

Rev. Artur Szela, PhD
Metropolitan Major Seminary in Wrocław
e-mail: as.biuro@wp.pl
ORCID: 0000-0002-7981-8758

DOI: 10.26410/SF_1/22/9

BASIC SECURITY PROBLEMS OF PUBLIC ASSEMBLIES

Abstract

The Constitution of the Republic of Poland guarantees each person the freedom to organise and to participate in peaceful assemblies. This liberty may be restricted by a dedicated act. The principles of conduct in the case of gatherings are regulated by the Act on Assemblies of 5 July 1990. In view of the above, the assumption that public gatherings are a special case of public congregation was adopted as the basis for the considerations presented in this article. The paper outlines a number of determinants affecting the safety of participants of public meetings, which will be both positive and pejorative in nature. The research conducted indicates that the participants of these assemblies will be subject to the influence of the assembly and aforementioned assembly will be influenced by them. All the more so since a public meeting is a gathering of people with a high power of interaction. The analyses and assessments carried out point to the significant role of state institutions in ensuring the security of public assemblies, which, in addition to their organisers, carry a huge burden of responsibility on their shoulders.

Keywords

security, threat, public safety, public order, state, citizen

Introduction

The Constitution of the Republic of Poland stipulates that 'Everyone shall be granted the freedom to hold peaceful meetings and take part in them'¹, and the state must ensure the realisation of this freedom². Liberty of assembly may only be restricted by law³, for example in situations of states of emergency, specifically in a state of war or a state of emergency⁴.

The freedom of assembly is of such importance among other types of exercise of liberty that it cannot be restricted by a state of emergency in the form of a state of natural disaster⁵ introduced to prevent the effects of, inter alia, a natural disaster, which is an event related to the action of forces of nature, including the mass occurrence of infectious diseases in humans⁶.

The right to assemble may, however, be completely restricted in a state of emergency or epidemic to a ban on holding spectacles and other gatherings of the public (it is a paradox that a more serious state of emergency does not involve a restriction of the freedom discussed herein, and a less serious one provides for such a restriction)⁷. Further restriction of the freedom of assembly is transferred

by statutory delegation to the level of executive acts with the rank of regulation.

Methodological and methodical assumptions

Taking into account the circumstances presented in the introduction, it was assumed that it is necessary to diagnose the security requirements of public assemblies, which is the purpose of this article.

Providing for the highest possible level of efficiency in conducting the research, it was decided that the scientific problem should be solved, which took the form of the following question: what determines the safety of participants in public gatherings?

Inductive inference, deductive reasoning, analysis, generalisation and abstraction were used during the research process accompanying the elaboration of this article.

In the course of the research, an important role was assigned to a critical analysis of the literature on the subject in order to obtain an understanding of the specifics of public assemblies, their hazards⁸ and the requirements for achieving an appropriate level of security for the participants.

Legal and organisational contexts of public assemblies

The Regulation of the Council of Ministers of 2nd May 2020 on establishing particular restrictions, orders and prohibitions in relation to the oc-

¹ Konstytucja Rzeczypospolitej Polskiej, art. 57 (Dziennik Ustaw: z 1997 r. nr 78, pos. 483, from 2001 nr 28, pos. 319, z 2006. nr 200, pos. 1471, from 2009. nr 114, pos. 946).

² Ibidem, art. 5.

³ Ibidem, art. 57.

⁴ Ibidem, art. 233. pas. 1.

⁵ Ibidem, art. 233. pas. 3.

⁶ Ustawa z dnia 18 kwietnia 2002 r. o stanie kłęski żywiołowej, art. 3 pas. 1 pt 2 (t.j. Dz.U.2017.0.1897).

⁷ Ustawa z dnia 5 grudnia 2008 r. o zapobieganiu oraz zwalczaniu zakażeń i chorób zakaźnych u ludzi, art. 46. pas. 4. pt 4 (t.j. Dz.U.2021.0.2069).

⁸ More: B. Wiśniewski, Challenges and Hazards of the Third Decade of the 21st Century, Security Dimensions, No 35, Apeiron, Kraków 2021, pp. 179-191.

currence of an epidemic outbreak has banned, until further notice, the organisation of assemblies, including ones organised as part of the operation of churches⁹. A similar provision was also included in the subsequent regulation of 16 May 2020 on the establishment of certain restrictions, orders and prohibitions in connection with the occurrence of an epidemic¹⁰.

The Polish state not only guarantees the freedom of assembly, but also – in the largo sense – ensures that they are safe¹¹, as the Constitution states that “the Republic of Poland [...] grants security to citizens [...]”¹².

The actions taken by the state both in the area of ensuring the freedom of assembly and the safety of its participants derive from the law, as “public authorities act on the basis and within the limits of the law”¹³.

Let us also add here that Polish law makes the term “assembly” more specific. It follows from the text of the Regulation of the Council of Ministers of 16 May 2020 on the establishment of certain restrictions, orders and prohibitions in connection with the occurrence of an epidemic state that an assembly is any gathering of at least two persons¹⁴.

The Law on Assemblies defines the term “assembly” as any “grouping of persons in an open space accessible to unspecified individuals by name in a particular place for the purpose of holding joint deliberations or for the purpose of collectively voicing a position on public issues”¹⁵. The Law on Assemblies refers to the term “public assembly”, however, it is correct to adopt that a public gathering is such an assembly that takes place in a public place (with unrestricted physical access of people) and the statutory term “assembly” is, in this case, identical with the term “public assembly”, as the Law does not, obviously, regulate the rules and procedures for organising, holding and dissolving gatherings in a private space, outside a public place (it does not regulate family, social and other similar gatherings)¹⁶.

The Law on Assemblies distinguishes a certain type of gathering called “spontaneous meetings” and “cyclic meetings”.

A spontaneous assembly is a grouping of persons in an open space accessible to unnamed individuals in a specific place for the purpose of holding joint deliberations or expressing a common position on public issues, held in connection with an event occurring suddenly and not foreseeable in advance, relating to the public sphere, the holding of which at another time would be irrelevant or of little importance from the point of view

⁹ Rozporządzenie Rady Ministrów z dnia 2 maja 2020 r. w sprawie ustanowienia określonych ograniczeń, nakazów i zakazów w związku z wystąpieniem stanu epidemii, art. 14. ust. 1.pkt 1. i 2 (Dz.U. 2020 poz. 792).

¹⁰ Ibidem, art. 13. reg. 1.pt 1. i 2.

¹¹ B. Kaczmarczyk, B. Wiśniewski, R. Gwardyński, Security of An Individual, Zeszyty Naukowe Państwowej Wyższej Szkoły Zawodowej im. Witelona w Legnicy, Nr 3 (28), Legnica 2018, pp. 67-68.

¹² Constitution of the Republic of Poland, art. 5.

¹³ Ibidem, art. 7.

¹⁴ Rozporządzenie Rady Ministrów z dnia 25 lutego 2022 r. w sprawie ustanowienia określonych ograniczeń, nakazów i zakazów w związku z wystąpieniem stanu epidemii, art. 13 (Dz.U. 2022, pos. 473).

¹⁵ Ustawa z dnia 24 lipca 2015 r. Prawo o zgromadzeniach, art. 3 ust. 1. (t.j. Dz.U.2019.0.631).

¹⁶ More: B. Wiśniewski, T. Zwęgliński, R. Socha, Public Administration, Public Tasks – Mutual Relations in The Context of The Polish Experiences the Field of Safety and Security Management, Facta Universitatis, Series: Working and Living Environmental Protection, No 2017/2/9, pp. 189-196

of public discourse¹⁷. A spontaneous gathering does not provide for the function of an organiser or chairman of the meeting.

However, it may be inferred from the wording of the Act on Assemblies that the term “cyclical assembly” may be understood as a gathering organised by the same controller, in the identical place or on the same route, at least 4 times a year according to a schedule or at least once a year on the days of national and state holidays, and such events have taken place over the past 3 years, even if not in the form of assemblies, and their aim is in particular to commemorate significant and important events in the history of the Republic of Poland¹⁸.

The Law on Public Assemblies provides for three types of procedures concerning public meetings: ordinary procedure (notification by the organiser to the municipality, appointment of the chairperson of the assembly), simplified procedure (notification by the organiser to the crisis management centre¹⁹ of a municipality or town, when the planned assembly will not cause hindrance in traffic, absence of the chairperson of the assembly), spontaneous assemblies (no notification by the organiser, because there is no chairperson), cyclic assemblies (notification by the organiser to the voivode, appointment of the chairperson of the assembly).

The Act on Assemblies does not define the term “public assembly”, howev-

er, a thorough analysis of the definitions included in the act allows for the conclusion that the terminology used in the Act on Assemblies introduces a semantic chaos (it may lead to equivocation, as the broader dictionary term “assembly” contains the narrower statutory term “assembly”).

Given the fact that the Law on Assemblies, including its definitions, does not apply to gatherings both organised by public authorities and held as part of the activities of churches and other religious associations, it seems reasonable to consider for the benefit of further consideration:

- the term “assembly” as having a broader meaning than that indicated in the Act (the Act refers to an extremely narrow fragment of reality, not caring that when speaking about this narrow fragment, it is often necessary to refer to a broader fragment, in which the smaller one is only a fraction);
- the notion “assembly” covers a large group of individuals gathered in some place and organised by public authorities and carried out in the framework of the activities of churches and other religious associations, as well as brought together in the context of a public gathering.

The Law on Assemblies indicates the entities involved in carrying out a public gathering. Among them it is possible to distinguish both the organiser of a public assembly²⁰ and the chairman of

¹⁷ Ibidem.

¹⁸ Ibidem, art. 26a reg. 1.

¹⁹ Zarządzanie kryzysowe. Teoria, praktyka, konteksty, badania, J. Stawnicka, B. Wiśniewski, R. Socha (ed. scient.), Wyższa Szkoła Policji, Szczytno 2011, p. 23.

²⁰ Regulation ... Prawo o zgromadzeniach, art. 7.

this meeting²¹, as well as state²² and local government entities²³.

Let us make it clear that an organiser is a person who stages an event, and therefore an organiser of a public assembly is a person who arranges a certain grouping of people, in an open space accessible to an unspecified number of individuals in a specified place, for the purpose of holding collective meetings or expressing a position on matters concerning the public. It can only be a person who has full legal capacity²⁴, and therefore any legal person or natural persons who have reached the age of majority through marriage or reaching 18 years of age and are not partially or wholly incapacitated.

Tasks, entitlements and obligations of organisers of public assemblies

In relation to the organisation of a public assembly, its promoter has numerous tasks, rights and obligations.

Among the tasks of the organiser are those that result in:

- submits a notice of the intention to organise a public assembly to the municipal authority²⁵ (in the notice he indicates – if it is an ordinary procedure for holding a gathering – the relevant information, e.g.: the chairman of the assembly and the purpose of the meeting, the date on which it

is to be held, the place and the anticipated number of participants²⁶, and he informs about the measures ensuring a peaceful, non-aggressive course of the event²⁷);

- apply to the provincial governor for his consent to hold a cyclic assembly (a cyclic assembly is an organisation by the same entity, in the same place or along the same route with the frequency of no less than four times a year – according to the schedule, at least once a year for a period of three years in connection with national holidays or national festivities aiming at commemorating momentous events²⁸).

In order to carry out its tasks, the organiser has the applicable powers: the right to appoint, by ordinary procedure, a chairperson of the public assembly and the right to appeal against the decision:

- prohibition to hold a public meeting²⁹ or
- the dissolution of a public assembly³⁰ (both under the ordinary and simplified procedures).

The organiser also has obligations related to the fact that the conduct of the public assembly must not violate the law, nor must it be a source of loss to the surroundings of the gathering. Therefore, the organiser has a legal duty:

- ensure that the conduct of the assembly is in accordance with the law in force, as well as that the gathering is carried out in such a way as to pre-

²¹ Ibidem, art. 18.

²² Ibidem

²³ Ibidem, art. 8.

²⁴ Ibidem, art. 4. reg. 1.

²⁵ Ibidem, art. 7. reg. 1.

²⁶ Ibidem, reg. 22.

²⁷ Ibidem, reg. 10.

²⁸ Ibidem, reg. 26a.

²⁹ Ibidem, reg. 16.

³⁰ Ibidem, reg. 19.

- vent damage by participants in the public assembly³¹;
- take the prescribed measures to ensure that the assembly is run in accordance with the law and to prevent damage through the guilt of the attendants of the assembly³²;
 - when a public meeting is organized under the simplified procedure, to have uninterrupted elements indicating that it is the organizer of the gathering³³ and to dissolve the assembly when its participants do not comply with the organizer's instructions, or the conduct of the assembly is unlawful³⁴.

The ordinary procedure for conducting a public assembly provides for the function of the president of the meeting, who may be either: the organiser, where this is an individual, or any other physical person indicated by the organiser, who agrees in writing to assume the duties of the president of the assembly, or a person acting on behalf of the organiser of the assembly, who agrees in writing to take on the duties of the president of the assembly, where the organiser of the meeting is a legal person or another organisation³⁵.

In addition to the organiser, the chairperson of the public assembly has an important function in ensuring security. His duties include:

- ensuring the conduct of the assembly in accordance with the law and pre-

- venting participants of the assembly from causing damage³⁶;
- keeping in touch during the gathering with the representative of the municipal authority and police officers³⁷;
- possessing, at all times, distinctive elements of the chairman (this refers to having a badge in a visible place)³⁸;
- calling for a person or people violating the law to abandon the assembly³⁹;
- requesting assistance from the Police or municipal police in situations justified by law⁴⁰;
- disbanding a public meeting when attendees disobey his/her instructions or when the law is violated⁴¹.

Duties of public administrations

In the procedure of organising and conducting a public assembly, the municipal self-government plays an important role, which stems from the tasks assigned thereto by law and the scope of its activities. On the territory of the municipality, the municipal self-government takes action in the area of public order and the safety of citizens⁴². The organs of commune and municipal self-government are: the commune council, the head of

³¹ Ibidem,

³² Ibidem, reg. 19.

³³ Ibidem, reg. 23.

³⁴ Ibidem, reg. 24.

³⁵ Ibidem, reg. 18.

³⁶ Ibidem, reg. 19.

³⁷ Ibidem, reg. 17 i 19.

³⁸ Ibidem, reg. 19.

³⁹ Ibidem,

⁴⁰ Ibidem,

⁴¹ More: B. Wiśniewski, G.Sander, Zagrożenie, kryzys i sytuacja kryzysowa – jako uwarunkowania życia współczesnego człowieka, Bezpieczeństwo i Technika Pożarowa, No. 41, Issue 1, Centrum Naukowo-Badawcze Ochrony Przeciwpowarowej, Państwowy Instytut Badawczy, Józefów 2016, pp. 13-18.

⁴² Ustawa z dnia 8 marca 1990 r. o samorządzie gminnym, art. 7. pas. 1. pt 14 (t.j. Dz.U.2022.0.559).

the commune, the mayor or the president of the city⁴³, whereby the executive body of the commune is precisely the head of the commune, the mayor or the president of the city⁴⁴.

The municipality may establish a communal crisis⁴⁵ management centre competent to perform the tasks of the municipality with respect to the organisation of public gatherings⁴⁶, dealing with the issue of public meetings in the municipality's area⁴⁷. The municipality appoints its representative to participate in the assembly, and uses the municipal guards in the protection of peace and order in public places, as well as cooperation with the organisers and other services in the protection of order during assemblies and public events⁴⁸.

The tasks of the municipal authority in connection with a public assembly include:

- recognising the notification of the organiser of a public assembly;
- equipping the chairman of the assembly with an appropriate badge⁴⁹;
- supervising the conduct of the public assembly in terms of the lawfulness of its conduct⁵⁰.

The municipality is empowered to do a number of things, including:

- definition of the place of the public assembly⁵¹;

- dissolving a public assembly in situations justified by law⁵²;
- the issuance of a decision banning an assembly⁵³.

The municipality also has duties to deal with matters relating to the organisation of public gatherings. These include the following duties:

- make information on the place and date of the organised public assembly available on the website of the Public Information Bulletin⁵⁴;
- Inform the competent chief of police and other interested parties, as specified in the law, of the intention to organise a public assembly⁵⁵;
- call the organiser of a public gathering to change the place or time of the event in question⁵⁶;
- make the decision prohibiting a public assembly available on the website⁵⁷.

An important entity in the process of organising a public assembly is the province governor, being an authority appointed by the Prime Minister upon the motion of the minister in charge of internal affairs. The provincial governor performs the tasks of government administration in the province⁵⁸, and is the supervisory body over the activities of local government units and their unions in terms of legality⁵⁹.

⁴³ Ibidem, art. 11a.

⁴⁴ Ibidem, art. 26, ust. 1. pt 14.

⁴⁵ Ibidem, art. 26, ust. 1. pt 14.

⁴⁶ Ustawa z dnia 26 kwietnia 2007 r. o zarządzaniu kryzysowym, art. 20. ust. 2a. (t.j. Dz.U.2020.0.1856).

⁴⁷ Regulation... o samorządzie gminnym, art. 17. pas. 1.

⁴⁸ Ustawa z dnia 29 sierpnia 1997 r. o strażach gminnych, art. 2 and 11. (t.j. Dz.U.2021.0.1763).

⁴⁹ Ustawa... Prawo o zgromadzeniach, art. 19.

⁵⁰ Ibidem, art.20.

⁵¹ Ibidem, art.5.

⁵² Ibidem, art.20.

⁵³ Ibidem, art.14.

⁵⁴ Ibidem, art.7.

⁵⁵ Ibidem, art.8.

⁵⁶ Ibidem, art.12.

⁵⁷ Ibidem, art.15.

⁵⁸ Ustawa z dnia 23 stycznia 2009 r. o wojewodzie i administracji rządowej w województwie, art. 2. (t.j. Dz.U.2022.0.135).

⁵⁹ Ibidem, art. 3.

The tasks of the provincial governor in respect of the organisation of an assembly of a public nature include, in particular:

- acceptance, through the provincial centre for crisis management, of the organiser's notice to hold a public assembly⁶⁰;
- announcement on the website of the Public Information Bulletin of information concerning the place and date of the planned public assembly⁶¹,
- approval of cyclic organisation of public assemblies⁶².

The Police⁶³ is an important institution involved in the security and public order of public gatherings⁶⁴. In the area of security and public order during a public assembly⁶⁵, the Police shall assist the chairman of the assembly demanding that a person who by his/her behaviour violates the provisions of the Act or prevents or attempts to prevent the assembly and does not submit to such a request shall leave the assembly⁶⁶.

The police may request the representative of the municipal authority to dissolve a gathering when its course threatens the life or health of people or property of significant size, causes a significant threat to the safety or order of traffic on public roads or violates the

provisions of this Act or criminal legislation⁶⁷.

In addition, the Police disband a spontaneous public assembly – the issuance of a decision by a police officer in charge of the actions securing the public meeting – if its course endangers the life or health of people or property of significant size, or causes a serious threat to public security or order, or poses a substantial risk to the safety or order of traffic on public roads, or violates the provisions of this Act, violates the course of other assemblies, or criminal regulations⁶⁸.

The State Protection Service, being a unitary, uniformed, armed formation performing tasks in the field of protection of individuals and objects, as well as recognition and prevention of directed⁶⁹ crimes against them – is involved in providing security and public order related to a public assembly, when the gathering is to take place in the vicinity of facilities guarded by the State Protection Service⁷⁰.

The Marshal's Guard, being an armed formation performing the tasks of protecting the Sejm and the Senate, is involved in ensuring security and public order related to a public assembly when the assembly is to be held in the vicinity of the facilities protected by the Marshal's Guard.

The Military Police, which is a separate and specialised service forming part of the Armed Forces of the Republic of

⁶⁰ Ustawa... Prawo o zgromadzeniach, art. 22.

⁶¹ Ibidem, art. 26a.

⁶² Ibidem, art. 26b.

⁶³ More: Współczesny wymiar funkcjonowania Policji, B. Wiśniewski, Z. Piątek (ed.), Akademia Obrony Narodowej, Warszawa 2009.

⁶⁴ Ibidem, art. 8.

⁶⁵ See: R. Socha, B. Kaczmarczyk, A. Szwajca, Zarządzanie kryzysowe w systemie bezpieczeństwa publicznego RP, Kraków 2014.

⁶⁶ Ibidem, art.19.

⁶⁷ Ibidem, art.25.

⁶⁸ Ibidem, art. 28.

⁶⁹ Ustawa z dnia 26.01.2018 r. o Straży Marszałkowskiej (Dz. U. 2018, pos. 729).

⁷⁰ Ustawa z dnia 8.12. 2017 r. o Służbie Ochrony Państwa (Dz. U. 2018 poz. 138).

Poland, is involved in ensuring security and public order connected with a public assembly when the gathering is to take place in the vicinity of military facilities⁷¹.

Special solutions

When examining the issue of human assemblies, one cannot omit those that cause traffic obstruction or require the special use of the road⁷². This issue is regulated by the Road Traffic Law, but its provisions introduce a terminological dissonance.

Applying the pragmatic method, it has been assumed that the Road Traffic Law regulates only those assemblies which are connected with the movement of groups of people (like pilgrimages or as tourist queues) causing an obstruction in road traffic. It is also presumed that when the legislator uses the term “event” he also means “assembly” (a broader concept than “event”), which is reflected in the Act on Prevention and Control of Infections and Infectious Diseases in Humans⁷³.

The organiser of an assembly which may cause inconvenience to road traffic shall be obliged to ensure security to the participants of the assembly and maintain order during its duration] Security and order during events is also ensured by the Police, as well as the Border Guard⁷⁴. The Minister of National

Defence may also appoint the Police and the Border Guard⁷⁵, if the assembly is held in the border zone, as well as the Military Police or military law enforcement authorities if the assembly is held on roads running through or adjacent to areas under the direct or indirect management of the Minister of National Defence⁷⁶.

The implementation of an assembly on a public road requires a permit for its conduct⁷⁷, issued by the authority managing traffic on the road by way of an administrative decision, upon a written request submitted by the organiser of the event, at least 30 days before the planned gathering⁷⁸. The organiser shall send a copy of the application for holding an assembly to the locally competent Voivodship Police Commander, when the venue is a road in a border zone or under direct or indirect management of the Minister of National Defence (or adjacent to such roads), to the locally competent Commander of the Border Guard or Commander of the Military Police, respectively⁷⁹.

The organiser of an assembly bringing about an impediment to road traffic has a number of obligations. He or she should coordinate the course of the route on which the assembly will move with the authorities managing traffic on roads. He shall also, *inter alia*:

- draw up the regulations and the programme of the event, the plan defin-

⁷¹ Ustawa z dnia 24 sierpnia 2001 r. o Żandarmerii Wojskowej i wojskowych organach porządkowych (t.j. Dz.U.2021.0.1214).

⁷² Ustawa z dnia 20 czerwca 1997 r. Prawo o ruchu drogowym, art. 65 (t.j. Dz.U.2021.0.450).

⁷³ Ustawa... o zapobieganiu oraz zwalczaniu zakażeń i chorób zakaźnych u ludzi, art. 46. ust. 4. pkt 4.

⁷⁴ Ustawa... Prawo o ruchu drogowym, art. 65a. ust. 1.

⁷⁵ More: Współczesny wymiar funkcjonowania Policji, B. Wiśniewski, Z. Piątek (ed.), Akademia Obrony Narodowej, Warszawa 2007.

⁷⁶ Ustawa... Prawo o ruchu drogowym, art. 65a. pas. 4.

⁷⁷ Ibidem, art. 65.

⁷⁸ Ibidem, art. 65b. pas. 1.

⁷⁹ Ibidem, art. 65b. pas. 2.

- ing the means of providing security and public order, the list of people who will be part of the security service;
- specify the method of marking dangerous places;
 - in consultation with the Police, draw up an instruction specifying the tasks of the security services;
 - in agreement with the State Fire Service and other rescue services, determine the types, scope and method of rescue services for the event, -Contact the State Fire Service and other rescue services;
 - cooperate with the Police or, when circumstances require, with the Border Guard and the Military Police;
 - provide detailed information to entities associated with the holding of the assembly.
 - upon the order of the authority managing traffic on the road, elaborate, in agreement with the Police, a traffic organisation project;
 - agree with the road manager on the area of utilisation of the road lane, as well as on the date and manner of its restoration to its original state
 - notify public transport entities of the expected time of occurrence of traffic obstructions, as well as publish information on expected traffic impediments⁸⁰.
- The Police (and, respectively, the Border Guard, the Military Police) shall ensure security and order in relation to a gathering (event) affecting the obstruction of traffic by:
- developing a police protection plan;
 - setting up blockade posts (traffic exclusion on the road in question) and traffic management (traffic smoothing, temporary restriction or closure);
 - introducing detours for roads excluded from traffic;
 - piloting participants in the assembly;
 - restoring traffic flow after the assembly has taken place⁸¹.
- In the event that the safety conditions of an assembly on a public road do not provide for safety, and in particular when there is a danger to life or health or to property of great value, the traffic management body shall withdraw the permit issued.
- The traffic control authority shall interrupt the assembly if it is carried out without the permission of the authority in charge of road traffic⁸², and may do so when:
- the essential conditions for carrying out the assembly (venue, route or duration) deviate from those laid down in the permit
 - there is a threat to people, their life, health and property of great value;
 - the course of the assembly contributes to a hazard to road safety⁸³.

Conclusions

The safety and public order of a public gathering depend on the functioning of the various entities involved in that assembly. The law – including, inter alia, the Law on Assemblies, the Law on Road Traffic – strictly defines the tasks and competences of each of the parties.

⁸¹ Ibidem, art. 65a. pas. 4.

⁸² Ibidem, art. 65f.

⁸³ Ibidem, art. 65g.

⁸⁰ Ibidem, art. 65a. pas. 3.

The essence of efficient action is the cooperation occurring between the organiser of the assembly and state and local government institutions. The complex and collective actions discussed here are all about being purposeful and cost-effective.

Poland has good legal solutions regarding the organisation and holding of public assemblies. The regulations strictly define the tasks, rights and obligations of individual entities, which translates into assuring safety, both for the event, its participants, as well as outsiders staying in the vicinity of a public assembly.

Bibliography

- Kaczmarczyk B., Wiśniewski B., Gwardyński R., Security of An Individual, *Zeszyty Naukowe Państwowej Wyższej Szkoły Zawodowej im. Witelona w Legnicy*, Nr 3 (28), Legnica 2018.
- Kogut B., Lubiewski P., Organization of Rescue Activities in Crisis Situations Caused by Terrorist Attacks, *Вісник Львівського державного університету безпеки життєдіяльності*, No. 2018/6/11, Lviv 2018.
- Konstytucja Rzeczypospolitej Polskiej, art. 57 (*Dziennik Ustaw* z 1997 r. nr 78, poz. 483, z 2001 nr 28, poz. 319, z 2006 r. nr 200, poz. 1471, z 2009 r. nr 114, poz. 946).
- Lubiewski P., Bezpieczeństwo państwa w ujęciu systemowym, *Zeszyty Naukowe SGSP*, No. 74/2/2020, Szkoła Główna Służby Pożarniczej, Warszawa 2020.
- Lubiewski P., Gwardyński R., Ochrona zabytków przed zagrożeniami terrorystycznymi, kryminalnymi, militarnymi i pozamilitarnymi, *Katedra Bezpieczeństwa Społecznego Instytutu Bezpieczeństwa i Edukacji Obywatelskiej Wydziału Pedagogicznego Uniwersytetu Pedagogicznego w Krakowie*, Kraków 2018.
- Rozporządzenie Rady Ministrów z dnia 2 maja 2020 r. w sprawie ustanowienia określonych ograniczeń, nakazów i zakazów w związku z wystąpieniem stanu epidemii (*Dz.U.* 2020 poz. 792).
- Rozporządzenie Rady Ministrów z dnia 25 lutego 2022 r. w sprawie ustanowienia określonych ograniczeń, nakazów i zakazów w związku z wystąpieniem stanu epidemii (*Dz.U.* 2022, poz. 473).
- Socha R., Kaczmarczyk B., Szwejca A., Zarządzanie kryzysowe w systemie bezpieczeństwa publicznego RP, Kraków 2014.
- Ustawa z dnia 18 kwietnia 2002 r. o stanie kłęski żywiolowej (t.j. *Dz.U.*2017.0.1897).
- Ustawa z dnia 20 czerwca 1997 r. Prawo o ruchu drogowym, art. 65 (t.j. *Dz.U.*2021.0.450).
- Ustawa z dnia 23 stycznia 2009 r. o wojewodzie i administracji rządowej w województwie (t.j. *Dz.U.*2022.0.135).
- Ustawa z dnia 24 lipca 2015 r. Prawo o zgromadzeniach (t.j. *Dz.U.*2019.0.631).
- Ustawa z dnia 24 sierpnia 2001 r. o Żandarmerii Wojskowej i wojskowych organach porządkowych (t.j. *Dz.U.*2021.0.1214).
- Ustawa z dnia 26 kwietnia 2007 r. o zarządzaniu kryzysowym (t.j. *Dz.U.*2020.0.1856).
- Ustawa z dnia 26.01.2018 r. o Straży Marszałkowskiej (*Dz. U.* 2018, poz. 729).
- Ustawa z dnia 29 sierpnia 1997 r. o strażach gminnych (t.j. *Dz.U.*2021.0.1763).
- Ustawa z dnia 5 grudnia 2008 r. o zapobieganiu oraz zwalczaniu zakażeń i chorób zakaźnych u ludzi (t.j. *Dz.U.*2021.0.2069).
- Ustawa z dnia 8 marca 1990 r. o samorządzie gminnym (t.j. *Dz.U.*2022.0.559).
- Ustawa z dnia 8.12. 2017 r. o Służbie Ochrony Państwa (*Dz. U.* 2018 poz. 138).
- Wiśniewski B., Challenges and Hazards of the Third Decade of the 21st Century, *Security Dimensions*, No 35, Apeiron, Kraków 2021.

- Wiśniewski B., Sander G., Zagrożenie, kryzys i sytuacja kryzysowa – jako uwarunkowania życia współczesnego człowieka, *Bezpieczeństwo i Technika Pożarowa*, No. 41, Issue 1, Centrum Naukowo-Badawcze Ochrony Przeciwożarowej, Państwowy Instytut Badawczy, Józefów 2016.
- Wiśniewski B., Zwęgliński T., Socha R., Public Administration, Public Tasks – Mutual Relations in The Context of The Polish Experiences The Field of Safety and Security Management, *Facta Universitatis, Series: Working and Living Environmental Protection*, No 2017/2/9.
- Wiśniewski B., Zwęgliński T., Socha R., The Theory of Commanding, *Вісник Львівського державного університету безпеки життєдіяльності*, No. 2016/2/14. Lviv 2016.
- Współczesny wymiar funkcjonowania Policji, B. Wiśniewski, Z. Piątek (red.), *Akademia Obrony Narodowej*, Warszawa 2009.
- Zarządzanie kryzysowe. Teoria, praktyka, konteksty, badania, J. Stawnicka, B. Wiśniewski, R. Socha (eds.), *Wyższa Szkoła Policji, Szczytno* 2011.
- Zwęgliński T., Analiza polityczno-administracyjnych procesów decyzyjnych Unii Europejskiej w przypadku wystąpienia międzysektorowych i transgranicznych sytuacji kryzysowych, [in:] *Koncepcje i instrumenty zarządzania kryzysowego w administracji publicznej*, Gołębiowska A., Zientarski P.B. (ed.), *Wydawnictwo Kancelarii Senatu RP, Warszawa* 2017.

About the Autor

Artur Szela, polish a Catholic priest. Doctor of social sciences. In his scientific work he deals with the problems of Catholic social teaching, security and threats.