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A New Model of Public Safety Management in the Voivodeship - The Voivode's Tasks

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Abstract:

Purpose: *The purpose of this paper is to define and analyze the role of the voivode as a local government body responsible for protecting public safety and order, both before and after the changes introduced in Poland by the new Act of December 5, 2024, on Population Protection and Civil Defense. The paper aims to present the voivode's responsibilities under the new legal system, and to indicate the extent to which this reform has strengthened their position as a key entity responsible for coordinating activities in the sphere of public safety, order, and population protection. The article also highlights the systemic consequences of the new regulations and their impact on relations between the government and local government.*
Design/Methodology/Approach: *The study utilizes a dogmatic legal method and an institutional analysis, supplemented by a comparative legal approach, which allows fan assessment of the differences between the previous and current legal frameworks regarding the voivode's powers.*
Findings: *The analysis indicates that the provisions of the Act of December 5, 2024, on Population Protection and Civil Defense significantly expanded the scope of the voivode's powers in the areas of public safety, population protection, and civil defense. Compared to the previous legal status, the voivode has become not only a coordinator but also a key authority responsible for the organization, supervision, and cooperation of entities comprising the local population protection system. At the same time, the provisions of the Act imprecisely regulate the voivode's relationship with local government units, which in practice may raise doubts about the legality of the voivode's actions and potentially excessive interference with the constitutionally protected autonomy of local government.*
Practical implication: *Clarifying the scope of coordination, cooperation, supervision, management, and collaboration between the voivode and local government authorities appears crucial to ensuring both the effectiveness of civil protection activities and respect for the principle of decentralization of public authority. Whether the new regulations, while strengthening the security system in Poland, will also pose a potential threat to the autonomy of local governments remains to be seen.*
Originality/Value: *The issue of redefining the role of the voivode within the system of security authorities in Poland in the context of the changes introduced by the Act on Civil Protection and Civil Defense has not been widely analyzed in the literature. This paper provides a synthetic and comparative overview of these changes and formulates de lege ferenda*

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postulates that can serve as a starting point for further discussion on changes that increase the transparency and effectiveness of the security system in Poland and their effects, which may threaten the constitutionally protected autonomy of Polish local governments.

Keywords: *Voivode, security, civil protection, civil defense, local government.*

JEL codes: *K23, H70, H56.*

Paper type: *Research article.*

1. Introduction

Protection of public safety and order has almost always been one of the most important goals of public authorities. Therefore, the role of these authorities primarily involves ensuring citizens – using legally defined measures and normatively defined procedures for their application – a sense of security, understood broadly, namely as a fundamental common good, or simply the foundation of the proper functioning of society. Public safety and order constitute an essential prerequisite for systemic stability, economic and social development, and the realization of constitutional human rights and freedoms (Polinceusz, 2012).

Even a cursory analysis of the issues related to the normative basis for protecting these fundamental values of safety and public order reveals that their understanding is dynamic, further evolving depending on social, political, and technological conditions.

Nowadays, security is no longer perceived solely in the context of protection against crime or military threats, but also encompasses dimensions such as information, environmental, health, and digital issues.

Such a broad understanding of security and its protection requires an appropriate, well-coordinated organizational structure of public administration, in which a central place is occupied by bodies responsible for planning, coordinating, and implementing activities related to public order protection, citizen safety, and responding to crisis threats, both at the central and local levels.

Within the structure of bodies responsible for protecting public order and security, the legislator has assigned a special role to the voivode, who – as the local representative of the Council of Ministers – is responsible for ensuring public order and security within the voivodeship, while also supervising the activities of the services, inspections, and guards carrying out security tasks.

2. Literature Review

Issues concerning the position and role of the voivode in the security system, as well as the system of public administration bodies carrying out security tasks in Poland, are relatively frequently addressed in the academic literature. However, it was not until the entry into force of the Act of December 5, 2024, on Population Protection and Civil Defense, that the role of the voivode in this system was redefined.

These issues have so far been analyzed primarily in the context of the voivode's general competences as the representative of the Council of Ministers in the voivodeship, responsible for implementing government policy, including ensuring public safety and order (Polinceusz, 2010; Drempkowski and Ślusarczyk, 2021).

Previous studies focused in particular on the voivode's tasks resulting from the Act of 23 January 2009 on the voivode and government administration in the voivodeship, indicating their role as a coordinator of the activities of the government and local government administration during states of emergency, or in situations covered by the provisions of the Act of 26 April 2007 on crisis management (Karpiuk, 2018; Czuryk 2025; Polinceusz 2024), or on the analysis of their tasks related to the function of the head of combined services, inspections and voivodeship guards in Poland (Dobkowski, 2007).

However, the new Act on Population Protection and Civil Defense significantly expands the scope of the voivode's responsibilities, assigning them, among other things, the responsibility to organize and coordinate population protection activities, manage evacuations, and provide humanitarian aid. The first studies analyzing the general impact of these changes on the public safety system and crisis management structure in Poland are only just beginning to appear in the literature (Szyrski, 2025).

3. Research Methodology

The thesis adopted in this paper is that the voivode, in light of the provisions of the Act on Population Protection and Civil Defense, has gained a strengthened position as the authority responsible for implementing public security tasks in Poland. This stemmed from the need to create legal provisions that clearly define the authorities' competences, citizens' obligations, and methods for increasing public awareness of public security.

The aim of the paper is to determine the extent to which these changes have actually expanded the voivode's scope of activity in this area and whether they have influenced the effectiveness of the public administration in carrying out security tasks.

The research method employed is a dogmatic-legal method and an institutional analysis, involving the analysis and interpretation of applicable legal provisions, particularly the Act on Population Protection and Civil Defense, the Act on the

Voivode and Government Administration in the Voivodeship, as well as other acts defining the voivode's competences as the authority responsible for security protection. This method allows the reconstruction of the current legal status and the determination of this body's importance in the security system.

Additionally, a comparative legal approach was used to compare the solutions adopted in the new act with previously applicable regulations, including those related to crisis management. This analysis allows us to identify the directions of change in the position of the voivode, the scope of his or her powers, and the relationship with local government units.

4. The Voivode as an Authority Carrying out Tasks in the Field of Security Protection – Before the Changes Introduced by the New Act

Even before the changes introduced by the Act of 5 December 2024 on Population Protection and Civil Defense (hereinafter referred to as the PPCD), which significantly expanded and, above all, streamlined the previously established catalog of the voivode's competences, this body could already be viewed as a key link in the state's internal security system.

Article 22 of the Act of 23 January 2009 on the Voivode and Government Administration in the Voivodeship (hereinafter referred to as the VGAV), while making the voivode responsible for implementing the Council of Ministers' policy in the voivodeship, simultaneously defined certain voivodeship duties, including clearly stating that the voivode was responsible for ensuring the cooperation of government and local government units operating within the voivodeship and managing their activities – particularly in situations threatening life, health, property, state security, or the environment.

In accordance with the legislature's instructions, the voivode also performed tasks related to the protection of civil rights, preventing natural disasters, and combating and eliminating their effects (Karpiuk, 2018). In addition, it assessed the state of the voivodeship’s flood protection, developed an operational plan for flood protection, and announced and canceled emergency services and flood alarms (Article 22, paragraph 2 of the Flood Protection Act).

It should also be emphasized that the regulation in question already assigned the voivode a special role in ensuring security and maintaining public order within the voivodeship. The voivode was obligated to ensure cooperation and manage – in statutorily specified circumstances – the activities of all organizational units of the central and local government administration operating within the voivodeship.

Combined with their role as head of the combined government administration, this meant that the voivode bore special responsibility for the state of security and public order in the region under their administration (Dobkowski, 2007).

Without comprehensively discussing all the statutory powers of the voivode, as the body ensuring, in statutorily specified situations, among other things, the cooperation of all organizational units of the central and local government administration operating within the voivodeship, it is worth mentioning several powers that are quite significant from the perspective of the issue under discussion.

The Act of 27 April 2001, the Environmental Protection Law establishes the voivode—alongside the commune head, mayor, city president, district head, provincial assembly, voivodeship marshal, the minister responsible for climate matters, the General Director for Environmental Protection, and the Regional Director for Environmental Protection—as the administrative authority for environmental protection (Article 376 of the Environmental Protection Law).

Pursuant to the regulation arising from Article 246 of the Environmental Protection Law, the voivode is, among other things, obligated to protect the environment against accidents, i.e., to take measures to prevent events that could lead to accidents, and to conduct measures to limit the effects of such accidents on people and the environment (Article 244 of the Environmental Protection Law).

Furthermore, the voivode, through the Voivodeship Commander of the State Fire Service and the Voivodeship Inspector for Environmental Protection, undertakes actions and implements measures necessary to address the incident and its effects, specifying in particular the related obligations of administrative bodies and entities using the environment. The voivode is obligated to inform the voivodeship marshal of any actions taken in this regard (Article 246 of the Environmental Protection Act).

The voivode, in carrying out their tasks in the area of security protection, also has the ability to initiate the process of introducing one of three states of emergency in Poland. Pursuant to Article 5 of the Act of 18 April 2002 on the State of Natural Disaster, the voivode is authorized to submit a request to the Council of Ministers to introduce a state of natural disaster by regulation.

Furthermore, acting as a representative of the government – in accordance with the instructions contained in Article 11 paragraph 1 of the Act on the State of Natural Disaster – they also direct actions taken to prevent or eliminate the effects of a natural disaster within the voivodeship. Article 8 paragraph 3 specifies that the voivode directs actions taken to prevent or eliminate the effects of a natural disaster if a state of natural disaster has been declared in the area of more than one district within the voivodeship.

Within the scope of these actions, pursuant to the provisions of Article 11 paragraph Under Article 3 of the Act, the voivode reports to the relevant minister, who, in the event of inability to manage or improper management of the activities in question, may suspend the voivode's authority in this regard.

Pursuant to Article 14, Section 3 of the Act of August 24, 1991, on Fire Protection, the voivode is authorized to define the tasks of the national rescue and firefighting system within the voivodeship, coordinate its operation and supervise the execution of tasks, and in situations of extraordinary threats to life, health, or the environment, direct the system. The voivode performs their duties with the assistance of the voivodeship crisis management team, operating under the Act of April 26, 2007, on Crisis Management.

Pursuant to the Act of September 8, 2006, on State Emergency Medical Services, the voivode is entrusted with the authority and tasks of managing and coordinating the State Emergency Medical Services system (hereinafter referred to as the "system") within the voivodeship and supervising its operation (Article 19, Section 2). The Act establishes only the voivode, alongside the minister responsible for health, as the authority responsible for carrying out the system's tasks.

Pursuant to the regulations arising from the provisions of the discussed Act, these responsibilities are concentrated within a single body – the voivode, who is the sole authority within the voivodeship responsible for planning, organizing, coordinating, and supervising the system, and is subject to the supervision of the minister responsible for health.

The register of units cooperating with the system is also maintained by the voivode, who, by administrative decision, either enters or removes a unit from the register (Art. 17 ut. 1-5). The list is updated on an ongoing basis and delivered to the emergency notification center monthly.

The legal status of the voivode in the field of crisis management can be determined based on the provisions of the Act of 26 April 2007 on Crisis Management in which the legislator clearly indicated that the voivode is the authority competent for crisis management within the voivodeship (Article 14, paragraph 1 of the Act on Crisis Management), and that the voivode's supporting body in ensuring the performance of crisis management tasks is the voivodeship crisis management team.

The team's responsibilities include: assessing existing and potential threats that may affect public safety and forecasting these threats, preparing proposed actions and presenting to the voivode requests regarding the implementation, modification, or discontinuation of actions included in the voivodeship crisis management plan, disclosing information related to threats to the public, and issuing opinions on the voivodeship crisis management plan (Article 14, paragraph 8 of the Act on Crisis Management).

Moreover, the voivode, who by law is the chairman of the provincial crisis response team, is granted almost complete freedom to create the structure, organization, headquarters, and procedures of operation, as well as to select the team's personnel (Article 14, Section 7 of the Act on Crisis Management).

The team consists of the voivode as chairman, the head of the organizational unit responsible for crisis management at the voivodeship office as deputy chairman, and may also include representatives of both central and local government administration, as well as other persons designated by the voivode (Czuryk, 2025).

The voivode's primary responsibilities in crisis management include, in particular, directing activities related to monitoring, planning, responding to, and addressing the effects of threats occurring within the voivodeship. The voivode also performs civil emergency planning tasks, including issuing recommendations to district heads regarding district crisis management plans, approving these plans, and developing and submitting the provincial crisis management plan to the minister responsible for internal affairs for approval.

Furthermore, their responsibilities include implementing guidelines for provincial crisis management plans and taking action to prevent, counteract, and address the effects of terrorist incidents (Article 14, paragraphs 2 and 9 of the Act on the Prevention of Terrorism and the Prevention of Terrorism).

The new task area of the voivode, as defined by the Crisis Management Act, was the protection of critical infrastructure, meaning systems and their functionally interconnected components, including buildings, equipment, installations, and services crucial to the security of the state and its citizens, as well as those serving to ensure the efficient functioning of public administration bodies, and also institutions and businesses.

Critical infrastructure includes, among others, energy and fuel supply systems, communications and ICT networks, food and water supply, healthcare, financial systems, transport and communication systems, rescue systems, systems ensuring the continuity of public administration operations, and systems for the production, storage, and use of chemical and radioactive substances, including pipelines for hazardous substances (Article 3, Section 2 of the Act on Crisis Management).

Pursuant to Article 14, Section 5 of the Act on Crisis Management, the voivode implements crisis management tasks in cooperation with relevant public administration bodies and with the assistance of joint services, inspections, and guards. This regulation resulted in a division of responsibilities between the units of provincial offices responsible for crisis management, which are the crisis management departments, and the provincial crisis management teams.

Additionally, within the provincial offices' crisis management departments, the act establishes provincial crisis management centers. These centers exist and were established pursuant to the Act on Natural Disasters. Their responsibilities include, among others: maintaining 24-hour on-call staff to ensure the flow of information for crisis management purposes, cooperating with crisis management centers of public administration bodies, overseeing the operation of the detection and alarm system and

the early warning system, and cooperating with entities conducting rescue, search, and humanitarian operations (Article 16, paragraphs 1-2 of the Act on Natural Disasters).

Moreover, in accordance with the provisions of Article 25, paragraph 1 of the Act on Crisis Management, if in a crisis situation the use of other forces and resources is impossible or may prove insufficient, the Minister of National Defence, at the request of the voivode, may place subunits or units of the Armed Forces of the Republic of Poland at his disposal, and direct them to perform crisis management tasks.

5. Changes Introduced by the Provisions of the Act on Population Protection and Civil Defense

In defining its intentions for the new Act on Civil Protection and Civil Defense adopted in 2024, the legislator emphasized that civil protection is one of the fundamental responsibilities of European states. Its primary goal is to safeguard human life and health, as well as to protect property, cultural heritage, and the natural environment in the face of threats of a natural or human-induced nature.

Among contemporary threats, the legislator lists both naturally occurring threats and asymmetric, terrorist, cyber, and hybrid threats. This category also includes other man-made threats, particularly military threats, characterized by a violent and destructive impact on the population, infrastructure, and the natural environment.

It is important to emphasize that the tasks of civil protection defined in this Act extend significantly beyond rescue and humanitarian aid, encompassing broader aspects of social, economic, and educational life. This means that the level of civil protection depends on actions undertaken within many branches of government administration.

The following departments are particularly involved in implementing these tasks: public administration, energy, public finance, economy, water management, culture and national heritage protection, communications, science, national defense, education and upbringing, higher education, transport, environment, internal affairs, foreign affairs, and health. Consequently, responsibility for implementing civil protection tasks rests with numerous government administration bodies, which – in accordance with their assigned competences – perform both tasks arising from the Civil Protection and Civil Defense Act and civil defense obligations specified in other legal acts.

Analyses of the regulatory framework governing population protection and civil defense processes indicated the need to create new, uniform legal provisions that clearly define the competencies of authorities and the obligations of citizens in this process. Furthermore, the implementation of the provisions of this act aimed to introduce a clear division of responsibilities between local government bodies and the central government administration, as well as to harmonize existing law and adapt regulations to contemporary threats and improve public service response.

The changes introduced as a result of the entry into force of the Act on Population Protection and Civil Defense also extended the competences of the voivode. Pursuant to Article 9, Section 1 of this Act, the voivode was designated, alongside the municipal executive authorities, the district head, the voivodeship marshal, and the minister responsible for internal affairs, as the territorial civil protection authority responsible for the implementation of civil protection tasks within the voivodeship.

Among other authorities competent in matters of civil protection, the legislator also designated the voivodeship marshal and the minister in charge of the relevant government administration department which civil protection entities and the bodies serving them are subordinated or supervised to.

Upon the introduction of martial law and during wartime, tasks arising from civil protection become tasks arising from civil defense, and civil protection bodies—including the voivode—become civil defense bodies. By creating this catalog, the legislator refrained from establishing new institutions dedicated to civil protection and civil defense and opted solely for expanding the competences of existing bodies (Chról, 2025).

The Act on Population Protection and Civil Defense, as the subject of this paper, endowed the voivode with perhaps the most extensive list of duties among all the public administration bodies listed therein, making the voivode a key actor in the field of population protection and civil defense. It should, of course, be remembered that, as demonstrated above, under the previous legal system, the voivode already performed numerous tasks related to ensuring public safety and order. Voivodes already performed some of these duties within the security and crisis management departments of voivodeship offices.

As Karolina Chról rightly notes, the tasks assigned to the voivode by the Act on Population Protection and Civil Defense can be divided into several categories (Chról, 2025).

The first category includes activities involving supervision, management, and coordination. These include overseeing the implementation of government tasks in the areas of population protection and civil defense, which are carried out by municipalities, counties, and other entities performing such tasks within the voivodeship.

Furthermore, voivodes are responsible for planning and coordinating activities in the field of population protection and civil defense undertaken by subordinate and supervised population protection entities and other subordinate and supervised entities operating within the voivodeship. Furthermore, their role is to coordinate cooperation between municipalities, counties, and population protection entities within the voivodeship, as well as to assess the performance of population protection and civil defense tasks by population protection entities with which the voivode has concluded

an agreement or for which they have issued a decision recognizing them as population protection entities operating within the voivodeship (Article 13, paragraphs 1, 2, 4, and 6 of the Act).

The second group of voivodeship duties includes supporting municipalities and counties performing tasks within the voivodeship in the implementation of population protection and civil defense tasks. In carrying out these tasks, the voivode has the authority to issue recommendations to coordinate the implementation of population protection and civil defense tasks by civil protection bodies, to the heads of municipalities (mayors, city presidents) and district heads of counties located within the voivodeship, and to the voivodeship marshal (Article 13, paragraphs 3 and 5, in conjunction with Article 59, paragraph 1, of the Act).

The third voivodeship duty encompasses the voivode's responsibilities in maintaining resources and infrastructure necessary for population protection and civil defense. These tasks include creating and maintaining, and determining the method of maintaining, the necessary population protection resources and infrastructure necessary for the implementation of population protection and civil defense tasks, ensuring access to water, as well as issuing recommendations to civil protection and civil defense entities regarding the types and quantities of population protection resources maintained by these entities.

The voivode also became responsible for financing and co-financing the maintenance, modernisation and construction of infrastructure necessary to carry out the tasks of population protection and civil defence, including structures with the status of protective structures (Article 13, paragraphs 8-10, 12 and 27 of the Act).

Another area of responsibility assigned to the voivode by the provisions of the Civil Protection and Civil Defense Act concerns their activities in the areas of education, training, and general information provision.

These responsibilities include, among others, developing and coordinating the Voivodeship Evacuation Plan, including identifying evacuation areas and directions, coordinating the preparation of contributions to evacuation plans by commune heads, mayors, city presidents, and district heads; planning and organizing training, exercises, and other forms of education in the field of civil protection and civil defense; taking action to counter disinformation that weakens social resilience within the voivodeship; and maintaining ongoing cooperation with the Government Security Center in obtaining, analyzing, and exchanging information regarding potential threats within the voivodeship.

Moreover, the voivode is obliged to maintain constant cooperation with local government civil protection bodies in the scope of obtaining and exchanging information on threats occurring in the areas of municipalities and poviats, as well as

jointly developing conclusions and recommendations on counteracting these threats (Article 13, paragraphs 16-22 of the Act).

It should also be noted that the voivode is also responsible for organizing and coordinating related activities, as well as providing humanitarian and emergency aid within the voivodeship. This means that they are responsible for providing first aid to those affected or evacuated, which are necessary to meet their basic living needs, including food, water, energy, clothing, and providing temporary shelter and basic sanitary conditions until they are provided with other types of assistance.

Furthermore, they are obligated to provide material and logistical assistance to people affected by natural disasters, crises, armed conflicts, and the consequences of migration (Article 13, paragraphs 15 and 29, in conjunction with Article 3 of the Humanitarian Act).

6. Conclusions

Undoubtedly, the legal and systemic solutions introduced by the Act on Population Protection and Civil Defense are aimed at the desired placement of population protection and civil defense tasks within the existing state security system, and represent an attempt to eliminate ambiguities in the current legal order and unify legislation in the field of population protection.

By comprehensively regulating all issues and assigning specific tasks and responsibilities to the authorities and entities responsible, the Act undoubtedly introduced regulations intended to provide a much clearer picture of the competences and scope of responsibilities of the public administration.

The changes introduced by the Act on Population Protection and Civil Defense also significantly altered the position of the voivode as a security authority. Compared to the previous legal framework, outlined broadly in this study, in which the voivode carried out their duties primarily through security and crisis management departments and based on the provisions of the Act on the Voivode and Government Administration in the Voivodeship and the Crisis Management Act, the current regulations have granted them a significantly broader scope of action.

The voivode has become not only the coordinator of central and local government actions in crisis situations, but also the central entity in the civil protection system, responsible for organization, supervision, evacuation, as well as countering disinformation and ensuring social resilience.

This newly shaped role makes the voivode a key decision-maker in the regional security system, simultaneously strengthening the state's response to threats and building a more coherent regional security system.

At the same time, the new law also raises certain constitutional and systemic concerns.

First and foremost, it imprecisely defines the relationship between the voivode and local government units, whose independence is constitutionally protected and which cannot be perceived as executors of government orders, even in an area as crucial as security. In practice, this could lead to conflicts over competences and attempts to expand the government's influence over local government tasks.

While protecting public safety and order undoubtedly constitutes one of the state's key responsibilities, its implementation cannot be at the expense of the constitutional principle of decentralization of power or limit the autonomy of local government units.

Therefore, it seems necessary to clarify the relationship between the voivode and local government bodies, particularly in terms of leadership, coordination, and cooperation between the voivode and local government bodies, to ensure a balance between effective action in emergency situations and respect for the autonomy of local government units.

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