Menadžment vanredne situacije tokom epidemije KOVID-19 u Republici Srbiji

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Apstrakt: Prvi put u istoriji čovečanstva svet se susreo sa globalnom vanrednom situacijom koja je pokazala sve slabosti menadžmenta vanrednih situacija i nespremost država da adekvatno reaguju na taj izazov. Evidentno je da su se države u kojima je zdravstveni sistem u državnom vlasništvu lakše prilagodile epidemiji, takođe bilo je vidljivo da je menadžment vanredne situacije praktično bio na lokalnim samoupravama, ali i da su države koje imaju jasno definisan zakonski okvir, kao i uspostavljene sisteme upravljanja vanrednim situacijama lakše nose sa ovakvom vanrednom situacijom. U Republici Srbiji postoji zakonima propisana procedura za delovanje u epidemijama koja je dovoljan osnov za angažovanje menadžmenta vanrednih situacija. Organizacioni izazovi epidemije su praktično odgovornost jedinica lokalne samouprave i do sada, iako epidemija još uvek traje, prema dostupnim podacima, čini se da adekvatno odgovaraju na taj izazov. Ovaj rad je zasnovan na analizi zakonskog okvira za uvođenje vanrednog stanja i vanredne situacije, kao i na praktičnom istraživanju angažovanja jedinica lokalne samouprave tokom epidemije.

Ključne reči: vanredna situacija, menadžment, epidemija, jedinice lokalne samouprave, Kovid-19

Emergency Management in the Republic of Serbia during the Covid-19 Epidemic

Abstract: For the first time in the history of humanity, the world encountered a global emergency that showed all the weaknesses of emergency management and the unwillingness of states to respond to that challenge adequately. Although it is evident that the governments in which the state-owned health care system adapted more quickly to the epidemic, it was also apparent that the emergency management was practically on local governments, but also that the states with a clearly defined legal framework and established management systems emergencies are easier to deal with such an emergency. In the Republic of Serbia, there is a legally prescribed procedure for acting in epidemics, which is a sufficient basis for engaging emergency management. The organizational challenges of the epidemic are practically the responsibility of local self-government units, and so far, although the epidemic is still ongoing, according to available data, it seems that they are adequately responding to that challenge. This paper is based on the legal framework analysis for introducing the state of emergency and the practical research of the engagement of local self-governments during the epidemic.

Keywords: emergency, management, epidemic, local self-governments, Covid-19

1. Introduction

Coronavirus Disease 2019 (COVID-19) caused by the Severe Acute Respiratory Syndrome Coronavirus 2 (SARS-CoV-2) was identified in December 2019 in China, Hubei province - the city of Wuhan. The news on the virus has been globally spread from the beginning of January 2020. The virus has spread from China to other Asian countries (Japan, South Korea, Singapore), the United States, Western, Eastern Europe, and South America. World Health Organization (WHO) declared a pandemic on March 11. The Republic of Serbia was not an exception, and the first official case was confirmed on March 6, 2020 (Ilic-Kosanovic, 2021).

The COVID-19 pandemic is a crisis that has not happened to such an extent so far, had a powerful impact on the world, humanity, the economy and society. World Governments could not do their jobs normally, so they had to find a solution in some way to survive. Furthermore, there was a significant impact on the world population in all aspects of life, particularly in healthcare systems. Because of lockdown, people could not leave their homes, and thus, crisis management systems in all countries should be activated. In many countries, civilian emergency management has been starting. As an example, many EU countries, including Italy, activated the Civil Protection system. In Italy, the devised forecasts have been primarily based on a purely data-driven approach by fitting and extrapolating open data on the epidemic evolution collected by the Italian Civil Protection Center (Paggi, 2020).

The Italian Department of Civil Protection (CP) encourages the participation of volunteer organizations in civil activities and emergency responses. They include psychosocial activities; social welfare activities, as assistance to the most vulnerable people (young people, the elderly, the sick, the disabled); the garrison of the territory; logistics and organizational support in case of natural or human-caused disasters, administrative and secretarial activities; prevention and an active fight against forest and interface fires; non-specialist site restoration activities and preparation and administration of meals; driving special vehicles; activities in the field of radio and telecommunications; diving activity; canine activities, etc.). More than one million people throughout Italy and more than 5000 organizations are registered on the National Civil Protection Department list (Roncone et al., 2021).

The global COVID-19 pandemic, and the subsequent measures taken by governments across the world, have had an equally severe impact on the Western Balkan states. With border checks initially being imposed, shortly followed by unilateral border closures, cancelled international flights, states of emergency (both official and de facto) and broader economic crises across the whole region, citizens were placed under lockdown to alleviate the deadly threat posed by the pandemic. In these uncertain times, the measures introduced in an attempt to stop the spread of the coronavirus, including quarantine regulations, were one of the crucial epidemiological barriers. Moreover, the lockdown seriously curbed the fundamental human right of free movement for individuals within a state, and in the longer term, the full effects of the severe downturn in economic output are yet to be seen (Šantić & Antić, 2020).

Management of the outbreak in the Republic of Serbia is mainly based on laws that cover emergencies. This concept over 2020 had good results, specifically on the local self-governments level. The concept and classification of emergencies are determined primarily by different types of hazards, which endanger safety and which, caused by the action of nature or the activity of the human factor, can lead to an emergency in a specific territory. Therefore, when regular activities (preventive, operational and other) cannot prevent and eliminate the consequences caused by dangers, then the risk states acquire the character of an emergency. The phrase civil protection has gradually come into use worldwide as a term that describes activities that protect the civil population against incidents and disasters (Alexander, 2002).

The basis for the prompt reaction to epidemic laying in the definition of emergencies, "An emergency is a situation when the risks and threats or consequences of catastrophes, crises and other dangers to the population, environment and material goods are of such scope and intensity that their occurrence or consequences cannot be prevented or eliminated by regular action of competent bodies and services. To mitigate and eliminate them, it necessary is to use extraordinary measures, forces and means with an intensified work regime. But, regardless of the different emergencies, they have a common consequence - enormous human casualties and material destruction" (Zakon o vanrednim situacijama, ("Sl. glasnik RS", br. 111/2009, 92/2011 i 93/2012).

It is challenging to formulate a unique, comprehensive and precise definition of an emergency, which would include all its characteristics and specifics. So, for these, and above all practical reasons, different defining of emergencies is usually done according to specific needs. The United Nations, for example, treats a state of emergency (other than war) as a consequence of a catastrophe and defines it as "a serious breakdown of society, causing human, material or environmental losses, making it impossible for a country to use its resources to survive." According to the above definition, not all fires, earthquakes, epidemics or industrial accidents are catastrophes, but only those that exceed the ability of society to react adequately and therefore seek the help of others. Such was the case with the pandemic caused by the COVID-19 virus. In the current circumstances assistance, in the event of an emergency caused either by natural or man-made causes, is the most critical activity to be carried out by society.

Good organization and efficient functioning of institutions and services and other participants in emergency situations, especially international cooperation and joint action, can be vital for the civilian population's survival and for resolving the consequences of emergencies in peace (Štrbac, 2021).

2. State of Emergency in the Republic of Serbia - Constitutional and legal determination and action in the function of suppressing the epidemic COVID 19

According to Article 87 of the Law on Defense, when the National Assembly, based on a joint proposal of the President of the Republic and the Government, determines that the conditions have been met, it shall declare a state of emergency. The joint proposal for reporting a state of emergency is determined based on risk assessment and threats to the security of the Republic and its citizens. The evaluation, which the Minister of Defense submits to the President of the Republic and the Prime Minister at the same time, contains an assessment of the threat and the consequences that have occurred or may occur as a result.

The declaration of a state of emergency may also be proposed on the part of the territory of the Republic of Serbia. In this case, a state of emergency was declared on the entire territory of the Republic of Serbia. Furthermore, in addition to the Constitution of the Republic of Serbia, there are special laws that implement measures in the field of public health, which is taken on the occasion of declaring an epidemic of infectious diseases, as during the outbreak COVID-19. These are the Law on Public Health, the Law on Health Care and the Law on Protection of the Population from Infectious Diseases.

In the Republic of Serbia, due to the COVID19 epidemic, a state of emergency was declared on the entire territory on March 15, 2020, at 8 pm, and it lasted until May 6 of the same year. Although it is within the competence of the National Assembly as the highest body of legislative power in the Republic of Serbia, the declaration of a state of emergency, in conditions when the public danger endangers the survival of the state and citizens, was declared a state of emergency due to specific circumstances. The state of emergency may last for a maximum of 90 days unless the National Assembly decides on the extension for another 90 days. A majority decides on the state of emergency of the total number of deputies. In cases when the National Assembly is unable to meet, a state of emergency may be declared jointly by the President of the Republic of Serbia, the President of the National Assembly and the Prime Minister, in the same manner as the National Assembly. The National Assembly meets during a state of emergency without a special invitation and cannot be dissolved. By declaring a state of emergency, measures may be taken to derogate from human and minority rights guaranteed by the Constitution.

Also, when the National Assembly cannot meet, measures can be adopted by the Government, by decree, with the consent of the President of the Republic of Serbia. For example, if the National Assembly does not declare a state of emergency, it must be confirmed within 48 hours or when the National Assembly can meet for the first time. If that does not happen, the provider ceases to be valid at the end of the first session of the National Assembly. The same is the case with the adoption of measures that are not following the Constitution guaranteed human and minority rights provided that these measures cease to be valid 24 hours after the non-confirmation of the steps by the National Assembly. Measures of deviation from human and minority rights are prescribed by Article 202 of the Constitution of the Republic of Serbia. Derogation measures must not lead to discrimination based on race, colour, language, nationality, religion, or social origin. Therefore, these measures ceased to be valid on May 6, 2021. It is, however, often pointed out that Serbia introduced some of the most authoritarian measures, shutting down the country in an intentionally porous lockdown and thus managing to slow the rate of coronavirus infections. Regardless of heavy demand, difficulties and shortcomings, the Serbian health system – with universal health coverage – succeeded in reducing the peak and reversing the spread of COVID-19. The public health system, which was well-developed and comprehensive during the Socialist period, reinforced by EU donations and loans over the past two decades, managed to avoid many significant weaknesses observed in other countries (Šantić & Antić, 2020).

3. Emergency in the function of resolving the COVID 19 epidemic

Medic aid donations from China, Russia, and the European Union at the local self-government level were much easier to manage the outbreak, including the Healthcare system in the Republic of Serbia. EU helped the Republic of Serbia based on the EU's commitment to establishing a single crisis management system:

- the interest of EU member states in strengthening the international role and influence of the EU in protecting their interests in the world;
- the interest of the members and the EU in preserving international peace, security, spreading democracy, respect for human rights, freedom of movement of people, goods and capital in Europe and the world (Štrbac, et al., 2021).

Despite high-level political commitment from the EU, the ongoing spread of covid-19 exposes significant obstacles to developing a comprehensive European response to infectious disease outbreaks (Anderson, 2020). Still, the European Union was not prepared for an emergency such pandemic is. The EU's contribution to fighting COVID-19 was initially limited because member states wanted it so. From a treaty article on public health that carefully limits EU competencies, to legislation that avoids authorizing forceful EU action, to a budget that puts little money into health and has no health emergencies line at all, the EU's member states have made it clear that they want the EU to be a limited actor (Di Lorenzo et al., 2020).

Additionally, under the union civil protection mechanism, the EU has new possibilities to strengthen cooperation between the EU Member States and six Participating States in the field of civil protection, to improve prevention, preparedness, and response to disasters (Goniewicz, et al., 2020). RescEU, the improved civil protection scheme that launched in 2019, is essentially a matchmaker between the Member States with spare resources and Member States with needs (Di Lorenzo et al., 2020). EU need to start planning for an escalation in our response to new coronavirus infections and a surge in demand across the health and social care sector; the expectation must be that our unscheduled care services and the wider NHS, which are already stretched, will be severely challenged even by a modest increase in cases (Watkins, 2020).

After the end of the total lockdown, almost all local self-government units declared a state of emergency on their territory, based on Article 38, paragraph 1 and Article 39, paragraph 1, item 3 of the Law on Disaster Risk Reduction and Emergency Management. The main goal of enacting this Law was to legally regulate the system of disaster risk reduction and emergency management, establish adequate preventive action to reduce disaster risk, respond effectively in case of disasters, and effectively eliminate the consequences. Therefore, it was acceptable to local self-government units to refer to him in declaring a state of emergency due to the COVID 19 epidemic. Indeed, following the Law, at the moment of declaring first a state of emergency and then a local state of emergency, the priority is to preserve the population's health and prevent the consequences of the epidemic. In the past period, it is evident that coordination and cross-sectoral cooperation has been of great importance. Local governments, which have a leading role in resolving any emergency, whether natural disasters or epidemics or technical and technological disasters, has been thoroughly reaffirmed.

In the protection and rescue system, the key elements are the state from the Government of the Republic of Serbia, then the provincial and local self-government bodies. Primarily, funds from the territory of local self-government are used, and in cases when due to the extent of the accident, the available capabilities from the region of local self-government are not sufficient, the competent authority ensures the use of overall capabilities and funds from the broader territory of the Republic of Serbia. The higher preparedness level of local community and state was perceived by those with high school and junior college degrees, respectively, and women for both. These findings could be the result of frequent television monitoring for respondents with high school degrees and higher levels of trust among women towards experts addressed to the public daily (Cetkovic et al., 2020).

During the COVID 19 epidemic, the disaster risk reduction and emergency management system in the Republic of Serbia primarily took all necessary actions to keep the outbreak under control and eliminate the consequences whenever possible, bearing in mind the unpredictable picture of the emergency itself.

In addition to the Law on Disaster Risk Reduction and Emergency Management, other laws also cover emergency response caused by disease epidemics. Article 11 of the Law on Public Health deals with public health in an emergency where local self-government units are also responsible for implementing public health on their territory. According to the Law on Protection of the Population from Infectious Diseases, the competence of all local self-government units is to respect the recommendations of the Republic Institute for Public Health and take care of preventing the spread of infectious diseases on their territory.

The Republic of Serbia has 29 administrative districts, the City of Belgrade and 174 local self-government. Bearing in mind that the COVID 19 epidemic without exception affected the entire territory of the Republic of Serbia and that after the lifting of the state of emergency, the population had to be protected from infectious diseases, the Emergency Headquarters proposed declaring a state of emergency, which was 80% of local governments and accepted.

Figure 1. State of emergency declared in local self-governments 2020.

(Source: Ministry for human and minority rights and social dialogue, 2021)

According to a survey conducted by the Ministry of Human and Minority Rights and Social Dialogue to assess the state of functioning of local self-government units, 100% of them by the Law on Disaster Risk Reduction and Emergency Management have established Emergency teams.

The primary role of Emergency teams is to manage and coordinate the work of the subjects of disaster risk reduction and emergency management on the implementation of designated tasks, manage and coordinate the implementation of measures and functions of civil protection, order the use of disaster risk reduction and emergency management, assistance and other means used in emergencies, it takes care of regular informing and informing the population about risks and dangers and measures taken and implements other measures of interest to the people in its territory.

Figure 2. Establishment of the headquarters in the local self-governments for emergencies 2020

(Source: Ministry for human and minority rights and social dialogue, 2021)

Also, the formation of civil protection units is vital for resolving emergencies at the level of local self-government units.

Figure 3. Civil protection units formed on a local self-governments level

(Source: Ministry for human and minority rights and social dialogue, 2021)

In a specific situation such as the COVID 19 epidemic, when part of the population could not move, civil protection personnel were invaluable to assist that population.

Figure 4. Engagement of civil protection units on a local self-governments level 2020

(Source: Ministry for human and minority rights and social dialogue, 2021)

4. Conclusion

The pandemic caused by the COVID-19 virus suddenly hit the world in early 2020. and in a short time, it has managed to bring the health systems and economies of many countries practically to collapse. Recovery forecasts for 2021: they are essentially not optimistic, and it is not easy to talk about longer-term effects. In complex circumstances such as a pandemic, greater involvement of supranational organizations is expected, which have shown their weaknesses in this case. Italy was the most affected by the pandemic in the EU, which caused the activation of civil protection, which proved to be a significant capacity of the state in the fight against the pandemic. The experience of the Republic Italy, especially in the engagement of civil protection management, should be applied in other European countries as well.

The Republic of Serbia, without controversy, nevertheless reacted adequately in the initial stage of the pandemic. However, there is an impression that local governments need to make more use of civil protection management, even in pandemics. However, based on the declared state of emergency, it is evident that it helped survive the population. After the declaration of the epidemic and the introduction of the state of emergency, the engagement of local self-government institutions was vital, having in mind the coordinated activities that had to be carried out in their territories. Under the decisions of the Crisis Staff, a state of emergency was declared in most of the local self-government units, and the Emergency Situations Headquarters were activated.

Although civil protection management could be the most critical mechanism for mitigating the emergency, some local self-government units were not formed. The local self-governments that have created civil protection management used these units during the emergency to alleviate the epidemic, which should be an example of good practice in the future.

For future similar crises, the Republic of Serbia government should consider using civil protection management more. Helping the elderly population also might be a part of civil protection management in local self-governments. The role of civil protection units is priceless in all emergencies, and experience from this epidemic has shown us the necessity of establishing and improve civil protection management.

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