

# THE GROWTH OF ALERT CAPACITIES FOR TERRORIST RISKS

**Ciprian CHIȚAC**

Ph.D. Student, "Carol I" National Defence University  
ciprianchitac@yahoo.com

**Abstract:** *The problem of terrorism has become during the last few years a hot topic for military and governmental institutions involved with managing the security of civil society and not only. The latest events have emphasized the necessity of knowing the modes of action of terrorist attacks. Each of these incidents had as an effect the change of laws and regulations and the implementation of new sets of measures for preventing and countering this phenomenon. At the same time, each incident has allowed states to evaluate again the necessity of establishing, equipping and training specialized structures for intervention in these cases. All of these events have determined the publication of studies which would lead to a better understanding of problems and to the establishment of efficient measures for combating and countering this reality we are facing nowadays. The purpose of this paper is to emphasize the importance of alert capabilities for terrorist risks. Hence, in the first paper of the paper we will analyze the notion of terrorism, we will call to attention structures with a role in countering terrorism and we will present one identified means of fighting against terrorist risks and the importance of mass media in accomplishing this fight. Also, we will underline the necessity of creating a specialized structure for fighting this phenomenon, as well as the necessity of the capabilities which are at our disposal and of the present legislation.*

**Keywords:** *terrorism; legislation; capabilities.*

It is not a false perception that the world is changing but on the contrary, a consequence of the speed at which technology develops, and truths which in other times we would have considered eternal or at least capable of explaining processes that cover long decades, we can see them disappearing rapidly from the set of values with which we operate on a daily basis. We are the witnesses of a world which dawns, and another one rises. The political regime is changing.

The war surprises by the change in physiognomy and has as background the essential changes determined by knowledge. Terrorism represents an asymmetrical threat, from the shadows. Its evolution, from a sum of terrorist acts to a high peak of fanaticism, cruelty and violence, leading to a terrorist war, generates in a natural way the corresponding reaction of mankind, setting of a counter-terrorist war.

## 1. What is terrorism?

During time many things have been written about terrorism, but with a general agreement on its meaning. Many of the authors writing on the subject have underlined the difficulties in forming a juridical definition of terrorism, separating it from other types of crimes. Still, there is a consensus on the fact that terrorism is not just a regular crime, but constitutes a special form of crime, characterized by its severity. [5] Accordingly, "the best way to think about terrorism is not as a crime, but as a special dimension of crime, a higher and more dangerous version of crime, a sort of super-crime which incorporates some of the characteristics of war." (Fletcher 2006)

Taking into consideration some of the main ideas developed about the legal definition of terrorism within the European continent, there is a general agreement in what regards the way in which this relates to the structure, the principle of harm and to the elements of terrorism. The continental European framework is relevant because of its extended activity based on the theoretical and dogmatic concept of terrorism.

The counter-terrorist politics and strategies must aim not only at the possible actions of some terrorists, groups, organizations and networks, but also at the political mechanisms and the strategies for generating the terrorist phenomenon, the connection of terrorism to the phenomenon of corruption, to cross-border organized crimes, to high criminality and especially to diversions and subversions which aim at the destruction of national values, the destruction and control of resources, the growth of the vulnerability of states to terrorism and to the widening of risks.

Gradually a movement has taken place from the classical definition of the concept of terrorism, which meant " *the totality of acts of violence done by a group or by an organization in order to create a medium of insecurity and to change the form of government of a state, (...) and the deliberate and systematic use of violent means or threats which are in their nature capable of provoking fear and lack of trust, panic and lack of safety, ignoring all humanitarian norms*" ( Academia Română 1975), towards interpretations and changes generated by a deepening of the concept from a social and psychological perspective. Hence, the domain of sociology establishes clearly a difference between terrorism and other forms of violence, terrorism being the one to provoke " *fear, terror or even panic among the population and affecting innocent people, (...) aiming at winning concessions, gaining maximum publicity for a certain cause, provoking repression, destroying the social order and institutional instability, the strengthening of obedience towards certain interest groups.*" (The Report of the Operative Group for Agitations and Terrorism 1970).

These definitions are broadly similar to most of the definitions in the specialized literature which make reference, generally, to two elements: "the use of violence or the threat of violence against civilians or against people which do not take part actively to hostilities and the defining of the implicit or explicit scope of this act to intimidate or constrain a population, government or organization towards certain desired directions of action." (Purpura 2007)

The specialized studies underline that the main purpose of terrorist acts is represented by the blocking of social life in a certain area by: the assassination of key characters in the official state hierarchy from the political spectrum, the military and cultural one, or of important leaders of opinion; the destruction ( the deterioration) of edifices/institutions of symbolical value for the state authority and for the population of the targeted state; the determination of political negotiations or the forcing of authorities to respond to terrorist claims; the enhancement of the reputation and credibility in executing terrorist attacks with high impact on the part of some terrorist groups. *Terrorist acts are aimed against institutional order, putting in danger constitutional relations, being a direct threat to peace, producing instability in a certain geographical area, with the possibility of enlarging the area.* (Stanciu, Siria, terorism vs. război hibrid 2015)

## 2. The Structure of Terrorism

As far as the structure of terrorism is concerned, it is always an organized crime, as opposed to individual crimes (for example the bodily harm caused by an individual) or the crimes committed ad hoc (for example a robbery committed by three persons: one for threatening and controlling the clients and the bank staff, one for taking the money or are valuable things and the third waiting with an escape car).

Although some authors consider that terrorism can be committed by only one person, others correctly hold that (in practice) there are no "individual terrorists" who act alone, outside of an organization. Hence, the specific "danger" implied by terrorism, which partially justifies its severe punishment by contrast to other crimes, resides in the existence of an organized group which systematically operates to commit a number of undefined crimes. Regardless of the problematic nature of the concept of "danger", because of its great lack of

determination and compatibility with the presumption of innocence, such a danger does not exist in the case of an individual or ad hoc action, even if it uses similar methods (for example the use of explosives) regularly used by terrorist groups. For the same reason, if a single person detonates a bomb on a public street, for certain a criminal conduct would exist, if not even a terrorist action based on motives preceding the crime.

Actions against terrorism can be taken at any given time and are characterized by:

- Specificity (they are special type operations, which often take place in secret, by surprise with attrition and discouragement effects);

- Variable amplitude;

- Great intensity or adequate intensity, usually adapted to conditions

- Operability in between categories of forces and means of the Security system and the national defense system, of the collective defense system and of common security;

- Complex character (counter terrorist, anti-terrorist but also of a different nature).

The following categories of forces and structures can participate at operations:

- Intelligence structures;

- Structures of political and strategic decision;

- Antiterrorist structures and counterterrorist specialized structures;

- The army;

- The gendarmerie;

- Police structures;

- Guarding and protection forces;

- Other structures of force;

- NGOs;

- Private structures of protection and security.

These structures receive different missions, as established by very well created cooperation plans. The strategies for countering terrorism must be flexible and easily adaptable to real situations. In this type of war that is without fronts and frontiers, the Intelligence structures always fulfill the most difficult missions. This is why they must always put to practice mechanisms and formations that continuously monitor this phenomenon. Based on this continuous surveillance these structures, regardless of their affiliation, must assure sufficient data and information, analysis, evaluations and expertise, absolutely necessary for an opportune and correct political decision to be taken in countering terrorism. Placing the responsibility of identification, knowledge, analysis, evaluation and resolution of the problem of terrorism only on specialized structures for this specific aim is, in our opinion, not enough.

Terrorism is a complex phenomenon. Neither the police, nor the military institution, nor the intelligence services will be capable on their own, and not even together, to manage this phenomenon, to keep it under control and to assure the protection of the population, of the heritage and of the infrastructure, against the effects of this real harm. Politics and strategies of great covering are necessary, which are flexible and coherent, and which can engage practically the entire society, with its numerous resources, the entire state – understood not only as an administrative bureaucracy, but as the organized totality of its citizens in a sovereign space – for the purpose of solving first of all the problems between states, and for escaping the devastating effects of long periods of war, domination and emergency, from the huge differences and gaps created by religions, mentalities, from some of the interests which are considered vital and as a consequence, from the fixed and frustrating policies.

Obviously, for combating terrorism specialized forces are necessary. Alongside those of the police and of the intelligence, such forces do not exist. Hence, the question: Does the

situation require the creation of special antiterrorist and counterterrorist forces or are the intelligence and army structures enough? Does the situation require the development of capabilities of warning for terrorist risks? At the moment, the NATO member states and the partner states are engaged outside the territory of the alliances in all the range of response operations to crisis and humanitarian assistance. These include peace keeping operations, managed by NATO and EU, under a UNO/OSCE mandate and fight operations against terrorism which have a wide range of forms, from preventive actions to specific fighting actions. The final desired state of the operation consists in eliminating the capabilities of the terrorist organizations to execute attacks or to facilitate the execution of attacks by another organization and can be achieved by the capturing, the killing or the neutralization by other means of leaders, the isolation of terrorists from the logistical and administrative infrastructure, and the neutralization of their capabilities and headquarters.

The means through which counter terrorist operations are being executed are the result of the joint use of all governmental and multinational capabilities, continuously applied on three levels of confrontation – strategic, operational and tactical – with the purpose to disorganize, isolate and neutralize terrorist organizations. Fighting units plan and execute counter terrorist operations according to the process of “identification, localization, neutralization, exploitation and analysis”(Joint publication 2014), continuously acting in order to analyze the capabilities, intentions and actions of the terrorist organizations and to develop the courses of action destined for the elimination of the capabilities of the organizations to commit terrorist acts.

More important than the fight against terrorist actions are the fights for preventing these actions. The tasks which are about to the identification of challenges, dangers and threats, with implications in the area of criminality, cross border criminality and organized criminality, represent the responsibility of all institutions which could be affected by this phenomenon, but also the responsibility of specialized structures. In order for these actions to be carried on with success, we consider that a specific legislation is necessary in this area, correlated with warning capabilities which must be permanently adapted to changing requests.

A possible option identified for the fight against terrorist risks is represented by the mobilization of public opinion in the fight against the terrorist phenomenon, through initiation of a large program, coherent and efficient for the information and education of the public in relation to the ways of identifying improvised explosive and fire starting devices, of atypical weapon systems, of knowing the procedures which must be adopted in situations of crisis, of types of information which represent an operative interest for the order and security forces, the methods for making communication more efficient with elements of response against terrorism. The main channels of information and education for the public opinion continue to remain the classical ones: television, radio, written press.

All of these institutions can become resonance boxes for the messages proposed by the specialized structures in combating terrorism. For this program to be credible it is necessary for the police, the secret services and the specialized structures of the army to offer the media a reasonable number of officers with experience which are able to support such a media program. The named institutions must offer both the force as well as the means necessary for projecting an information and education program for the population.

Because often terrorists are located in areas which are hard to access and they avoid the exposure of the organization to direct attacks, they mingle with the local population and hide until they are ready to attack, the destruction of terrorist organizations asks for the application of a permanent pressure and of a sustainable activity, aimed both at operational capabilities and their capacities to extract and use necessary resources, while the effective attack of the organization asks for special trained and equipped forces, and also for interinstitutional and international cooperation.

In order to have efficiency, the counterterrorist operations ask for the tenable support of all governmental institutions, especially those with attributions in the area of national security, including military structures, and also for the support of international partners, the capabilities and the perspective of each of these contributing to the attainment of success. Through interinstitutional and international effort, terrorist organizations are identified and destroyed, becoming unable to develop specific actions with the purpose of reaching objectives. Hence, alongside military capabilities, counterterrorist operations can involve a wide range of capabilities and authorities, varying from customs controls, airstrikes executed without pilots, arrests and convictions, to diplomatic ties and the involvement in international organizations.

In conclusion, the selection is a very important and necessary moment, but this thing is not sufficient for a professional success. If this process is not followed by a persistent work of knowing people, of educating and instructing them, of continuously consolidating their positive moral traits, of defending the staff against the actions of influence exercised by hostile forces, then we can witness in the human area what is already happening with the buildings which are left at the discretion of destructive factors. Although people are characterized by a certain stability in their personality, during time this goes through changes to some degree. Hence, the necessity of psychological examinations is required, especially when systematic drifts from optimal behavior appears, or when those under examination are to be promoted.

For the success of operations within the modern operational environment, under the conditions of the growth of the terrorist phenomenon, the military structures will have to be able to execute operations in a complex environment, characterized by numerous variables, against a great number of threats, depending on which it is necessary to adapt and develop processes and procedures for analysis, detection, decision, evaluation and action. Also, for obtaining success at a tactical level, as intermediary level in reaching strategic objectives, it is absolutely necessary to have interinstitutional cooperation, at all levels, and also the development of coordinated counterterrorist actions which reflect the authority, the capabilities and the resources available at the level of all institutions involved, in such a manner that depending on the nature of the threat the proper instruments can be applied, with the condition of respecting the corresponding legal requirements.

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