

BRUSSELS, ONE YEAR LATER...

*By Genovefa Etienne and Claude Moniquet
ESISC Directors*

On March 22, 2016, war was declared in Brussels. Over the course of three explosions – two at 7:58 a.m., at the airport, and one at 9:11 a.m., at the Maelbeek metro station— 32 people were killed and at least 360 others were injured. One year later, while hundreds of wounded are still being treated and many victims, their close ones, and first responders are tormented by the memory of the tragedy that shook their lives, it is time to commemorate; and to evaluate.

We do not intend to criticize for the hundredth time the “deficiencies” of this or that Belgian or French institution with regard to the November 13 or March 22 tragedies. **This trial has already been conducted and its outcome was poor.** One of us has already demonstrated this in a book which was released last November.¹

The fact that the French or Belgian systems did not function is obvious. In fact, many high ranking French intelligence officials had to explain these failures over the course of parliamentary inquiry hearings at the National Assembly. Nonetheless, **this “failure” was not caused pas the incompetence or the lack of devotion of the women and men in counter-terrorism, rather, it was the result of the scope of the threat (thousands of suspects to monitor, Europe-wide) and the “conspiratorial professionalism”** with which the authors conducted the attacks.

Nonetheless, in Belgium’s case, the previous administrations’ guilty naiveté played an important role. An example? Did it not take 10 years for the Belgian intelligence agencies to be allowed to wiretap phones?

In its first results, presented in early July 2016, the Belgian parliamentary inquiry commission highlighted the **lack of coordination and centralization of decisions.** Has this changed? The answer is painfully simple: we will only know during the next crisis.

¹ Claude Moniquet, *Daech : la main du diable*, Editions de l’Archipel, Paris, 2016, pages 131 and following.

Notwithstanding, certain things have not changed. While it is now possible to conduct searches and raids at night in all matters related to terrorism (as a minimum...), **mandatory custody time** has not been lengthened: it is still 24 hours, extendable to 48 hours in certain cases. A 24h mandatory custody in complex cases, where it is often necessary to hear several suspects (sometimes with translators), to confront them, to analyse documents (and sometimes to translate them), and to evaluate phone and computer data, is not sufficient... In France, in the same situation, a mandatory custody can last up to 96 hours (4 days) and even be extended to 6 days if there is a “real risk of terrorist acts.”²

The current measures are clearly far from being sufficient. Additionally, **we can be sceptical when Brussels airport officials declare that this airport is “one of the safest in Europe.”** We will not linger on this question, for obvious reasons, but this information has not come from authorized police sources...

Everyone is aware that a 100% insurance against terrorism does not exist and that we could, at any moment, be targeted again—in Brussels, in Paris or elsewhere. **Still, a politician has the duty to do everything in its capacity to protect society.** The upcoming Belgian inquiry commission final recommendations and the way in which they will be implemented will tell if this objective has been met.

A last word about **the victims**. It seems that **the administrative dealings with these cases as well as their handling by insurance companies were deplorable (to say the least).**

Here, too, changes need to be made, to avoid victims be victims twice, like it is too often the case.

END.

Copyright© ESISC 2017

² Article 706-88-1 of the Code of Criminal Procedure.