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The Role of Anti-Terrorist Coordination Centers in the Security Systems of Germany and Poland. A Comparative Analysis

STUDIA I ANALIZY

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Abstract: *The attacks on the United States on 11 September 2001 redefined the counter-terrorist perspective in Euro-Atlantic countries. Terrorism began to be seen as an existential challenge to the state and its citizens and led to new approaches to anti-terrorism in the USA, in the EU, and in individual EU member states. European counter-terrorist efforts were strengthened after the attacks in Madrid (2004) and London (2005). Cooperation between law enforcement and intelligence agencies was crucial to prevent and combat terrorism effectively. The key objective was an effective framework to coordinate the activities of the state's analytical, intelligence and investigative institutions. The fragmentation of the security agencies proved ineffective in the face of the terrorist threat. This article seeks to show the role of anti-terrorist coordination centres in the domestic security architecture of*

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two neighbouring European countries: Germany and Poland. Despite the different levels of terrorist threat they face and their different historical experience of terrorism, joint monitoring centres were created in Germany (2004 and 2012) and in Poland (2008). The authors examine if the development of the two German counter-terrorist coordination units: the Joint Counter-Terrorism Centre – GTAZ and the Joint Counter Extremism and Counter-Terrorism Centre – GETZ, and of the Counter Terrorist Centre – CAT of Poland's Internal Security Agency, is an adequate response to modern terrorist threats.

Introduction

The perception of terrorism within the Euro-Atlantic community was transformed with the attacks on the World Trade Center and the Pentagon on 11 September 2001. What had been seen as a mere threat to public order now became an existential threat to the state. In addition, al-Qaeda's actions in Europe (Madrid in 2004 and London in 2005) bolstered efforts to modernize counter-terrorism systems. The natural consequence of such an evolution in the perception of terrorism was a strategic approach to the task of protecting citizens. The key to ensuring this was the establishment of a counter-terrorism system (or the reorganization of the one in place) that would constitute a set of links (correlations) between a specific package of legal norms, organizational and functional mechanisms and chosen public administration agencies – a system that would operate in an environment centered on interaction in the area of counter-terrorism policy. The effectiveness of a country's counter-terrorism system thus depends on cohesion between strategy with policy, and on the synergy of that country's resources, generated by integrating the potential of its public administration agencies so as to ensure state security in the sphere of counter-terrorism¹.

Each anti-terrorism protection system is different, as it is derived from the internal and external conditions specific to a given country. The key determinants of the way in which Western countries build their strategies to combat terrorism and, by so doing, shape the counter-terrorism activities of their public agencies, include the nature of modern

¹ See: O. Lewis, *Conceptualizing State Counterterrorism*, [in:] S. E. Romaniuk (eds. et al.), *The Palgrave Handbook of Global Counterterrorism Policy*, Palgrave MacMillan 2017, pp. 3–37; B. Ganor, *The Counter-Terrorism Puzzle: A Guide for Decision Makers*, Transaction 2005; T. van Dongen, *Mapping Counterterrorism: A Categorisation of Policies and the Promise of Empirically Based, Systematic Comparisons*, «Critical Studies on Terrorism» 2010, Vol. 3, No. 2, pp. 227–241.

terrorism; the assessment of the level of terrorist threat to citizens; the country's interests within and beyond its borders; its *raison d'état*; as well as the legal and organizational framework in which the national security system operates and its deterrent potential. Only after taking these factors into account is it possible to create a system of counter-terrorism whose task it will be to increase the state's resistance to terrorist acts in a manner proportional to the level of threat.

In the aftermath of the 11 September 2001 attacks, the states of the Euro-Atlantic community and international institutions (UN, NATO, EU, CoE) carried out a top-to-bottom review and evaluation of international cooperation mechanisms in the sphere of counter-terrorism. Even though at the national level there were different approaches, different national security priorities and different levels of terrorist threat, the final recommendations for building counter-terrorism resistance were very similar. Both the National Commission on Terrorist Attacks upon the United States and the representatives of the Council of the European Union charged with evaluating the national counter-terrorism systems of EU member states included very similar recommendations about steps to be taken to improve counter-terrorism measures². Chief among them was the need to establish a cooperation and coordination framework for the operational (executive) level of the national anti-terrorist system, by creating a central body, or platform, operating on a continuous basis to coordinate the analytical and data processing activities of services and institutions dealing in national security matters³. Such mechanisms were put into place in Germany (2004) and Poland (2008). It should be noted, however, that in Germany it is the police structures that are responsible for fighting terrorism, while in Poland this task has been entrusted to civilian counterintelligence⁴.

² *The 9/11 Commission Report*, Final Report of the National Commission on Terrorist attacks upon the United States 2004; K. Liedel, *Misja ewaluacyjna dotycząca zdolności Polski w zakresie zwalczania terroryzmu*, 17 March 2005, «Terroryzm», <http://www.terroryzm.com/misja-ewaluacyjna-ue-dotyczaca-zdolnosci-polski-w-zakresie-zwalczania-terroryzmu> (20.12.2021).

³ O. Bures, *EU Counterterrorism Policy. A Paper Tiger*, Routledge 2016; E. Tembo, *US-UK Counter-Terrorism after 9/11. A Qualitative Approach*, Routledge 2014; J. Argomaniz, *The EU and Counter-Terrorism Politics, Polity and Policies after 9/11*, Routledge 2013; M. Karlsson, *9/11 and the Design of Counterterrorism Institutions*, Routledge 2012; J. A. Geltzer, *US Counter-Terrorism Strategy and al-Qaeda: Signalling and the Terrorist World-View*, Routledge 2010.

⁴ A. Zięba, *Niemcy i Polska wobec problemu terroryzmu. Analiza porównawcza*, «Studia Politolologiczne» 2014, Vol. 34, pp. 126–152.

The Federal Republic of Germany and the Republic of Poland are close allies in fighting terrorism on the operational, tactical and strategic planes. The terrorist threat affecting the shape of the anti-terrorist system is different in the two countries. The Federal Republic has unique experience in recognizing terrorist threats due to, among other things, the high level of threat of attacks on its territory that has persisted for many years, and the activities of domestic and foreign terrorist groups⁵. As a result, Germany has taken a number of internal measures to increase the effectiveness of its two counter-terrorism coordination centers: the Joint Counter-Terrorism Center (*Gemeinsames Terrorismusabwehrzentrum – GTAZ*) and the Joint Counter Extremism and Counter-Terrorism Centre (*Gemeinsames Extremismus und Terrorismusabwehrzentrum – GETZ*). Poland, on the other hand, established the Counter Terrorist Centre of the Internal Security Agency (*Centrum Antyterrorystyczne Agencji Bezpieczeństwa Wewnętrznego – CAT ABW*) only in 2008. This was due to the low level of terrorist threat in Poland and the gradual adaptation of counter-terrorism patterns and solutions from the UN, the EU and Poland's allies⁶.

This paper seeks to examine if the development of the counter-terrorism coordination centers in Germany and Poland is an adequate response to modern terrorist threats.

⁵ See domestic and international reports: *Global Terrorism Index 2021: Measuring the Impact of Terrorism*, Institute for Economics and Peace 2021, <https://www.economicsandpeace.org/wp-content/uploads/2021/06/GPI-2021-web.pdf> (02.11.2021), *EU Terrorism & Situation Trend Report Te-Sat 2021*, Europol 2021 <https://www.europol.europa.eu/publications-events/main-reports/european-union-terrorism-situation-and-trend-report-2021-tesat> (08.09.2021). <https://www.europol.europa.eu/tesat-report>; *Verfassungsschutzbericht 2020, Fakten und Tendenzen (Kurzzusammenfassung)*, Bundesministerium des Innern für Bau und Heimat 2021, https://www.bmi.bund.de/SharedDocs/downloads/DE/publikationen/themen/sicherheit/vsb-2020-kurzfassung.pdf?__blob=publicationFile&v=4 (02.01.2022); S. Maninger, *Terrorismusabwehr und –bekämpfung im Zeitalter strategischer Ungewissheit*, [in:] D. Freudenberg, S. Goertz, S. Maninger (eds.), *Terrorismus als hybride Bedrohung des 21. Jahrhunderts Akteure, Mittel und die Notwendigkeit einer modernen Sicherheitsarchitektur in Deutschland*, Springer Nature 2019, pp. 91–117; See about the nature of the terrorist threat in Poland: Report PTBN, *Terrorist Threats and the Anti-Terrorism System in the Republic of Poland*, Vol. I (2020), PTBN March 2021.

⁶ G. Berlusconi, C. Hamilton, *Counter-Terrorism in Poland*, [in:] C. Hamilton, *Contagion, Counter-Terrorism and Criminology: Counterterrorism in the Shadow of Terror*, Palgrave Macmillan: 2019, pp. 49–74.

The German coordination system

The counter-terrorism system of the Federal Republic of Germany began to take shape with the rise of neo-leftist terrorism in Western Europe in the 1970s. Organizations like the Red Army Faction (*Rote Armee Fraktion* – RAF), the 2 June Movement (*Bewegung 2. Juni* – B2J) and the Revolutionary Cells (*Revolutionäre Zellen* – RZ) have significantly changed the German legal and penal system⁷. These ‘anti-imperialist groups’ acted not only against the West German state, but also targeted American and Jewish interests⁸. The Conference of Ministers of the Interior of the *Länder* decided on 12 March 1975 that the Federal Criminal Police Office (*Budeskriminalamt* – BKA) would take on the central role in the fight against terrorism. Because the escalation of RAF activities were a challenge on a national level, the role of the BKA grew, and its boss Horst Herold became notorious as a ‘hunter of terrorists’ (*Terroristenjäger*) and earned the nickname “*Kommissar Computer*” for championing modern investigation techniques⁹. The BKA’s staff rose from 933 in 1969 to 2,212 in 1980. Investigations were conducted into the cases of more than 3,000 individuals. The BKA played, and continues to play, the leading role in countering and combating terrorism in Germany¹⁰. Internal intelligence was in the hands of the Federal Office for the Protection of the Constitution (*Bundesamt für Verfassungsschutz* – BfV). Both institutions are subordinated to the Federal Ministry of Interior (*Bundesministerium des Innern* – BMI). The Federal Intelligence Service (*Bundesnachrichtendienst* – BND), an agency that collects and evaluates foreign intelligence and is subordinated to the Chancellor’s Office (*Bundeskanzleramt*), the Military Counterintelligence Service (*Militärisches Abschirmdienst* – MAD) and the Ministry of Defense (*Bundesministerium der Verteidigung* – BMV) were largely excluded from anti-terrorist tasks at home. Countering terrorism

⁷ B. Blumenau, *The United Nations and Terrorism Germany, Multilateralism, and Antiterrorism Efforts in the 1970s*, Palgrave Macmillan 2014. Ch. I. (pp. 14–39); U. Schneckener, *Germany*, [in:] Y. Alexander (ed.), *Counterterrorism Strategies Success and Failures of Six Countries*, Potomac Books 2006, pp. 72–98.

⁸ M. Jander, *German Leftist Terrorism and Israel: Ethno-Nationalist, Religious-Fundamentalist, or Social-Revolutionary*, «Studies in Conflict & Terrorism» 2015, Vol. 38, Issue 6, pp. 456–477.

⁹ R. Zundel, „Kommissar-Computer“ von Wiesbaden. Horst Herold, neuer Chef des Bundeskriminalamts, jagt Verbrecher mit Maschinen, «Die Zeit» 1971, 10 September.

¹⁰ See: K. Hanshew, *Terror and Democracy in West Germany*, Cambridge University Press 2012.

was a domestic matter in which of law enforcement, the police and the judiciary, played the pivotal role¹¹. The BND and the MAD only rarely participated in countering terrorism, as it was a phenomenon of secondary importance. The two institutions were involved, for instance, when the Palestinians supplied weapons to the RAF, or when military assets were under threat from terrorists. But it is only Al-Qaeda's activeness at the turn of the 20th century that made plain the necessity for all the institutions forming part of the anti-terrorist system the start sharing information.

Work on the Federal Republic of Germany's anti-terrorist coordination center accelerated following the attack in Madrid on 11 March 2004. Earlier steps taken by the German government were meant to create new legal framework for law enforcement agencies (the so-called anti-terrorist packages) to help prevent planning of terrorist acts, to disrupt the structures of terrorist organizations, to strengthen international cooperation in combating terrorism and thus to reduce the state's vulnerability to terrorist attacks¹². In the wake of the attacks of 11 September 2001 and the floods of 2002, a conference of the Ministers of the Interior of the *Länder* was called and the so-called New Strategy for Civil Protection in Germany was launched as a new political and strategic framework program in 2002¹³. This gave a new impetus to cooperation between internal security entities at the federal and *Länder* level, reflecting the recognition that protecting the German public required a shared responsibility and integrated action. All the above-mentioned steps taken by the German government were part of a new civic protection concept drawn up by the Federal Ministry of the Interior (BMI). On 1 May 2004, an executive agency named the Federal Office for Civil Protection and Disaster Assistance (*Das Bundesamt für Bevölkerungsschutz und Katastrophenhilfe* – BBK) was established.

One of the first examples of the new approach to internal security was the launch of the Joint Counter-Terrorism Center (GTAZ) in Berlin. This institution was established on 14 December 2004 and its sole purpose was to ensure collaboration in counter-terrorism between services

¹¹ P. Katzenstein, *West Germany's Internal Security Policy: State and Violence in the 1970s and 1980s*, Ithaca 1990, pp. 13–14.

¹² H. Hagemann, M. Kahl, *Terrorismus und Terrorismusbekämpfung. Eine Einführung*, Springer VS 2018, pp. 155–165.

¹³ Neue Strategie zum Schutz der Bevölkerung in Deutschland, 28 October 2002, https://www.innenministerkonferenz.de/IMK/DE/termine/to-beschluesse/2002-12-06/anlagen-28.pdf?__blob=publicationFile&v=2 (03.02.2020).

and institutions (both federal and *Länder*) dealing with Islamist terrorism. In Germany, such a development represented a major conceptual challenge on account of two constraints. The first had to do with provisions of the country's constitution, which prohibits close collaboration between the intelligence services and the police. The second had to do with the distinct competencies of federal and *Länder* agencies in the sphere of security.

The model of anti-terrorist coordination adopted by Germany reflected the need to abide by these fundamental principles in the area of state security. Thus, the GTAZ is not a distinct service or organizational unit of state administration. It is rather a platform for the inter-institutional exchange of information on Islamist terrorism representing a threat to the security of the state. The GTAZ has no formal head. Its physical headquarters are located in Berlin, in a facility belonging to the State Security Division (ST 32) at the Federal Criminal Office (*Bundeskriminalamt – BKA*), which is responsible, among other things, for the logistical aspects of this project¹⁴. Of the 40 institutions participating in the daily work of the GTAZ, the following should be mentioned:

- Eight federal agencies: the BKA, the Federal Office for the Protection of the Constitution (*Bundesamt für Verfassungsschutz – BfV*), the Federal Intelligence Service (*Bundesnachrichtendienst – BND*), the Military Counterintelligence Service (*Bundesamt für den Militärischer Abschirmdienst – BAMAD*), the Federal Police (*Bundespolizei – BPol*), the Customs Investigation Bureau (*Zollkriminalamt – ZKA*), the Federal Office for Migration and Refugees (*Bundesamt für Migration und Flüchtlinge – BAMF*) and the Federal Public Prosecutor General's Office (*Generalbundesanwalt – GBA*);
- Thirty two *Länder* agencies: 16 *Länder* Criminal Police Office (*Landeskriminalamt – LKA*) and 16 *Länder* Offices for the Protection of the Constitution (*Landesamt für Verfassungsschutz – LfV*)¹⁵.

The heads of the above-mentioned institutions can cease to participate in the GTAZ should they find this appropriate.

The Joint Counter-Terrorism Center was called into being to make cooperation in counter-terrorism more effective and is pointed to as the

¹⁴ See: Belgian Standing Committee, *Fusion Centres Throughout Europe*, Intersentia 2010, p. 92.

¹⁵ See: *Gemeinsames Terrorismusabwehrzentrum (GTAZ)*, <https://www.verfassungsschutz.de/de/arbeitsfelder/af-islamismus-und-islamistischer-terrorismus/gemeinsames-terrorismusabwehrzentrum-gtaz> (01.01.2021).

greatest tactical success in the fight against terrorism¹⁶. First and foremost, it was intended to decongest communication channels used for the exchange of information, for example by creating permanent contact points and by introducing encrypted electronic communications. It was also supposed to aggregate and process fragmentary information into cross-sectional analyses of terrorist threats from jihadists. A clear division of tasks at each stage of the process of combating terrorism was supposed to strengthen the coordination of operational and reconnaissance activity and to contribute to the invigoration of the investigative process¹⁷.

There are nine work groups (long-term and ad hoc project groups) within GTAZ¹⁸, which perform coordinative tasks in the following areas: the daily Situation Assessment Group (*Tägliche Lagebesprechung*); the Threat Assessment Group (*Gefährdungsbewertung*); the Operational Information Exchange Group (*Operativer Informationsaustausch*); the Risk Management Group (*Risikomanagement*); the Islamist Terrorism Analysis Group (*Fälle/Analysen zum islamistischen Terrorismus*); the Islamist Terrorist Personnel Potential Group (*Islamistisch-terroristisches Personenpotenzial*); the De-Radicalization Group (*Deradikalisierung*); the International Cooperation Group (*Transnationale Aspekte*); and the Immigration Procedures Group (*Statusrechtliche Begleitmaßnahmen*)¹⁹.

In order to reach a compromise between the effectiveness of the GTAZ and the constitutional requirement to keep the activities of the police and intelligence services separate, two platforms for the exchange and aggregation of information were set up within the center: The first was the Intelligence Information and Analysis Center (*Nachrichtendienstlichen Informations-und Analysestelle – NIAS*) with headquarters at the BfV, to which the LFV, BAMAD and BND report. The second was the Police Information and Analysis Center (*Polizeilichen Informations-und Analysestelle – PIAS*), based at the BKA, to which the LKA, GBA, BPol, and ZKA report²⁰.

¹⁶ D. A. Rees, *Weak but Good? German Counterterrorism Strategy Since 2015*, «American Intelligence Journal» 2018, Vol. 35, No. 2, p. 77.

¹⁷ K. Liedel, *Zarządzanie informacją w walce z terroryzmem*, Wydawnictwo TRIO-Collegium Civitas 2010, p. 99.

¹⁸ There were seven of them in 2010. See: Belgian Standing Committee, *Fusion...*, p. 93.

¹⁹ R. van der Veer, W. Bos, L. van der Heide, *Fusion Centres in Six European Countries*, ICCT 2019, p. 7.

²⁰ S. Goertz, *Terrorismusabwehr. Zur aktuellen Bedrohung durch den islamistischen Terrorismus in Deutschland und Europa*, Springer VS 2020, 3rd Ed., pp. 134–137.

As part of their daily tasks, more than 250 persons support GTAZ activities by participating in work groups, by elaborating analytical material, and by collecting necessary information²¹.

The effect of synergy achieved by the services and institutions working within the GTAZ has turned this project into a model platform for coordinating cooperation against threats to the citizens and interests of the Federal Republic, both at home and abroad. For this reason, a similar approach has been adopted with regard to combating terrorism driven by extreme right-wing ideology, which manifests itself in Germany through, among other things, the activities of a terrorist group called the National Socialist Underground (*Nationalsozialistischer Untergrund* – NSU), whose actions came to attention in 2011²². The German police's failure to acknowledge right-wing extremism and its tolerance for the NSU's long-standing activeness, including over a dozen attempts to assassinate public officials and immigrants, was referred to as 'blindness in the right eye'²³.

As a result of these events, the German authorities established a second counter-terrorism coordination center – the Joint Center against Right-Wing Extremism/Terrorism (*Gemeinsame Abwehrzentrum gegen Rechtsextremismus/-terrorismus* – GAR). On 15 November of the following year, the BKA, in cooperation with the BfV, and on the basis of the GAR, established in Kiel an entirely new platform for the coordination of counter-terrorist activities – the Joint Counter-Extremism and Counter-Terrorism Center (*Gemeinsames Extremismus und Terrorismusabwehrzentrum* – GETZ)²⁴. The GETZ's jurisdiction was extended with regard to the GAR so as to include terrorism, Far-Left and foreign (non-Islamist) extremism, and espionage in the context of the proliferation of weapons of mass destruction²⁵.

Just like the GTAZ, the GETZ does not have a formal head, and coordinates the counter-terrorism activities of seven long-term and ad hoc project-based work groups: the Phenomenon/Threat Evaluation Group (*Phänomenbezogene Lage*); the Personnel Potential Group (*Per-*

²¹ *Gemeinsames Terrorismusabwehrzentrum* (GTAZ), <https://www.verfassungsschutz.de/de/arbeitsfelder/af-islamismus-und-islamistischer-terrorismus/gemeinsames-terrorismusabwehrzentrum-gtaz> (01.09.2021).

²² See: D. Koehler, *Right-Wing Terrorism in the 21st Century: The 'National Socialist Underground' and the History of Terror from the Far Right in Germany*, Routledge 2017.

²³ Interview with a former Polish liaison officer responsible for security issues at the Polish Embassy in Berlin, 14. August 2021.

²⁴ *Gemeinsames Extremismus- und Terrorismusabwehrzentrum* (GETZ), <https://www.verfassungsschutz.de/de/das-bfv/getz> (05.12.2021).

²⁵ After: R. van der Veer, W. Bos, L. Van der Heide, *Fusion Centres...*, p. 6.

sonenpotenziale); the Banned Organizations Group (*Organisationsverbote*); the Case Analysis Group (*Fallanalyse*); the Threat Evaluation Group (*Gefährdungsbewertung*); the Analyses Group (*Analyse*); and the Operational Information Exchange Group (*Operativer Informationsaustausch*). “The cooperation platforms are subject to continuous evaluation and are adapted as necessary to current requirements in the fight against politically motivated crime. The GETZ has recently been expanded to include an anti-Semitism work group”²⁶.

In the case of the GETZ, the BfV units in Cologne-Chorweiler and the BKA in Meckenheim are responsible for organizational and logistical matters as well as for managing work at the center itself. The difference between the GETZ and the GTAZ in terms of cooperation between anti-terrorist institutions and services is marginal. The GETZ also includes experts from Europol and the Federal Office for Economic Affairs and Export Control (*Bundesamt für Wirtschaft und Ausfuhrkontrolle – BAFA*)²⁷. The GETZ also has two information Exchange and aggregation platforms: the NIAS and the PIAS, which have operated effectively within the GTAZ.

The launch of the GETZ made it possible to attain goals very similar to those mentioned in the context of the GTAZ. First of all, it has made it possible to shorten communication channels for the exchange of information thanks to, among other things, technical improvements and personal contacts. This led to greater cooperation in information sharing and communication and increased the timeliness of the information exchange as well as the quality of elaborated analytical material. It also significantly eased the coordination of operational and reconnaissance activities²⁸.

The number of persons employed in the GETZ is unknown.

The Polish anti-terrorist center

Since Poland joined the European Union in 2004, the country’s system for combating terrorism has been regularly subjected to peer evaluation by specialized organs like the UN Counter Terrorism Committee, the Council of Europe’s Committee of Experts on Terrorism and, above all, by the EU Working Party on Terrorism – WPT, through recurring

²⁶ Response sent in electronic form on 10 June 2021 by the Civil Service of the Federal Criminal Police Office (BKA) to a list of questions in German sent by the authors.

²⁷ R. van der Veer, W. Bos, L. Van der Heide, *Fusion Centres...*, p. 8.

²⁸ Response sent in electronic form on 10 June 2021 by the Civil Service of the Federal Criminal Police Office (BKA) to a list of questions in German sent by the authors.

evaluation missions²⁹. The EU Final Report, drawn up in 2007 following the completion of all evaluations of national anti-terrorist systems in EU member states (the “Final Report on the Evaluation of National Anti-Terrorist Arrangements”), contained several significant recommendations for Poland:

- Recommendation no. 4: Cooperation between agencies and access to needed information and intelligence through the establishment of a plan for ongoing national coordination of information sharing between all security and intelligence services and law enforcement agencies involved in fighting terrorism.
- Recommendation no. 5: Multiple source evaluations of terrorist threats based on all available information, provided in time for relevant decision making.
- Recommendation no. 6: Gathering information by optimizing the collection and exchange of information about all aspects of terrorism, both at the national and international level, in keeping with the needs of each given country.
- Recommendation no. 7: Creating appropriate legal bases for allowing the intelligence services to access the databases of law enforcement agencies and other state institutions. However, such databases should only be accessible on a need-to-know basis and follow guidelines for the protection of classified information³⁰.

With due regard to the EU’s evaluation of the Polish anti-terrorist system, as well as its own conclusions arising from the identification, prevention and combating terrorist threats in Poland, in 2008 the Head of Internal Security Agency – ABW (Agencja Bezpieczeństwa Wewnętrznego, with the support of the Minister of the Internal Affairs and Administration – MSWiA, set up a new unit within the Agency’s structures – the Counter Terrorist Centre – CAT. The new ABW organizational unit officially began operations on 1 October 2008³¹.

²⁹ The first evaluation round in Poland took place in December 2004, while the second round took place in February 2009.

³⁰ The report has not been made public. Several fragments were published on the Polish website of the Ministry of Foreign Affairs, the Ministry of Internal Affairs and Administration and the ABW; A. Makarski, *Centrum Antyterrorystyczne Agencji Bezpieczeństwa Wewnętrznego. Geneza, zasady działania oraz doświadczenia po pierwszym roku funkcjonowania*, «Przegląd Bezpieczeństwa Wewnętrznego» 2010, No. 2, p. 110.

³¹ The working mode was activated on 28 September 2008, following the kidnapping by the terrorist group *Tehrik-i-Taliban Pakistan* of Polish geologist Piotr Stańczak, who was murdered by Taliban terrorists on 7 February 2009 in Pakistan.

The tasks carried out by the CAT in 2008–2016, were aimed at supporting decision-making processes in the event of a real threat of terrorist attack³², and coordinating the exchange of information between the Polish entities engaged in combating terrorism on the basis of the co-called “Open Catalogue of Incidents and Events Reported to the CAT ABW” – since 2008³³. The preparation of analytical and informational material on threats of a terrorist nature in the country and abroad were also included in these tasks, which are being prepared in the form, among others, of analyses and forecasts of the level of terrorist threat to Poland; situation and information reports related to current incidents; annual assessment of the level of terrorist threat in civil aviation and for individual airports in the country; analyses of terrorist threats in other countries as they affect the security of Polish citizens and interests; monitoring the media used by religious fundamentalists to promote extremist or terrorist content; and outlook analyses of the anti-terrorist system along with relevant recommendations³⁴.

The important tasks of the CAT include cooperation with appropriate agencies, services and institutions in the elaboration and updating of crisis management procedures in the event of a terrorist attack. This is supported by the introduction of national action algorithms for the entities acting as part of the Polish anti-terrorist system, in case of a terrorist event on Polish territory and beyond its borders having an impact on the security of the Republic of Poland and that of its citizens or should information about a potential threat emerge. These situations also apply to

³² *Działania antyterrorystyczne podczas międzynarodowych imprez sportowych – Rola narodowych centrów antyterrorystycznych*, ABW 2011, pp. 14–18; Prime Minister’s Guidelines of 31 October 2012 on the coordination of information exchange on terrorist threats, developed pursuant to Article 13 of the Act of 24 May 2002 on the Internal Security Agency and the Intelligence Agency.

³³ The catalog was elaborated in 2008 at an inter-ministerial level (Inter-ministerial Team on Terrorist Threats – MZds.ZT), then revised and adopted in the form of Resolution No. 1 of the Team in 2013. The catalog ultimately came to contain a list of 108 incidents and incidents grouped into 15 categories. Resolution No. 1/2013 of the MZds. ZT became the model for the adoption of the Regulation of the Minister of Internal Affairs and Administration of 22 July 2016 on the catalog of terrorist incidents, *Journal of Laws* (2016) item 1092.

³⁴ Between 2008 and 2013, the CAT obtained nearly 30,000 pieces of information from domestic and foreign services and institutions. This information is analyzed by the CAT IT network launched in 2010. See: M. Obuchowicz, *Pięć lat funkcjonowania Centrum Antyterrorystycznego ABW (2008–2013)*, «Przegląd Bezpieczeństwa Wewnętrznego» 2014, No. 10 (6), p. 277.

obtaining information about money laundering or the transfer of funds that may be used to finance terrorist activities.

The center keeps a list of persons who may be connected with crimes of a terrorist nature and checks information provided by the services and institutions of the Polish anti-terrorist system against that contained in its databases. In addition, cooperation is expanded with foreign partners, the anti-terrorist structures of NATO (the Civilian Intelligence Committee, the Military Intelligence Committee); the EU (SITCEN/EUINTCEN, the EU Counter-Terrorism Coordinator, Europol, Frontex, the EU Terrorism Working Group); informal forums of international cooperation of intelligence services (Counter Terrorist Group); and anti-terrorist centers operating in partner countries, especially the Madrid Group (the Committee of Counter-Terrorism Coordination Centers). Artur Gruszczak emphasized that “intelligence security cooperation in the EU has been focused on establishing new and reinforcing existing forms of networked cooperation and coordination in the field of information analysis and intelligence production and sharing”³⁵.

In addition, the antiterrorist fusion center is developing draft recommendations of the head of the ABW for operators of critical infrastructure in case the agency obtains information that may be indicative of an upcoming event of a terrorist nature³⁶. The CAT was also responsible for coordinating the implementation of tasks assigned to the ABW in the action plan for the “National Anti-Terrorist Program for 2015–2019”³⁷.

In the CAT’s initial period of operation (2008–2016), the coordination of operations within Poland’s anti-terrorist system was not identical with that of the operational and reconnaissance activities carried out by the ABW’s directional organizational units³⁸, and other state services responsible for countering threats of a terrorist nature, even though this was one of the pillars of the concept of establishing the Counter Terrorist

³⁵ A. Gruszczak, *Intelligence Security in the European Union: Building a Strategic Intelligence Community*, Palgrave MacMillan 2016, p. 7.

³⁶ On the basis of Art. 12a of the Act of 25 April 2008 on Crisis Management, which was replaced by Art. 4 section 1 of the Act of 10 June 2016 on Counter-Terrorism.

³⁷ Polish Monitor [Monitor Polski] (2014), item 1218.

³⁸ Between 2008 and 2016, these were the following ABW operational divisions (in turn): the Department of Counterterrorism, the Department for Combating Terrorism, the Counterintelligence Department, and the Department for Combating Terrorism and Strategic Threats.

Centre signed on 16 January 2008 by the Minister of Internal Affairs and Administration and the head of the Internal Security Agency³⁹.

The head of the ABW only gained clear authority to direct operational and reconnaissance operations in preventing terrorist activity with the entry into force of the Act of 10 June 2016 on Counter-Terrorism Activities⁴⁰. This added a whole new dimension to the activities of the Polish Counter-Terrorism Center and marked the symbolic end of the first period of the CAT's operation as part of the ABW.

Since the ultimate entry into force of the Polish Anti-Terrorist Act, which also entailed the implementation of a package of executive regulations, the range of tasks of the CAT – has evolved. At present, the ABW Counter-Terrorism Centre performs the following tasks assigned to the head of the ABW in the area of prevention of terrorist incidents⁴¹.

- Supporting the decision-making process of entities carrying out tasks at a strategic level within the Polish anti-terrorist system in the event of changes in the alert level;
- Collecting and processing information⁴²;
- Carrying out the ABW's operational and reconnaissance tasks;
- Coordinating the operational and reconnaissance tasks of entities of the Polish anti-terrorist system;
- Elaborating procedures and algorithms for the ABW's activities in case of terrorist incidents;

³⁹ *Koncepcja powołania Centrum Antyterrorystycznego ABW*, Ministerstwo Spraw Wewnętrznych i Administracji/Agencja Bezpieczeństwa Wewnętrznego 2018, p. 7.

⁴⁰ *Journal of Laws* (2016), item 904. See: A. Gasztold, P. Gasztold, *The Polish Counter-terrorism System and the Hybrid Warfare Threats*, «Terrorism and Political Violence» 2020, June 25, <https://www.tandfonline.com/doi/full/10.1080/09546553.2020.1777110> (03.06.2021).

⁴¹ Art. 2 section 7 of the Act of 10 June 2016 r. on Counter-Terrorism: an event of a terrorist nature – a situation suspected to have arisen from a terrorist crime or a threat of such a crime. More about the anti-terrorist system of the Republic of Poland after the entry into force of the so-called “Anti-terrorist act”. See: Report PTBN, *Terrorist Threats...* More about the so-called “Anti-terrorist act”, in the context of the role of the Internal Security Agency, See: P. Chorbot, *Ustawa o działaniach antyterrorystycznych – komentarz do niektórych regulacji*, pp. 61–84, [in:] P. Burczaniuk, *Uprawnienia służb specjalnych z perspektywy współczesnych zagrożeń bezpieczeństwa narodowego*, ABW, Warszawa 2017.

⁴² The coordination of strictly analytical activities concerning threats of a terrorist nature on behalf of the head of the ABW is currently being carried out by the ABW's Department of Information Analysis and Forecasts. This task was previously performed by the CAT-ABW with the support of a separate analytical division of the ABW (successively, the Analysis Centre and the Bureau of Records and Analyses).

- Elaborating draft instructions with regard to specific types of entities (named in art. 4, section 1, with the exception of entities mentioned in art. 7 of the Act of 10 June 2016 on Counter-Terrorism Activities), whose aim is to counteract, remove or minimize threats (when informed of the possibility of the occurrence of a terrorist event);
- Elaborating draft recommendations for the intelligence services, the Military Police (*Żandarmeria Wojskowa*), the National Fiscal Administration (*Krajowa Administracja Skarbowa*), the Border Guard Service (*Straż Graniczna*) and the Police (*Policja*) in order to eliminate or minimize terrorist threats⁴³.
- Keeping a list of persons with links to activities of a terrorist nature (including so-called “foreign fighters” who leave Poland to take part in DAESH activities on Syrian or Iraqi territory)⁴⁴;
- Supporting the ABW head’s coordination staff which is appointed when a high alert is proclaimed⁴⁵;
- Supporting state agencies and institutions which are part of the Polish anti-terrorist system in the performance of their tasks under the Act of 10 June 2016 on anti-terrorist activities, with the exclusion of anti-terrorist prevention⁴⁶, anti-terrorist actions in Polish cyberspace⁴⁷, and investigative tasks⁴⁸;

⁴³ After: Art. 8, section 2 of the Act of 10 June 2016 on Counter-Terrorism Activities, Journal of Laws (2016), item 904.

⁴⁴ After: Art. 6, section 1 of the Act of 10 June 2016 on Counter-Terrorism Activities.

⁴⁵ The tasks of the coordination headquarters include recommending changes or cancelling a state of high alert as well as the forms and scope of cooperation between the services and entities forming a part of the coordination headquarters and taking part in its work. Representatives of the special services referred to in Art. 11 of the Act of 24 May 2002 on the Internal Security Agency and the Intelligence Agency as well as the Police, the Border Guard, the Parliamentary Guard, the State Protection Service, the State Fire Department, the National Fiscal Administration, the Military Police and the Government Security Centre will be appointed to the headquarters. After: Art. 17, section 3 and Art. 3 section 5 of the Act of 10 June 2016 on Counter-Terrorism Activities.

⁴⁶ Since 2 November 2018, tasks in this respect have been performed on behalf of the head of the ABW by a new organizational unit of the Agency established by Prime Ministerial Ordinance No. 163 of 26 September 2018: the Terrorism Prevention Center of Excellence (*Centrum Prewencji Terrorystycznej, CPT*) in the ABW.

⁴⁷ Tasks in this area are carried out by the Department of Information and ICT Security (DBTI) of the ABW, which has within its structure a Computer Security Incidents Response Team CSIRT GOV.

⁴⁸ The tasks in this area within the ABW are carried out by the Department of Criminal Procedure (*Departament Postępowań Karnych, DPK*) with the support of the Bureau of Forensic Research (*Biuro Badań Kryminalistycznych, BBK*).

The substantive range of CAT tasks was laid out in the list of incidents of a terrorist nature, drawn up in keeping with the Act of 10 June 2016 on anti-terrorist activities in the “Ordinance of the Minister of Internal Affairs and Administration of 22 July 2016 on the Catalog of Incidents of a Terrorist Nature”. Currently, the list enumerates 112 incidents of a terrorist nature, broken down into 15 thematic groups having to do with:

- A threat to Polish security;
- Polish representations and citizens abroad;
- Threats that arise beyond Polish territory, in regions of conflict and international crises and which affect Polish security;
- The illegal production, possession and distribution of firearms, ammunition and explosive materials or devices, and weapons of mass destruction on Polish territory;
- The production and distribution of dual-use merchandise, technology and services;
- Threats to military structures;
- Customs-related crimes and misdemeanors;
- Border traffic;
- The presence of foreigners on Polish territory;
- Terrorist activity in the media and in the Internet;
- The introduction into circulation of funds from illegal or undisclosed sources;
- Events of a terrorist nature connected with hijackings and hostage taking;
- The activity of circles connected with or supporting ideologies that call for violence;
- Security measures taken by the State Protection Service (*Śłużba Ochrony Państwa*), the Parliamentary Guard (*Straż Marszałkowska*) or the Military Police (*Żandarmeria Wojskowa*) and related to political activity;
- Events of a terrorist nature on Polish maritime areas.

Since its inception, the CAT has been operating 24 hours a day, 7 days a week. Today, in addition to the Agency’s officers, the Polish counter-terrorism center is staffed by delegated officers, soldiers and employees of, among others, the Police, the Border Guard – SG, the State Protection Service – SOP, the Intelligence Agency – AW, the Military Counterintelligence Service – SKW, the Military Intelligence Service – SWW and the National Fiscal Administration – KAS. They carry out tasks within the framework of the services and institutions

they represent. Moreover, other entities that are part of Poland's anti-terrorist system also cooperate with the CAT. These include the RCB, the Ministry of Foreign Affairs – MSZ, the State Fire Service – PSP, the Ministry of Finance – MF, including the General Inspector of Financial Information – GIIF, the Armed Forces of the Republic of Poland – SZ RP, including the Military Police – ŻW. In the first period of its functioning, the CAT employed over 70 persons (the planned staffing level called for 150 persons)⁴⁹. The number of persons presently employed there is not disclosed.

Conclusions

The anti-terrorist centers in Germany and Poland were placed within existing state bodies or services which form key elements of the anti-terrorist systems in both countries. The internal structure of each organizational unit or cooperation platform is dictated by the statutory tasks assigned to it, by its action priorities and by the organizational culture adopted within the institution. No significant convergence between the organizational structures of the GETZ/GTAZ and the CAT were observed, only common points whose significance is symbolic.

The composition of the entities making up the counter-terrorism coordination centers (which delegate representatives to work within the center) in Germany and Poland are as varied as their individual national counter-terrorism systems, but some frequently shared elements can be mentioned. These include the intelligence services (both civilian and military); law enforcement institutions responsible for public order (police, guards, gendarmeries), combating organized crime, border protection, customs and fiscal control, oversight of financial markets, immigration matters; as well as monitoring telecommunications (where such capabilities exist).

The personnel potential of the counter-terrorist activities coordination centers under examination is affected primarily by the degree of complexity of the national counter-terrorism system, the range of tasks assigned to it and the level of terrorist threats to the country's interests and citizens. Of those centers, the largest human resources are to be found within the German GTAZ – up to 250 persons. Given the absence

⁴⁹ Belgian Standing Committee, *Fusion...*, p. 214.

of official data on the staffing of the Polish CAT, one can estimate the number of persons employed there at 100 to 150.

The advantages of the German and Polish approaches are, in particular: shortening communication routes between internal security structures; improving the level of cooperation between them; evaluating the credibility of the information provided; consolidating (centralizing) vital analytical tasks concerning nationally identified threats and also from the external environment; and improving the coordination of operational activities. This was of especially important given Germany's federal structure "where the secret services of the *Länder*, for various reasons, were not inclined to share their operational information prematurely with federal agencies and vice versa. In this respect, the establishment of the two centers broke the stalemate caused by the lack of cooperation between investigative (police) and operational (intelligence services) institutions, as well as between central (federal) and regional (*Länder*) ones"⁵⁰.

Within the framework of their analytical and information activities, the anti-terrorist coordination centers under discussion prepare a number of expert studies for decision-makers from the strategic level of the fight against terrorism, for foreign partners, for services and institutions that are elements of the national anti-terrorist system, as well as for citizens and private entities. The standard analytical and information products of the anti-terrorist centers include periodic assessments of the terrorist threat to the country's citizens and interests; warning materials on the possibility of a terrorist incident; and immediate situational analyses of terrorist incidents that have arisen.

It is worthwhile to note that the anti-terrorism coordination centers under discussion do not produce educational material for profiled target groups. Such studies in the area of counter-terrorism prevention concerning building resilience to attacks (personal safety, physical security) and responding to such threats are entrusted to other institutions. In Germany this is the responsibility of the Federal Agency for Civic Education (*Bundeszentrale für politische Bildung – BPB*) in public-private cooperation with public benefit institutions and in Poland the Terrorism Prevention Center of Excellence (*Centrum Prewencji Terrorystycznej*) within the ABW.

The centers under discussion obtain and process an huge quantity of information (from up to several hundred thousand documents a year), in order to coordinate analytical and informational as well as operational

⁵⁰ Interview with a former Polish liaison officer at Europol – 12, September 2020.

and reconnaissance activities (GETZ, GTAZ, CAT) the analysis of this data takes place in specially created ICT environments (e.g. German NIAS and PIAS, Polish IT CAT) integrated with databases such as lists of persons connected with terrorist activity (the so-called watchlists), if they have them.

The most common problems encountered by the counter-terrorism centers in their interaction with entities forming a part of the national counter-terrorism system are the speed with which they send information to the center; the periodic reluctance to transmit gathered data; the overloaded nature of the transmitted data; and the fragmentation of the information thus obtained⁵¹. The conclusions reached at the center are not binding. The tasks carried out “favor the orientation of the work of the entities of the anti-terrorist system, but they do not lead to the formation of strategic priorities, in particular to the determination of whether binding investigative or operational and exploratory actions should be taken at a given moment”⁵².

In order to remove the above-mentioned drawbacks, it is necessary to work intensively on building a positive brand, especially among people temporarily delegated to work or intern for a given center, with emphasis being placed on teamwork in order to make the staff co-responsible for the effectiveness of the entire project. Such an approach to delegated employees turns them into ambassadors of the center’s interests once they have left the center. The most important challenge faced by the centers under discussion is developing a network of natural counter-terrorism allies (in academe and in the private sector). The viability of such tactical alliances will be directly proportional to the level of mutual trust.

The effectiveness of the counter-terrorism coordination centers can be empirically evaluated using data on thwarted attacks and on the increase in the number of arrests of suspects or supporters of terrorist action (measured over a suitably long period of time) and on the basis of the opinions of counter-terrorism experts (persons who study terrorism and who are counter-terrorism practitioners). In Germany, this knowledge is publicly available in the form of reports of the Federal Office for the Protection of the Constitution, while in Poland, no such statistics have been made public for several years.

⁵¹ See: R. van der Veer, W. Bos, L. Van der Heide, *Fusion Centres...*, pp. 17–18; Belgian Standing Committee, *Fusion...*, pp. 215–219.

⁵² Interview with a former Polish liaison officer at Europol – 12, September 2020.

The question sent by the authors by email to the Civilian Service at the BKA in May 2021 about the effectiveness of the German centers compared to other European approaches elicited the following answer: "there are no measurable criteria or comparison with other intra-EU solutions. Nevertheless, the work of both centers has been positively evaluated several times"⁵³.

In the second decade of the 21st century, the counter-terrorism coordination centers discussed in this paper will focus the process of improving capabilities on reconnaissance information management based on a network model that connects every level of the public administration, the integration of gathered data in an ICT analytical environment, and in the expansion and professionalization of multilateral foreign cooperation.

The growth of flexibility within the entire German and Polish counter-terrorism systems should accelerate in the near future, as the greatest challenge facing these counter-terrorist centers is the change in their primary task from coordinating counter-terrorist activities to managing them.

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