinforce cooperation in requesting and providing mutual aid. First of all, it is recommended to *modify the existing intergovernmental agreements* on co-operation and mutual help in case of catastrophes, eliminate the complexity of procedures of submitting requests for aid provision through the given national authority, and to contractually simplify and accelerate internal border crossing for voluntary and professional rescue units of the Integrated Rescue System. As an alternative to this solution, it is recommended to *initiate a change to the Schengen Agreement* by adding a separate section dealing with the principles of the EU internal border crossing by the rescue units of neighbouring countries without a prior request of an approval from a national authority.

Besides the aforementioned legislative and organisational measures, it is recommended to interconnect information and communication systems of crisis management authorities and fast warning of citizens and notification of competent authorities on both sides of the EU neighbouring states.

The adoption of the aforementioned measures could result in a new model of trans-frontier co-operation upon mutual aid provision in case of catastrophes. Its advantage would be a higher speed of information transfer, greater effectiveness of the management processes of crisis management authorities, and last but not least, a significantly more efficient mutual aid of voluntary and professional rescue units.

Conclusions. The presented results of the research confirm that there is a variety of cases of crisis situations, arising in the frontier areas of neighbouring countries and requiring the provision of mutual aid by professional as well as voluntary rescue units. The current legal status of trans-frontier co-operation is ineffective and does not reflect possibilities provided due to the membership of the Slovak Republic and its neighbouring countries in the EU and Schengen Area.

Over seven years of the membership of the Slovak Republic in the Schengen Area have brought sufficient knowledge and experience which could serve as a basis for reviewing its current legal status. Proposed measures represent a basic contribution to the professional discussion of the representatives of competent crisis management authorities, scientists and politicians in whole Europe, aiming at creating synergy to achieve changes for the benefit of citizens.

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