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OVERVIEW OF BRAZILIAN'S ARMY RULES OF ENGAGEMENT TO CONDUCT COUNTERTERRORISM OPERATIONS DURING THE OLYMPIC GAMES “RIO 2016”

Keywords: ROE (Rules Of Engagement), strategic environment, counter-terrorism, Olympic Games

Introduction

For the first time in history a country located in South America will host the most important sport event in the world. The twenty-eighth edition of the Olympic Games will take place in Rio de Janeiro, from August 5th up to 21th. The Brazilian Armed Forces hold an important role to ensure security for all the personnel involved (athletes, coaches, fans, referees, volunteers, staff, officials, journalists, authorities, etc.) during the 16 days of this event.

Another role for the military assets is also to ensure the security of facilities that provide the preponderant needs (e.g. water and electricity supply, airports, communication network, sports arenas, accommodation, sightseeing places, public transportation, etc.). Thus, the presence of the Army is necessary to guarantee that the competition will occur as it was planned, fully complying with the International Olympic Committee rules.

The present paper aims to provide an overview of the Brazilian army preparation in conducting counter-terrorism operations during the Olympic Games. Such an overview is based on the Rules Of Engagement established for counter-terrorism Operations (ROE CT Ops) during mega events. The ROE CT Ops is a classified document that was issued by the Brazilian government. The document was signed by competent political, military, and security authorities who are engaged on the Olympic Games' success. The ROE CT Ops defines the circumstances and limitations within which military forces may be employed to achieve the objective, preventing and responding to a terrorism threat. It allows or limits, among other things, the use of force, the positioning and posturing of forces, and the employment of certain specific capabilities during counter-terrorism actions.

It is impossible to pinpoint the exact probability of a terrorist attack during the Olympic Games in Rio de Janeiro, mainly because the surprise factor is always present in terrorist actions. However, an assessment of the strategic security environment is highly important, as for at least, to demonstrate the situational awareness regarding the terrorism threats and the level of Brazilian Army concern to define the counter-terrorism procedures, and to conduct a safe event.

A brief analysis on the escalation of terrorist threats in the context of the current strategic security environment may consist in a valuable tool to guide future plans, as well as the definition of anti-terrorism and counter-terrorism actions by the units accomplishing safety function during the Olympic Games. Such an analysis will allow the identification of established practices and lessons learned regarding ROE for CT Ops in mega events.

The first chapter describes the unfavourable moment that Brazil is dealing with. The current political instability and the presence of organized crime that may support terrorism, as well the threats identified in the Internet will be discussed, highlighting the main recent events in Brazil that directly or indirectly may influence the safety of Rio 2016 Olympic Games. The ROE CT Ops will be discussed in Chapter 2. The objective is to present how the security teams will behave while accomplishing specific missions and tasks during the Olympic Games. Finally, the conclusions are presented in the last chapter.

Characteristic of current strategic security environment – complexities and challenges for Olympic event

The conditions and characteristics discussed in this section have attracted Brazilian attention to possible terrorist actions. It is not an apocalyptic vision and it does not claim that there will be attacks because of such characteristics. However, the goal of this paper is to present conditions that can be treated by and the Brazilian army in response to reduce vulnerabilities, leading to increase the security level during the games.

According to the Joint Publication 3-26, The Counter Terrorism Handbook formulated by the United States Special Operations Command *the strategic security environment is impacted by three dominant strategic themes: **globalization and cyberspace technology; terrorism and transnational organized crime; and political instability***¹. The recent events in Brazil which, directly or indirectly, have influence on the Rio 2016 Games security are highlighted and discussed in the context of the three

¹ GOLDFEIN, Lt Gen, USAF Director, Joint Publication 3-26, Counter-terrorism, 2014.

dominant strategic themes, as well as the Brazilian Army response to those facts.

Globalization and cyberspace

*Globalization is the reduction of barriers to transnational movement of information, ideas, money, people, goods, and services. Technologies that enable globalization also facilitate the spread of ideas and beliefs, including extremist messages and propaganda*².

Globalization promotes the exchange of people, keeping the attraction of immigrants as a trend until 2030. Globalization also promotes free transit agreements such as the Southern Common Market (MERCOSUR). The possible arrival of terrorists, coming from Eastern nations to Brazil, could facilitate the recruitment of Brazilians that share the same philosophy. Such a dangerous fusion favours the transmission of philosophy and knowledge of the terrorist organization, the group expansion, and the process of planning and executing attacks³.

Thanks to the extraordinary progress of telecommunications, the Olympic Games have become the global mass media event with an unmatched capacity to capture and mesmerize the attention of millions of viewers. Yet, due to this global media exposure, there are incentives in place for terrorism⁴.

Terrorists look for impact on opinion, it means the risk of terror follows where the cameras go. Usually, terrorists decide to conduct actions where they believe the media impact will be massive. Unfortunately the Olympics are considered as a potential targets, as happened in Munich 1972 edition.

*Cyberspace is a global domain within the information environment consisting of the interdependent network of information technology infrastructures and resident data, including the Internet, telecommunications networks, computer systems, and embedded processors and controllers. Terrorists employ the Internet for recruiting, training, motivating, and synchronizing their followers, also frequently operates essentially unrestrained and is free to innovate and exploit its potential. Cyberspace provides new and important means and methods to collect and process large amounts of information on the local populace and possible threats*⁵.

The steady growth on the use of information technology resources, including virtual environments, favours their exploitation by individuals whom

² GOLDFEIN, *op. cit.*

³ MERCOSUL, *International Intelligence Council*, 2012.

⁴ BITENCOURT Luis, *The Security Challenges for the 2016 Rio de Janeiro Olympic Games*, 2011.

⁵ GOLDFEIN, *op. cit.*

may be interested in carrying out terrorist actions. The expansion and popularization of social networks contribute for this purpose. Thus, the development and popularization of such new technologies provide an attractive environment to those interested in working in the country.

The Brazilian army is responsible for defending critical cyber infrastructure, including in the context of major events (Olympics). Cyber Defence Centre (CDCiber) is the Brazilian's army unit responsible for detecting and guaranteeing the security against Cyber terrorism in the internet. CDCiber has worked in major events: Rio+20 (United Nation Conference on Sustainable Development), Confederations Soccer Cup, World Youth Day and 2014 World Cup. The Centre is participating in all preparatory meetings coordinated by the Olympic Committee. The Brazil's Computer Emergency Response Team, a sector inside the Cyber Defence Centre (CDCiber) is monitoring and addressing all cyber security incidents involving potential terrorist threats⁶.

Rio's 2016 have become very attractive to terrorists, who may be interested in promoting their political ideas or perhaps to demonstrate their power in the global arena⁷.

The Internet has, increasingly, been used by terrorists. They utilize a new recruitment method called "lonely wolves". Such a method consists in encouraging people who have sympathy to their cause, to act in isolation in order to have a moment of fame. Lonely wolves have better mobility and are capable of orchestrating underground and improvised attacks. They are provided with all knowledge necessary to act. A good and plastic example for the employment of this method was the recent attack on a club in Orlando, United States, on June 11 of this year.

Terrorists know very well that any country is vulnerable when it is politically divided, within a weak state and credibility crisis. The actual situation in Brazil presents all the previously discussed weaknesses.

No other terrorist group had too many videos spread on social networks leading to large media attention as Islamic State (ISIS). The quality of video and sound, scenarios, the cruelty and a contextualized speech preceding the executions are responsible for influencing sad and depressive people through the Internet. Also, it facilitates ISIS to improve the strategies to recruit personnel, earn money, coordinate logistics, and order attacks.

A recent survey conducted in the Internet by the Brazilian Intelligence Agency (ABIN) revealed a significant increase of Brazilians who sympathize with terrorist groups, mainly Islamic State. The Islamic State has released propaganda videos targeting the Brazil's population. They already

⁶ U.S. Diplomatic Security, *Brazil-crime and safety report: Rio de Janeiro*, 2016.

⁷ FOUNDATION, Konrad Adenauer, *Brazil and Cybersecurity in the Aftermath of the Snowden Revelations*, 2014.

have proven followers and supporters in the region. Luiz Alberto Sallaberry, the director of counter-terrorism in ABIN, asserts the risk of terrorism attacks during the games as considerable, especially after a tweet threatening Brazil. Such a tweet was posted in November 2015 by Maxime Hauchard, a French citizen identified as an executioner in ISIS propaganda videos. The tweet is considered genuine, and specifically states: "Brazil, you are our next target"⁸.

Terrorism and Transnational Organized Crime

*Transnational Organized criminals are diversifying their activities and represent a threat to public safety, public health, democratic institutions, and economic stability. Organized crime, like violent extremist organizations (VEOs), thrive in developing countries or failed states with weak rule of law by penetrating government institutions and businesses and increasing corruption, further weakening governance. Terrorists are turning to criminal networks in order to generate funds and facilitate logistic support*⁷. No one can certify that such idea is taking place on the Brazilian soil. The Tri-Border area of Argentina, Brazil, and Paraguay is an important regional nexus of arms, narcotics, human trafficking, counterfeiting, pirated goods, and money laundering – all potential funding sources for terrorist organizations according to the last *Country report on terrorism*⁹ released by the U.S. State Department.

South-West of Brazil has a heavy Islamic presence, as well as one of the largest Lebanese enclaves in all of Latin America. This is the most well-known area in Brazil, appointed as having a flow of illicit activities which funds terrorism, mainly Hezbollah cells.

Moreover, the situation of Hezbollah in South America is nothing new. In 1994, Hezbollah successfully bombed the Jewish Community Centre in Buenos Aires. However, such a fact in the tri-border-area may have a stronger connection than it appears at first glance, according to an assessment made by the Washington Institute in 2014¹⁰.

Brazil has been proactive about opening for refugees in the worst humanitarian crisis since the 2nd Great War. A report released by the Justice Ministry in 2016 shows the number of refugees already living in Brazil (see Table 1.1) and asserts more than 28 000 solicitations not judged yet¹¹.

⁸ SALLABERRY, Counter-terrorism Affairs ABIN's Director, *International Trade Fair for Public and Corporate Safety*, 2016.

⁹ U.S. Department of States, *Country report on terrorism*, 2014.

¹⁰ PRISM, *Security Studies Journal*, Vol. 5, N°4.

¹¹ Ministry of Justice, *Refugees report*, <http://www.justica.gov.br>, 2016.

The terrorist threat to the Games security may be substantially increased by unchecked activities of transnational organized crime, including, narcotics, alien smuggling, and human trafficking in the borders. Migratory facilities in Brazil and the arrival of refugees from countries such as Syria, Iraq and Lebanon also have to be considered while evaluating the risk of a terrorist incident.

Table 1.1 Refugees in Brazil

NATIONALITY	N° OF REFUGEES	NATIONALITY	N° OF REFUGEES
Syria	2252	Pakistan	163
Angola	1408	Sierra Leone	143
Colombia	1100	Bolivia	137
Rep. of the Congo	1063	Mali	128
Palestine	367	Cuba	125
Lebanon	359	Nigeria	91
Iraq	272	Afghanistan	86
Liberia	224	Sudan	58
Others	790	TOTAL	8,731 (REGISTERED)

Source: <http://www.justica.gov.br>.

The Brazilian Armed Forces recently launched an initiative to improve security along the country's borders. Brazilian Army initiated the Integrated Border Monitoring System (SisFron), which will help security forces detect illegal activities, such as drug trafficking and weapons smuggling, in border regions. The SisFron will help security forces detect suspicious activities from distances up to 20 km. It is a comprehensive system that includes sophisticated equipment to gather intelligence and conduct surveillance, information technology, and gear to conduct electronic warfare¹².

The electronic warfare system will observe background electromagnetic radiation in a certain geographical area in order to identify changes or anomalies indicating the occurrence of crimes across the borders.

The illegal narcotics exploitation is an economic activity that moves large sums of money in Brazil. There is a need to keep resources in order to gain profit and maintain the livelihood of an organized crime group, such as labour, safety and consumer markets, among others. Such type of group may carry out terrorist acts to keep their property, to bring fear and

¹²¹² *Global Military Communication Magazine*, August/September, 2015.

destruction to their competitor, or to coerce government agencies. All in order to maintain the status of making changes according to their interests.

Organized crime in Rio de Janeiro is controlled by major drug gangs which operate mainly in the *favelas* (slums). Nowadays, the members of the most important organized crime factions routinely employ tactics and procedures (TTP) similar to terrorists'. Here is a list of the major organized crime factions established in Rio: the Capital's First Command (Primeiro Comando da Capital – PCC), Red Command (Comando Vermelho – CV), Friend of Friends (Amigo dos Amigos – ADA), as well as the Capital's Third Command (Terceiro Comando da Capital – TCC), all placed in the city which will host the Olympic Games.

During the year of 2011, the Brazilian Army Security forces occupied the biggest slums in Rio de Janeiro, as part of a major crackdown on organized crime ahead of the 2016 Olympics. The army succeeded in pacification, but it was not followed by a promotion of socio-economic recovery and development and the provision of humanitarian assistance.

The public security institute, situated at the state of Rio de Janeiro, released a balance of violence in the city related to organized crime fractions activities (see Table 1.2)¹³. Even with the presence of Brazilian Army inside the most dangerous *favelas*, the numbers representing the amount of crime in the state is appalling.

Experience has shown that security sector and other reform programs are unlikely to succeed if not supported by transparent and effective economic management and civilian oversight systems.

Indeed, terrorism and the major organized-crime in Brazil have maintaining contact, exchanging benefits. According to Brazilian police records, it is known that Hezbollah contributes with the Capital's First Command (PCC) to obtain weapons in exchange of the protection of Lebanese prisoners detained in Brazil. Lebanese traffickers tied to Hezbollah sold allegedly stolen in Paraguay, to PCC¹⁴.

13¹³ Public Security Institute, *Comparison of public implication report*, www.isp.rj.gov.br, 2016.

14¹⁴ PRISM, *op. cit.*

Table 1.2. Balance of violence in Rio de Janeiro during first 5 months of 2016

NATURE	NUMBER OF VICTIMS/OCCURRENCE
Wilful killing	1715
Robbery followed by death Body injury followed by death	2036
Arising murder of opposition to Police Intervention	238
Civil and Military Police Killed in Service	8
Street robbery	38461
Vehicle theft	13074

Source: Public Security Institute, www.isp.rj.gov.br.

Political Instability

Political instability can be described as the condition, process, and consequences of stress in a sovereign state or other governing system stemming from the system's inability or refusal to satisfy the political, social, economic, religious, or security wants and needs of its population. It often stems from or leads to a loss of authority or control over persons, territory, or interests¹⁵.

It was through the Internet that the acts against and pro the current Brazilian government have been booked. The number of attendees in the manifestations shows how connected and influenced by the Internet the Brazilian people are. Many of those manifestations ended in a riot, violence, and confrontation against military police. Politically unstable, Brazil has facing local conflicts between pro-Dilma and the mass opposition against the present government.

Ultimately, corruption undermines the legitimacy of governments. Patronage can also perpetuate deep-seated animosities and generate tension that can lead to instability. Brazil is in the midst of its worst economic recession in twenty years, while its political system is facing a corruption scandal that enhances the social turmoil.

To make it clear that Brazil is facing an unprecedented political crisis, the key political events, as well as the population's response against widespread corruption among the politicians are presented chronologically on table 1.3.

¹⁵ GOLDFEIN, *op. cit.*

Table 1.3. Brazil's crisis escalate¹⁶

DATE	FACT
2011 June	President Rousseff's chief of staff resigns amid corruption allegations.
2013 June	A wave of protests sweeps the country. People take to the streets in dozens of cities to demonstrate over poor public services, rising public transport costs and expense of staging the 2014 World Cup. The protests continue into the autumn.
2015 March	Petrobras state oil company implicated in massive corruption scandal that brings hundreds of thousands onto the streets in protest at President Rousseff, who was company chairperson during the period in question.
2015 Au- gust	Hundreds of thousands of protesters march to demand President Rousseff's resignation, blaming her and the leftist Workers' Party over alleged large-scale corruption and looming recession. Worker's Party in Brazil is well-known for having an "armed branch".
2015 Oc- tober	Top finance court says government borrowed billions illegally to offset 2014 budget shortfall. Election commission reopens probe into allegations that President Rousseff misused funds during 2014 presidential election campaign.
2015 Decem- ber	Congress agrees to launch impeachment proceedings against President Rousseff.
2016 March	Junior coalition Democratic Movement Party leaves government. Judge bars President Rousseff from appointing ex-president Lula da Silva to her cabinet after he is accused of money-laundering, which he denies.
2016 April	Lower house of Congress votes overwhelmingly in favour of sending impeachment motion against President Rousseff to Senate. She rejects the accusations that she manipulated government accounts during the 2014 presidential election campaign and accuses her opponents of launching a "gulp" against her.
2016 May	Senate votes overwhelmingly in favour of President Rousseff's impeachment. She is suspended from her post pending the impeachment trial.

Source: www.bbc.com.

¹⁶ BBC News, *Timeline - Brazil profile*, www.bbc.com, 2016.

The population's dissatisfaction, the excessive level of corruption, and the exponential decline in economy are factors which contribute to an attractive atmosphere for terror. Nowadays, Brazil is vulnerable to evil-minded groups. Various non-governmental organizations working with organized crime and terrorist networks may exploit the voids left because of the political instability. Such voids allow the terrorists and criminal organizations an opportunity to provide humanitarian assistance, thereby winning popular support and generating facilities to open a recruitment channel, primarily in *favelas* (slums).

Alma Keshavarz, doctor in Political Science, in her recent article, published at Small Wars Journal, says that the current protests in Brazil against President Dilma Rousseff's government is likely to escalate, which poses a security concern. Non-state actors like Hezbollah may seek to take advantage due to the lack of anti-terrorism laws, making it difficult for the authorities to monitor potential threatening situations¹⁷.

Law approach

The Federal Constitution of 1988, on its item XLIII of Art. 5, asserts that Brazil is governed in its international relations by the principle of condemnation of terrorism, and the law considers a crime of this nature not susceptible to mercy or amnesty. The instigators, the executors, and those who could avoid such crimes will respond to them¹⁸.

The National Security Law 7170/1983 establishes the penalty of imprisonment from 3 to 10 years for those who commit acts of devastate, loot, extort, steal, kidnap, keep in false imprisonment, burn, vandalize, cause an explosion, personal attacks practice, or acts of terrorism; for political nonconformity, or to obtain funds for the maintenance of clandestine subversive political organizations.

The Law 8072/1990 of Heinous Crime assimilates and states that terrorist acts will be judged according to the procedure of heinous crimes cases. Terrorism receives, for the purposes of procedural rules and criminal enforcement, the same treatment as crimes inserted in heinous denomination. Thus, the ordinary law follows the idea which determines that, next to the offenses that they should be considered would be terrorism, in addition to illicit drug trafficking and torture.

The consensus for a definition of terrorism by the National Congress was lazy. Mainly due to the fact that the centre-left parties, in power, had been reluctant to define terrorism as a crime because many senior politicians, including Rousseff, took part in guerrilla groups as a youth. Such

¹⁷ KESHARVAZ Alma, *Iran and Hezbollah in the Tri-Border Areas of Latin America*, 2015.

¹⁸ *Constitution of the Federative Republic of Brazil*, 35th Edition, 2012.

groups were labelled as terrorists by the militaries, after the revolution that ruled Brazil for two decades.

According to the last report on terrorism released by the U.S. Department of State, the Brazilian law clarity has lacks regarding definition of terrorist acts, which hinders prosecutions of investigation potential terrorists¹⁹.

Another decision that can impact the security challenges was the approval of a bill allowing the government to exempt the necessity of having a visa by citizens of some nations to attend the Games.

Only on March 16, 2016 the Law No. 13260 was approved to regulate the provisions of item XLIII of Art. 5 of the Federal Constitution, disciplining terrorism, dealing with investigative and procedural provisions and reformulating the concept of a terrorist organization. The document shows only the concept of terrorism and defines some activities that can be considered terrorism, as follows:

- Terrorism is the practice by one or more individuals of the acts set forth in this article for reasons of xenophobia, discrimination or prejudice based on race, colour, ethnicity and religion, when committed with the aim of causing social or generalized terror, exposing the danger person, heritage, public peace or public safety.
- Acts of terrorism include:
 - I. use or threaten to use, carry, keep, possess or bring explosives, toxic gases, poisons, biological content, chemical, nuclear or other means capable of causing damage or promote mass destruction;
 - II. sabotage operation or seize with violence, serious threat to person or making use of cybernetic mechanisms, the total or partial control, albeit on a temporary basis, the means of communication or transport, ports, airports, railway stations or roads, hospitals, nursing homes, schools, sports stadiums, public facilities or places where essential public services operate, generating and power transmission facilities, military installations, operation of facilities, refining and processing of oil and gas and banking institutions and their service networks; and
 - III. attempt on the life or physical integrity of the person.

Penalty – imprisonment of twelve to thirty, in addition to the penalties corresponding to the threat or violence.

The Brazilian legal framework does not include the criminalization of terrorist crime. The penal codes, for example, deal with offenses that could fall under some terrorist acts, the same happens with the National Security Law. This even considered archaic and authoritarianism holdover, remains in force, inaccurate and ignorant. This gap can stimulate the realization of an act on national territory by the absence of thoughts of express legal provision or a milder penalty when compared to other countries.

¹⁹ U.S. Department of States, *Country report on terrorism*, 2014.

A brief analysis of terrorism law timeline in Brazil makes it possible to conclude that the Brazilian legal community did not follow the socio-political global phenomenon called "World racing to typify the crime of terrorism" resulting from the 09/11 attacks, in 2001. The lack of adequate and appropriate legislation not only sustain a text with inconsistent policies with the rule of law bases, as well as maintaining Brazil oblivious to its international commitments regarding terrorism.

ROE CT Ops²⁰ overview

NATO defines Rules of Engagement (ROE) as directives issued by competent military authority in response to specify the circumstances and limitations under which forces will initiate and/or continue combat engagement with other forces encountered. ROEs are a State's guidance to its military forces detailing when, where, how, and why the forces accomplish a mission and against whom force may be used²¹.

Built-Committee Tackling Terrorism

The Built-Committee Tackling Terrorism (CIET) is formed by elements of the Brazilian intelligence agency (ABIN), the Brazilian Army Special Operations Brigade, the Federal Police counter-terror core, the CDCiber, the Army intelligence centre, the Ministry of Justice, and the Ministry of Defence.

It is a temporary centre to combat terrorism during the Olympic Games, headed by a Brazilian army general. The CIET is responsible for the bookkeeping of ROE CT Ops, and will serve as the central support if there is a need for installation of a crisis cabinet to manage actions against a terrorist event.

A practical example of the anti-terrorist preventive actions taken by CIET was the adoption of special measures to restrict the steps and monitor the businessman Ibrahim Chaiboun Darwishe, forcing him legally to use electronic anklet, to stay far away from schools and airports, to not leave the city and to not have contact or take classes of making explosives, firearms and martial arts courses.

Declared Lebanese, Darwishe, became a potential threat after having recorded, edited and distributed a video in support of attacks against the newspaper Charlie Hebdo office, in Paris. After 3 years of being investig-

²⁰ ROE CT Ops „ Rio 2016”, *Unclassified portion*, 2016.

²¹ NATO. MC 362/1, *Rules Of Engagement*, 2003.

ated, by monitoring telephone bills, evidence was gathered that in 2013, he spent at least 87 days in a city controlled by Islamic State in Syria. After search and seizure at his home was found a guidance manual for *distance calculation of operating targets, adjustments and corrections for shooting* and confirmed that he has been attending theoretical courses of practice precision shooting (sniper)²².

ROE CT Op

The ROEs purpose for CT operations is to standardize general procedures conducted by the Brazilian assets during institutional normal situations. The perception of a potential terrorist threat is an important anti-terrorist activity and should be exercised not only by the members of counter-terrorism specialized forces, but also by all personnel, military and civilian involved in the Olympics.

The spread of ROE CT Ops (unclassified) is being made through the Stage of Terrorist Threat Perception. Such stage is comprised by a cycle of lectures that address notions of contemporary terrorism, Brazilian structure to confront the possible threats, internationally prevention procedures, and protocols to be followed by security agencies. The goal is to get people more involved and alert. Making them able to detect and report unusual situations and suspicious attitudes, multiplying the responsiveness of the security agencies.

When compared to major combat operations, ROE for CT Ops may be more restrictive and detailed, especially in an urban environment, due to national policy concerns for the impact on civilians and infrastructure²³.

By employing violence in a planned and coordinated manner, terrorist organizations or individuals acting in isolation betray the evidence of ongoing attacks. Such clues enable the identification and neutralization of prior actions.

Behavioural analysis of suspicions conduct allows the intelligence to anticipate the actions of individuals or groups that have terrorist purposes. At the same time, it makes possible to overcome the main element that the terrorist has in favour, the ability to articulate a surprise attack mode.

Examples of evidence which, combined, reveal signs of possible terrorist plans in progress:

- Falsification of documents such as passport, social security number, identity card, driving license, etc.
- Acquisition and handling of weapons, ammunition, accessories and restricted use of equipment without proper authorization.

²²²² *Federal Police Report*, <http://www1.folha.uol.com.br>, 2016.

²³²³ GOLDFEIN, op. cit.

- Acquisition and unauthorized handling of biological, chemical, nuclear weapons and controlled use of radiological.
 - A list of products that are released for sale, but can be used for manufacturing explosives when acquired in large-scale, such as acetone, hydrogen peroxide, sulphuric acid, ammonium nitrate, etc.
 - Possession of unauthorized data such as images, videos, plans, sketches, maps, camera positioning in any public or private installation of wide circulation.
 - Link to terrorist or extremist organizations.
 - Transfers of large funding to countries where there is greater activity of terrorists or where there are conflict zones.
 - Unauthorized attempts to access restricted areas of public or private facilities with wide circulation.
 - Extreme speeches, including social networks, hatred and incitement to violence.
 - Disclosure of threats and terrorist attacks, including social networks.

Attention is needed, in particular, to the following telltale signs of any potential terrorist activity:

- Surveillance: someone who is seen suspicious, watching the routine, equipment or facilities of an OM, noting, photographing or filming their criticality and vulnerability;
- Monitoring: someone who is seen interacting on site trying to get information (monitoring) on certain operations progress, such as obtaining knowledge about the structure of security system, time of arrival or departure, or the positioning of forces during the activation of the Safety Plan and Defence Organization;
- Safety tests: someone that tests the security systems, acting so to cause reaction, such as entering in areas restricted to measure types and reaction times;
- People suspicions: people can be effective themselves, whose standard behaviour, relationships, unusual questioning, among others actions, become suspicious;
- Escape routes: before the final attack, the terrorist usually reviews the site plan to identify unexpected problems by measuring the time of actions by checking the possible responses, and setting the escape routes;
- Developments on the ground: pre-position personnel and equipment terrorists for action;

Attention is also required in the following situations:

- people who appear to be conducting illegal activities;
- persons not authorized to be in restricted, sensitive or private areas;
- individuals with multiple handsets (multiple chips);

- groups of people who appear to be in cahoots, meeting in public sites for limited periods of time and then replacing looks at a distance;
- suspicious individual looking at all sides;
- disproportionate dressing (large clothing) or overdress in relation to the weather (jacket used on hot days);
- abandoned objects close to facilities, large city venues, or heavy flow of people;
- attempts to access the service or safety sites;
- unusual cars and motorcycles in the area, parked for a long time, going to buildings or public areas with great movement;
- unexpected or uncommon presence in the vans and trucks delivery areas;
- vehicles and motorcycles that are carrying liquid or gases;
- suspected adulteration of safety facilities (doors, locks, windows and seals).

The decision-making process on CT operations is affected mainly by the surprise factor of a terrorist attacks. The success in preventing a terrorist act, sometimes is the result of the security officer's skill in identifying the threat and decide the immediate use of lethal weapons, ignoring the gradual use of force. The successful act of opportunity runs a fine line, side by side with an unrecoverable error. Counter-terrorism agents must enjoy the protection of a huge "shield" made by leaders backing your decision whatever are the consequences resulting from an action. It avoids afraid behaviours and stimulate pro-activeness.

Terrorism is a complex phenomenon, where prevention and combat require a great integration of efforts from all state agents. Basically, giving priority to the following activities: **intelligence**, **antiterrorism** (preventive), **counter-terrorism** (proactive and reactive) and **management of the consequences**.

Some initial consideration about basic doctrinal assumptions will be presented in the next lines within the purpose to make the following paragraphs more understandable.

Intelligence participates across all other activities related to preventing and combating terrorism, both in the production of knowledge, which enables proper plans, as the denial of data and sensitive knowledge to the opponent.

Antiterrorism is understood by the set of anti-terrorism activities and the countermeasures eminently with preventive character, in order to:

- dissuade individuals or groups (national, foreign and transnational) that intend to employ typical terrorist procedures (TP), regardless of their possible motives or ideological orientations;
- identify actual or potential terrorist threats; and
- prevent the realization of acts of terror.

Counter-terrorism (CT) is understood by the set of activities and offensive measures eminently with repressive character, in order to:

- dissuade individuals or groups (national, foreign and transnational) that intend to employ typical Tactical and Technical Terrorist Procedures (TTTP), regardless of their possible motives or ideological orientations;
- prevent the realization of acts of terror; and
- respond to criminal acts perpetrated by individuals or groups that employ typical TTTP.

Proactive counter-terrorism is understood by the highly offensive and repressive nature of the efforts expended by intelligence agencies and state security forces with the deliberate purpose of preventing the achievement of a terrorist attack, anticipating if possible the hostile act.

Reactive counter-terrorism is understood by the highly offensive and repressive nature of the efforts expended by intelligence agencies and state security forces with the explicit purpose of responding to an act of terror.

The **Management of the consequences** happens, in principle, after the occurrence of a terrorist nature event. The measures encompass among others:

- the isolation of occurrence area;
- the employment of specialists in chemical, biological, radiological and nuclear defence (CBRN);
- the specialized teams in neutralizing Improvised Explosive Device;
- first aid to the victims;
- use of rescue teams and search for survivors;
- removal of debris;
- damage control;
- forensic work, execution of technical skills and criminal investigations; and
- media control.

The installation of a Crisis Cabinet, headed in principle by the CIET and legally supported by the President and by the Ministry of Defence is required after a terrorist attack.

This cabinet will be in charge of integrating the elements of special military and police operations, especially the intervention of groups consisting in: teams of hunters (snipers), tactical teams and air units directly involved in counter-terrorism actions, coordination of the interagency efforts for counter-terrorism (proactive and reactive), synchronize the use of tactical teams and air units support, and provide advice concerning the anti and counterterrorist measures and procedures, before taking decisions.

In the face of a terrorist event, the Crisis Cabinet should have in advance the command and control needed to acquire the proper situational awareness, deciding and acting with opportunity, applying effectively and

accurately the combat power in order to neutralize the threat and reduce collateral damage.

When formulating and implementing a course of action, planners at the Cabinet shall observe, in addition to technical skills, the constitutional priority area of each team.

However, planning should be flexible enough to allow complementarity efforts in the same constitutional area, as the magnitude of the terrorist threat can transcend the capacity of a single team acting alone. In this case, the Cabinet must ensure the control unit at the tactical level.

The teams have to consider the escalation of force when engaged in CT acts. The moderate and progressive use of legitimate coercive force is necessary in order to neutralize any terrorist threats.

Although anti and counter terrorism efforts are complementary and interdependent. In broader terms, it should be considered the following priority: first anti-terrorism measures, second counter-terrorism measures, and then proactive counter-terrorism and finally reactive counter-terrorism actions.

According to the prevailing doctrine of Crisis Management, the gradual use of force for the actions of reactive counter-terrorism is characterized by progressive adoption of four tactical alternatives, namely:

- negotiation;
- use of non-lethal agents;
- job hunters (use of sniper); and
- assault.

However, in the view of contemporary terrorism, it must be recognized the difficulty and inappropriateness of establishing excessively rigid procedures to determine the progressive use of force. Some extremist organizations adopt the *modus operandi*: the absence of negotiations, the search for more victims and extended destructive effect. Anyway, responses to crises triggered by terrorist events must have speed, efficiency and intensity compatible with major threat and sufficient to preserve the maximum number of lives.

Therefore, not always the tactical situation will allow the use of negotiation. The decision of executing a tactical alternative, usually more violent, have to be considered while the risks have unimaginable potential.

The use of non-lethal agents will be subject to considerations of tactical (the desired effect on the ongoing action) and technical (the properties of non-lethal agents, terrain characteristics, and environmental conditions) orders. The sniper's job will, in principle, be accompanied by assault.

Although the usual decision factors (mission, enemy, terrain, resources, time, and civil considerations) also apply to CT, the lines of action adopted by the Crisis Cabinet and implemented by the teams should be based on the following criteria:

- need (the action proves to be necessary to preserve the greatest number of human lives, considering the level of threat and the time available).
- validity (the action is morally and legal and meets the ethical and humanitarian principles).
- acceptability (the collateral damage is acceptable given the gravity of the threat and the expected results justify the physical and political risks inherent to the action).
- In the face of terrorist threats, the sniper and assault teams should be based and act according to the following principles:
 - preserve life (adopt the course of action that saves as many human lives).
 - apply the law (use of legitimate coercive force will be made in strict compliance with legal obligations); and
 - set priorities (considering the limitation of resources and the finite capacity of teams, the Cabinet should establish priorities for dealing with the perpetrators agents).

Considering that a terrorist attack is fundamentally designed as an extremist propaganda tool and its success depends on the disclosure by news agencies, the Cabinet must choose actions that reduce the psychological impact of the attack, minimize public outcry, and limit the possibility of exploitation by media to reduce the effects. When it becomes necessary, the application of legitimate coercive force must respect humanitarian principles.

The head of the Crisis Cabinet, which is responsible for the decision to utilize lethal forces, holds the employment of the teams prerogative. The need to stop the execution of civilians by the perpetrators of an attack, supports the utilization of lethal force. Even if the execution of civilians is not happening, the head of the Crisis Cabinet may resort to any alternative tactics to offer a significant advantage over the perpetrators' agents.

The tactical team commanders or a sniper may act independent of orders, according to his tactical insights, provided that the perpetrators' agents are progressing, they are executing civilians (eminent explosive device), and at the moments, which the command and control system at the Crisis Cabinet, prove unable to match the gravity of the situation.

Techniques, tactics and procedures utilized by the teams for neutralization of threats shall comply with the principle of proportionality. However, due to engagement into confined spaces and the existence of hostages, the execution is allowed to fire with the deliberate intention of causing the removal of perpetrators' agents through the complete and instantaneous incapacitation of targets.

The execution of air and/or ground forces cannot fire randomly or indiscriminately. An additional precaution is necessary, the positive identifica-

tion of targets should be taken to reduce the likelihood of collateral damage. Use of air escorts within convoys and routes is allowed.

If possible and tactically justified, the physical isolation of the crisis area by concentric security circles, including the exclusion of airspace can provide a more controlled environment. Additional measures should be adopted in order to preserve the scene for technical expertise.

Civil bodies, perpetrators' agents and members of the security forces, although lacerated should not remain exposed. After the action, the perpetrators captured alive, will be disarmed, searched, handcuffed and kept under temporary custody of the tactical team until the members of the Cabinet or the agents appointed by it, arrive to adopt the appropriate legal proceedings.

The released hostages, if any, will be searched, handcuffed and taken to a place of screening in order to avoid the recourse of a new terrorist act by the perpetrator agents. Then, they will be subject to routine legal proceedings, including conducting forensic examination.

Although it should prioritize assistance to civilians, aid to the injured will be given interchangeably. The crisis Cabinet will adopt additional measures to protect the identity of the members of the assault and sniper teams, including during the course of further legal and administrative procedures.

Of course the classified portion of ROE for the Olympic Games 2016 determines within more detail how the CT teams will act against a probable threat. For instance, a target already monitored by intel teams, that presents a suspicious behaviour, will not enjoy the proportional use of force as any other unknown.

Conclusion

1. The ROE CT Ops established for the Olympic Games are appropriate and respect humanitarian principles. They are focused on the prevention, and permit the use of tactical violent actions, immediately after a threat is perceived. They also try to shrink as short as possible the lives losses and the post-bombing effect.
 2. Global terrorism requires a global response. International and inter-agencies cooperation are the two fundamental pillars to cope with terror. The Brazilian Army enjoys good credibility in its relations with domestic and international agencies that work on intelligence and counter-terrorism environment. The knowledge exchanged between the agencies permits the updating process of real potential threats and enhances the level of situational awareness. The Brazilian army is doing the best to deal with the difficulties that arise from the terrorism globalization, as well as dismantling

the network which supports organized crime and terrorists, both by monitoring its borders and cyberspace.

3. The current political instability is a negative fact that influences the practical use of ROE CT Ops during the Olympic Games. As seen during the World Cup 2014, protests against the current government increased the density of people in the same area of competitions, making it difficult for security agent observations. Such density can also lift mortality average in case of a successful attack. Political instability decreases significantly the confidence of military personnel over the authorities who are responsible to sign the ROE CT Ops. Such authorities must support the military personnel decisions and protect their security agents during and after an event of collateral damage. Adding the absence of law endorsement for counter-terrorism operations, it is possible to affirm that in general the political instability restricts the initiative in all levels.

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**PRZEGLĄD ZASAD UŻYCIA ŚRODKÓW WALKI
W ARMII BRAZYLIJSKIEJ W KONTEKŚCIE
PRZEPROWADZANIA KONTRTERRORYSTYCZNYCH
OPERACJI W CZASIE IGRZYSK OLIMPIJSKICH W RIO
W 2016 ROKU**

Celem tego artykułu jest analiza Zasad Użycia Środków Walki przygotowanych z myślą o kontrterrorystycznych operacjach, które zostaną wykorzystane przez armię brazylijską w obliczu ataku terrorystycznego w czasie trwania Igrzysk Olimpijskich. Autor dokonuje tej analizy po uprzedniej prezentacji aktualnej oceny bezpieczeństwa na poziomie strategicznym.