Proposals for Legal Solutions Aimed at Increasing the Effectiveness of Specialised Armed Protection Formations in the Area of Implementing Counter-Terrorist Tasks

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Abstract. Specialised armed security formations (SUFOs) are an important, though often underestimated, component of terrorist security. They are responsible for securing facilities of particular importance to economic, defence or military interests, which are subject to mandatory protection. In addition to these areas, SUFOs also protect facilities and equipment that constitute the critical infrastructure of the state, which ensures the efficiency and continuity of its operations. In addition, the private security sector is present in many public places where large numbers of people gather. Security guards are responsible for securing mass events (matches, concerts) and large-scale commercial facilities, so-called galleries. They are present at railroad stations and airports, protect military units, convoy monetary values and hazardous materials. All the aforementioned objects and the people in them can be a potential target of a terrorist attack. Hence, when considering the effectiveness of measures taken to prevent and counter such attacks, it is necessary to take into account the private security sector, in which SUFOs have a special role to play. The article is the result of a research process aimed at determining the need and possibility of introducing legal changes aimed at increasing the role of SUFOs in providing security, with a view to preventing terrorist threats in Poland.

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Introduction

For the smooth functioning of any state, it is necessary to ensure the security and continuity of operation of facilities, areas and equipment that are strategic in nature and most often constitute critical infrastructure. Due to their importance, they are subject to mandatory protection, which must be exercised continuously by entities with the appropriate competence and authority. They should prevent and eliminate threats, both those caused by nature and technology and those originating from man. Such man-made threats that can disrupt the effective functioning of the state are terrorism and criminal terror.

Isaac Cronin points out that terrorism is: violence used by individuals or groups against a much stronger adversary, which is the state (its government or society) in order to disrupt its normal operation by creating fear and forcing changes in political or presented attitudes according to the terrorists’ agenda or optics.1 Bruce Hoffman, on the

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other hand, accepts that terrorism is the use of violence or the threat of violence that is aimed at achieving political goals or serves such goals.\textsuperscript{2} Paul Wilkinson notes that terrorism is a weapon of the weak that allows them to fight effectively against a much stronger enemy, which is usually the state with its police and military forces.\textsuperscript{3}

Many researchers focus on the target of a terrorist attack exposing the fact that the victims are: defenceless, innocent, or selected at random. This makes it possible to accept the term that terrorism is a blind crime.\textsuperscript{4} Stanisław Pikulski presented the results of a study showing that up to 70% of the victims of terrorist attacks are just random people. Their deaths are intended to provoke a certain reaction from the apparatus of power and influence the intimidation of public opinion. Terrorism is therefore aimed at the recipients, not those who became victims. They have only an instrumental role to play. It is all about the spectacular effect intended to put pressure on the authorities and draw public attention to ‘the existence [of] certain unresolved problems’.\textsuperscript{5} The goal, which causes the effect, of terrorist activity must be political in order for us to talk terrorism.\textsuperscript{6} From the point of view of those responsible for security — responding to the event — what is important is the method of making/undertaking the attack, the political background is a secondary element at this point. Hundreds of events that use methods identical to terrorist activity are referred to as acts of criminal terror.

The criterion differentiating criminal terror from terrorism is the goal of the perpetrators, which in the case of terrorist attacks is to provoke fear, influencing public opinion, and not the violence itself, which here takes on a symbolic character and produces a propaganda effect.\textsuperscript{7} Waldemar Zubrzycki noted that the difference between terrorism and criminal terror is not in the methods used but in the motivation of the perpetrators. Hence, according to him, attacks bearing the hallmarks of criminal terror are aimed at achieving material benefits.\textsuperscript{8} Emil Pływaczewski pointed to an important issue, indicating that terrorists aim to annihilate the existing political order and legal order. Members of organised criminal groups using criminal terror are interested in maintaining the existing state in the state, as it guarantees them high illegal profits.\textsuperscript{9} In the security sciences, criminal terror is seen as one of the methods of operation of criminal organisations. Its scope includes crimes against life, health or property committed with weapons or explosives.\textsuperscript{10} Criminal terror methods are tactically associated with those of terrorists. Thus, the methods for combating terrorist attacks are the same as those for eradicating criminal terror threats. At the response stage, there is no difference

\textsuperscript{3} R. Borkowski, \textit{Terroryzm ponowoczesny… op. cit.}, p. 39.
\textsuperscript{5} J. Latkiewicz, J. Skoczylas, \textit{Problematyka terroryzmu międzynarodowowego w pracach ONZ, \textquoteright Zeszyty naukowe ASW\textquoteright, 1975, No. 9, p. 179.}
\textsuperscript{7} T.R. Aleksandrowicz, \textit{Terroryzm… op. cit.}, p. 27.
\textsuperscript{8} W. Zubrzycki, \textit{Fizyczne zwalczanie terroru i terroryzmu w Polsce, [in:] Przeciwdziałanie zagrożeniom terrorystycznym w Polsce, Zubrzycki W., Warszawa, 2011, p. 332.}
\textsuperscript{9} E. Pływaczewski, \textit{Przestępność zorganizowana}, Warszawa, 2011, p. 34.
between the two. Both terrorist attacks and acts of criminal terror can cause dysfunction at the local level or imply negative consequences, including at the national level. It is therefore important to establish the legal prerequisites for both the tasks and powers of those in charge.

The aim of the research was to establish the need and possibility of introducing changes of a normative nature aimed at increasing the effectiveness of SUFO operations in combating threats, both those generated by terrorism and criminal terror. In order to achieve the objective thus defined, the research problem formulated was contained in the question: Are changes in the legal regulations concerning the functioning of SUFOs and the qualified physical security personnel employed in them necessary and possible? To answer this question, the following specific problems were defined:

Are the current legal arrangements for SUFOs and qualified security personnel sufficient?

What legislative solutions could improve the effectiveness of SUFO in terms of combating threats of terrorist attacks and acts of criminal terror?

The research process used the method of a critical analysis of the literature and legal acts on the subject. The method of a diagnostic survey was also used, with the use of an expert interview technique aimed at managers responsible for SUFO activities in facilities subject to mandatory protection and constituting critical infrastructure.

**Main Part**

The most important legal act defining the principles of operation of specialised armed protection formations is the Act of 22 August 1997 on the protection of persons and property. SUFOs have become an important element of state security operating on the basis of legal regulations and present in various areas requiring protection. These entities have significantly relieved the state services responsible for public security by taking over some of their duties. The security sector is not in competition with the uniformed services but is a natural complement to them. Although the majority of SUFOs are private security companies of a commercial nature, they perform tasks that, prior to the monopolisation of security, belonged to the prerogatives of the state. Thus, uniformed services, especially the Police, were able to direct their activity towards combating other threats, especially those requiring operational or investigative work. In the new systemic conditions of the state, after the political and economic transformation process, SUFOs became part of the state security system. Through the provisions of the Act on the Protection of Persons and Property, the private security sector was structurally integrated into the functioning of state bodies responsible for security and public order.

Article 2(7) of the cited Act contains a definition indicating that SUFOs are internal security services and entrepreneurs who have obtained concessions to conduct economic activity in the field of protection services of persons and property, possessing weapons on the basis of the weapons certificate referred to in Article 29(1)

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12 Ibid.

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(1) and (2) of the Act of 21 May 1999 on arms and ammunition. The legislator has adopted a dichotomous division of this activity, distinguishing between protection of persons and protection of property. The former consists of activities aimed at ensuring the safety of life, health and personal integrity. Property protection, on the other hand, is the implementation of activities to prevent crimes and offences against property, as well as to prevent damage resulting from these events and to prevent unauthorised persons from entering the area under protection. Protection of persons and property may be carried out in the form of direct physical protection, which is either permanent or ad hoc. It may also consist in the constant supervision of signals transmitted, collected and processed by electronic alarm devices and systems and in the escorting of monetary values. It can also be realised through technical security, consisting of the installation of electronic devices and alarm systems, signalling the threat to protected persons and property, as well as the operation, maintenance and repair in the places where they are installed. The installation of devices and means of mechanical security and their operation, maintenance, repair and emergency opening at their places of installation are also recognised as this type of security.

Juliusz Piwowarski and Paweł Pajorski are of the opinion that the security of the facility, i.e. the effectiveness of measures to neutralise criminal threats, will be ensured when the time required to take action to directly repel an attack and apprehend the perpetrator in hot pursuit or in direct pursuit is shorter than or equal to the sum of the times required for: the perpetrator to overcome the building-mechanical protection, recognise the cause and signalling the fact of violation of the protected area, transmit and develop the alarm signal, as well as alerting persons and institutions responsible for dealing with protection and for taking appropriate action, execut the perpetrator’s intention (e.g. preparing the loot to be carried off, carrying it away, etc.) and moving away from the site to a safe distance.

The specific role of the SUFO is to ensure the security of areas, objects, equipment and transports subject to mandatory protection. The group of objects,
devices and areas requiring obligatory protection, related to the state defence, includes in particular: plants of special production; plants that carry out scientific and research or construction works concerning such production, and plants producing, renovating and storing armaments, devices and military equipment, warehouses of strategic reserves.24

Mandatory physical protection is also required for facilities, areas and equipment that are important for the economic interest of the state. These include, in particular: establishments directly related to the extraction of mineral resources of strategic importance to the state, seaports and airports, banks and enterprises producing, storing or transporting monetary values in significant quantities.25

The protection carried out by the SUFO is also of a mandatory nature, in aspects important for public safety, and includes in particular: plants, facilities and equipment of vital importance for the functioning of urban agglomerations, the destruction or damage of which may pose a threat to human life and health and the environment, in particular power and heating plants, water intakes, waterworks and sewage treatment plants, plants using, producing or storing nuclear materials in significant quantities, radioactive sources and waste, toxic, narcotic, explosive or chemical materials with a high fire or explosion potential, fuel pipelines, power and telecommunication lines, dams and locks and other open-air installations, the destruction or damage of which may endanger human life or health, threaten the environment or cause serious damage to property.26

In the area of safeguarding important state interests, mandatory protection is required for the following: plants with unique economic production, telecommunications, postal and television and radio facilities and equipment, museums and other facilities where national cultural assets are collected, state archives.27

Critical infrastructure, which is to be understood as systems and their functionally connected objects, is also subject to mandatory protection,28 including buildings, equipment, installations, and services critical to the security of the state and its citizens and serving to ensure the efficient functioning of public administration bodies, as well as institutions and businesses. In such a view, critical infrastructure includes the following systems: energy supply, raw materials and fuels, communications, ICT networks, financial, food supply, water supply, health care, transport, rescue, ensuring the continuity of operation of the public administration, production, storage, and storage and use of chemical and radioactive substances, including pipelines for hazardous substances.29

Critical infrastructure protection is understood as an assurance process designed to ensure its security. It must include the pursuit of a desired outcome, with

continuous improvement. It encompasses a number of task areas and associated competencies, involving various actors whose activities aim to ensure: functionality, continuity of operations, integrity of critical infrastructure.\textsuperscript{30} These actions aim to minimise the risk of disruption to critical infrastructure by: minimising the likelihood of a threat occurring, reducing vulnerability and limiting the consequences of a threat occurring. According to the Crisis Management Act, it is the responsibility of the owners of critical infrastructure facilities, installations or equipment to protect them, in particular by preparing and implementing, in accordance with anticipated threats, critical infrastructure protection plans.\textsuperscript{31}

However, there is no mandatory protection performed by SUFOs in facilities that may pose a potential threat of a terrorist attack due to the concentration of passenger traffic, such as large-scale shopping facilities or office centres. These are so-called soft targets, which by their nature are potentially attractive targets for attack.\textsuperscript{32}

An important issue in ensuring terrorist security is the proper co-operation of the SUFO with other services responsible for combating the threat of terrorist acts. The only legal act that defines mutual relations between these entities is the Regulation of the Minister of Internal Affairs and Administration of 18 December 1998 on defining detailed principles of co-operation of specialist armed protection formations with the Police, fire protection units, civil defence and communal (municipal) guards.\textsuperscript{33} The head of the unit protected by protective formations undertakes such cooperation with the territorially competent chief of the organisational unit of the Police, the head of the fire protection unit, the head of the civil defence and the chief of the municipal (city) guards. The cooperation of protection formations with the Police consists, in particular, in the exchange of information on threats to the security of persons and property and on the disturbance of public peace and order, cooperation in order to maintain public peace and order during gatherings, artistic, entertainment and sports events, within the scope specified in separate regulations, cooperation in securing the places where offences are committed within the borders of protected areas, facilities or equipment, and mutual consultations aimed at improving the methods of this cooperation. The subject-matter scope of cooperation of protection formations with municipal (city) guards is identical to that of relations with the Police. On the other hand, the cooperation of protection formations with fire protection units consists in undertaking protection and security measures in the event of the following occurring within the borders of protected areas, facilities or equipment: fire, natural disaster or other local threat, and in particular in the exchange of information about the threats that have arisen, the introduction of rescue units into the area of protected areas and facilities, cooperation in carrying out the safe evacuation of people and property, and in securing


\textsuperscript{31} Art. 6, sec. 5, Journal of Laws of 2007, No. 89, item 590.


the places after a fire, natural disaster or other local threat, including the rescued property. Cooperation between the security formations and civil defence boils down to the exchange of information on threats that have arisen and that have been identified by security personnel.

There are no regulations that define the possibilities and principles of cooperation between security companies and entities other than the Police, State Fire Service, Civil Defence or Municipal (City) Guards responsible for public security. Thus, the legislator has limited the subjective scope of the institutions constituting the governmental level of security dedicated to interacting with the private sector, at the local level. There is also no legal act that defines the obligation, or at least the possibility and the rules of cooperation between the Police and companies for the protection of persons and property that do not have the status of specialised armed protection formations.34

Given the current difficult and dynamic geopolitical situation implied by the full-scale war in Ukraine, the hybrid actions undertaken by the Lukashenko regime and the Hamas aggression against Israel, the possibility of a terrorist attack on the facilities indicated above should be considered likely. This, in turn, requires well-prepared personnel performing tasks within the SUFO, equipped with the appropriate powers.

A qualified physical security officer has the right to:35

- Determine the legality of the presence of persons in protected areas and facilities,
- Legitimise people in order to establish their identity,
- Summon a person who is not authorised to be in the protected area or facility or who is disturbing the order to leave the area or facility,
- Apprehend a person posing, in an obvious manner, a direct threat to human life or health or to protected property,36
- Use means of direct coercion (pursuant to Article 36, paragraph 1, item 4 of the Act on the Protection of Persons and Property, as amended and supplemented by the regulations of the Act on Means of Direct Coercion and Firearms of 24 May 201337), which include: physical force in the form of the following techniques: transport, defence, incapacitation; handcuffs worn on the hands; service baton; service dog; chemical incapacitating means in the form of hand-held incapacitating substance throwers; objects intended to incapacitate persons by means of electricity (stun guns). A security officer may use the above-mentioned means of direct coercion in the event of the need to repel a direct, unlawful attempt on his or her own life, health, freedom or that of another person; to prevent a direct attack on the areas, premises or equipment he or she protects, as well as to prevent the destruction of property. They may also be used when apprehending a person, preventing their escape or pursuing them. Their use is also justified

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34 A. Czop, Udział... op. cit. pp. 128–130.
37 Art. 2, sec. 1(20), art. 65(1), Journal of Laws of 2013, item 628.
when overcoming active resistance. Importantly, outside the boundaries of protected facilities and areas, a security officer has the right to use direct coercive measures only to: ensure the safety of the convoy being carried out or to lead, alert or summon assistance, destroy or immobilise an unmanned aerial vehicle, in cases specified in the Act of 31 July 2002. — Aviation Law.

- Use firearms, while performing tasks within the protected area or facility, in the following cases: when it is necessary to repel a direct, unlawful attempt on: life, health or freedom of the person or another person or the necessity to counteract activities aiming directly at such an attempt; important objects, devices or areas or the necessity to counteract activities aiming directly at such an attempt; property, which at the same time poses a direct threat to life, health or freedom of a security guard or another person or the necessity to counteract activities aiming directly at such an attempt; in the event of the necessity to counteract a person failing to comply with a call to immediately abandon a weapon, explosive or other dangerous object, the use of which may endanger the life, health or freedom of an authorised person or another person; who attempts to unlawfully seize a firearm from an authorised person or other person entitled to possess it.

Under the authority of the Anti-Terrorism Act, security personnel have been given new authority to destroy drones, or unmanned aerial vehicles. The catalogue of cases in which a qualified security officer has the right to use firearms has thus been expanded. He or she may immobilise or destroy a drone in the event that the course of its flight or operation poses a threat to the life or health of a person, poses a threat to the protected facility, device, area, disrupts the course of a mass event or poses a threat to the safety of its participants or poses a real fear that the aircraft may be an instrument of a terrorist attack or a dangerous object, the use of which may endanger the life, health or freedom of an authorised person or another person.

The security guard, as indicated, has the right to check people’s ID in order to establish their identity, but the refusal of the person to whom he or she performs this action is not accompanied by any sanction. If they refuse to show their identity papers, they do not incur any liability on this account. Article 65 § 2 of

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40 Art. 47 (3). Act of May 24, Ibid.
44 J. Gurgul, A. Czop, Możliwość wykorzystania…, op. cit., p. 117.
the Code of Offences\textsuperscript{46} penalises only the failure to provide information or documents as to one’s own or another person’s identity to a competent state authority or institution authorised by law to check identity. A security officer is therefore not a subject as defined in this legal norm.

A security employee, when performing the task of protecting areas, objects and equipment subject to mandatory protection, enjoys the legal protection provided for in the Penal Code for public officials.\textsuperscript{47} A security officer performing activities in such an area may become a victim of criminal actions as defined in Articles 222, 223 and 226 of the Penal Code:

- Article 222(1) of the Penal Code deals with the violation of a public official’s bodily integrity in connection with the performance of his or her official duties, providing for a fine, restriction of liberty or imprisonment of up to 3 years for the offender,
- Article 223 § 1 of the Penal Code, which deals with the active assault on a public official, provides for a penalty of imprisonment of between one and 10 years for the offender,
- Article 226 § 1 of the Penal Code refers to insulting a public official in connection with the performance of official duties and introduces a fine, restriction of freedom or imprisonment of up to one year for this offence.\textsuperscript{48}

Security guards performing tasks in the area subject to mandatory protection under Article 42 of the Act on the Protection of Persons and Property are granted the status enjoyed by public officials.

Of great importance in effectively ensuring the security of facilities and areas subject to mandatory protection is the security plan,\textsuperscript{49} i.e. a comprehensive concept, the preparation of which is the responsibility of the head of the organisational unit. Such a plan must be agreed with the territorially competent Regional Police Commander, and in the area of threats of a terrorist nature, also with the territorially competent director of the delegation of the Internal Security Agency.\textsuperscript{50} However, there is no requirement to make arrangements in the area of other threats specified in the annexes, e.g. fire or threats related to cyberspace.

Instructions attached as annexes are an integral part of the security plan. These are procedures concerning the organisation of work, influencing the proper and safe execution of tasks by a given unit, as well as rules indicating the algorithm of conduct directly related to the prevention of threats or reaction to an existing threat, introduced by the head of the unit responsible for areas, facilities and equipment.\textsuperscript{51} Together with the security plan, the provincial commander also agrees on the following instructions: material and personnel movement, key storage, cooperation with the Police, convoying, operation of alarm systems and devices,

\begin{itemize}
  \item W. Bejgier, B. Stanejko, Ochrona osób i mienia, Warszawa, 2012, p. 157.
\end{itemize}
procedure in special situations (burglary, assault, planting an explosive charge, dangerous goods), operation of intervention groups. Drafting the security plans is one of the initial stages of preparedness for threats, including those of a terrorist nature. Taking into account the importance of this process, the legislator adopted that a security plan may be prepared only by a person holding an entry on the list of qualified security personnel. At present, in order to obtain the status of a qualified security officer, it is sufficient to have completed at least a lower secondary school or an eight-year primary school. There are no courses or training courses that would prepare the future authors of security plans to prepare them professionally.

**Conclusion**

The results of the analysis of the legal acts carried out and of the survey research with experts in the field of security made it possible to provide answers to the research problems posed and thus to achieve the research objective. The research found that the current legal regulation of SUFOs and qualified security personnel is not sufficient. Concrete legislative solutions were also proposed that could improve the effectiveness of the SUFO in terms of combating threats of terrorist attacks and acts of criminal terror:

1. It seems necessary to introduce a requirement for candidates for the security profession to have a minimum of secondary education, as the current requirement of an eight-grade primary or lower secondary school education is clearly insufficient. It is difficult to imagine that a person without adequate general knowledge will be able to assimilate issues of a legal, psychological or task force management and leadership nature;

2. The formal requirements for future authors of conservation plans should be increased, as the condition of having a junior high school education is insufficient. A university degree would be desirable here, with a specialised course devoted exclusively to this complex subject. At present, there is a lack of professional training for those responsible for drawing up a site protection plan. Such a person must be equipped with the ability to diagnose and assess threats and have knowledge of organising the physical and technical protection system of the facility. This cannot be learnt in a single course module in the basic training for qualified security officers;

3. It is reasonable to introduce an obligation to agree on the annexes to the security plans with the relevant entities. Those pertaining to fire threats should be agreed on with the Regional Commander of the State Fire Service, territorially competent for the facility in question, those pertaining to cooperation with municipal/municipal guards with the relevant chief

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of such guards, and those pertaining to cyber threats with the Government Plenipotentiary for Cyber Security;

4. It is necessary to introduce a provision of a sanctioning nature in the Code of Offences so that failure to present an identity document to a security officer is punishable. The current regulation has the effect of limiting the possibilities of exercising the right of a security officer — the right to legitimise persons. He or she may legitimise a person in a public place, but there is no legal obligation on the part of the legitimised person to present the requested identification document;

5. Security officers should be given the authority to carry out thermographic and ‘pyro’, ‘chemo’, ‘bio’ and radiological reconnaissance and control. Due to the change in the way qualified security officers are equipped with new technologies, their existing entitlements, which so far should have been considered sufficient, should be supplemented;

6. There should be a new statutory definition of the term ‘security agent’ so that it is only applied to persons on the list of qualified security agents. Persons without such a qualification should not be included in the category of security personnel at all. They should have the status of employees performing reception or portering activities. This would make it possible to exclude guarding services from the category of security services;

7. First- and second-degree licences, which provided more robust opportunities to verify the level of preparation of candidates for security work, should be reinstated. The liberalisation of the professions in the case of security personnel was not a correct action, as it allowed the state to abandon the supervision of personnel who perform tasks previously enjoyed only by uniformed services officers. When reinstating the licensing system, specialisation should be taken into account for security guards, as the specifics of performing bank convoys, guarding facilities, personal protection, operating alarm system monitoring or securing mass events are different. For different categories of security officers performing different tasks, training should be differentiated and profiled, taking into account the specificity of their tasks;

8. It is necessary to introduce the possibility of providing, in the form of a patrol service, external protection of the objects secured by the SUFO. At present, it is not possible to effectively protect an object if its external part remains unattended.54 This is because, under the current legislation, security personnel are only authorised to act within the boundaries of the protected areas. However, some objects cannot be effectively protected except by patrols dislocated on the outside of the fence. Examples include energy infrastructure, chemical plants and outdoor exhibitions of artefacts and museums;

9. The powers of security personnel introduced by the Anti-Terrorism Act, allowing them to shoot down drones, disable them, take control over them and interfere with the operator’s control signal, need to be clarified by issuing implementing legislation. The same powers should be introduced by law in relation to other categories of unmanned platforms (floating and riding);


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10. The right to enjoy the protection afforded to public servants should be extended to all security personnel, and not only those performing their tasks in areas and premises subject to mandatory security measures;

11. A priority task is to introduce only qualified security personnel performing their activities as SUFOs, with appropriate armament and equipment, into the security of large-scale sites. Such sites are currently not secured properly. More often than not, only unqualified security personnel are employed there, who do not have any training and do not have the powers that their certified colleagues are entitled to, nor are they authorised to use means of direct coercion or firearms. They also have virtually no equipment;

12. It is necessary to provide a legal basis for cooperation of the Police, including with entities other than the Police, Municipal/Municipal Guards, State Fire Service and Civil Defence responsible for providing security. Currently, the area of cooperation with such entities as the Military Police, Border Guard, Prison Service, Road Transport Inspection, Forest Guard and the Railway Protection Guard has not been defined and remains outside the sphere of legal norms, which is not conducive to the cohesive functioning of the entire security system. Such a legal act should also apply to all personal and property security companies, not just those with SUFO status.

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Streszczenie. Ważnym, choć często niedocenianym elementem bezpieczeństwa teroryстycznego są specjalistyczne uzbrojone formacje ochronne (SUFO). Odpowiadają one za zabezpieczanie obiektów o szczególnym znaczeniu dla interesów gospodarczych, obronnych czy militarnych, które podlegają obowiązkowej ochronie. Poza tymi obszarami SUFO chroni również obiekty i urządzenia stanowiące infrastrukturę krytyczną państwa, które zapewniają sprawność i ciągłość jego działania. Ponadto prywatny sektor ochrony jest obecny w wielu miejscach publicznych, w których gromadzą się duże ilości osób. Pracownicy ochrony odpowiadają za zabezpieczenie imprez masowych (meczy, koncertów) czy wielkopowierzchniowych obiektów handlowych tzw. galerii. Są obecni na dworcach kolejowych, lotniskach, chronią jednostki wojskowe, konwojują wartości pieniężne i materiały niebezpieczne.
Wszystkie wymienione obiekty oraz przebywający w nich ludzie mogą stanowić potencjał celu zamachu terrorystycznego. Stąd rozwijając efektywność podejmowanych działań mających zapobiegać i przeciwdziałać takim atakom należy brać pod uwagę prywatny sektor ochrony, w którym szczególną rolę mają do spełnienia SUFO. Artykuł jest efektem przeprowadzonego procesu badawczego ukerunkowanego na ustalenie potrzeby i możliwości wprowadzenia zmian prawnych zmierzających do zwiększenia roli SUFO w zapewnianiu bezpieczeństwa, w obszarze zapobiegania zagojeniach terrorystycznym w Polsce.

Resumen. Las formaciones armadas de seguridad especializadas (en polaco Spezialistyczne uzbrojone formacje ochronne, SUFO) son un elemento esencial, aunque a menudo subestimado, de la seguridad antiterrorista. Son responsables de la seguridad de las instalaciones de especial importancia para los intereses económicos, de defensa o militares, que están sujetas a protección obligatoria. Además de estos campos, las SUFO también protegen las instalaciones y equipos que constituyen la infraestructura crítica del Estado, lo que garantiza la eficacia y continuidad de su funcionamiento. Por otra parte, el sector privado de la seguridad está presente en muchos lugares públicos donde se congrega un gran número de personas. Los vigilantes de seguridad son responsables de la seguridad de eventos masivos (partidos, conciertos) o establecimientos comerciales de gran tamaño, llamados centros comerciales. Están presentes en estaciones de trenes, aeropuertos, protegen unidades militares, protegen transportes de fondos y materiales peligrosos. Todas las instalaciones enumeradas y las personas que se encuentran en ellas podrían ser objetivos potenciales de un atentado terrorista. Por lo tanto, a la hora de evaluar la eficacia de las medidas adoptadas para prevenir y contrarrestar estos ataques, conviene tener en cuenta el sector privado de la seguridad, en el que las SUFO desempeñan un papel especial. El presente artículo es fruto de un proceso de investigación destinado a determinar la necesidad y la posibilidad de introducir cambios jurídicos encaminados a aumentar el papel de las SUFO en materia de seguridad, en el ámbito de la prevención de las amenazas terroristas en Polonia.


Резюме. Важным, хотя зачастую и недооцениваемым, элементом террористической безопасности являются специализированные вооруженные охранные формирования (СУФО). Они отвечают за охрану объектов, имеющих особое значение для экономических, оборонных или военных интересов, подлежащих обязательной охране. Помимо этих направлений, СУФО также защищает объекты и устройства, составляющие критически важную инфраструктуру государства, обеспечивающие эффективность и непрерывность ее работы. Кроме того, частный охранный сектор присутствует во многих общественных местах, где собирается большое количество людей. Сотрудники службы безопасности отвечают за охрану массовых мероприятий (матчей, концертов) и крупных коммерческих объектов, так называемых галереи. Они присутствуют на вокзалах и аэропортах, охраняют воинские части, перевозят ценности и опасные материалы. Все вышеуперечисленные объекты и находящиеся в них люди могут представлять собой потенциальную цель террористической.