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## **Counter Terrorist Solutions in the Polish Police versus Contemporary Forms and Methods of Terrorist Organizations Activities**

### **Abstract**

The security environment in the 21st century is dynamic. The tools that the state uses to ensure its own security, its and citizens' interests must be adapted to the current challenges. Preparation of counter-terroristic sub-units of the Police, both in terms of their organization, their place in the wider structure of security and public order services, as well as and legal basis for action, is one of the most important among these tools. The article is devoted to the analysis of the preparation of counterterrorism subunits of the Polish Police to the challenges posed by tactics used by terrorist organizations, posing a threat to national and international security.

*Keywords: police, combating terrorism, counterterrorist sub-units, anti-terrorism system, terrorist attacks, forms and methods of attacks*

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## Introduction

The security environment evolves both in the internal and external dimensions, both in relation to Poland and other participants of international relations. After the end of the Cold War, trends in international relations seemed to indicate that the threat of a conventional military conflict was declining, while the growing seriousness of asymmetric threats, especially from terrorist groups.

Kuba Jałoszyński (2008, p. 11) states that “the threat for Poland with terrorism is affected by the general political and military situation in Europe and in the world, but above all the geopolitical situation of our country is constantly changing, being the resultant of areas and threats that may directly affect the state of our security. Until 1990, Poland was not considered a country threatened by international terrorism, because the then terrorist groups operating in Western Europe and the Middle East were armed and trained by the Soviet Union and several of the then existing socialist countries and they voiced leftist views. (...) Currently, political and military changes taking place not only in Central Europe, but all over the world have a huge impact on the security of Poland”.

Adaptation of the regulatory and organizational level as well as the procedures and methods used to meet new challenges, as well as the forms and methods they take, is an element of tactical and strategic preparation for effective security of the state, its citizens and interests. Therefore, considerations regarding the preparation and adaptation of Polish police forces to face terrorist threats, it is worth starting by reflecting on what forms and methods of attacks are used by terrorist organizations in the 21st century and what course they may have.

The purpose of the conducted analysis was therefore to determine whether the changes taking place in the Polish counter-terrorist sub-units constitute a response to changing conditions in which these units carry out their tasks.

To achieve this goal, the methodology of forms and methods of action used by terrorist organizations was subjected to an analytical review. In its context, the solutions introduced in the organization and functioning of Polish counter-terrorist sub-units were analyzed on the basis of changes in the legal provisions regulating these activities as well as the ongoing legislative processes and the direction in which they are heading.

## Forms and methods of terrorist organizations operation

Forms and methods of attacks used by members of terrorist organizations and organizations undertaking military operations (carrying out terrorist attacks) can take various forms. They are regularly analyzed, among others, by the services responsible for countering terrorism in countries where the threat from terrorist organizations remains at a high level. Among them are the United Kingdom: MI5, the British Security Service (MI5 Security Service) points as tools of terrorist organizations:

- the use of explosives in the form of, inter alia, improvised explosives, improvised explosives placed on vehicles, belts / vests filled with explosives;
- firearms and attacks in confined spaces (including white weapons);
- use of suicide bombers;
- kidnappings, especially ransom hijackings and propaganda effects;
- ground-to-air missiles;
- use of chemical and biological weapons (trials);
- other forms of attacks (for example, radicalization of people employed in an organization that is the target of a planned attack, who may, thanks to the information available, help in its preparation).

One of the more serious threats faced by contemporary states of interest to terrorist organizations, especially their services responsible for countering terrorist attacks, is the activity of so-called “lone wolves” (such attacks were carried out, for example, in Norway, France, Germany, Spain)<sup>1</sup>. Terrorism of a lone wolf is a characteristic of “unguided resistance”. In a typical situation, a terrorist counted as “lone wolves” never made contact with terrorist organizations or radicalized environments, thus acting in complete isolation and without any instructions. This is the most difficult type of threat to detect due to the lack of any communication with other people about attack plans, as well as due to the total detachment from terrorist networks (Center for Terroranalyse 2011, p. 2).

Terrorist activities are usually prepared in such a way as to minimize the risk and achieve the highest probability of success. Terrorists avoid hitting the heavily secured targets and look for the opponent's weaknesses. The attack should take place using the

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<sup>1</sup> Examples of attacks: Anders Behring Breivik, Norway, 2011; Mohammed Merah, France, 2012; Muhammed Lahouaiej Bouhlel, France, 2016; Abderrahman Bouanane, Finland, 2017.

minimum number of attackers necessary to successfully carry out the operation (Habash 2007, p. A-1).

Gathering information about a potential goal can take years to make a decision. In order to achieve the intended goals in the recognition phase, it is possible to blend with terrorists (or supporters of the organization) in the environment (internal and external) of the goal, undertaking professional or educational activity to ensure adequate coverage for correct activities. In the case of people pursuing activities in the long-term horizon (including those belonging to dormant cells), it is possible to take action to acquire citizenship or the right of permanent residence on the territory of the state – target. It is difficult to indicate a universal model of planning terrorist attacks, in which organization operators would take part in Europe, but experience allows to demonstrate traditional principles of planning and operations (Habash 2007, pp. A1-A3).

Many factors can influence the choice of the terrorist organization. What counts is not only the attractiveness of the target, but also the operational capabilities of the group planning the attack. A reflection of the process of selecting a goal is a matrix of risk analysis called CARVER, derived from specific factors taken into account in the analytical process. This tool focuses on the opponent's point of view to assess the attractiveness of the target (Schnaubelt, Larson, Boyer 2014, pp. 29-31):

- Critical,
- Accesibility,
- Recoverability,
- Vulnerability,
- Effect,
- Recognizability.

The general target selection phase is the period for collecting information on a range of potential targets. The collection of information takes place from various sources. Scouts the members of the terrorist cell, sympathizers or persons providing information without knowledge about the intended purpose of gathering information may be responsible for recognition. This phase also includes gathering information from open general sources. Areas in which this type of diagnosis is conducted (Habash 2007, pp. A1-A2):

- articles from newspapers and other media provide basic information;

- research with the use of the Internet provide data such as texts, images, architectural plans and information in video format;
- potential targets are checked in the context of achieving the intended effects, the assessment concerns areas such as symbolic value, the possibility of causing failure of key infrastructure points, the expected number of victims and the possibility of generating high media interest.

The number of initial goals that can be monitored is limited only by the capabilities of the information collection group. Goals that are considered vulnerable will become targets of the attack are selected at the next stages of gathering information.

In the information gathering phase, goals with security vulnerabilities can gain additional attention and are a priority in the organization's activities. This priority generates the requirement to collect additional information about the goal as well as patterns of its functioning over time. This phase can be very short or can last for years. The type of supervision used depends on the type of attack target. Elements of information collected include (*Ibidem*, pp. A2-A3):

- practices / procedures – in the case of various facilities, this includes, for example, planned deliveries, the way personnel work as shift work, identification procedures and other observable procedures;
- transport / route of travel – entry and exit points, types of vehicles allowed within the area, availability of transport to the destination;
- security measures – presence of security; reaction time of security units; any structural reinforcements, barriers or sensors; procedures for the inspection of personnel, consignments and vehicles; type and frequency of exercises in the field responding to emergency response situations – this information is crucial when choosing an attack object, because through proper planning in the area of avoidance of security measures you can achieve the goal at any time.

A separate type of action are those undertaken by operators whose aim is to identify potential targets of the attack, among which they can be found (*A Military Guide to Terrorism in the Twenty-First Century* 2007, pp. 2-11):

- conducting recognition of potential targets (location, logistics, security system, vulnerability, effects of a potential attack),
- penetration to places of interest (eg potential targets);

- conducting counterintelligence activities (including protection against counter-maintenance);
- placing listening devices in places of potential attack;
- eavesdropping on means of communication interesting for the terrorists (e.g. radio communication of police forces);
- the use of intrusions into teleinformation systems in order to obtain the necessary information;
- drawing up relevant documentation and submitting it as part of the established communication.

### Counterterrorist activities of the Polish Police – a historical outline

Counterterrorist actions taken against this type of threats must include both the activities of special services (information services) and activities in the field of physical control of terrorist attacks. In today's state, counterterrorist police sub-units play a significant role in this area.

In Poland, the tradition of their functioning (although they faced other threats at the time), dates back to the late 70s of the last century, when special platoons were formed in the structures of certain ZOMO (Motorized Departments of Citizens' Militia) departments, and the Security Department at the Central Militia Headquarters. These were the first Polish units capable of freeing hostage, as well as for making high-risk arrests. Special platoons and the security department were initially trained on the model of special units of the People's Polish Army (Jaloszynski 2014, pp. 21-22).

The history of counter-terror police forces in the Polish Police includes many stages of maturation of this component of the Polish system for counteracting terrorist threats (Jaloszynski 2014):

- 1990: the dissolution of the flight protection wing of the SUSW (the capital office of the interior) Security Department has been resolved; the name of the unit was changed to the Anti-Terrorist Department of the Warsaw Metropolitan Police Headquarters; expanding the battle division to a pyrotechnical section establishing a staff and protection platoon and a transport section, expanding the medical team;

- 1992: creation of a combat division of the training section and the negotiating section, enlargement of the pyrotechnic section;
- February 2003: incorporation of the Warsaw AT Department into the Police Headquarters, creation of two Management Boards: Combat Management and a Combat Support Board as part of the Central Investigation Bureau;
- July 2003 – merger of two Management Boards and formation of the Bureau of Anti-Terrorist Operations of the Police Headquarters directly subordinate to the Chief Police Commander;
- April 2004 – dissolution of the Antiterrorist Operations Office (transformation of the central AT unit into the Anti-Terrorist Operations Board of the Main Staff of the Police Headquarters without changing tasks);
- May 2008 – reactivation of the Bureau of Anti-Terrorist Operations (BOA) of the Police Headquarters as the central AT unit in Poland (change of the BOA structure).

At present, BOA is carrying out tasks related to the physical combating of terrorism and organizing, coordinating and supervising the activities of the Police, in particular:

- “1. Conducting combat and reconnaissance operations aimed at physically combating terrorist attacks, in particular activities of considerable complexity, as well as carried out in an environment exposed to chemical, biological, ionizing, nuclear and explosive agents;
2. Conducting activities requiring the use of specialized forces and means or the use of special tactics;
3. Conducting police negotiations;
4. Carrying out tasks supporting protective measures taken against persons subject to protection;
5. Supporting activities of Police organizational units and KGP (Police Headquarters) offices in conditions of particular danger or requiring specific qualifications and skills;
6. Coordinating police preparations for conducting combat operations, mini and pyrotechnics and police negotiations in the Police” (Zarządzenie Nr 2 Komendanta Głównego Policji z 1 kwietnia 2016 r. w sprawie regulaminu Komendy Głównej Policji 2016, par. 22 paragraph 2).

BOA also performs the tasks of a special intervention unit, referred to in the Council of the European Union decision of 23 June 2008 on improving cooperation between special intervention units of EU member states in crisis situations (Decyzja Rady w sprawie usprawnienia współpracy pomiędzy specjalnymi jednostkami interwencyjnymi państw członkowskich Unii Europejskiej w sytuacjach kryzysowych 2008, p. 73), i.e. performs tasks within the framework of cooperation related to the functioning of the ATLAS platform.

The activities of counter-terrorist sub-units of the Police may be supported if necessary by the Polish Armed Forces. Pursuant to the provisions of the Police Act (Police Act 1990), in the event of threat to public safety or public order disturbance by introducing a threat of a terrorist offense that may result in danger to life or health of cultural, sports or religious events, including assemblies or mass events, if the use of Police units or subunits turns out to be insufficient, the units and subunits of the Armed Forces of the Republic of Poland may be used to help the Police units and subunits. Rules for the use of units and subunits of the Polish Armed Forces in (in the conditions of terrorist threat are regulated by:

- Regulation of the Council of Ministers on the use of branches and subunits of the Police and the Armed Forces of the Republic of Poland in the event of threats to public safety or public order disturbance (Rozporządzenie Rady Ministrów w sprawie użycia oddziałów i pododdziałów Policji oraz Sił Zbrojnych Rzeczypospolitej Polskiej w razie zagrożenia bezpieczeństwa publicznego lub zakłócenia porządku publicznego 2016);
- Regulation of the Council of Ministers on the detailed conditions and manner of organization of cooperation between Police units and subunits with branches and subunits of the Armed Forces of the Republic of Poland in the event of the third or fourth alarm stage (Rozporządzenie Rady Ministrów w sprawie szczególnych warunków i sposobu organizacji współdziałania oddziałów i pododdziałów Policji z oddziałami i pododdziałami Sił Zbrojnych Rzeczypospolitej Polskiej w przypadku wprowadzenia trzeciego lub czwartego stopnia alarmowego 2016).

## Act on anti-terrorist activities

Significant changes in the scope of police actions of counterterrorism divisions were introduced into Polish law by the Act on counter-terrorism (Ustawa o działaniach antyterrorystycznych 2016). Although the basic principles of the use of weapons by the Police are regulated by the Act on coercive measures and firearms (Ustawa o środkach przymusu bezpośredniego i broni palnej 2013), it is from the point of view of the operation of counterterrorism sub-divisions that the act on anti-terrorist activities contains important rules on the special use of weapons.

They are included in art. 23.1 of the Anti-Terrorist Action Act (Ustawa o działaniach antyterrorystycznych 2016), which states as follows: “As part of counterterrorism activities, if it is necessary to counteract direct, unlawful, violent attack on life or human health or to release the hostage, and the use of firearms in a manner the smallest damage is insufficient and it is not possible to counteract such a attack or release the hostage in any other way, it is permissible, taking into account all circumstances of a terrorist incident and the possibility of counterterrorism, the use of a firearm against the person committing or taking or holding a hostage, which may result in death or imminent threat to the life or health of that person, hereinafter referred to as »special use of weapons«”.

As experts note, dealing with the functioning of counterterrorist sub-divisions (Jaloszkiński, Stepiński 2017, pp. 343-344):

- national solutions relating to special use of weapons do not conflict with international law;
- the regulations introduced allow for the special use of weapons only in the event of a terrorist threat, which may cause in the course of the operation complications resulting from the lack of a clear diagnosis of the character of the crisis (terrorism ?, criminal terror?), weakening the possibility of their actual use in the activities of authorized services.

The Act thus introduces a distinction between the use of firearms depending on the nature of the incident to which the security and public order services respond. It means the introduction of two categories of victims of crime: “which can be saved as a result of police operations using »special use of weapons«, and those who can not be saved by police using the special use of weapons because they are victims of strict criminal activities” (Ustawa o działaniach antyterrorystycznych 2016).

The above analysis of the provisions on special use of weapons has been summarized with the formulation of three important recommendations (Jałoszyński, Stepiński 2017, pp. 345-346):

1. The law of “special use of weapons” can not be limited only to a terrorist offense, it should apply to specific criminal behaviour.
2. The right to “special use of weapons” should apply to all entities legally entitled to use firearms and not be limited to organizing them in the context of “counterterrorist groups”.
3. The law of “special use of weapons” should result from the Act on measures of direct coercion and firearms, and thus apply to all situations fulfilling the features arising from the proposed definition, and not only terrorist events.

### Sejm print 2828 – proposal to create a counterterrorism service in the police

In September 2018, the Council of Ministers adopted a bill submitted by the Minister of Interior and Administration on the amendment of the Police Act and some other acts. Pursuant to the exemplary proposals included in this draft, there are regulations that will standardize the functioning system of counterterrorism units and regulate the safety rules when performing official tasks by police officers and during professional training in connection with counter-terrorist activities (Projekt ustawy o zmianie ustawy o Policji oraz niektórych innych ustaw 2018).

As argued by the Ministry of Internal Affairs, “the effectiveness of actions in the (...) area [implementation of counterterrorism] requires the adoption of optimal organizational solutions, a unified command structure and effective, adequate to threats, mechanisms of disposing forces and resources, guaranteeing (...) smooth operation of counterterrorism (...)” (*Ibidem*).

The project promoter points out that such activities are currently being carried out by the anti-terrorist sub-units of the Police – the Bureau of Counter-Terrorism Operations of the Police and independent police sub-terrorist units. Considering the fact that the way of accomplishing tasks during counterterrorism operations using counter-terrorist tactics, specialist forces and means and specialized tactics of action is different than the activities carried out by the criminal, investigative and preventive services, it is

proposed to distinguish the anti-terrorist subunits of the Police from the preventive service and create the counter-terrorist service (*Ibidem*).

The project, currently underway (as at the end of October 2018) as the Sejm print no. 2828, contains provisions relating to the conduct of potential counterterrorism activities conducted by the Polish Police. Central Counter-terrorist Unit of the Police “BOA”, hereinafter referred to as “BOA”, and independent counterterrorist sub-departments of the Police, which will be counter-terrorist service, responsible for conducting counterterrorism operations and supporting the activities of Police organizational units in conditions of particular danger or requiring use specialized forces and resources, as well as specialized tactics of action (Sejm RP 2018).

BOA is directly subordinate to the Chief Commander of the Police, while the independent counter-terrorist units of the Police are subordinated directly to the competent provincial chiefs or the commander of the capital (*Ibidem*).

In the case of counterterrorism activities (within the meaning of the Anti-Terrorist Act), the BOA commander will direct the counterterrorist police sub-units to the operations and coordinate the preparation and use of their forces and resources to carry out these activities. According to the regulations in force, the command of a counter-terrorist group at the place of a terrorist event is to be entrusted to the counter-terrorist policeman designated by the BOA commander (*Ibidem*).

## Summary

The counter-terrorist sub-system is still undergoing evolution within the structures of the Polish Police. Not only organizational solutions change, but also the rules of using weapons in the event of a terrorist event. In the perspective of historical changes in the functioning of the counter-terrorist component in the structures of the Polish Police, resulting from the changing threats, their sources and actors constituting the emergence of this threat, included structural changes, subordination, equipment, principles and scope of international cooperation. This adaptation process to new challenges will be continued as long as the internal security environment of Poland changes.

It should be emphasized that – regardless of the assessment of individual solutions - it is positive that we constantly analyze the risks and threats that may be faced by Poland and its citizens, as evidenced by measures to improve the functioning of the

system. This should be appreciated even more because Poland has not experienced a serious terrorist attack so far, which makes proactive activities aimed at systemic changes related to the anti-terrorist security of the Republic of Poland more valuable.

## References

- Center for Terroranalyse (2011), *The threat from solo terrorism and lone wolf terrorism*, [https://www.pet.dk/English/~/\\_/media/Engelsk/the\\_threat\\_from\\_solo\\_terrorism\\_and\\_lone\\_wolf\\_terrorism\\_-\\_engelsk\\_version\\_pdf.ashx](https://www.pet.dk/English/~/_/media/Engelsk/the_threat_from_solo_terrorism_and_lone_wolf_terrorism_-_engelsk_version_pdf.ashx) [15.10.18]
- Decyzja Rady w sprawie usprawnienia współpracy pomiędzy specjalnymi jednostkami interwencyjnymi państw członkowskich Unii Europejskiej w sytuacjach kryzysowych (2008), Dz.U. UE L 210/73, <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:210:0073:0075:PL:PDF>
- Habash G. (2007), *Appendix A: Terrorist Planning Cycle*, w: *A Military Guide to Terrorism in the Twenty-First Century*, US Army Training and Doctrine Command TRADOC G2, Fort Leavenworth, TRADOC Intelligence Support Activity – Threats [http://www.au.af.mil/au/awc/awcgate/army/guidterr/app\\_a.pdf](http://www.au.af.mil/au/awc/awcgate/army/guidterr/app_a.pdf) [15.10.2018]
- Jaloszynski K. (2008), *Współczesny wymiar antyterroryzmu*, Warszawa, Wyd. TRIO
- Jaloszynski K. (2014), *Biuro Operacji Antyterrorystycznych Komendy Głównej Policji 1976-2014*, Szczytno, Wyd. Wyższej Szkoły Policji
- Jaloszynski K., Stępiński M. (2017), *Specjalne użycie broni – wnioski i rekomendacje*, w: *Specjalne użycie broni. Stan obecny, zagrożenia, propozycje rozwiązań*, (red.) Jaloszynski K., Zubrzycki W., Stelmach J., Szczytno, Wyższa Szkoła Policji
- A Military Guide to Terrorism in the Twenty-First Century* (2007) Handbook No. 1, US Army TRADOC TRADOC G2, Fort Leavenworth, TRADOC Intelligence Support Activity – Threats, <https://fas.org/irp/threat/terrorism/guide.pdf> [15.10.2018]
- Projekt ustawy o zmianie ustawy o Policji oraz niektórych innych ustaw (2018), portal KPRM, <https://bip.kprm.gov.pl/kpr/wykaz/r98523453730,Projekt-ustawy-o-zmianie-ustawy-o-Policji.html> [15.10.18]
- Rozporządzenie Rady Ministrów w sprawie szczegółowych warunków i sposobu organizacji współdziałania oddziałów i pododdziałów Policji z oddziałami i pod-

- oddziałami Sił Zbrojnych Rzeczypospolitej Polskiej w przypadku wprowadzenia trzeciego lub czwartego stopnia alarmowego, Dz.U. z 2016 r., poz. 1087
- Rozporządzenie Rady Ministrów w sprawie użycia oddziałów i pododdziałów Policji oraz Sił Zbrojnych Rzeczypospolitej Polskiej w razie zagrożenia bezpieczeństwa publicznego lub zakłócenia porządku publicznego, Dz.U. z 2016 r., poz. 1090
- Schnaubelt C.M., Larson E.V., Boyer M.E. (2014), *Vulnerability Assessment Method. Pocket Guide: a Tool for Center of Gravity Analysis*, Santa Monica, RAND Corp.
- Security Service MI5, *Terrorist Methods*, <https://www.mi5.gov.uk/terrorist-methods> [15.10.18]
- Sejm RP (2018), Druk nr 2828 Rządowy projekt ustawy o zmianie ustawy o Policji oraz niektórych innych ustaw, <http://www.sejm.gov.pl/sejm8.nsf/druk.xsp?nr=2828>
- Ustawa o działaniach antyterrorystycznych, Dz.U. 2016 poz. 904
- Ustawa o Policji (1990), Dz.U. 1990 nr 30 poz. 179, <http://prawo.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU19900300179>
- Ustawa o środkach przymusu bezpośredniego i broni palnej, Dz.U. z 2013 r., poz. 628
- Ustawa z dnia 6 kwietnia 1990 r. o Policji (1990), Dz.U. 1990 nr 30 poz. 179, <http://prawo.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU19900300179>
- Zarządzenie Nr 2 Komendanta Głównego Policji z 1 kwietnia 2016 r. w sprawie regulaminu Komendy Głównej Policji (2016), Dz.Urz. KGP 2016, poz. 13