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**Text:** Toivo Kamenik

**Photos:** Toomas Huik, Väino Silm

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## FOREWORD

Dear reader,

This is the third Annual Review of Activities of the Security Police that gives an overview of our most important events and activities in 2000 and of our future plans.

One of the tasks of the executive power is to guarantee security and legal order in the state. Here the Security Police Board has to play an important role – to guarantee the internal security of the state. Estonia's accession to the NATO and the European Union cannot be endangered by the influence of the intelligence activities of other countries and the Security Police helps to achieve the goals of the security policy of the state. Finding out and preventing the factors that endanger security imposes great responsibility on us. The Security Police considers essential joint efforts to guarantee the protection of the state secrets and we are interested in sharing our knowledge in this area.

During the recent years one of our main tasks has been, and still is, to fight against corruption, especially corruption of high state officials. It is good to know that the anti-corruption legal framework has been established and our laws are compatible with other European states. Of course, a more important question is whether the laws are implemented one hundred per cent. Although Estonia is the least corrupt country in the Central and East Europe, there is no reason to be satisfied. The anti-corruption combat of the Security Police mainly lies in supervision over how officials perform their duties. That model can be applied only in co-operation with the community because we can decrease corruption in society only if we join our efforts. Our work in this area has become much more intensive and that is illustrated by the fact that more criminal cases have been taken to court than ever before.



**Jüri Pihl, Director General  
of the Security Police Board of Estonia**

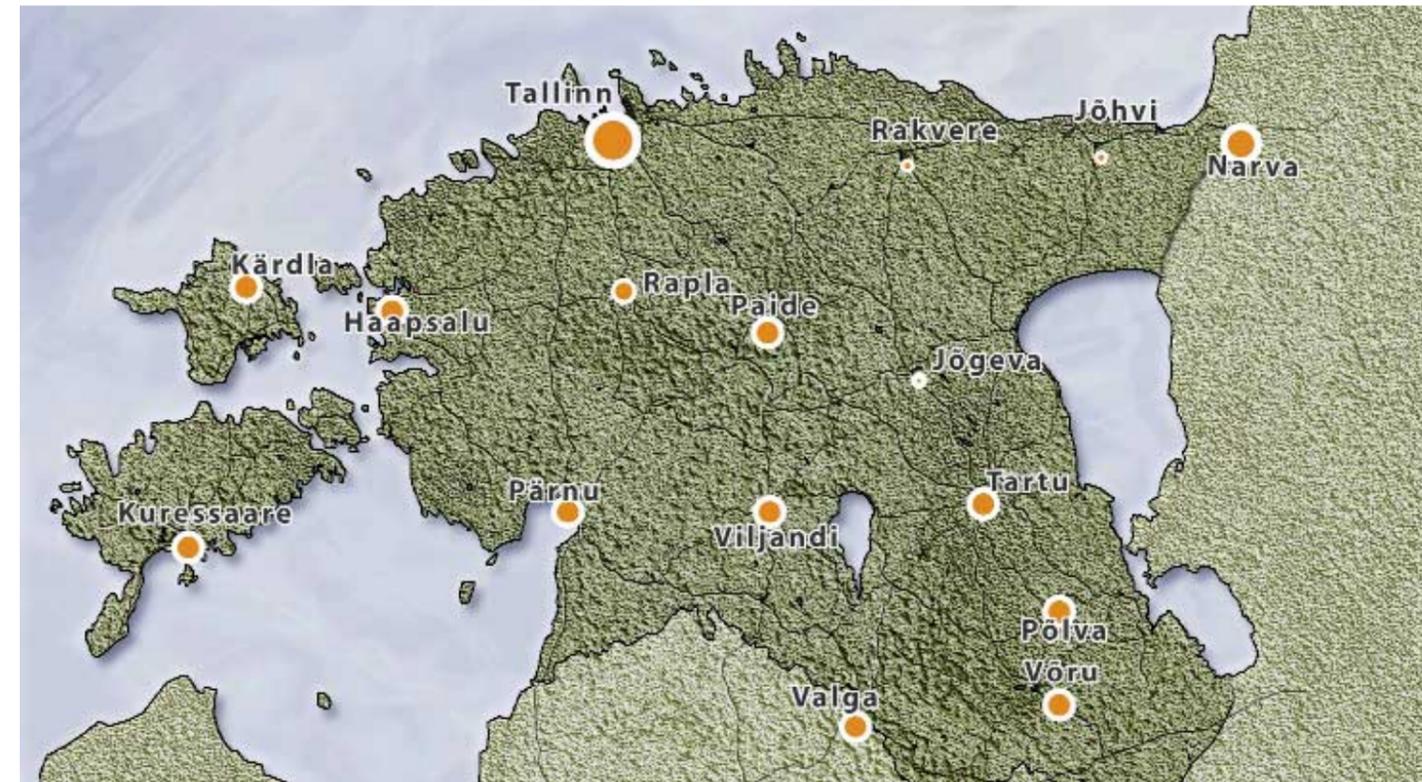
Although explosions by explosive devices still occur in Estonia, we are glad to say that the number of explosions and of the injured has been decreasing from year to year, and we are giving our best at maintaining this decreasing tendency. International terrorism has not spread in our country and preventive work in this area is a steady goal of the Security Police.

More and more security agencies of different countries are involved in the fight against organised crime. The Security Police considers it important to render assistance to the police in the fight against drug crimes as well as in other fields of international organised crime.

Upon the entry into force of the Security Institutions Act in 2001, the institutional nature of the Security Police will change from a police agency into a security agency with the rights of the police. It is characteristic of a democratic state governed by the rule of law to guarantee the constitutional rights of the citizens while carrying out the tasks of the executive power. The new Security Institutions Act is drawn up in the spirit of this principle.

For successful execution of tasks it is of utmost importance to set high values on the staff. We provide several opportunities for motivating our employees.

I am sure that the Security Police will continue to carry out their tasks as successfully in the coming years as before. I hope you will find a lot of interesting reading material in this Annual Review.



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### THE DISTRIBUTION OF PERSONS HAVING BEEN GRANTED RESIDENCE PERMIT BY THEIR CITIZENSHIP ON DECEMBER 31, 2000

	Undefined	64%
	Russia	32 %
	Ukraine	1 %
	Finland	0,6 %
	Byelorussia	0,4 %
	Lithuania	0,4 %
	USA	0,1 %
	Other	1 %

### THE LARGEST TOWNS IN ESTONIA

Town	Number of inhabitants 01.01.2000	Distance from Tallinn
Tallinn	408 329	-
Tartu	101 744	185
Narva	73 295	212
Kohtla-Järve	65 566	156
Pärnu	50 966	129
Viljandi	21 529	159

### ETHNIC COMPOSITION OF CITIZENS OF THE REPUBLIC OF ESTONIA

Nationality	%
Estonians	65
Russians	28
Ukrainians	3
Other nationalities	4



## STAFF AND TRAINING

The staff of the Security Police Board are quite young. The average age of the police officers is 31. The average length of service in the Board is 5 years 1 month. Most of the police officers either have higher education or are studying in various universities.

Employees of the Security Police Board must first of all be loyal and law-abiding Estonian citizens who, in terms of their mental and physical abilities, are capable of executing the complicated tasks set before the Security Police. Requirements for our employees are provided by several legal acts, the most important of which are the Public Service Act, the Police Service Act, the State Secrets Act and the Security Institutions Act that will enter into force on 1 March 2001. Strict demands for our employees are set by these legal acts. However, they also grant several advantages, compared with employees of other state institutions.

We have various possibilities to enhance the motivation of our employees. The salary conditions are more advantageous compared with other state officials. Pursuant to the Police Service Act the state shall provide police officers with free medical examination once in three years, compensates for material damage caused to police officers or their family members in the course of execution of service, pays single compensation in case of a police officer's death, becoming an invalid, falling ill or being injured. The Riigikogu is currently proceeding a draft bill that, when adopted, will give the police officers better pension conditions.

As is the case with other state officials, the Government reviews the salaries of the Security Police officers once a year and establishes the payment conditions for the following year. The lowest degree of the 1<sup>st</sup> salary stage or the minimum salary of the Security Police officers in 2000 was 5,500 kroons, i.e. significantly higher than the average salary in Estonia. The salary of a particular officer takes into consideration his/her actual skills, working experience and performance results. The employees who have achieved remarkable results are awarded a bonus.

External recognition of the good work of the Security Police officers is not uncommon. On 24 February 2000 two Security Police officers received state awards – the Golden Crosses of the Eagle Cross – for the merits rendered. On the Police Day three police officers received the 3<sup>rd</sup> degree Crosses of Merit for remarkable and long-term execution of the service. In 2000 seven officers were awarded the Certificates of Honour of the Ministry of Internal Affairs, two of them received valuable gifts.

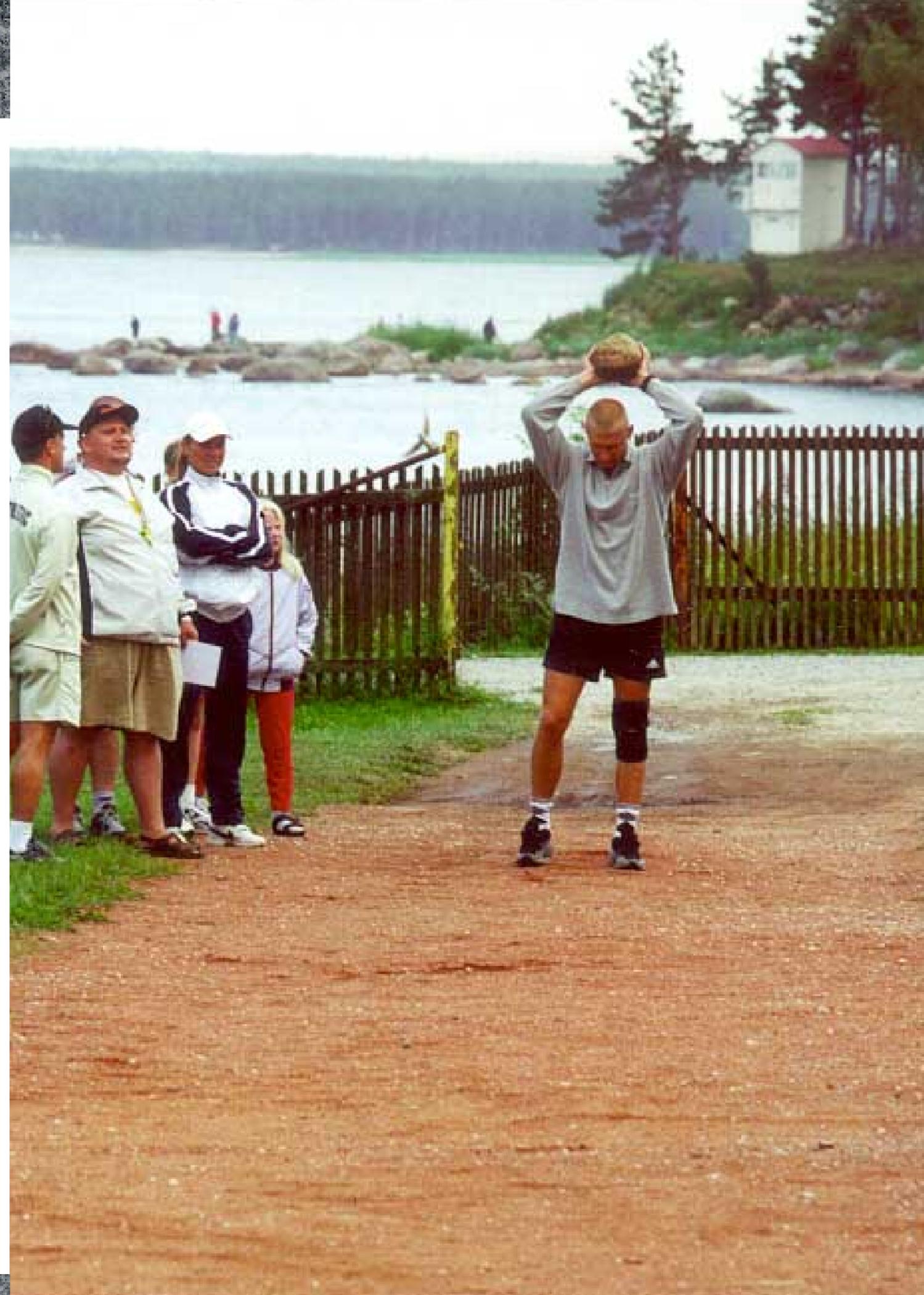


As mentioned above, the number of the officers who study at universities is quite high. We have reached such results due to our personnel policy – to support in every way those who study. A contract establishing advantages given by the institution (paying the tuition fee, payment conditions during examination periods) and the officer's duties is concluded with officers who wish to acquire higher education. According to the Police Service Act, an officer has to compensate for the tuition fee if he/she quits service before three years from the payment of the fee, therefore it should be mentioned here that certain advantages are accompanied by higher demands and expectations by the state.

Proceeding from the specific features of our institution and from the competence requirements set for Estonian state officials, we pay special attention to arranging in-service training. Based on the tasks of the Security Police, we have training courses for our employees where they can acquire knowledge and skills necessary in everyday work. Our employees participate in courses dealing with criminal law and proceeding. It is important that every young employee quickly acquires the knowledge that is presented to the Security Police officers by the society. Together with improving professional skills at various courses, constant teaching and developing takes place on internal training days that are usually conducted by our own experts. Internal training is highly valued, as it enables to deliver specific knowledge to the employees.

Physical requirements for the Security Police officers are established by the Government of the Republic. To achieve the required level, we provide our employees with various possibilities to go in for sports. We have a small sports facility in the administrative building of the Security Police that meets contemporary requirements. Our employees can rent a swimming-pool and sports facilities for ball games as they wish. The most popular ball games throughout the years have been football and volleyball. Several of our employees have achieved good results in various Estonian championships and in the World Championships of Policemen and Firemen.

Several sports events, organised by the Security Police Board, have become traditional. Once a year a football competition is held, summer games and a weekend for those who are fond of winter sports are organised. As family members also take part in the summer games, the participation rate in this event is particularly high, and, besides mothers and fathers, children can demonstrate their skills as well.



*The summer competitions in Käsmu*





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## SYMBOLS AND TRADITIONS

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The foundation for the Department's traditions was laid just before the 5<sup>th</sup> Anniversary of the Security Police Board (18 July 2000): our own symbols were designed (coat-of-arms, colours and badges), the badges of the length of service and the Police of the Year were made, our own uniform was designed, etc. Arno Mäger, a teacher at the Art University, is the author of the design and colour of both the coat-of-arms and the badges. The year 2000 added to the symbols of the Security Police also the beautiful flag of the Security Police by the same author.

The size and description of the flag were approved by Tarmo Loodus, Minister of Internal Affairs, on 20 September 2000 on the basis of Section 3 of the Government Regulation No. 349 of 11 November 1993, *The Order of Using the Image of the National Coat-of-Arms* (OJ I 93, 72/73, 1027; 1994, 41, 664; 65, 1125; 72, 1271; 2000, 66, 426) and Section 19 of Government Regulation No. 171, *Approval of the Statute of the Security Police Board* (OJ I 1998, 70, 1176; 2000, 66, 425).



*In the Estonian Flag Museum on 21 December 2000*

According to the Statute, the ratio between the flag's width and length is 7:9. The standard size of the flag together with the flagpole pocket is 1100 x 1450 mm. On one side of the flag there are the national symbols and on the other side the Security Police Board's symbols. The background of the national side of the flag has three horizontal stripes in the colours of the national flag: the upper stripe is blue, the middle stripe black and the lower one white. In the middle of the flag's national side there is a large image of the national coat-of-arms, at which the heads of the heraldic lions are pointed towards the flagpole. In each corner of the flag's state side three oak leaves branching from one petiole lie diagonally.

*The Otepää Church on 21 December 2000*





*The flag of the Security Police Board*

The background of the Security Police Board's side of the flag is dark blue. In the middle of it lies the Security Police Board's heraldic animal Griffin who holds between its paws a small coat-of-arms of Estonia. Griffin's head is towards the flagpole. Griffin is golden and its tongue and claws are red. Above the Griffin warps in yellow Roman shrift the slogan of the Security Police Board "VIRTUTE ET CONSTANTIA" ("WITH BOLDNESS AND PERSISTENCE"). Below the Griffin lies horizontally "1993" that marks the year of the foundation of the independent Security Police Board. The flag of the Security Police Board is surrounded by golden threads. The end piece of the flagpole is made of polished brass, it has a form of a pike, in the centre of which is the sawed-out silhouette of the heraldic animal of the Security Police Board.

The festive granting of the flag by the Estonian Ministry of Internal Affairs to the Security Police Board and its consecration took place in the Otepää Church at Valgamaa and in the Estonian Flag Museum on 21 December 2000, and the time of the day was intentionally chosen to be the starting moment of winter (at 03.37 p.m.) that marks the end of the dark period in nature and the beginning of the sun's triumphal march. The Otepää Lutheran Church that has played an important role in the history of the Estonian national colours was not chosen by chance. It is worth mentioning that the blue-black-white tricolour of the Estonian Students' Society was consecrated in the hall of the Otepää Parsonage on 4 June 1884. Later that flag became the national flag and in 1922 the official national flag of the Republic of Estonia. In 1934 the Otepää Church became a centre of public attention once again: the 50<sup>th</sup> Anniversary of the Consecration of the Estonian National Flag was celebrated, attended by the leaders of the state and by the ministers, and the bas-reliefs made by Voldemar Mellik were fastened by the main entrance of the church.

## PROTECTION OF CONSTITUTIONAL ORDER

Article 1 of the Constitution of the Republic of Estonia stipulates that Estonia is an independent and sovereign republic wherein the power is vested in the people. The sovereignty and independence are timeless and inalienable.

Proceeding from the first principle of the Constitution, the most important task of the Security Police is securing constitutional order and territorial integrity that are the prerequisites for the existence of the Republic of Estonia. Processes endangering the constitutional order in the 1990s, such as the meetings of "Interrinne" ("Interfront") in Tallinn with tens of thousands of participants, the attack of the Russian-speaking population, fooled by riot propaganda, at Toompea, repeated attempts to arrange a referendum at Ida-Virumaa, where the majority of the population is Russian-speaking, with an aim to separate this area from Estonia – all this has been left into the past. The so-called trapper crisis – the idea propagated by the Estonian Nationalist Central Union to form punitive troops for fighting against organised crime; cases of arbitrary action by the military units of the voluntary armed formation Kaitseliit (Defence Guard) (e.g. illegal occupation of the main building of the Estonian Agricultural Academy in Tartu, the members of a special unit SOG taking the turn towards criminality, involving the members of Kaitseliit in the conflict of business enterprises at the Bekker Port) that had extensive international repercussion and harmed the reputation of the Republic of Estonia at a time when accession to various international organisations was a priority issue.

Classic extremism that until now has been a problem in our neighbouring countries, both in the east and in the west, has found more extensive at the beginning of the new century. By now it has come to the fore more strongly and found



*A peculiar association, characteristic to current period, at a church holiday: a former KGB officer (O), bellicose Barkashovians and Russian Orthodox priests*



more extensive public response. On the one hand, we are dealing with an attempt of the neo-Nazi organisations, acting mainly in Russia, to transfer their ideas to Estonia (the Russian National Unity led by Aleksander Barkashov or "Barkashovians" and the National Bolshevik Party of Russia led by Eduard Limonov or "Limonovians").

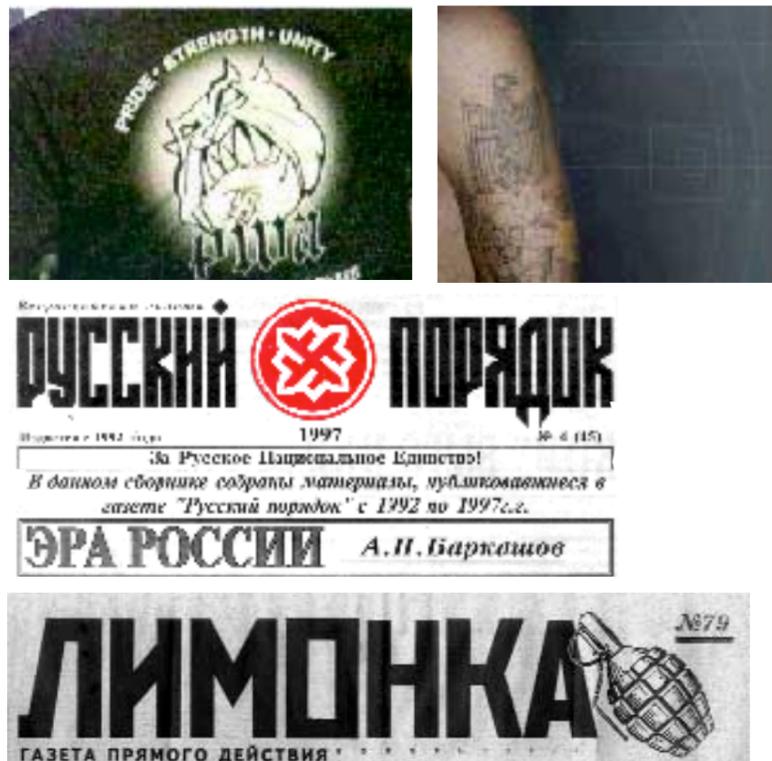
Barkashovians have so far mainly distributed their publications ("Russki Porjadok" – "Russian Order") to the interested persons and leaflets that invite Russians to join. These publications are usually marked with characteristic symbols, resembling swastika, that the Barkashovians themselves call "kolovrat". The Barkashovians are chauvinists who praise Russian Orthodoxy and are convinced anti-Semites. In 2000 Barkashovians were seen to approach the Orthodox circles loyal to the patriarch of Moscow, e.g. they safeguarded religious holidays at Kuremäe Convent. Such course of events has perplexed and confused even the deeply religious God-fearing members of the congregations. Although the number of the convinced Barkashovians is not significant yet, the problems that

occur together with social stratification in the society (also in the Russian community) indicate the growth of support to them.

In the forefront of political extremism in 2000 were without doubt the Limonovians who attacked Estonian and Latvian Embassies in Moscow and occupied St. Peter's Church in Riga in November. The last act has later been termed to have been a terrorist act. In brief, the Limonovians' ideology is anti-Semitism with an inclination to anarchy. Their activity is aimed at creating scandals with the purpose to be in the news and to attract attention without choosing the means. The group in Estonia, mostly consisting of young people, that claims to be Limonovians can not be compared with their "brothers-in arms" in Russia and Latvia, neither in their organisation nor in activity, but there exists a risk of surprise-landing of Limonovians from Russia to Estonia.

In 2000, employees of the Security Police for the first time came across a brand new phenomenon – an author of an Internet page, instigating political hostility was caught and taken to court; as a result of that, the person was punished pursuant to the Criminal Code. The author of the page, who at first declared himself to be an organisation, turned out to be a young computer-freak who, by foiling and taking advantage of the predictable anonymity of the Internet, had decided to shock the community. He was greatly surprised when some months later he was caught and had to take responsibility for his action. Based on this case, it is possible to predict in the near future an increase in the number of criminal offences via Internet that belong to the jurisdiction of the Security Police.

In 2000 an increasing number of crew-cut young men, often richly tattooed, could be seen in the streets. Their gross and aggressively provocative behaviour towards the representatives of other than the white race was striking. Until now such *skinheads* could be seen mainly in Tallinn and Tartu. At the same time an increasing interest in Estonia of Scandinavian neo-Nazi and *skinhead* organisations could be noticed. So far *skinheads* from the Scandinavian countries have made attempts to print their pro-



*Some examples of the leftist and rightist propaganda in Estonia: newspapers and leaflets from the east, tattoos and T-shirts from the west*

pagandist publications and arrange thematic inner-circle actions in Estonia. The *skinhead* movement in Estonia is still in a developing phase. So far the movement has been relatively spontaneous: there is no definite leader, there are several separate groups, there are no joint meetings. More extensive meetings in closed circles have coincided with celebrating the National Socialist Anniversaries of the Third Reich. At the same time more frequent participation of Estonian *skinheads* in *skinheads'* actions in Finland could be observed in 2000. Taking into consideration Scandinavian experience, Estonian *skinheads* will get organised and leaders will evolve. Accession of Estonia to the European Union will probably bring along social problems – increasing competition for available jobs and increasing inflow of foreign labour – that will be fertile soil for spreading *skinhead*-ideology.

As crimes, prepared in Estonia, that could potentially endanger the constitutional order have so far been avoided and prevented without applying legal sanctions, the majority of the Security Police resources and powers will be directed to preventive work in the future as well. Control over the groups, both with the leftist and rightist extremistic inclinations, will be the task of the Security Police also in the nearest future, aimed at avoiding and preventing their activity that could endanger the constitutional order and, if need be, to carry out pre-trial proceedings.

## COUNTER- INTELLIGENCE

Since 1991 the Republic of Estonia has consistently been moving back to Europe, from where it was violently torn out in 1940, after being occupied by the Soviet Union. The mentioned process is first of all expressed by the steady will to accede to numerous international organisations that shape the European and world policy. As a counter-reaction various top politicians of the Russian Federation, which has declared itself to be the legal successor of the USSR, have repeatedly and revengefully pointed out Russia's "eternal interest" in the Baltic Sea Region, including Estonia. These declarations are not merely words, they are backed by nuclear weapon kept in the Baltic Sea Region. Concealed bearers of national interests are various special services; their espionage activity is aimed at collecting valuable information about other states (e.g. Estonia).

Another important task of the Security Police is to detect and prevent any activity of foreign special services, directed against the Republic of Estonia, up to pre-trial criminal proceedings in case elements of an offence pursuant to Article 63 of the Criminal Code (espionage) should appear. The Security Police counter-intelligence surveillance has two main tendencies:

- 1) **surveillance in cases that could end in capturing the spy who is collecting valuable information for some foreign intelligence service, thus endangering the sovereignty and independence of Estonia;**
- 2) **to prevent the activity of foreign intelligence officers looking for persons, who have access to state secrets, with the purpose to persuade them to co-operate or to recruit them as agents.**



*At "field work"*

Espionage – the main reason why counter-intelligence exists – does not mean only collecting information about state secrets, but also any other information that has importance in the present time and space. The latter could concern for instance, inter-state negotiations where preliminary knowledge about the tactics of the opposing party and certainty of their viewpoints is necessary. Information concerning the state's relations, contacts and the scope of co-operation with international organisations and other states, description of public officials, especially their weaknesses, habits and hobbies – all this falls into the same category. Getting and using such information is usually followed by activities aimed towards detecting the other party's decisions to desirable direction or, in other words, towards influencing the processes.

With enough preliminary knowledge about the decision-makers of the other state (from the heads of the state to the officials of the lowest rank), it is possible to serve biased information, that confuses acceptance of the reality, hidden threats or even downright lies, just to achieve the desired purpose. The same category includes manipulations with local and international public via the news agencies which, readily taking the bait in their thirst for sensations, often disseminate false information all over the world. Such news have, for instance, been *participation in action at the CIS conflict-areas of "the former women-biathlonsists in white tights" from the Baltic states or radio communication in the con-*



#### "On the prowl"

*flict area of Chechnya in Baltic language* (linguistic nonsense!). These are just a couple of most striking examples from amongst other curiosities. Such news are usually based either on downright lies or on twisted facts, the aim being to discredit the state authorities in the eyes of citizens and arouse suspicion about the state's reputation on the international level.

It is often not possible or necessary to use criminal proceeding to prevent the activity of the foreign special services, but it is possible to prevent such activity and avoid results that would endanger the state's security. To achieve that the legal methods and means, stipulated by the *Surveillance Act*, are used skilfully and the leaders of the state are informed about potential dangers in due time. The public does not usually hear about this daily (and often very intense) preventive activity, but in such a sensitive sphere it should be considered perfectly normal.

As a result of the above-mentioned activity, two diplomats-spies of the Russian Federation had to leave Estonia in the summer of 2000. The Republic of Estonia refused to issue long-term visas for a number of diplomats, as their coming to Estonia was considered dangerous for the security of the region. At the same time officers of the Security Police ascertained the visits of some globally known diplomats-spies to Estonia that "accidentally" coincided with the visits of delegations of high-ranking international organisations conducting accession negotiations.



## PROTECTION OF STATE SECRETS

As a sequence to the previous theme, protection of state secrets is yet another important sphere. First of all, the existence of both the law that regulates state secrets and the system that functions on its basis. These must regulate the information that needs protection from disclosure in the interests of national security: information owned by the state, information under the state control, information produced by the state or for the state. The Security Police carries out security control on persons who apply for access to state secrets, except for persons in active service in the Defence Forces. Besides carrying out security control it will be decided whether to issue a permit or not. Security control on judge-applicants is also carried out and the acquired information is forwarded to the Supreme Court.

As one of the purposes of our foreign policy is for Estonia to become a member of various international organisations, one of the preconditions of accession is the existence of a functioning State Secrets Act, as otherwise it would be impossible to exchange secret information. In 2000 Estonia signed agreements on exchanging secret information with several states; on the one hand, it means recognition of Estonia's state secret protection system and, on the other hand, it imposes more extensive obligations on the Security Police Board, who is responsible for implementation of the State Secret Act in the country.

On 26 January 1999 the Riigikogu adopted the State Secret Act that was promulgated by the President on 12 February 1999. The Law took effect on 28 February 1999 and has not been amended essentially since then. The Government Regulations on the *State Secrets Protection Procedure* and *Procedure of Issuing Access Permits to State Secrets* were approved on 6 July 1999. This democratic State Secrets Act, in effect since 1999, is already the third one adopted by the Parliament in 1994-1999.

One of the most important factors in securing the protection of state secrets is the human factor: it depends on the persons who come across state secret whether and how the secret information is protected from disclosure. Thus, security control on the persons applying for access to state secrets has an extremely important role. The Security Police, after having carried out the security control, decides whether to grant an access permit or not. At that, a person's need for access is checked as well as his/her correspondence to the conditions necessary for receiving access permit to state secrets.

The right for access to state secrets naturally goes with duties. The person who owns the access permit to state secret must keep from disclosure the state secret that has come to his/her knowledge, he/she must also protect the information carrier in his/her possession from disclosure and from access by any outsider.

Thus, on the one hand, the task of the Security Police is to check the existence and order of protection programmes/systems of the state secret and access to state secret by employees, on the other hand, it must carry out regular training in the matters of state secret and proceed the cases of illegal disclosure of state secrets. When Estonia accedes to international defence organisations (NATO, WEU), it will be necessary in the near future to work out and apply the legislative base regulating the protection of the state secret for defence industry. The Security Police has an important role in developing this system.

## PREVENTION OF INTERNATIONAL TERRORISM

No crimes connected with international terrorism (explosions, murders) have been committed in Estonia during the past five years. Foreign terrorist organisations have shown no active interest in Estonia either. In spite of that the Security Police Board continues to make efforts to avoid and prevent that sort of crimes in 2001. Another important issue is identifying persons with possible terrorist inclinations and detecting the activity of the groups, also deporting terrorists from the state. In combating terrorism the priority of the Security Police is to detect and arrest the persons who produce and sell explosive devices and explosives. These are the persons who are potential assistants of international terrorists in case they should need to carry out terrorist acts in Estonia.

Producers of explosive devices are often connected with criminal groups that use the devices to carry out explosions. The one who orders and organises the explosion, the one who makes the bomb and the one who carries out the explosion are often different persons, and identifying every person connected with the explosion and proving their guilt could be quite complicated. Checking and detecting the criminal activity of the state officials who directly help the activity of persons with terrorist inclinations, should be considered important as well. The local minority communities and the groups with extremist inclination who could gain political profit from terrorist acts should be observed as well.

In planning anti-terrorist combat the Security Police Board must be constantly informed about the activities of the world's largest risk groups and the constant renewal of the fighting methods of the terrorists. In co-operation with other special services the Security Police checks the contacts of terrorist groups and known

persons with Estonia. The priority of the Security Police Board is to identify and neutralize persons, living in Estonia, who could help terrorists in organising potential attacks. Such persons often raise money, necessary for their activity, from committing other crimes, such as drug business, selling explosives, smuggling, illegal human trade, money laundering. The threat of terrorism in Estonia and in the Scandinavian countries can be considered minor. According to the estimations of the Security Police the main centres of crisis in Europe in 2001 are:

- the independence fight in North Ireland;
- the independence fight of Basque Separatists in Spain;
- the Balkan "gunpowder barrel".

In 2000 no extensive terrorist acts were carried out in the so far most dangerous places in Europe - Turkey (Kurdistan) and Italy (regions with strong Mafia influence). However, the activity of the supporters of the terrorist organisation Kurdistan Labour Party (PKK) has recently increased in Estonia and their contacts with foreign activists have become more frequent. The leader of Kurds in Estonia is a businessman of Armenian origin, who founded the MTÜ Kurd Society. Other terrorist groups acting in Europe represent no danger for Estonia.

Estonia must certainly take into consideration Russia's influence coming from the east and the potential terrorist interests of the organised crime there. However, there is no information about anti-Estonia actions or terrorist acts planned by any interested parties in Russia. In connection with terrorism proceeding from Russia the following tendencies can be pointed out on the basis of the events in 2000:

- The year 2000 was peaceful in terms of terrorism, most of the incidents were connected with the War in Chechnya.
- It should be taken into consideration that organised crime in Russia has a strong position in the state's economy, banking and power structures.
- The low position of Russia's economy motivates the criminal groups there to activate their activity abroad. As Estonia has a good position in the negotiations with the European Union, Russian criminal capital is interested in investments in our economy.

In preventing terrorism from the east the priority for the Security Police is the local Islamic community, led by Haron Dikajev. At the beginning of 2000 the Security Police wanted to deport Dikajev, whose stay in Estonia was illegal, but the court indicated to gaps in the law and did not find deporting Dikajev, who does not have citizenship, to be justified.



Looking for evidence after the explosion of a car-bomb

The main financial source for terrorists is international drug business and recently human trade has emerged powerfully as well. Unfortunately, we cannot exclude Estonia from human trade. The Security Police has detected a criminal group, led by a Hindu, smuggling people from India and Pakistan to the west. They have two schemes of acting:

- An official invitation is drawn up for the refugee, on the basis of that a visa for Estonia is obtained. While in Estonia, the return ticket via some West-European state will be booked and the visa for that state is obtained. During landing en route the person "vanishes", only to appear soon in the local migration office, applying for asylum under a false name. The Security Police in co-operation with the Ministry of Foreign Affairs carries out operations to identify persons involved in such schemes and enterprises that have issued visas to them.

- The illegal person is brought to Estonia with a forged passport or passing by the official border control (two cases at the border in Narva, where a Chinese and a Korean attempted to get to Italy via Estonia with South-Korean passports).

On 18 April 2000 a court proceeding in the Tallinn City Court on human traders of Arab origin, who had established corruptive contacts in the Border Guard, in the police and in the Citizenship and Migration Board, was concluded with condemnatory sentences. The organisers of the crime Abdelaziz Ben Ajmi Glaie and Ali Khadum were sentenced to imprisonment.

After accession to the European Union Estonia must be ready to receive illegal immigrants. According to information there are tens of thousands of Asian refugees in Russia waiting for the chance to escape to the west. Arrival of refugees from Chechnya and other centres of crisis to Estonia could also be predicted. Together with refugees, criminals from these regions arrive as well, and together with that, processes characteristic of criminals, such as smuggling of drugs, weapons and explosives.



**A discharger and a video cassette box filled with ammonite**

Considering international human trade on a global scale, the following human transportation schemes apply: the main channel from Asia (China, Pakistan, Iran, Iraq) via Russia and East-European states (Hungary, Slovakia, Czech Republic) to the west; alternative channel over the Mediterranean via Turkey, Yugoslavia or Italy.

A peculiarity of this type of crime is that the victims are very much interested in emigrating to Europe and that makes these crimes more difficult to detect. On the other hand, the refugee business is very profitable for international organised crime according to analysts the human trade earns up to 52 billion kroons per year. At the same time criminals employ the refugees as well - women and children are engaged in very profitable sexbusiness, men are a perfect seed - plot for terrorist groups and drug business. The fact that these schemes really function was proved by actions held in New Zealand at the beginning of the year where the special services detected a terrorist group consisting of illegal refugees from Afghanistan and Iran, who were preparing an attack on the Australian nuclear reactor. It was claimed that that sub-group belonged to the Bin Laden Empire, confirming the earlier information about the plans of Islamic terrorists to conquer the world and about their interest in nuclear weapon.

Considering the above-mentioned, it is not difficult to notice direct connections between international organised crime, mainly interes-

ted in profit, and terrorist movements with political aims. Vast mechanisms that are mutually useful and effective form a mighty power that should not be ignored by the law enforcement agencies of all states.

The legal definition of terrorism in Estonian jurisdiction is given in Article 64-1 of the Criminal Code. According to that, terrorism is an attack on a person, enterprise, institution or organisation, or performance of actions that are aimed at seizing, destroying or damaging property, or killing or injuring people, with the purpose to provoke war or international conflict or with any other political or religious reason. An important feature here is the last section - an act can be considered to possess the features of terrorism if its purpose is:

- ■ ■ to provoke war;
- ■ ■ to provoke international conflict;
- ■ ■ any other political purpose;
- ■ ■ any other religious purpose.

Thus, not every explosion or assault that is followed by extensive repercussions in society is an act of terrorism, as common understanding and even media often assume. The function of the Security Police Board is to investigate and disclose the explosions with victims, but also to prevent explosions. For this purpose constant surveillance for seizing the persons who make and sell explosive devices is carried out. Until now the criminal groups have not executed explosions with the purpose of terrorism in Estonia. Usually the reason has been resolving their private and

financial conflicts. Thus, constant and active surveillance and preventive work are important because it helps to avoid potential bomb explosions by confiscating explosives and arresting the bomb-makers, and it helps to hold criminal groups under control.

If we look at the statistics on explosions, it is good to see that the number of explosions in Estonia has been decreasing every year since 1996. In 2000 the total number of explosions as well as the damage caused to people and the society decreased in comparison with 1999. The number of explosions with extensive public repercussions was remarkably smaller as well (only the explosion in the "Stockmann" department store that was cleared very quickly can be considered to belong to that category). This can be explained by the fact that by now a large quantity of explosives has been confiscated and several persons who produced and sold explosive devices have been arrested. The criminal world has more and more started to use weapons for hired murders or for threatening. Such tendency could be predicted in the future as well.

A completely new type of crime that occurred in Estonia in the period under observation was sending letter-bombs to victims. On 17 December 1999 a letter-bomb, disguised as a book, was sent to a businessman in Tallinn, who luckily was not seriously injured in the explosion. On 6 March an artist from Tartu, Mariann Raudsepp received a letter-bomb, but it was rendered harmless by the experts before exploding. On 24 June 2000 the Security Police arrested and brought charges against Peeter Kõiv, the former cohabitation-partner of Mariann Raudsepp.

In 2000 the Security Police initiated eight criminal proceedings to find out the circumstances of explosions (incl. preparations for explosions), five of these cases were taken to court, two were closed because of the death of the person and one case was dropped. Five criminal cases were initiated on the basis of



**Checking the authenticity of a document**

Calls concerning demination, explosive devices and ammunition liquidated by the Rescuing Board and seized by the Security Police Board during surveillance work.

25.05.1992 - 31.12.2000

Year	1992	1993	1994	1995	1996	1997	1998	1999	2000
Calls	78	228	624	896	820	947	838	1444	1369
Explosions	3	41	71	81	44	40	41	35	31
Perished	2	5	1	10	6	6	7	5	2
Injured	2	10	11	26	24	20	6	16	18
Bomb threats	7	97	125	221	161	150	184	445	454
of them: at schools	6	45	28	63	45	56	91	251	235
Bomb suspicions					135	102	100	148	222
Bomb technical checking				52	58	86	278	296	537
Liquidated explosive devices	228	1466	1958	4046	1898	10949	2152	2340	1437
of them: airplane bombs	14	18	264	119	36	13	6	8	6
Explosives found out by the Rescue Board	1	6	11	28	17	16	13	8	6
Explosive devices seized by the Security Police Board				22		60	7	4	7
Ammunition seized by the Security Police Board			110	3343	600	100	98	46	25
			kg	kg	kg	kg	kg	kg	kg



*An explosive device installed in a toy*

illegal production, possessing, keeping, forwarding, selling or delivering the explosive devices. Four cases were taken to court and one case was closed.

In evaluating the efficiency of disclosing explosions and proceeding crimes it should be said that it often takes several years to disclose the actual reasons of the explosion and to apprehend the offenders. This proves how thorough the surveillance is and how complicated is the investigation of the explosion having features of terrorism. Thus, three crimes that were committed several years ago were cleared and taken to court in 2000.

An explosion in the centre of Tallinn at the corner of Vabaduse Square and Harju Street, committed by the members of the so-called Linnuvabrik group on 26 August 1993, that brought along extensive public repercussions, was taken to court. The explosion, motivated by settling of accounts between two criminal groups, caused extensive material loss and several people were badly injured. Several of the organisers of the explosion have met violent death by now. Besides Robert Pohlak, who was convicted earlier, the other person who was



*An explosive device for eliminating a competitor, made of available materials*

taken to court and convicted was Janek Kukk, who had been sought after by the Security Police for several years.

The criminal case proceeded by the Security Police Board for finding out the circumstances of the explosion that took place in the Headquarters of Kodukaitse (Home Defence) at 1 Toompea Street, Tallinn in 1991 will go on record. In the course of investigation it was ascertained that the explosion was executed by the

former marine of the Soviet Army Boriss Sleptsov who was connected with the Interrinne movement at the end of the 1980s and at the beginning of the 1990s and belonged into the so-called task force of the Interrinne movement, led by Mihhail Lyssenko. The mission of this task force was to carry out sabotage acts in Estonia with the purpose to destabilise the local political situation, to instigate international hostility, and to provoke the armed forces of the Soviet Union into preventing the re-independence of Estonia. B. Sleptsov carried out the explosion in the Headquarters of Kodukaitse upon Mihhail Lyssenko's personal command by taking the explosive device to the premises of the Headquarters. Nine years later that crime was disclosed and B. Sleptsov confessed to his crime. In addition to that explosion, the ex-marine confessed carrying out several other explosions in Estonia at that time that had brought along extensive repercussions in Estonia as well as in foreign countries:

- ■ ■ **an explosion in the Strike Committee facilities of the Interrinne movement in Tallinn;**
- ■ ■ **an explosion in the Interrinne Headquarters in the hostel of "Dvigatel" factory in Tallinn;**
- ■ ■ **an explosion in front of the Tallinn East District Party Committee;**
- ■ ■ **an explosion at the monument of the former President of Estonia Konstantin Päts in Tahkuranna, Pärnumaa.**

According to the confession B. Sleptsov carried out the last two explosions together with an active member of the Interrinne movement Pjotr Rozhok who personally organised both explosions. B. Sleptsov as well as several other members of the Interrinne task force received special training at the Pihkva Marine Regiment for executing the acts of sabotage. The explosives that were used in the explosions came from the same source.

As the crimes confessed by B. Sleptsov had expired, the Security Police could not apply criminal liability to him. But in the present case there are two facts that are much more important than convicting: 1) the Estonian population and the international public received distinct answer to the question who organised and carried out the explosions at the beginning of the 1990s; 2) the guilty party publicly regretted his activity, admitting by this that he fought at the wrong side for the wrong cause.

In 2000 the systematic approach to proceeding criminal cases and the extensive surveillance work proved to be especially successful at detecting explosions that took place in Tartu at different times.

Thus, a criminal case initiated by Tartu Police Prefecture on 30 October 1997 on the explosion of the explosive device behind the door of apartment 10 in Tiigi Street 59, Tartu, on 20 October 1997 at 01.20 a.m. The explosion caused damage and property loss to the owner of the apartment, to his neighbours and to the Tartu City Government (the owner of the dwelling house at 59 Tiigi Street). On 28 February 1998 the proceeding was interrupted, as the person who committed the crime could not be identified. On 11 May 2000 the Tartu Prosecutor's Office forwarded the criminal case to the Security Police and the proceeding was renewed.

The preliminary investigation ascertained that the explosion was carried out by Deniss Romanov, formerly punished for crimes against property, who tried to extort 3000 kroons from Aleksandr Korolkov in Tartu in September-December 1997. To accomplish his purpose D. Romanov beat A. Korolkov and inflicted him bodily injuries. When physical violence did not give results, he exploded a self-made explosive device behind A. Korolkov's apartment door. The loss caused to A. Korolkov and to his three neighbours was 19.000 kroons and the loss to the owner of the house, the Tartu City Government, was 15.000 kroons.

The circumstances of the explosion in Kastani Street 90, Tartu, that took place on 22 August 1996 at 02.45 a.m. were disclosed. The explosion was carried out by Rudolf Nesterov and Roman Gribov according to an earlier agreement. R. Nesterov threw the explosive device into the premises of the store of car spare parts, owned by Arep Ltd., with intentional purpose to destroy the property, and the explosion caused extensive damage to the store.

The organisers (Lars Laas and Alfred Paulson) and the executor (Pavel Kadykov) of the explosion that was carried out in October 1998 with the purpose to extort 2.400.000 kroons from the inhabitant of the Tartu County Daimar Elp were identified. Lars Laas illegally acquired at least 4 kilograms of ammonite 6ŽV,

an explosive used for civil purposes, and 20 dischargers ED-8Ž, which he stored in his place of residence in Elva and handed over to Pavel Kadykov in October 1998. The latter used the explosive, the dischargers and a blue-red-white three-core insulated cable to make the explosive device, which he himself exploded under the mini-van "Volkswagen Transporter", parked near the house at Nelgi Street 26, Tartu, on 19 October 1998 at 11.45 p.m.

Special attention can be called to the two promptly detected explosions at the ground-floor grocery department of the "Stockmann" department store on 19 May 2000. The guilty parties were taken to court quickly. Nobody was injured in the first explosion (at 04.40 a.m.), as the department store was closed for the night. Besides property damage, four persons - a security guard of the store and three clients, one of them a 2-year-old child - who were near the epicentre of the explosion were injured in the second explosion (at 10.54 a.m.). The total material loss that was caused to Stockmann Ltd. by spoilt and damaged food and wrecked inventory (shelves, security cameras, etc.) was 270.860 kroons.

As the explosion was carried out in a public place, one of the first versions was that it could have been a terrorist act. However, as a result of the operative and effective surveillance carried out by the Security Police, it became evident that the motivation of the explosion was to extort 2.000.000 kroons from the department store. The preliminary investigation identified the two executors of the crime (Nikolai Bobrov and Deniss Balynski) and an accomplice (Maria Kashirova). Charges were brought also against Igor Grechkos who had sold them the explosives and Andrei and Ruslan Berezin who mediated the sale.

It must be mentioned that the successful proceeding of this explosion and the prompt identification of the criminals was possible due to effective work of the Security Police, on the one hand, and due to successful co-operation between the Rescue Service, the Police Boards and the Security Service ESS, on the other hand. Although at first the public was not satisfied with the activity of ESS in the Stockmann Department Store, the further activity of the board and the staff of ESS was very professional and assistance to the Security Police was thorough.

Detering explosions is the top priority for the Security Police Board. This kind of aggressive tactics in organising surveillance and in proceeding criminal cases has been successful, as is demonstrated by the following examples.

In January 2000 in Tartu the Security Police arrested Pjotr Kalatshov, Dmitri Simonov and Alar Saks who had a 500-gram packet of plasticide and 3 dischargers on them.

After successful surveillance the Security Police arrested the inhabitants of Tallinn Dmitri Kirilets and Anatoli Klimovich in February 2000 for plans to explode Abulfat Zamalov who was illegally staying in Estonia. Charges were brought against six people in connection with 970 grams of hexogen, an explosive forbidden for civil purposes, that was found in the course of investigation from the Löwenruh Park at Mustamäe, Tallinn.

On 20 July 2000 Aleksandr Ivchenko was arrested after a self-made explosive device was found in his car "Mitsubishi Lancer" in the course of search. Charges were brought to A. Frunze and A. Ivchenko.

On 11 May 2000 at Ida-Virumaa the officers of the Security Service arrested a group of four persons who produced and sold remote-control explosive devices. As a result of surveillance operations, a transaction was frustrated that, had it been successful, would have brought into the hands of the criminal leader Gennadi Voronin one of the most professional time bombs ever produced in Estonia.

Cases that end with unsatisfactory results for criminals, are very dangerous for the Security Police also, and they require prompt action. In this way the Security Police identified the criminals Vitali Shevchenko, Roman Smirnov and Sergei Vtornikov, who threw a self-made explosive device that did not explode into the apartment of a drug dealer Liivi Aksjonova in Jõhvi on 30 January 2000.



## COMBATING CORRUPTION

In 2000 two legal changes took place in the anti-corruption combat that are important for the Security Police. The priority and main trend of the Security Police was detecting corruption of high officials and, in addition to that, detecting and preventing occurrence of corruption and other offences in office. The legislator proceeded from the set priority and adopted amendments to the Code of Criminal Procedure. The amendment to the *Code of Criminal Procedure* entered into force on 16 July 2000 and pursuant to that the pre-trial investigation of the cases concerning municipal officials, if such cases can be qualified according to Article 164<sup>2</sup> of the CrC. (corruption), does not belong to the Security Police's jurisdiction of investigation any more. The other major legal breakthrough is without doubt the Supreme Court's legal decisions accepted on corruption accusations.

On the more general level of the anti-corruption combat an amendment to the Government Act that entered into force in June 2000 should be mentioned. This amendment provides requirements for establishing internal inspection systems in the ministries, in their subordinate institutions and municipal govern-

ments. Responsibility for supervision over application of the internal inspection systems and their analysis is set on the Ministry of Finance. Effective application of the internal inspection units is very important in the anti-corruption combat. As the Security Police Board has observed ineffectiveness of the internal inspection systems in several government institutions, it presumes substantial analysis of internal inspection by the respective structural unit of the Ministry of Finance (as required in the Government Act), indicating the shortcomings and supervising their liquidation. The President of the European Court of Auditors Jan O. Karlsson, who visited Estonia in September 2000, pointed out the weakness of internal control as an important problem.

54 criminal cases on corruption were taken to court in 2000. This marks a significant progress compared with 1999. This figure shows more intensive work done by the Security Police in this area, but also continuing corruption in our society.

Preliminary investigation was conducted on:

- accusation of corruption (164<sup>2</sup> of CrC.) - 7 criminal cases;
- bribery (giving, taking and mediating) (164, 164<sup>1</sup>, 165 of CrC.) - 20 criminal cases;
- improper use of official position (161 of CrC.) - 4 criminal cases;
- intentional adjudication of the court decision not in correspondence with the law (169 CrC.) - 2 criminal cases;
- forgery of documents and use of forged documents that was made possible by illegal activities of officials (166, 186, 187 of CrC.) - 11 criminal cases.



10 criminal cases on smuggling, tax frauds, official disposessions and other crimes (76, 148<sup>1</sup>, 141<sup>1</sup> of CrC.) were taken to court. Violations of law at border guard and customs offices, also tax frauds and robberies in which corrupted customs-, taxation- and border guard officials took part belong into the last category. In 2000, 8 cases reached court decisions and 7 new cases were taken to court. Special attention should be called to the court decision on the so-called Solikamsk organised criminal group, revealing their illegal fuel business; 2 leaders of the group and 9 customs officers who assisted in violation of law were taken to court. The leader of the group was sentenced to 5 years of imprisonment, the customs officers received conditional sentences. In connection with tax fraud cases we must point out our co-operation with other state institutions, first of all with the Tax Board that represents the state as civil plaintiff in such criminal cases. In detecting border- and customs corruption we have effective co-operation with the Border Guard and the Customs Board officers.

Progress in the work of the Security Police and general judicial evaluation of anti-corruption combat could first of all be seen in the court decisions of the Supreme Court. The attitude towards the illegal activity of high state officials is becoming more strict as well. The relationship between *justice* and *justness* is becoming more balanced for ordinary people.

Illegal transactions with property and other kind of violations of office by officials of state and municipal offices is being reflected not only in the media or in gossip, but also in the court decisions.

The year 2000 fixed the court evaluation that a corruptive act consists in either receiving corruptive income by an official or in any other selfish purpose. It is important that the official does not necessarily have to receive direct material profit, it is enough that he/she fosters continuation of the business activities of the business enterprises where he/she himself/herself or his/her relatives have a share. As an example, we can present the criminal case of Rünno Johanson, Head of Vastsemõisa Parish at Viljandimaa. Another standpoint of the Supreme Court is that damage caused by offences in office can consist in blemishing the reputation of the particular institution, the department or the whole state, so the decision will be made by the court, not by the institution managed by the corrupt official. This standpoint is supported by the criminal cases convicting the former Mayor of Räpina Vello Ootsing and the former Tartu Customs Inspectorate officers, who received additional illegal/corruptive income from the customs warehouse that they were supposed to guard.

The Security Police is currently proceeding a criminal case that concerns violations of law in ARK (the Register Centre of Motor Vehicles), an institution subordinated to the Ministry of Transport and Communications. It appears that over the years reliable schemes of giving-taking-mediating bribes were worked out in ARK, and it turned out that the mediators of bribes were also state officials, among them the officials of the law enforcement agencies. Unfortunately this criminal case shows that corruption and other violations of law connected with it have started to take root in the opinion of people and a lot of people find bribery to be a natural phenomenon.

If we analyse the activities of the Security Police in 2000 related to disclosures of corruption in local governments we can bring as an examples the criminal cases against Aleksander Pahmurko, Assistant Chief of Tallinn Lasnamäe District, Rünno Johanson, Head of Vastsemõisa Parish at Viljandimaa and Vello Ootsing, Mayor of Räpina.

The criminal case of Aleksander Pahmurko is another example of corruption in Tallinn - a high municipal officer, taking advantage of his office, extorted a bribe from the director of one business enterprise operating in that district. A.Pahmurko the police in his illegal activity; he sent the police to an enterprise to

impose fines on any pretext or to take away the activity licence. After the first part of the bribe was given to A. Pahmurko, the rent contract was renewed and the police stopped its "raids" to the stores. On 23 October 2000 the Tallinn City Court convicted A. Pahmurko for extorting bribes and punished him with 2 years of imprisonment. Neither the Tallinn District Court nor the Supreme Court changed the assessed sentence.

One of the priorities of 2001 will be detecting corruption in state institutions. Great importance will be attached to inspection of the activities of the ministries, but the law enforcement agencies and the institutions that are responsible for collection of the state taxes will not be left out of sight either.



NUMERICAL DIVISION OF ARTICLES (138) THAT WERE THE BASIS OF ACCUSATION

34	CrC 164	(taking bribe)
20	CrC 161	(improper use of position)
22	CrC 165	(giving bribe)
10	CrC 166	(official forgery)
5	CrC 148 <sup>1</sup>	(concealing of income, refraining from taxes)
6	CrC 259	(misuse of power)
3	CrC 76 sec.3	(smuggling)
8	CrC 141 <sup>1</sup>	(dispossession by abuse of position)
6	CrC 162	(neglect of official duties)
3	CrC 148 <sup>1</sup>	(unsatisfactory organisation of accounts)
21	Other	(CrC 164 <sup>1</sup> , 207 sec. 3, 164 <sup>2</sup> , 170, 186)



NUMERICAL DIVISION OF ARTICLES (29) THAT WERE THE BASIS OF ACQUITTAL

7	CrC 161	(improper use of position)
2	CrC 162	(improper use of position)
4	CrC 164	(taking bribe)
4	CrC 165	(giving bribe)
3	CrC 148 <sup>1</sup>	(concealing of income, refraining from taxes)
2	CrC 166	(official forgery)
2	CrC 148 <sup>1</sup>	(unsatisfactory organisation of accounts)
1	CrC 170	(illegal arrest, taking into custody, detention)
1	CrC 164 <sup>1</sup>	(mediating bribe)
3	CrC 141 <sup>1</sup>	(dispossession by abuse of position)



NUMERICAL DIVISION OF ARTICLES (109) THAT WERE THE BASIS OF CONDEMNATORY SENTENCES

30	CrC 164	(taking bribe)
13	CrC 161	(improper use of position)
10	CrC 165	(giving bribe)
8	CrC 166	(official forgery)
2	CrC 148 <sup>1</sup>	(concealing of income, refraining from taxes)
6	CrC 259	(misuse of power)
3	CrC 76 sec.3	(smuggling)
3	CrC 141 <sup>1</sup>	(dispossession by abuse of position)
4	CrC 162	(neglect of official duties)
20	Other	(CrC 164 <sup>1</sup> , 207 sec. 3, 164 <sup>2</sup> , 186, 148 <sup>1</sup> )

OFFENCES ON OFFICE THAT THE SECURITY POLICE BOARD HAS TAKEN TO COURT AND THAT HAVE REACHED THE EFFECTIVE DECISIONS DURING 1995/2000.

## CRIMES AGAINST HUMANITY - COURT DECISION AFTER 54 YEARS

An application asking to investigate the circumstances of a murder committed a long time ago was registered in the Security Police on 11 November 1998. According to the application, Aleksander Sibul, hiding from the occupation authorities of the Soviet Union in the forest at Veriora Parish, was killed on 18 October 1945. The fate of Aleksander Sibul was similar to many of his generation: as a miller and mill-owner, held in great respect among local people, he seemed trouble for the occupation authorities already in 1940. He was not arrested, but his mill was nationalised. Both his land and his mill were returned to him during the German occupation, but he showed no wish to have anything to do with the new occupants, either, and he avoided mobilisation to the German Army. In autumn 1944, when the Red Army re-occupied Estonia, Sibul, afraid of repression, continued hiding in the forest of his home-parish, and waiting for the so-called "white ship" or liberation of Estonia by, or with the help of the western allies.

According to the estimation of the Security Police investigators, murdering a "forest brother" was merely one episode of a more extensive process and of the practice of the Soviet occupation authorities – to exterminate the group of people opposing to the occupation authorities, that is qualified to be a crime against humanity that does not expire in the valid Criminal Code. After the restoration of independence in Estonia, much has been said in the media and in public about brutal murdering of "forest brothers" who offered active or passive resistance, but there was no official judicial evaluation. Detecting of the murder that took place over half a century ago, identifying of the guilty party, and proving the person to be guilty was a complicated task.



*An Estonian forest - a home for "forest brothers" during many years, their battlefield and also the last resting place for many*

A decision had to be made on whether or not to initiate a criminal case. After the applicant's explanations, the next step was searching the archives that were left into Estonia after the State Security Committee (RJK) of the ESSR was liquidated and from where finding the necessary documentation has often been just a lucky chance. In addition to that, during the first weeks of investigation the investigators found the persons whose help in revealing the secrets connected with the crime committed was vital. The first hints about one potential murderer, still alive, were received, also information that Aleksander Sibul was probably not the only one killed by that person. The suspect can be connected with the murders of the "forest brothers" Alfred ja Aksel Pärl in Veriora Parish about a year later, on 27 October 1946. The name of the murderer was disclosed for the first time: Karl-Leonhard Paulov.

Estonia's occupation authorities prepared top secret reports about the "achievements of purge" in Russian to their superiors in Moscow, using pseudonyms to tell one agent from another. So, the murderer of Aleksander Sibul was called "Agent P" and the murderer of the Pärl brothers was "agent-bojevik" "Flash". The literal translation of this term would be "agent-shocktrooper". Since the middle of the 1990s, when the Security Police Board started the preliminary investigation of war and anti-humanity crimes committed by Soviet occupation authorities in the 1940s and the 1950s, the Estonian equivalent used for the Russian term "agent-bojevik" has been agent-murderer (sometimes also "agent-exterminator") that best expresses the essence of the tasks and activities of that particular type of agent.



The only present source of knowledge that explains the concept of *agent-bojevik* is "Kontrrazvedyvatelnyi slovar" ("Counter-intelligence Dictionary"), the top secret publication of 371 pages, published in Moscow in 1972 by the Scientific Publications' Department of the F. E. Dzerzhinski Red Flag High School of the State Security Committee at the Cabinet Council of the USSR. A copy of this publication is preserved in the Estonian National Archives' State Archives Department at 16 Tõnismägi Street, Tallinn. The second entry word in this dictionary, page 7, is "agent-bojevik" with the following explanation (translation from Estonian):

"Agent-shocktrooper" – *an agent of the State Security Body who executes special tasks, using battle equipment. Agents-shocktroopers are usually recruited from amongst the Soviet patriots who due to ideological convictions are ready to carry out acts endangering life and who possess the necessary preparation and imperative characteristics. Members of opposing reconnaissance-sabotage groups and nationalist groups who have been captured and recruited by KGB bodies can be used as well. In the 1940s and the 1950s agents-shocktroopers in the Baltic States and Western Ukraine were usually recruited*

*from amongst the members of underground nationalist groups. If it is expedient, agents-shocktroopers are joined to agency battle-troops. For KGB counter-intelligence units at the Cabinet Council of the USSR agents-shocktroopers stand first of all for reserve that will be used in the combat against opposing reconnaissance-sabotage groups and nationalist groups during a specified period and during war-time."*

Of the eight types of Soviet State Security Bodies' agents listed in the dictionary the agent-shocktrooper was the only one executing special tasks and using battle equipment for this purpose. Agents-murderers were considered to belong to the most valuable agency. They acted under direct subordination of the high officials of the security organs, mainly heads of departments and their assistants. Agent-murderers under the subordination of the heads of security of rural districts usually operated within their own or within the neighbouring territories, while the agents of the Central Department could be sent to any spot within the territory of the Estonian SSR.

In reality the "special tasks", referred to in the "Counter-intelligence Dictionary", meant systematic murdering of aversive persons who opposed the occupants' regime or concealed themselves. Such solution was much easier for security organs than to carry out investigation and take these persons to court; it was also the final solution to the problem. Murders helped to cover up violations of law in the activity of the security organs, as it was almost impossible to prove afterwards whether the murdered persons were guilty or innocent.



*Significant witnesses of the crimes, committed in the name of communism, from half a century ago*

This is a fact that expresses the anti-humanity actions of the occupation authorities in particular: civilians concealing themselves were murdered in connection with political repression and without any investigation and judicial decision. That is why the actions of agents-murderers should be considered to be crime against humanity, as a subdivision of international crimes.

Here the security service report on Aleksander Sibul's murder can be presented as an example:

*Continuing the liquidation process of the bandit groups and individual bandits on the territory of Võrumaa, the task force of SARK-RJRK (SARK – People's Commissariat of Internal Affairs; RJRK – People's Commissariat of State Security) has carried out agency operation with the purpose to exterminate physically an armed bandit, a former active member of the Veriora Parish Self-Defence unit Aleksander SIBUL. According to agency data, bandit Sibul, having lost hope for the restoration of bourgeois power in Estonia, has decided to change over to terrorism against Soviet authorities. On 18 October this year, on the command from the*

*task force, agent "P" invented a reason to leave bandit Sibul's bunker and asked the latter to show him the way. On the way agent "P" killed bandit Sibul with a pistol. The latter's dead body has been identified, the person of bandit Sibul has been identified. A machine gun and a rifle were found in Sibul's possession.*

This means that the task force for exterminating "forest brothers" on the territory of the then Võru County, composed of employees and soldiers of SARK (the forerunner of the Ministry of Internal Affairs) and RJRK (the forerunner of KGB), continued its activities in October 1945. The duty of the task force employees, using the assistance of informers and agents, was to find out the locations of "forest brothers" (or "bandits" in the usage of the occupation authorities) and allure the latter into ambush, arrest them or kill them. The task of the soldiers was to participate in raids or ambushing. In doing so, the security service made no difference between the persons hiding in the forests and the persons offering active armed resistance. As the "plan" had to be accomplished, the data reported was often false, as on Sibul, who was referred to as a particularly dangerous armed criminal. According to the statements of the witnesses and the documentary evidence, this was not true.

According to the explanations of the eyewitnesses, the person who lived with Aleksander Sibul and took his dentures for identification of the dead body to the local Head of Executive Committee was Karl-Leonhard Paulov. Even more detailed description was received about the murder of the Pärli brothers. After comparing the reports and the statements of the witnesses there was no doubt that Paulov was the murderer. The fact that no investigation was initiated on the murders in 1945-1946 also indicated at "sanctioned" murders.

On 11 December 1998, on the basis of the collected information, the Security Police Board initiated a criminal case on the murders of three "forest brothers" – Aleksander Sibul, Alfred Pärli and Aksel Pärli – on the basis of Article 61' section 1 of the Criminal Code. The investigation represented not only uncovering of the three murder cases, but in a sense also an assessment of the activities of the agents-murderers of the Soviet occupation institutions in general.

More than 30 files that could contain information concerning the events under investigation were searched in the National Archives only. Lists of the former employees of occupation bodies and the potential witnesses were drawn up on the basis of archive data were compared with the data of the address bureau to identify people who might still be alive. Constant changes in security organs' personnel during the period of interest added to complications – the heads of departments changed almost every year, not to mention increasing personnel. At the end of 1946 the SARK's subdivision of BVVO (BVVO – the Department of Anti-bandit Combat) of Võru

County consisted of 15 people, most of them born in Estonia. By the time of investigation almost all of them had either died or left Estonia. The most serious problem was, is and will be the fact that the documentation that would allow to identify the agents (suspects) is not entirely within the reach of Estonian investigators: it is either destroyed or in the Archives of the Special Services of the Russian Federation together with other materials that were taken away from Estonia in 1991.

The investigators ascertained on the basis of documents that the national armed resistance movement after the re-occupation of Estonia in 1944, aimed towards occupation authorities of the USSR, was referred to as *political banditism* by the occupational institutions. Until February 1947 combat against political banditism, called *liquidation of banditism*, was strictly the function of the Anti-banditism Combat Department of SARK/SAM (SAM – Ministry of Internal Affairs) of the Estonian SSR. According to Soviet legal terminology, a bandit was an armed member of a certain group consisting of two or more persons who had been organised with the purpose to attack state and public objects or individuals. But occupation authorities as well as people were well aware of these acts being caused by disobedience to the alien power and the desperate situation.

In July 1945 the *combat against banditism* became more aggravated and in connection with that a BVVO subdivision was established at the ESSR SARK Department of Võru County (Veriora Parish was a part of that county). An officer in the rank of captain, Ukrainian by nationality, was appointed Head of the Subdivision. As the *bandit groups* became more active in the Võru County in summer 1945, the plan, approved by the highest leaders of SARK-RJRK of the Republic, was to send a task force of 7 members together with 300 soldiers and officers from the 138th Rifle Regiment of SARK to Võru County. The head of one subdivision of SARK was appointed general leader of the task force. The respective employees of Võru County Departments of SARK and RJRK were obliged to establish an

agency that would have *close access to bandit groups*, i.e. they had to recruit internal agents. This took place according to the Decree of SARK-RJRK of the ESSR of 4 Sept. 1945 that commanded to carry out the order of Lavrenti Beria, the Marshal of the Soviet Union, to liquidate quickly the anti-Soviet national underground movement and its armed groups by uniting operative potentiality with agency work. Aleksander Sibul became a victim of an agent who was recruited in the course of one such campaign. Agents-murderers represented *qualified agency* under direct subordination of the Heads of SARK Departments or their assistants.

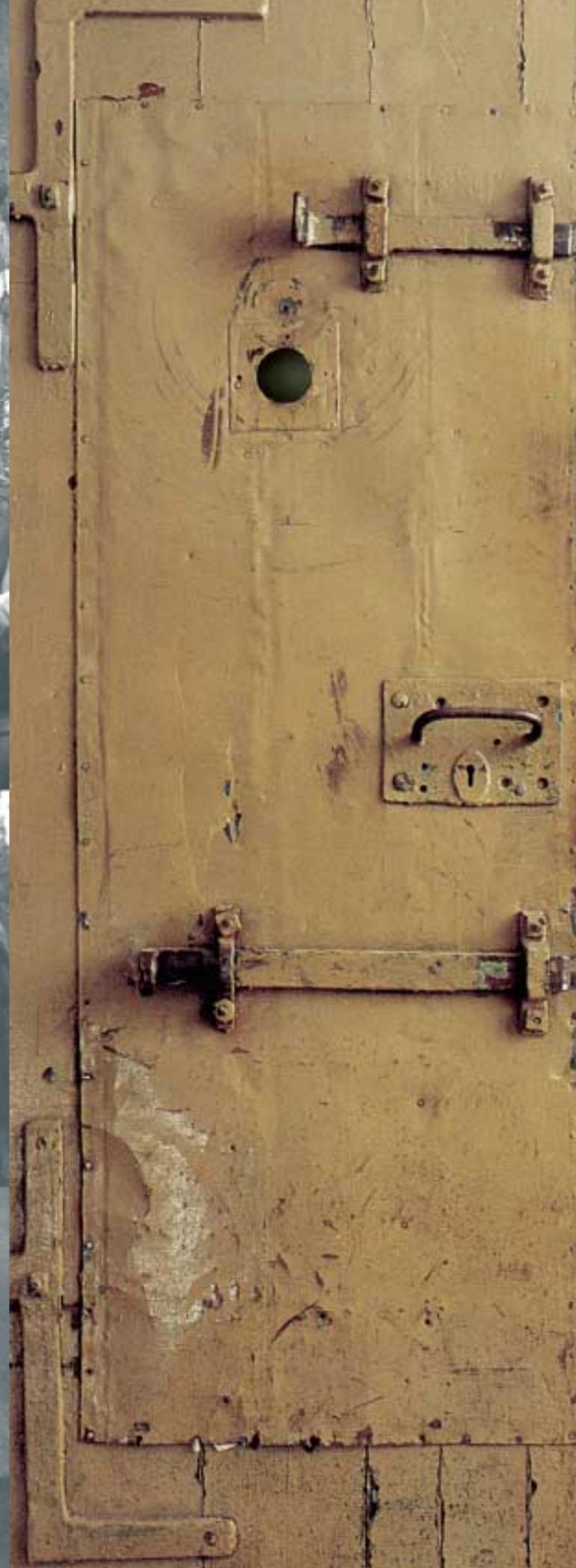
Revealing the murderers of "forest brothers" was possible only due to a careful analysis and comparing documents and witness-statements. Among other facts, the person who directly took part in the events that preceded the murders of Alfred and Aksel Pärli was identified. Due to the time passed, contradictions in the statements of the witnesses had to be precluded by additional hearings and by connecting the statements with the existing circumstances.

By February 1999 there was enough evidence to admit that Paulov was a suspect. Relying on photos at the investigators' disposal, it was attempted to portray the person of 75-year-old Paulov and to find out what preconditions made him choose the blood-covered road of an agent-murderer. According to the statements of the persons who knew him, he was a man who gained credit with people by lying and fawning and then murdered them, shooting from behind. Problems in youth with alcohol and stealing turned most people of Paulov's home-village Viluste against him already then. Among other things he used to filch his father's money in the dairy. During the war he served in the Self-Defence Unit at Peipsi and on this ground it was easy for the security organs to corner and recruit him.

During his first years as an agent, in 1945-1947, Karl lived in the forests of his home-parish. At first he was considered to be a bandit even by local authorities, suspicions arose only when he started to threaten everybody with "bodies". Since 1948 Karl lived in Tallinn where his connections with security service continued at least provisionally: it is known that in July 1948 Paulov together with two other agents was sent to a forest in Pärnumaa to capture Ants Kalju-rand, the chief of "forest brothers". As other members of this group had decided to quit service in security organs and join the "forest brothers", Paulov fled, leaving behind his accordion that was later compensated for to him by security bodies. Without a real profession, having been to school only 6 years and apparently having been left without actual support of security bodies, Paulov thereafter worked in different places as janitor, painter, at various odd jobs, holding out at one place of work a year or two on an average. He retired in 1987, having become a chronic alcoholic, degenerated and lost his home, having to live in a hostel.



Калыоранг  
А.С.Ю.15/72



Agent - murderer Karl - Leonhard Paulov, who insidiously murdered three "forest brothers", waiting for the court decision



On 25 March 1999 Paulov was attested to be a suspect; on interrogation he acknowledged to have killed the Pärli brothers, but denied the killing of Sibul and any activity as a security service agent. Investigators did not find it necessary to take him into custody, taking into consideration information about Paulov's intentions, his age and state of health. Medical and forensic-psychiatric examination proved that he was capable of taking part in the legal proceedings.

Readiness to bring charges was achieved on 7 July 1999 and in the same month the Põlva Prosecutor's Office verified the indictment. Karl-Leonhard Paulov's arguments were rebutted by his own interrogation record from 1948, where he admits to have carried out the task given by security organ, namely to find out and liquidate opposing groups, by the statement of an anonymous witness "Harri" and other evidence.

Legal proceedings in Paulov's case took almost a year and the court decision that took effect is a unique precedent in the whole Eastern Europe that was formerly occupied by the Soviet Union. Besides the wronged persons, 14 witnesses took part in the proceeding. However, not everything went smoothly in the process of reaching just punishment for the agent-murderer. Põlva County Court as a court of the 1st instance discussed the criminal case on 24 August and on 18-19 October 1999. The accused was sentenced to 8 years imprisonment on 26 Oct. 1999, but as the Court re-qualified the crime from a crime against humanity to murder on the basis of Art. 101 clause 1, the guilty person was freed from punishment immediately in connection with the bar to prosecution by lapse of time. On 13 Dec. 1999 Tartu District Court did not alter the decision, specifying that Paulov is guilty of murdering the "forest brothers", but is not guilty of crimes against humanity.

The Supreme Court annulled both decisions on 21 March 2000 and sent the case to Põlva County Court for a new discussion. On 29 June 2000 the Põlva County Court convicted Paulov of crimes against humanity and inflicted a penalty of 8 years imprisonment in a closed prison. Paulov remained free for signature until the deci-



sion became effective. Already on the day following the decision the Russian newspaper "Kommersant" made a propagandistic statement that Paulov can rely on political support from Moscow: *"It is possible that Russian authorities will stand up for Paulov just as they did for the red partisan Vassili Kononov who was convicted in Latvia. All the more possible, as more and more Russian authorities come from that government office."* However, the following course of events demonstrated that the authorities of Russian Federation did not even bring the subject up, not to speak of standing up for Paulov. In Estonia this fact is interpreted as Russia's tacit acknowledgement of Stalinist crimes that were committed here.

On 11 July 2000 Karl-Leonhard Paulov's lawyer appealed the condemnatory sentence to Tartu District Court, asking to annul the sentence passed on 76-year-old Paulov or to turn the punishment into conditional sentence. On 5 Oct. 2000 the Tartu District Court did not alter the decision of the 1st instance court and on 6 Dec. 2000 the Permit Council at the Riigikogu did not grant permission for further proceeding. Thus, the 8-year imprisonment remained in effect. On 19 Dec. 2000 the Tallinn Police arrested the former NKVD agent-murderer Paulov, convicted of crimes against humanity, and took him to prison to serve his sentence on 20 Dec. 2000, on the Chekists' Day.

54 years 2 months and 22 days after his last ascertained crime against humanity the just sentence hit the murderer. With this condemnatory sentence, passed on the agent-murderer Karl-Leonhard Paulov, the legal system of democratic Estonia actually gave condemnatory assessment to all secret service agents recruited by the Soviet occupation regime in the post-war years, who murdered scores of "forest brothers" and innocent people. Currently the Security Police Board is proceeding criminal cases against two more former agents-murderers.