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Protection of the Civilian Population in the Times of Armed Conflicts and Natural Disasters.

Case study of a medium-sized town.

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Abstract— The paper discusses the level of preparedness for the protection of civilians during armed conflicts and natural disasters. The author describes the Polish civil defence system on the example of a medium-sized town - Bielsko-Biala. The paper begins with the presentation of the legal status of civil protection in Poland. Next the paper looks at the personal and material resources of the system as well as the organizational structure of civil defence in the town of Bielsko-Biala. In the conclusion of the paper, the author assesses the level of preparedness of the local administration to respond to a serious crisis. The conclusions of this assessment are very critical.

Keywords— protection of civilians, the Civil Defence, armed conflicts, natural disasters, local administration

I. INTRODUCTION

The security situation in the immediate geo-political environment of Poland has been subject to drastic transformations recently. These transformations are related to three processes occurring simultaneously in Europe. The first process refers to the increased threat of terrorist attacks not only from Jihad organisations but possibly also from domestic far-right and far-left political wings. The second process is connected to the migration crisis in which some countries (e.g. Turkey, Belarus) use migration as a non-military means of exerting pressure. The third, this time a military process, concerns aggressive politics of the Russian Federation towards countries of central and eastern Europe surmounted by the attack on Ukraine on 24 February 2022.

The above mentioned occurrences in Europe are accompanied by a number of global phenomena which also have an enormous impact on the security of Poland. One such phenomenon is ever increasing dependence on information technologies of both individuals and state institutions. The

overdependence exposes the society to cyber attacks and intensifies the probability of information warfare with the use of hybrid activities. Yet another global phenomenon impacting the sphere of security is the SARS-COV-2 pandemic and worsening social moods which are characterised by aggression and catastrophism. When it comes to threats related to natural disasters, the most significant is climate disaster and extreme weather conditions which in Poland are often manifested as torrential rains and severe winds.

Such developing and deteriorating security environment of Poland calls for dynamic adjustments in national policies with regard to protection of civilians in case of an armed conflict or a natural disaster. In Poland the uniformed agency responsible for undertaking such activities and facing such challenges is Civil Defence Corps.

Sadly, in contrast to military aspects of a state's security which are widely discussed and examined by researchers, the subject matter of protection of civilian population has not been raised a lot in serious scientific publications and studies. Deliberations on the condition of the Polish civil defence are only limited to scarce papers in specialist journals (Michailiuk, Denysiuk and Szulc, 2021; Adamkiewicz, 2020; Górski, 2016) and rare monographies (Gawęcka and Wojtycza, 2018). The access to information which could offer a reliable insight into the workings of Civil Defence is also limited because since 2018, following the decision of the Head of the National Civil Defence, annual reports on preparedness to protect civilian population have not been published. The decision to cancel publication of the reports was probably caused by very critical reception of these reports in previous years.

The aim of the paper is not to present a comprehensive analysis of the Polish civil defence system but to outline the general legal and organisational status and the potential of the



Civil Defence Corps for a medium-sized town such as Bielsko-Biała. The assessment of the potential is hoped to help find the answer to the question about the real, not postulated in official documents, condition of readiness of Poland to protect its civilian population in case of an armed attack or a natural disaster.

II. LEGAL STATUS OF CIVIL DEFENCE IN POLAND

Legal framework for the functioning of the Civil Defence Corps in Poland is rooted in international law, most of all in international humanitarian law. The basic legal acts in this respect are still the so called Geneva Conventions and two additional protocols. For the protection of civilian population the crucial role plays IV Geneva Convention Relative to the Protection of Civilian Persons in Time of War of 12 August 1949. Detailed legal foundation for appointment and functioning of organisations and institutions of civil defence is laid down in Additional Protocol (1) to the Geneva Conventions, 1977.

The rules relevant to functioning of the Civil Defence Corps stipulated in international law have been implemented into Polish domestic legal system on the levels of acts and implementing regulations. Since 1967 the issues pertinent to civil defence were regulated by the Act of 21 November 1967 on universal obligation to defend the Republic of Poland (Journal of Laws of 2021, item 372) and the Regulation of the Council of Ministers of 25 June 2002 on the detailed scope of activities of the Head of National Civil Defence, heads of civil defence of voivodeships, poviats and communes (Journal of Laws of 2002, No 96, item 850). It should be noted that the Act and the Regulation were many times amended with the most important changes introduced after the political transformation of 1989 due to restitution of local government units (communes – 1990, poviats – 1998).

Despite the above mentioned adjustments, it seems obvious that the contents of legal foundations for the Civil Defence in Poland still need to be verified and updated (among others Michailiuk, Denysiuk, Szulc, 2021, p. 9). Indeed, attempts with this respect have been in progress for years. For example, on 29 December 2017, a draft of a new act on protection of civilian population and civil defence was referred for government consultations. The draft formulated tasks, rules of functioning and activities, formations and financing of tasks related to protection of citizens and civil defence. However, the draft vanished from the agenda of legislative work of the Polish government to return there on 9 October 2019 and its amended version was published on 2 January 2020 as number UD24. Unfortunately, in the next two years the draft was stuck in the inter-departmental phase and was never considered by the Parliament until March 2022 when the work on the draft was accelerated and completed following the Russian aggression on Ukraine. The new Polish Homeland Defence Act, passed on 11 March 2022 is a comprehensive legislation for the country's defence matters. Nonetheless, comprehensive as this Act may be, it lacks important provisions on civil defence, which in the previous Act on Universal Obligation to Defend were provided

for in section IV. The deficiency of the Homeland Defence Act calls for a prompt adoption of a yet another act devoted specifically to civil defence as relevant provisions present in section IV of the old act have been repealed by the new Act. In February 2022, the Chief of the National Civil Defence Corps sr. brigadier Andrzej Bartkowiak announced that a draft of the new act on civil protection will be referred promptly to the Parliament (Mikołajczyk, 2022).

III. ASSESSMENT OF PREPAREDNESS FOR PROTECTION OF CIVILIANS

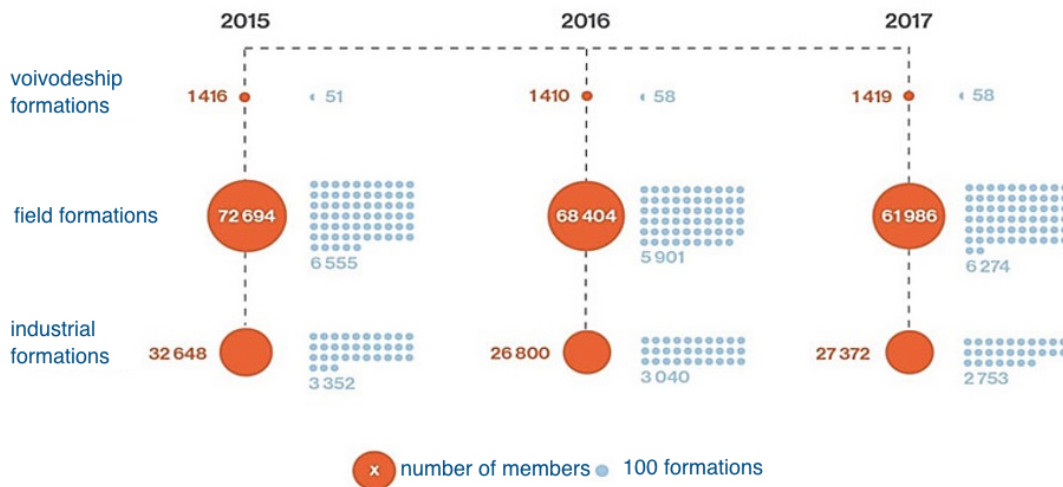
The most recent openly available document which contains assessment of the condition of civil defence in Poland is a report titled 'Assessment of preparedness for protection of civilian population and civil defence in Poland in 2017'. The report was prepared in 2018 by Leszek Suski, the Chief of the National Civil Defence Corps. The contents of the report include a diagnosis of the state of preparedness of organs and formations of Civil Defence and other entities including the public to performance of tasks in an environment of external threat to the state's security and in war situation. The report was published by the Bureau of Protection of Civilians and Civil Defence at the National Headquarters of the State Fire Service. The legal foundation for the report constitutes paragraph 12 section 1 point 4 of the Ordinance of the Council of Ministers of 15 June 2004 on the Conditions and Mode of Planning and Financing Tasks Performed within the Framework of State Defence Preparations by Government Administration Bodies and Territorial Self-Government Bodies (Journal of Laws of 2004 No. 152 item 1599, as amended). The 69 pages long document contains a detailed examination of the performance of the following defensive tasks for the sake of civilian population:

- planning in civil defence;
- detection, warning and alarming system;
- defensive structures;
- providing supplies for formations (basic organizational units of civil defence);
- storage/warehouse base;
- equipment;
- decontamination points;
- trainings, drills, exercises, education.

The report also features information on financing mechanisms of the Civil Defence Corps and audit instruments for proper execution of tasks.

In total, the expenditure on the execution of civil defence tasks in Poland for all voivodeships (voivods are the authorizing officers of funds allocated for civil defence) amounted to 21.4 million PLN in the reporting year. This sum is not nearly enough to assure efficient functioning of civil defence system even on the minimum performance level. Therefore, the report of the Chief of the National Civil Defence points to material and equipment shortages, insufficient storage base, diminishing headcount and falling number of civil defence formations (see: Chart 1), it also mentions considerable gaps in alarming and notification system and progressive degradation of protective equipment and defensive structures.

CHART 1 – ORGANISATIONAL AND PERSONAL POTENTIAL OF CIVIL DEFENCE IN 2015-2017
NUMBER OF CIVIL DEFENCE FORMATIONS AND HEADCOUNT



Source: Own work of the Supreme Audit Office based on 'Oceny przygotowań w zakresie ochrony ludności i obrony cywilnej w Polsce za 2017 r.'

The identified problems led the authors of the report to a conclusion that efficient realisation of civil defence tasks calls for increased state budgetary outlays. The Chief of the National Civil Defence Corps sees it as a priority 'to pass a new legislation on civil population protection and civil defence which will significantly organize the realm of civil defence and improve the preparedness to protect civil population of Poland' (Suski, 2018, p. 69). The report stimulated much discussion in the mass media and inspired many politicians to express very critical opinions. One may assume that it was the reason for stopping similar reports from coming out in the years that followed. Although, formal obligation to prepare such reports still remains valid for the Chief of the National Civil Defence Corps, the public opinion is not informed about their findings.

Despite lack of access to reliable information, the condition and potential of the Polish Civil Defence Corps are still subject of thorough scientific examination. Needless to say, the conclusions of each examination are predominantly gloomy (Adamkiewicz, 2020, pp. 8-20). Similarly negative appraisals are formulated by the Supreme Audit Office. An inspection control report of 2018 contains the following statement: 'In the assessment of the Supreme Audit Office, an efficient system of civil population protection does not exist in Poland. The organs responsible for performance of tasks related to crisis management and civil protection have not developed appropriate structures and procedures adequate to contemporary threats and have not provided sufficient resources allowing for efficient management should a crisis situation occur (...). Irregularities related to crisis management have been detected in all units which were subject to audit, and the scale and relevance of these irregularities proves that the problems are of systemic nature' (the Supreme Audit Office, 2018, p. 9).

IV. POTENTIAL OF CIVIL DEFENCE. CASE STUDY OF THE TOWN OF BIELSKO-BIAŁA

Pursuant to section IV of the Act on Universal Obligation to Defend the Republic of Poland, the head of the Civil Defence Corps in a town is the executive body of a given local government unit. In case of Bielsko-Biała it is the President (the Mayor). As Bielsko-Biała is a city with powiat rights, the President at the same time acts as starost (the head of the powiat) responsible for executing tasks related to protection of the civilian population.

In the structure of the Municipal Council which is an auxiliary unit of the President, there is a special Department of Crisis Management, which have been entrusted by the President with execution of tasks related to civil defence. The Department performs their obligations on behalf of the President. There are six posts in the department including the post of the Head of Department. The competences of the Department of Crisis Management definitely extend the civil defence issues and also include: defensive tasks in the jurisdiction of the local government, logistics and financing local units of volunteer fire service as well as conducting cases relevant to the Act of 24 July 2015 on Assemblies, tasks related to air protection pursuant to a regulation of the Silesian Voivod Assembly, supervision over fire protection in the premises of the City Council, publication of weather warnings and communications on the quality of air. Jointly with the Department of Environment Protection, the Crisis Management Department performs tasks relevant to the Act of 20 July 2017, New Water Law connected with flood protection and counteracting the effects of drought (the Organisational Regulation of the City Council, 2019). Such wide portfolio of tasks means that the civil defence matters in reality fall in the competences of just one official and the general supervision belongs to the Head of Department.

The most important documents pertinent to civil defence are

planning documents which are supposed to be prepared by a local government unit pursuant to statutory provisions:

- Civil defence plan;
- Evacuation plan of 3rd degree;
- Water supply in special conditions plan;
- Civic Plan for Monument Protection in case of an armed conflict or crisis situation.

The plans are being regularly updated and are under supervision of the Silesian Voivod and the Voivodship Department of Security and Crisis Management of the Voivodship Office in Katowice who perform the tasks on behalf of the Voivod.

One of the most important tasks of the Civil Defence Corps in a town is the warning duty i.e. maintenance of hazard notification system. In Bielsko-Biała the system consists of 35 alarm sirens connected to the alarm systems of local units of voluntary fire service (there are six active voluntary fire service units in the administrative area of the town incorporated into the National Firefighting and Rescue System and three units not incorporated, there is one more unit currently into reconstruction phase). The alarm system is computer-operated and provides 100% acoustic coverage of the area of Bielsko-Biała. The Crisis Management Department also disposes of a radio receiver for radio listening which is a part of a network supervised and coordinated by 31st Command and Guidance Centre depoloyed in Poznań which constitutes a part of Polish Air Forces. The composition of the Civil Defence alarm system also includes the Poviatic Centre for Data Analysis and Alarming functioning at the Poviatic Sanitary-Epidemiological Station in Bielsko-Biała which is in charge of recon, research and alarm notification in case of biological, chemical and radioactive contamination.

There was also a local SMS and E-mail Notification System which was able to send communication about threats and crisis situations to the population of Bielsko-Biała but due to the implementation of Alert RCB service on central level on 10 January 2019, the local system was shut down. A big drawback of the local system was the necessity to submit an application to become a member of the system, that is why this scheme had never gained popularity. The present-day resident notification system makes it possible to inform about the municipal economy matters such as the date of payment for liquor license, tax on means of transport, waste management bills, property tax or fees for leasing and perpetual usufruct. Although the local SMS and E-mail Notification System currently does not fulfill any role in the civil defence structures, it may prove useful in emergency situations in the future.

Another vital role of Civil Defence in Bielsko-Biała is preparation and organisation of shelters for civilians threatened by war military operations, terrorist attacks, natural and industrial disasters. The Civil Defence of Bielsko-Biała oversees 103 protective structures offering shelter for 13,030 residents (7,6% of the total local population). There are also 16 collective hiding spots able to cover another 1837 residents. The shelter facilities may be divided in accordance with the following purpose distribution:

- 27 for employees of industrial establishments

(capacity 4 679 people);

- 76 for all residents (capacity 8 351 people).

The collective hiding spots:

- 12 for employees of industrial establishments (capacity 1 177 people);
- 4 for all residents (capacity 660 people).

When it comes to ownership, there are 32 public shelters (municipal property) and 8 shelters belonging to housing associations. All the remaining shelters are owned by private individuals or business entities. Owners of such structures are exempt from property tax in part which is directly related to the protective function of the structure. A considerable weakness of the system of shelters and hiding spots is their irregular distribution within the boundaries of the town. A significant majority of them is located in the city centre and the old town of Bielsko-Biała. Index of protective structures under management of local Civil Defence Corps can be found in Attachment 1.

From the information obtained courtesy of the Department of Crisis Management it can be inferred that a significant number of protective structures were built decades ago (during WWII or later in the 1950s) and their state of repair is poor and may be insufficient for successful performance of their protective tasks for a longer period of time. Only a part of the shelters is equipped in supplies of drinking water, many of them feature faulty ventilation systems or inappropriate microclimate and temperature. Not only that, audit reports show that much of the shelters' floor space is used as storage space by their owners which is incompatible with its assigned function and may prove problematic in case of an emergency or threat.

The situation looks brighter for the structures singled out for ad hoc hiding spots. In total, within the boundaries of Bielsko-Biała there are 521 such structures able to serve 120,000 residents and they include:

- 346 resident buildings;
- 48 public buildings;
- 15 car parks and underground passages;
- 50 historical shelters and fortification facilities.

It should be remembered, however, that hiding spots do not meet the standards typical for defensive structures and do not provide protection against the effects of aerial bombardments, artillery fire, attacks with biological or chemical weapons.

According to data supplied by the Head of Crisis Management upon request from the Joint Committee of Security and Public Order for the town and poviatic of Bielsko-Biała (Caputa, 2021), in 2021 there were 26 active formations of Civil Defence (in contrast, in 2017 there were 31 active formations) counting 347 personnel:

- 15 industrial Civil Defence formations including among others:
 - o 2 sanitary sections,
 - o 2 sections for decontamination of means of transport (1 section in the Municipal Public Transport Company and 1 section in the Beskidia Transport Company (formerly PKS)),

- 1 section for area decontamination (PreZero waste management company (formerly SUEZ)),
 - 3 shelter sections (1 section in the Provincial Hospital, 1 section in Befared company and 1 section in the Municipal Office).
- 11 Civil Defence field formations created in 2019:
- the Poviát Centre for Data Analysis and Alarming (POADA);
 - the detection of threats section (based on the Municipal Guard's Ekopatrol);
 - the order-protection platoon (the Municipal Guard);
 - 8 general protection platoons created by units of the Voluntary Fire Service.

The Civil Defence Corps are also responsible for storing equipment necessary for protection of civilians against threats. In Bielsko-Biała this equipment is stored in the central warehouse which is located on the premises of the Municipal Heat Supply Company THERMA SA. The warehouse features 246 square metres of storage space and accommodates 105 camp beds, 120 sleeping bags, 100 foam rubber mattresses, 83 chemical reconnaissance devices type PChR-54. The quality of the accumulated equipment is dubious and can be utilized only to a limited extent, for example the indicator tubes for PChR-54 devices are past their sell-by date so they can be used only for training purposes but in case of a real emergency they are useless.

When the threat of Russian aggression on Ukraine became real, on 31 January 2022, the Head of the Department of Security and Crisis Management of the Voivodship Office in Katowice addressed the President of Bielsko-Biała a request for information regarding the number of war refugees from Ukraine the city can potentially welcome. The President then replied that local government was ready to accommodate 150 refugees in three different localisations and 100 further refugees could find provisional shelter in school gymnasiums equipped in camp-beds and sleeping bags. One month later the town of Bielsko-Biała took and accommodated thousands of refugees. This situation revealed considerable weakness of preparedness of the local authorities who were forced to turn to private resources in the hour of need.

An important aspect of the Civil Defence Corps' activities should be education and training in the field of security. The analysis of the communication of the the Head of Crisis Management upon request from the Joint Committee of Security and Public Order for the town and poviát of Bielsko-Biała (Caputa, 2021) reveals a sad truth that the domain of education has been vastly neglected. In 2020 civil defence educational activities were limited to a campaign on alarm signals. Students of local schools were distributed special magnets and bookmarks and face to face training session took place in just one secondary school. In 2021 the scope of educational activities was narrowed down even more due to COVID-19 restrictions.

On the bright side, there is a routine activity of Bielsko-Biała Civil Defence which may fall into the educational category. It is participation in an annual RENEGADE/SAREX exercise which is a test of the alarming system. The campaign promoting RENEGADE/ SAREX exercise is used by the media to educate the public with regard to alarm signals. The website of the Municipal Office can also be considered educational. The bookmark 'Crisis Management and Security' features a range of information on safe behavior, alarm signals, how to proceed in case of an alarm, the Residents Notification System or a set of necessary information related to COVID-19 pandemic and the activities of local authorities in this regard.

Development plans for the Civil Defence Corps in Bielsko-Biała do exist. They cover the period 2022-2023 and they have been prepared by the Department of Crisis Management and approved by the President. The development plans assume what follows:

- creation of 2-3 sanitary stations in cooperation with relevant Civil Defence formations (swimming pool AQUA, municipal indoor swimming pool Troclik, municipal stadium);
- creation of a special CD formation for ad-hoc burials of fatalities in cooperation with communal mortuary ZIELEŃ MIEJSKA;
- creation, in cooperation with the municipal branch of the Polish Red Cross, of a formation of medical emergency;
- creation of a special unit for psychological support in collaboration with the local center of crisis intervention, possible with participation from the Roman Catholic Church and the Lutheran Church;
- development of an emergency communication network based on the infrastructure of Beskidia Radioclub and Beskidia Amateur Emergency Network.

V. EVALUATION OF PREPAREDNESS OF BIELSKO-BIAŁA CIVIL DEFENCE

The evaluation of potential of the Civil Defence Corps in Bielsko-Biała depends on the adopted comparative criteria. The first criterion is the preparedness to perform civil defence tasks commissioned by the legislator. The second criterion is the comparison of local readiness of Civil Defence formations with the nationwide level of preparedness (the benchmark for comparison in this respect is report 'Evaluation of preparedness for protection of civilian population and civil defence in Poland for 2017'). As regards the former criterion the following conclusions may be formulated:

- 1) the Civil Defence Unit in Bielsko-Biała performs their duties with respect to planning of activities for the sake of protection of individuals and property in an appropriate manner;
- 2) the Civil Defence Unit in Bielsko-Biała is capable to perform tasks with respect to alarming and notifying residents in an event of threat;

- 3) the Civil Defence Unit in Bielsko-Biała is not capable to perform tasks with respect to protection of civilian population in the time of war due to insufficient number of defensive structures and shortages of working protective equipment (e.g. respiratory protection);
- 4) the Civil Defence Unit in Bielsko-Biała does not dispose of sufficient powers and means to provide satisfactory level of security education for the local residents.

Speaking of the second criterion listed above, the bottomline is as follows:

- 1) the potential of the Civil Defence in Bielsko-Biała ranks above the average for the whole country when it comes to:
 - the alarm and notification system (100% of coverage versus 77% nationwide);
 - the accommodation capacity in defensive structures (7,6% of local population versus 3,7% nationwide);
 - the number of active Civil Defence formations per number of residents;
- 2) the potential of the Civil Defence in Bielsko-Biała is roughly on the national average with respect to:
 - the volume and working order of equipment at the disposal of local Civil Defence formations;
 - the extent of undertaken training and educational activities.

It should be highlighted here that since 2019 one may observe slow but continuous growth of preparedness of the Civil Defence in Bielsko-Biała i.e. the number of formations is rising as well as the headcount which stands in direct contrast to what can be observed on the national scale.

VI. CONCLUSION

The analysis of data leads to a conclusion that the protection of civilian population against armed conflicts and natural disasters does not function properly. Decades of negligence in this regard and the general climate of international security have been reinforced by systemic deficiencies. The most important systemic deficiency is considerably weak position of the Chief of the National Civil Defence in the system of state authorities in Poland. Entrusting the function of the Chief of Civil Defence to the Chief of the State Fire Service without raising the rank to the top administrative level puts this official in an unfavourable position in efforts to obtain financial resources and to push through necessary changes in legislation.

A chance for improvement in this matter occurred with the passage of the new Homeland Defence Act as its shape triggers an immediate necessity to pass a separate act on the protection of civilians. A relevant draft dated 14 February 2022 contains a range of solutions regarding among others the state of emergency, combating effects of natural disasters, crisis management on central level, the National Rescue System, inclusion into the system of civilian protection various associations and NGOs. In accordance with the draft, the role of the Minister of Interior is to be strengthened i.e. the Minister will be entitled to take over the responsibility for the protection of civilian population of the Republic of Poland 'in the most

urgent cases'. The Minister shall also coordinate undertakings for protection of civilians executed by the public administration organs, creation and maintenance of resources of civil protection, provision of round-the-clock state duty service, definition of needs and distribution of financial resources necessary for efficient performance of civil protection tasks as well as supervision over expenditure of relevant resources at the disposal of voivods. Furthermore, the Minister of Interior will be in charge of coordinating ad hoc support in the territory of the Republic of Poland and will have to take care of education and training in the field of security. The regulations concerning the utilization of military forces for protection of civilians in crisis situations will be re-arranged and re-organized.

As clearly stated above, the responsibility for the organisation of Civil Defence Corps will be transferred on more political platform and will be placed in the competences of the Minister of Interior. Authorities competent in defence matters pursuant to the draft of the new civil defence act will be the Minister of Interior, voivod, starost and mayor/voyt respectively. These officials will be accountable for maintenance and storage of resources indispensable for execution of civil defence tasks and satisfaction of basic needs to assure collective protection of civilians, provision of basic necessities such as water, food, energy, clothing and basic sanitary conditions. They will also conduct planning and organizational activities in order to prepare their office and subordinate formations of Civil Defence to perform their statutory civil protection tasks in the time of war or a natural disaster.

The draft of the new civil defence law provides for introduction in the senior years of secondary schools contents related to the first aid in the amount of 40 teaching hours. The contents are to be implemented in the curriculum of the subject Safety Education. The authors of the draft also assume that each year the Civil Defence Corps will receive not less than 0.1% of the forecasted GDP for a given budget year which will mean a dramatic increase in the expenditure on civil defence activities (as for 2022, the sum of 2.6 billion PLN).

New legal regulations and increased budget for protection of civilian population are sine qua non condition to raise the potential and preparedness of the Civil Defence on local government level. The data related to Bielsko-Biała examined for the purposes of the paper show clearly that even local government units of sound financial condition, despite best remedial efforts, are not able to sufficiently perform tasks related to civilian protection. This inability stems from the current state of relevant legislation and from the absence of support from the central budget.

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