ANALYSIS OF THE BOMBERS’ TACTICS AND THE CONSEQUENCES OF A SERIES OF TERRORIST ATTACKS IN BRUSSELS (22 MARCH 2016)

Introduction

In the morning of 22 March 2016, bombers associated with the so-called Islamic State (hereinafter: ISIS) carried out a series of bombings in Brussels: two detonations of Improvised Explosive Devices (hereinafter: IEDs) at Zaventem airport and one at the Maelbeek/Maalbeek underground station. The attacks killed 32 persons and 3 suicide bombers, and over 316 people were injured. When searching the airport, a third IED was found, which had not been detonated by the attackers. The terrorists attacked a hard target (the airport) and a soft target (the underground station). The IED attacks, where nail bombs were also used, should be classified as sequential, dispersed and non-targeted. The attackers were so-called returning ISIS fighters. The first responders were the airport security services and the police. The attacks were the bloodiest act of terrorism in Belgian history.

Many publications draw attention to the fact that Belgium is the European country with the highest number of militants (per million inhabitants)

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2 The rule applied by the author is not to include in the number of victims of assassinations: perpetrators, suicide bombers or terrorists who died as a result of shooting with the police. The perpetrators of terrorist attacks are undoubtedly victims of fanaticism, but the author believes that it is unethical to include them in the number of deaths from terrorist activities.
who joined ISIS and other terrorist organisations fighting in Syria and Iraq\(^3\). In 2016, the number of Belgians who became so-called Foreign Terrorist Fighters (FTF) was estimated at 420–515, 47 of whom were women. 45% of the fighters came from Brussels, while only 6% were converts. The average age of the departing people was 25.8 years. In 2016, 60–70 deaths of Belgian fighters were confirmed, 55–130 returned, while 180–260 people\(^4\) remained in the conflict area. Subsequent reports (departures in 2013–2017) speak of 611 terrorists – volunteers with Belgian passports\(^5\). The Belgian fighters fought primarily for ISIS (the majority) and Jabhat al-Nusra\(^6\) (Al-Qaeda). In view of this, it was only a matter of time that the so-called returning fighters would organise an attack in the area they knew. Furthermore, the French-Belgian ISIS network was extremely active in Europe, and numerous raids have certainly weakened but not eradicated it. In January 2015, a group that was planning to attack the sellers who had the ‘Charlie Hebdo’ magazine on offer was broken up. After the attacks of 13 November 2015, intensive searches and raids on members of the French-Belgian unit responsible for the attacks continued for four days (21–25 November 2015), while in March 2016, another series of arrests took place, which probably prompted the long-planned attacks in Brussels. The attack held on 13 November 2015 in Paris took the lives of 129 people, and more than 300 were wounded, 90 of them severely. The attack was carried out by nine perpetrators – all of them had previously fought in Syria or Iraq, but seven of them were of European citizenship (French, Belgian) and had a passport to facilitate visa-free travel and movement within the European Union (hereinafter: EU).

The Belgian law of 8 June 1867 – the Criminal Code\(^7\) – penalises, *inter alia*, participation in the activities of terrorist organisations, terrorism

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\(^4\) Van Ginkel B, Entenmann E (Eds), The Foreign..., *op.cit.*, pp. 25–27.


\(^6\) It is currently part of Hay’at Tahrir al-Sham.

financing, public provocation to commit terrorist offences and glorification of the aforementioned, recruiting and organising and/or participating in training to organise a terrorist attack, and travelling abroad to take part in terrorist activities\(^8\). It should be stressed that the series of attacks in Brussels was not the first expression of jihadist terrorist activity in the country. Successful or prevented attacks and arrests of members of terrorist cells show that the attack on the airport and the underground was not of an accidental nature, but the result of a long-term process – the recruitment and radicalisation of citizens, the development of terrorist cell structures and preparations (Table 1).

**Table 1**

<table>
<thead>
<tr>
<th>No.</th>
<th>Date</th>
<th>Place</th>
<th>Attacker</th>
<th>Number of victims</th>
<th>Tactics</th>
<th>ISIS participation</th>
<th>Criminal record</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>24 May 2014</td>
<td>Jewish Museum in Brussels</td>
<td>Mehdi Nemmouche – Frenchman of Algerian origin</td>
<td>4</td>
<td>Shooting</td>
<td>Returning fighter</td>
<td>Yes</td>
</tr>
<tr>
<td>2.</td>
<td>6 August 2016</td>
<td>Charleroi</td>
<td>Khaled Babbouri – Algerian</td>
<td>–</td>
<td>Attack with a machete</td>
<td>Inspiration</td>
<td>Yes</td>
</tr>
<tr>
<td>3.</td>
<td>5 October 2016</td>
<td>Brussels</td>
<td>Hicham Diop – Belgian of Senegalese origin</td>
<td>–</td>
<td>Attack with a machete, assault and battery</td>
<td>Inspiration</td>
<td>Yes</td>
</tr>
<tr>
<td>4.</td>
<td>20 June 2017</td>
<td>Brussels</td>
<td>Oussama Zariouh – Moroccan</td>
<td>–</td>
<td>IED</td>
<td>Inspiration</td>
<td>Yes</td>
</tr>
<tr>
<td>5.</td>
<td>25 August 2017</td>
<td>Brussels</td>
<td>Haashi Ayaanle – Belgian of Somali origin</td>
<td>–</td>
<td>Attack with a machete</td>
<td>Inspiration</td>
<td>No</td>
</tr>
<tr>
<td>6.</td>
<td>29 May 2018</td>
<td>Liège</td>
<td>Benjamin Herman – Belgian</td>
<td>3</td>
<td>Attack with a knife, shooting</td>
<td>Inspiration</td>
<td>Yes</td>
</tr>
</tbody>
</table>

*Source: author’s own study*

The analyses of the terrorist attacks carried out in Belgium show that they were carried out by people with no (or little) combat experience, attacking with the most available weapons, acting in a chaotic manner, alone and without the support of a terrorist organisation. The attacks were focussed on people in uniforms – police officers, soldiers, and in accordance with numerous requests from ISIS to attack in their place of residence, preferably officials and soldiers. It should be stressed that,

\(^8\) _Ibid._, Articles 137–141. The further part of the article discusses the regulations and their evolution together with the development of terrorism.
in addition to jihadist terrorist incidents and attacks, in Belgium in the 1980s, there were bomb attacks by Cellules Communistes Combattantes and Gang of Nivelles\(^9\), as well as anti-Semitic incidents. There are also examples of assassinations attempted or planned attacks in Belgian history\(^10\).

Moreover, the federal structure of the country, the multiplicity of decision-making levels, and inter-party disputes at the federal and regional levels hinder coherent security policies and result in paralysis of the decision-making process. At the federal level and in Flanders, the counter-terrorism trend is driven by strict law enforcement and risk management strategies, while in Wallonia and Brussels, the tendency is to focus on social policy and prevention\(^11\).

The attacks of 11 September 2001 brought about many changes in security systems and legislation in basically every NATO country. In the case of Belgium, it was primarily the appointment on 10 July 2006 of the Coordination Unit for Threat Assessment (CUTA), which monitors the police and intelligence services and assesses the extent to which the country is exposed to terrorist and extremist threats. Moreover, the CUTA collects and processes information from the federal and local police, special services (civil and military), the customs, immigration services and the transport inspection office. In Belgium, there are four levels of terrorist threat: no threat – level one or low; unlikely – level two or medium; possible and likely – level three or serious; serious and inevitable – level four or very serious. Following the attack on the Jewish Museum in Brussels on 24 May 2014, the threat level was changed from the third to the fourth for the Brussels region. After the attacks of 13 November 2015 in Paris, the level of threat in the country was increased from the second to the third (the attacks in the French capital by the French-Belgian ISIS cell resulted in increased vigilance by the Belgian services, and the Minister of the Interior announced that level three should be maintained until Salah Abdeslam is arrested). Between 21 and 26 November 2015, the threat level was raised to the fourth level in the Brussels region, and was then at level three until the attacks of 22 March 2016, when it was again raised to level four nationwide, which lasted until 24 March 2016\(^12\).

\(^9\) In the relevant literature, there are also the names: *Brabant killers*, *De Bende van Nijvel*.

\(^10\) Cf.: International Institute for Counter-Terrorism, The Brussels..., *op.cit.*, pp. 17–19.


\(^12\) *Ibid.*, p. 5.
Course of the series of attacks, targets of terrorists

In the attacks of 22 March 2016, a total of 35 people were killed (32 victims and three suicide bombers) and more than 316 people were injured (62 of whom were in critical condition). 14 people were killed at the airport, including a Polish citizen\textsuperscript{13}, and 81 were injured, while 18 people were killed and over 106 injured at the underground station. The assailants carried out untargeted attacks, and their victims could have been anyone who was staying at the airport and underground station during the incident\textsuperscript{14}. The attackers made use of the morning rush-hour and relatively primitive equipment. The suicide bombers, during the first of the attacks of that day, got mixed up in the crowd of travellers entering the passenger terminal. The detonation of two IEDs took place near the check-in desks (American Airlines and British Airlines among others) within nine seconds. Airports are among the so-called hard targets, but the attackers detonated the IEDs in a place where anyone can enter, including a person without a ticket or flight documents, so access to this part of the airport is unlimited.

Passengers and other individuals in the airport hall are, of course, under constant surveillance by security and monitoring services, but the bombers chose an area that is always congested, so it was easy for them to get into the crowd. They did not differ in their clothing or appearance from other travellers, they did not cover their faces, they did not show excessive anxiety or signs of drug intoxication and they did not make violent movements, so it was very difficult to identify them as potential bombers. The IEDs were concealed in travel bags placed on the trolleys. If the bombers had used so-called suicide vests or explosive waistcoats, their appearance could have alarmed the services. Several layers of clothing, an outfit not adapted to weather conditions, unnaturally stiffened gait, gloves, or stretched sleeves hiding a detonator, nervousness, because acetone peroxide (hereinafter referred to as: TATP), commonly used in this type of IED, is a chemically unstable substance, so early detonation may occur (this is probably why the terrorists did not allow the taxi driver who took them to the airport to touch the luggage or help in loading it), unnatural shape of the posture where the explosives could be attached – these features are a signal to the services that a suicide attack may happen. In the case of this attack, it was very difficult to identify the terrorists among other similarly dressed people, including those pushing travellers’ baggage trolleys. In a similar way, an IED was detonated on 24 January 2011 at Moscow’s Domodedovo airport – the explosion occurred near check-in desks because, due to the previous terrorist attacks and incidents,

\textsuperscript{13} \textit{Electronic source:} https://www.lemonde.fr/europe/article/2016/05/10/janina-panasewicz-61-ans-enmemoirebruxelles_4916581_3214.html, \textit{accessed:} 12 December 2019

\textsuperscript{14} \textit{Cf.:} Piekarski M, Wojtasik K, Polski system antyterrorystyczny a realia zamachów drugiej dekady XXI wieku (unpublished).
the security control of travellers there is very detailed. The IED detonated at Domodedovo was much more powerful (the explosive force was comparable to that of 5 kg of TNT), and additionally metal elements were used to increase the force of the shock (pieces of metal, nails). The attack at the Russian airport killed 37 people and injured nearly 180.

Means of communication are frequent targets of terrorist attacks. In recent years, terrorist organisations have organised several attacks of this kind in Europe. In 2012, the Lebanese Hezbollah organised a bombing in Bulgaria. A suicide terrorist detonated an IED on a bus carrying Israeli teenagers from the airport to a hotel in Burgas. Apart from the assailant, the bus driver and five passengers were killed in the attack. In 2011, at Frankfurt am Main airport, an assailant shouting ‘Allahu akbar’ attacked American soldiers. Two of them were killed and two injured. The motive for the attack was to take revenge for the American involvement in the situation in the Middle East. On 21 August 2015, on a train from Amsterdam to Paris, an attacker, Ayoub El Khazzani, who had previously fought together with the terrorists in Syria and was in contact with Abdelhamid Abaaoud\textsuperscript{15}, drew his gun and started shooting at travellers. The man was disarmed by passengers, including American soldiers on holiday in Europe, so no one was killed. The series of attacks in Madrid (2004) and London (2005) were also organised on public transport – buses and the underground. TATP was used to build the IEDs detonated in Brussels, a substance that had been successfully used for years in terrorist attacks in various parts of the world. It was also used in the series of attacks in Paris (2015) and London (2005). Moreover, TATP appeared in several spectacular assassination attempts, \textit{i.e.} in 2001, Richard Reid tried to blow up an aircraft with TATP hidden in his shoe. In 2009, Umar Farouk Abdulmutallab brought a TATP-based IED hidden in his underwear onto an aircraft. It was used in a New York underground assassination attempt in 2009, as well.

The subway as a means of public transport is a soft target that generates traffic, crowds and congestion and is accessible to everyone, which makes it very difficult to protect. An explosion on public transport, at bus stops or underground stations is particularly dangerous because it causes panic and the possibility of trampling, which is all the more serious in closed underground spaces, where parts of the tunnel may collapse, and a construction disaster or a fire that is difficult to extinguish may ensue. In Brussels, an IED was set off in the middle section of a three-carriage train when it was leaving the station. It should be stressed that the Maelbeek/Maalbeek station is located close to the European Parliament’s headquarters and, in addition, there are other EU and NATO institutions in Brussels, which makes this city a symbolic target for a terrorist attack.

\textsuperscript{15} The leader of the November 13th, 2015 assassination attempts was in a group of terrorists who shot at customers of bars and restaurants in the 10th and 11th districts of Paris.
The table below shows the sequence of events of the attacks in Brussels.

Table 2

<table>
<thead>
<tr>
<th>Time</th>
<th>Course of events</th>
</tr>
</thead>
<tbody>
<tr>
<td>7:55 a.m.</td>
<td>The three attackers arrive at Zaventem airport by taxi</td>
</tr>
<tr>
<td>7:58 a.m.</td>
<td>There are two simultaneous explosions near the check-in desks</td>
</tr>
<tr>
<td>8:00 a.m.</td>
<td>Rescue and evacuation operations begin</td>
</tr>
<tr>
<td>8:20 a.m.</td>
<td>Rail transport to the airport is stopped. Road blocking begins</td>
</tr>
<tr>
<td>8:40 a.m.</td>
<td>The airport authorities confirm the explosion and call on citizens to stay away from the area of the explosion</td>
</tr>
<tr>
<td>9:04 a.m.</td>
<td>The highest terrorist threat level is introduced in Belgium</td>
</tr>
<tr>
<td>9:11 a.m.</td>
<td>The explosion at the Maelbeek/Maalbeek underground station</td>
</tr>
<tr>
<td>9:27 a.m.</td>
<td>The public transport in Brussels is stopped</td>
</tr>
<tr>
<td>11:15 a.m.</td>
<td>The Eurostar rail transport between London and Brussels is stopped</td>
</tr>
<tr>
<td>11:50 a.m.</td>
<td>The federal prosecutor’s office confirms that the explosions are terrorist attacks and officially opens an investigation</td>
</tr>
<tr>
<td>approx. 5:14 p.m.</td>
<td>The third bomb in the airport explodes as a result of a controlled detonation</td>
</tr>
<tr>
<td>approx. 7:30 p.m.</td>
<td>During the search of the attackers’ flat in Schaerbeek, the police find an IED and an ISIS flag</td>
</tr>
</tbody>
</table>

*Source: author’s own study*

The attacks carried out on 22 March 2016 in Brussels, although tragic in their consequences, were only part of the terrorist group’s large-scale plan. The information gathered suggests that the attackers planned a large number of sequential attacks. A few days before the attacks, the Belgian services conducted an operation against terrorist cells. On 18 March 2016, S. Abdeslam was arrested, who had been a major player in the terrorist attacks of 13 November 2015 in Paris. His detention was dangerous for the group because there was a risk that the suspect would testify and reveal crucial information about the planned attacks, or in the course of the investigation, officers would establish his network of contacts, associates, locations of hiding places, etc. According to the information of VRT television\(^\text{16}\), the terrorists initially planned a repetition of the Parisian scenario, that is, the detonation of an IED and shooting in the streets of Brussels. The police VRT sources say that S. Abdeslam, Mohamed Belkaid and Amine Choukri were supposed to shoot among

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others. However, M. Belkaid was killed during the 13 March 2016 raid, and S. Abdeslam and A. Choukri were detained on 18 March 2016, so the attack, originally planned for Big Monday on 28 March 2016, was brought forward.

A few hours after the assassination attempts, the apartment that had been occupied by the perpetrators was searched, and an IED load of nail bombs, 15 kilograms of acetone peroxide, 151 litres of acetone, about 30 litres of hydrogen peroxide and an ISIS flag were found. Moreover, in the dustbin near the attackers’ place of residence, a computer belonging to Ibrahim Al-Bakrāwī was located. On the disk, there was a farewell letter from the owner and photos of the Belgian Prime Minister’s house and office, as well as photos of other buildings. The significant quantities of the substances from which IEDs can be produced was evidence that the bombers planned to use more explosive devices.

The bombers’ tactics

The attacks carried out on March 22 in 2016 in Brussels were attended by five assailants who operated in two groups and carried out two suicide bombings in different parts of the city. The airport cameras spotted the terrorists who arrived at the airport in Zaventem by taxi and then pushed the baggage carts, which contained black bags with improvised explosive devices, inside\textsuperscript{17}. The attackers did not stand out, either in appearance or behaviour and were, therefore, not detained by the security services.

Later investigation revealed that the bombers ordered a large taxicab (van), but due to a mistake of the taxi company, a passenger car had arrived, so the three assailants went to the airport with three bags, while they left the last of the IED cargo in their apartment in the Schaerbeek district. The original plan was probably to detonate four explosives at the airport, where the fourth attacker was to be Osama Krayem. The bombers, most likely afraid of exposing themselves, did not want to keep waiting for the right car and modified the plan.

In the passenger terminal of the airport in Zaventem, there were Najim Laachraoui, I. al-Bakrāwī and Mohamed Abrini. Each of them had an IED hidden in a bag. In the attack, an IED built of TATP and equipped with shrapnel (nails, bearing balls, metal fragments) was used, which increased the number of casualties and injured persons. The detonation of two bombs took place within nine seconds, while the third bomber failed to set off his IED, so he abandoned it and ran away. There are two explanations for this situation. The attacker managed to escape at the last possible moment because he got scared by an approaching airport security

\textsuperscript{17} The perpetrators did not have, as was initially wrongly reported, so-called suicide vests. The investigation at the scene of the attack and the autopsies confirmed that the bombs were located low, at floor level, and the victims had numerous lower limb wounds.
officer or a uniformed officer, or the explosive force of the second bomb could have thrown him so far away that he was not able to set off his IED, so he fled the detonation area. It is also possible that the attacker was supposed to carry out a secondary attack, targeting survivors, first responders and medical services, but he abandoned this plan. The third IED was found and detonated by bomb disposal experts. Witnesses testified that a few seconds before the explosion, they could hear screams in Arabic and the sound of shots. An AK rifle was found on one of the attackers, but there was no official information that any of the victims had died as a result of shooting. The detonation also caused a construction disaster. Part of the roof collapsed, which resulted in an accumulation of dust, poor visibility and chaos hindering evacuation and first aid provision. Moreover, disoriented people were running away from the airport in panic.

At about 9:00 a.m., an hour after the explosion of two bombs at Zaventem airport, two members of the same terrorist group, Khalid Al-Bakrāwī and Osama Krayem, appeared at the station of the Belgian subway Maelbeek/Maalbeek. The first one got into a metro car and when the train was leaving the station, the explosive prepared by the attackers was activated. It has not been confirmed so far whether the attacker was wearing a suicide vest or hid the explosive device in a bag, but it is known that the same substances had been used to build it as those detonated at the airport. After the explosion, the train was stopped and the surviving passengers left the train on their own and headed for the platform. Many victims suffered serious burns. The other attacker, O. Krayem, had left the station before the explosion happened. He probably had an IED, but did not detonate it.

The key to identifying the perpetrators of the incident was the testimony of the cab driver who took the three attackers to Zaventem airport. The man thought it was suspicious that the passengers did not want any help whatsoever with unloading their luggage and forbade him to touch it. What is more, the luggage smelled like nail polish remover. When the media showed the images of the suspects, the driver recognised the strange passengers and informed the law enforcement authorities. The services were able to establish the location of the apartment from which the terrorists had left. In the course of the investigation, it was established that at least one of the neighbours had been reporting suspicious smells coming out of the apartment to the Belgian police, but there was no official response. The landlord later testified that when he entered the building, he could smell an intense, ‘chemical’ scent, while, in the apartment itself, all of the windows were constantly open and large industrial and exhaust fans were working, which seemed suspicious.

After the first two explosions, there was a fear of a return to the Parisian scenario\(^{20}\), i.e. attacks in several places, which were supposed to disperse police forces, delay actions and divert the security services’ attention from the key objectives – the Bataclan hall and the national stadium. There was a suspicion that terrorists might attack other means of transport and stations, so public transport in and around Brussels was stopped until 4 p.m. Zaventem airport was closed and planes were diverted to other Belgian or European airports. Emergency evacuation was immediately ordered in schools and universities, and those working in the buildings were told to stay inside. The level of terrorist threat at the national level was raised to the highest one (the fourth on a four-stage scale), while in nuclear power plants, the highest level of threat was introduced and non-key workers were evacuated. In addition, many European airports introduced an increased level of risk\(^{21}\). The security measures were necessary and their implementation was unquestionable. It should be stressed, however, that several under-trained and poorly armed perpetrators effectively disrupted the European capital, and in this way, they achieved the soft goals of terrorism – they caused fear, panic and feeling of threat among the citizens.

**Social and legal consequences of the assassinations**

After the attacks of 22nd March 2016, the Belgian authorities paid the victims a total of 322 million euros in compensation, but these payments were preceded by an extensive bureaucratic process and, according to the victims, obtaining compensation took a very long time. In addition, the Belgian state had to spend 2.3 billion euros on the construction repairs of the buildings affected by the attacks. The cost of the attacks, both the economic effects and the infrastructure expenses, amounted to about 4.47 billion euros. Hotel and catering facilities also suffered significant losses due to a decrease in the number of tourists visiting them.

Terrorist attacks often result in changes in the law. In the case of Belgium, the key legislation was that introduced after the 2015 terrorist attacks in France, however some valid regulations had already been introduced before. Until 2003, there had been no terrorist-related crime categories in the Belgian legal system, and acts of terrorism had been treated as organised crime. A significant change was brought about by the Law of 19 December 2003 on terrorist offences\(^{22}\), which introduced Articles 137–141 into the criminal code. According to the provisions of the

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\(^{21}\) International Institute for Counter-Terrorism, The Brussels..., *op.cit.*, p. 7.

criminal code, an act of terrorism is a crime when, ‘by its nature or context, it is likely to cause serious harm to the state or to an international organisation’ and which is ‘committed with the intent to: seriously intimidate the population or force public authorities or bodies of an international organisation to take or refrain from taking action, or to destabilise or destroy the fundamental political, constitutional, economic or social structures of the state or an international organisation’. Under the conditions specified Article 137(1) of the criminal code, such crimes include: intentional murder, taking hostages, kidnapping, causing serious damage which is a threat to human life or the economy, taking over an aircraft, crimes related to the production, storage, transport and use of explosives, crimes related to the production, trafficking and transport of weapons and trade in ammunition, as well as further activities listed in § 3 of the aforementioned provision. Article 138 of the criminal code defines the penalties for terrorist offences. Article 139 of the penal code refers to terrorist organisations which are defined as associations consisting of more than two persons and which act in a coordinated manner in order to commit terrorist offences as referred to in Article 137 of the penal code. Article 140(1 and 2) of the code of criminal procedure defines the sanctions for the following: involvement in a terrorist organisation (imprisonment from five to ten years and a fine from one hundred to five thousand euros), leadership of a terrorist group (imprisonment from fifteen to twenty years and a fine from one thousand to two hundred thousand euros). Article 141 of the criminal code concerns terrorist financing, and provides for a prison sentence of five to ten years and a fine of one hundred to five thousand euros. In 2013, following an amendment of the penal code, new categories of crimes related to terrorism appeared, i.e.: recruitment, training (in the production or use of explosives, firearms or other weapons or harmful and dangerous substances or other type of instruction) aimed at committing one of the crimes under Article 137 of the penal code, as well as travel abroad to attend such training, public incitement to commit crimes of a terrorist nature. What is more, the Article in question was extended with the phrase ‘attempt to commit the crimes referred to in this paragraph’.

As a consequence of the attack on the weekly ‘Charlie Hebdo’ magazine in Paris, and with the cooperation of the Belgian and French police, as well as due to an extensive raid in Verviers, further significant changes in the Belgian law have been implemented. First of all, there is the 12-point plan to combat terrorism, which includes the following steps: a new terrorist

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23 Criminal code, Article 137.
24 Ibid.
26 Criminal code, Article 137.
Offence concerning travel abroad for terrorist purposes\textsuperscript{27} has been introduced into the criminal code, the scope of application of surveillance methods, \textit{e.g.} wiretapping, has been extended to all terrorist offences classified under Article 137 of the criminal code, the number of cases in which Belgian nationality can be taken away has been increased, \textit{e.g.} in the case of persons of dual nationality, consular legislation has been amended to allow refusal, revocation or cancellation of passports of persons perceived as a threat to the national security, the possibility of temporary invalidation of identity cards, refusal or cancellation of passports has been introduced, the structure of the special and intelligence services has been modernised, \textit{i.e.} the National Security Council has been established, which defines, coordinates and prioritises intelligence and security services (the Council is chaired by the Federal Prime Minister and is authorised to coordinate actions against terrorist financing and proliferation of weapons of mass destruction). Moreover, the criminal code now includes another type of terrorist-related crime, that is, encouraging and recruiting to the travel for terrorist purposes\textsuperscript{28}, and a circular letter has been published on the monitoring of so-called foreign fighters living in Belgium, especially by the municipal authorities. The mayors have been asked to establish Local Cells for Integral Security. Moreover, the exchange of information between the authorities and administrative and judicial services has been greatly improved. The Dynamic (permanently updated) Foreign Fighters Database has been launched, which makes it possible to track the activities of these people\textsuperscript{29}. A new anti-radicalisation plan which defines the range of administrative and judicial measures that can be taken on a preventive, proactive and reactive level has been developed, anti-radicalisation programmes in prisons have been introduced, the army has been allowed to participate in security tasks, the powers of the State Security Service (Veiligheid van de Staat) have been strengthened and the responsibility of protecting persons with special status has been given to the federal police\textsuperscript{30}.


\textsuperscript{29} In the past, most services had their own databases on FTF. The established CUTA collected all of the information in its database, which, however, was accessible to a limited number of partners. The new database, created in 2016, differs in the fact that more services have access to it, they may use the information collected, and they have the ability to add, update and edit the data (hence the adjective ‘dynamic’). In addition, the database includes data on the Home-grown Terrorist Fighters and hate radicals.

After the series of attacks in Paris and the attacks in Brussels, further changes have been made to the Belgian security system: the budget has been modified by allocating an additional 400 million euros to security and counter-terrorism objectives, police checks at the borders have been strengthened (an additional 520 soldiers have been assigned to security reinforcement tasks), further regulations on the use of new technologies for technical surveillance work (voice identification, wiretapping) have been introduced, legislative changes allowing the detention of a suspect for up to 72 hours in case of terrorist crimes have been made and 24-hour searches of the homes of suspected terrorists (previous legislation prohibited searches between 9 p.m. and 5 a.m.) have been made officially possible. Immediate arrest of the so-called returning fighters has been made possible, electronic surveillance has been introduced for persons who pose a threat to internal security and who cannot be classified as returning fighters, the Passenger Name Record has been created which is to register passengers’ flight travel data, the monitoring of the activities of hate preachers has been started, and in the case of their violation of the law, house arrest, imprisonment or deportation has been allowed. Unregistered places of worship promoting radical jihadism have been closed, registering prepaid phone cards has been made compulsory, the ‘Plan Molenbeek’ (later changed to the ‘Plan Canal’), which was developed by the Belgian Ministry of the Interior and focused on eight municipalities in and around Brussels and aimed at monitoring places perceived as vulnerable to radicalisation, has been started. Security control against access to ‘critical workplaces’ has been strengthened, the network of license plate recognition cameras has been expanded, hate speech websites have been closed and steps have been taken to create in the Belgian law system a ‘state of emergency’ (possibility of applying temporary and exceptional measures to ensure public safety). Another element was Belgium’s participation in the coalition fighting against ISIS. Numerous human rights organisations, such as Amnesty International, Human Rights Watch, League for Human Rights, have objected to the measures taken by the Belgian authorities as undermining the fundamental rights of individuals.

**Perpetrators of the assassinations**

The attackers who took part in the series of attacks were relatively young Belgians of Moroccan origin who grew up in Belgium. Osama

31 Fight..., *op.cit.*

Krayem was a Swedish citizen with Palestinian roots, but his life history did not differ from the life choices made by his Belgian peers. The assassins knew each other, grew up together (family and friendship relationships), had conflicts with the law in the past and/or fought in Syria on the side of ISIS (Table 3). Three terrorists died during the IED detonation, while M. Abrini and O. Krayem were arrested on April 8, 2016 and are currently in prison. All of the attackers were part of the French-Belgian ISIS network and all had taken part in the preparation of the attacks of November 13, 2015 in Paris. Mohamad Abrini, S. Abdeslam and Ibrahim Abdeslam had known each other since their childhood. The French-Belgian ISIS network was based on this type of relationships – family, friendship, neighborhood – therefore the terrorists had known each other from their youth, they had strong relations, similar experiences and identity dilemmas. In the past, the bombers used to spend time together, then they got radicalised together and went to fight in Syria. This type of attacker is a challenge for the services, but the way the network operates also provides the opportunity to detect them through covert activities. The network members need to communicate, meet, exchange materials, and the production of components for IEDs is time consuming, it leaves smell marks. The whole operation generates costs, so there are transfers or cash withdrawals in the members’ bank accounts.

Table 3

<table>
<thead>
<tr>
<th>Data/alias</th>
<th>Age</th>
<th>Nationality</th>
<th>Role</th>
<th>Criminal record</th>
<th>Fought in Syria/Iraq</th>
<th>Participation in preparing the attack of 13 November 2015 in Paris</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ibrahim al-Bakrāwī Abū Suleymān al-Baljīkī</td>
<td>29 †</td>
<td>Belgian of Moroccan origin</td>
<td>Detonated an IED at the airport</td>
<td>Yes – 10 year-sentence for robbing a currency exchange office and shooting with the police</td>
<td>Yes</td>
<td>Yes – purchase of ammunition, arranging accommodation for the bombers</td>
</tr>
<tr>
<td>Najim Laachraoui Na‘īm al-‘Ashrāwī Abū Idris al-Baljīkī Soufiane Kayal</td>
<td>25 †</td>
<td>Belgian of Moroccan origin (dual citizenship)</td>
<td>Detonated an IED at the airport, IED bomb manufacturer</td>
<td>No</td>
<td>Yes</td>
<td>Yes – arranging a hiding place and accommodation for the bombers</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Name</th>
<th>Age</th>
<th>Origin</th>
<th>Details</th>
<th>Yes –</th>
<th>Yes –</th>
<th>Source: author’s own study</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mohamed Abrini</td>
<td>32</td>
<td>Belgian of Moroccan origin</td>
<td>Logistics, present at the airport, did not detonate a bomb</td>
<td>Yes –</td>
<td>minor offences</td>
<td></td>
</tr>
<tr>
<td>Khālid al-Bakrāwī Abū Walīd al-Baljikī</td>
<td>27 †</td>
<td>Belgian of Moroccan origin</td>
<td>Detonated an IED in the subway</td>
<td>Yes –</td>
<td>sentenced for possession of AK rifles, participation in a bank robbery, kidnapping and car theft</td>
<td></td>
</tr>
<tr>
<td>Osama Krayem/Naim al Hamed</td>
<td>24</td>
<td>Swede of Palestinian origin</td>
<td>Logistics, seen at the subway station, did not detonate an IED</td>
<td>No</td>
<td>Yes</td>
<td></td>
</tr>
</tbody>
</table>

On 22 March 2016, ISIS took responsibility for the attacks in the Belgian capital. This information was given through the Amaq media agency. The statement says that the attack was a consequence of Belgium’s involvement in the activities of an international coalition fighting the organisation. Apart from the messages broadcast by the media connected with ISIS, there were many entries on the network of radical supporters of the organisation who glorified the attacks, announced further ones and expressed their satisfaction with the large number of victims. There were also English and Arabic hashtags with the following slogans: ‘Brussels is burning’, ‘The Explosions of Brussels’, ‘Europe is Burning Again’, ‘The Attacks on Brussels’, ‘The Explosion of Brussels’.

**What does it all mean?**

The attack in Brussels was carried out with the use of the most popular IEDs among terrorists, made on the basis of TATP. The attackers, mostly radicals, had previously fought on the side of terrorist organisations in Syria. In the years 2011–2017, more than 6,000 EU citizens left Europe and joined various groups, mostly considered to be terrorist ones, in order to fight in the Syrian civil war and participate in combat activities in nearby Iraq. The fighters, not only from Europe, because ISIS forces have recruited nearly 40,000 volunteers from the Maghreb, the Arabian Peninsula and Asia, initially well paid and well-armed, were successful and occupied other territories, but the organisation was not strong enough to maintain them.

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35 Including several dozens Polish nationals.
Some of the militants coming from Europe were killed either in coalition raids or on the battlefield. It is estimated that only 30–40% of the fighters returned to Europe, and nearly 1,000 of them and their families were taken prisoner and are in Kurdish captivity, where they are staying in closed camps that are becoming a source of disease and radicalism. Those who returned to Europe seem not to pose a threat, because they live their lives as they did before, i.e. they have merged back into society and destroyed evidence of their criminal activity, however, they are still dangerous. It must be remembered that in Syria and Iraq, they fought and killed on the frontline, and they ‘administered justice’ to civilians (decapitations, limb-cuttings, executions). All of them have received some kind of military training, so they are able to use weapons, they have ‘practised’ black tactics and have gained knowledge in the field of IED production, i.e. they have acquired the skills needed to arrange an offensive attack in their place of residence. In addition, the fighters committed numerous acts of barbarism and sadism (torture and sophisticated ways of killing prisoners were filmed and then made available on the Internet), they became accustomed to taking people’s lives and shed their scruples. While in Syria and Iraq, they were intensively trained ideologically, they were taught that all European citizens deserve to die, that civilians should be attacked and no one should be saved. One of the stages of radicalisation is to convince the militant that death is the beginning of a beautiful life in paradise (Arab. jannah), and a martyr’s death in an assassination attempt, for example, is something dignified and wonderful. Therefore, they will not hesitate to take risky and dangerous actions. Radical activists believe that death in a suicide bombing leads directly to the aforementioned paradise. They are also strongly convinced that if they get caught by the police/services, they will be humiliated and tortured, so martyrdom (death) is a much better option when they are stopped. This makes them fight to the end in direct confrontation, and they often carry additional IEDs. It should also be emphasised that the so-called returning fighters have lived in Europe for years, so they know the language and local conditions, have European passports, can move around the territory of the EU, and they know the topography of the cities in which they previously lived, street layouts and local customs. This makes it easier for them to organise a support group and the logistics necessary to carry out several simultaneous attacks or assassination sequences. Former ISIS fighters have family support in the place they are staying (family/clan ties in the Islamic culture are incredibly strong and loyalty to family members and co-religionists is at a very high level) and friends (together, they went to local schools, made friends, participated in spiritual life, so they know other Muslims) who, even if they are not so radical in their views and actions, will not refuse to help, e.g. to give shelter to a ‘brother’. These factors make the fighters returning from Iraq and Syria potential assassins who will not feel sorry for the civilian population and are ready to die in combat or a suicide attack. They have the skills to organise an assassination, either individually or as a group.
For several years now, many EU countries have been facing the challenges of returning ISIS fighters and their families to Europe. The most common practice is to treat each returning militant individually. In the Scandinavian countries, France and Belgium, millions of euros have been spent on rehabilitation programmes for former ISIS fighters. However, it was certainly not possible for the services to catch every single person who fought for Salafist terrorist organisations. The prosecution and conviction of former ISIS fighters in Europe is extremely difficult. In the European environment, it is not easy to gather valuable evidence to sentence an ISIS fighter to long-term imprisonment. There is usually no strong evidence or witnesses, and the accused usually claim that they were only doing cleaning tasks, working in a kitchen or at most patrolling the area with unloaded weapons, but they had never fought, while the photos with the rifle, which they put on their social networking account years ago, were pretended – proving otherwise is very difficult. Therefore, the sentences that are passed in European courts (recently also in Poland – see the case of David Ł.) are usually low, only a few years to spend in prison. There is a very high probability that a detention in a penitentiary will only strengthen the convict’s radical views and will be a good opportunity to recruit co-prisoners. After the release from prison, the former fighter returns in the martyr’s glory and becomes a local leader and champion for the radicalising youth, and still has the skills to carry out a terrorist attack. Such a person is a threat to European Union citizens, including Polish ones.

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**Keywords:** terrorist attack, ISIS, hard target, soft target, tactics, attack in Brussels, foreign terrorist fighters, TATP

**Summary:** The purpose of the article is to analyse the *modus operandi* of the terrorists who on 22 March 2016 organised the bomb attacks in Brussels. The article characterises the targets of the attackers, analyses their operational tactics and the aftermath of their attacks. In addition, the consequences of the attacks are discussed – both economic and legal. Another issue analysed in the article is the perpetrators of the assassinations – their origin, path of radicalisation and network of contacts. The summary shows why returning foreign terrorist fighters are a threat to security in the EU countries, including Poland.