



SECURITY POLICE
OF THE REPUBLIC OF ESTONIA

ANNUAL REVIEW 2008

SECURITY POLICE ANNUAL REVIEW 2008

TABLE OF CONTENTS

Foreword by Director General	04
COOPERATION AND PUBLIC RELATIONS	06
COUNTERINTELLIGENCE	08
DISCLOSURE OF HERMAN SIMM'S TREASON SCHEME	12
Treason	12
Traitor	13
Employers of the Traitor	15
Punishment	18
Learnt Lessons	19
PROTECTION OF STATE SECRET	22
PROTECTION OF CONSTITUTIONAL ORDER	24
"Compatriots" as a Tool of Russia's Foreign Policy	24
Extremists Supported from Russia	26
Left-wing and Right-wing Extremists	29
RUSSIA'S INFLUENCE ON ECONOMIC SECURITY OF ESTONIA	32
PREVENTION OF INTERNATIONAL TERRORISM	34
Foreign Islamic Organizations in Estonia	35
Developments in Estonian Muslim Community	36
Financing of Terrorism	36
Prevention of Illicit Traffic of Strategic or Dual-use Goods	37
Removing Explosives from Illegal Circulation	38
Detection of Explosions	41
Securing State Visits, Persons under Defence and Public Events	43
Judicial Decisions on Illicit Trafficking of Firearms in 2008	44
COMBATting CORRUPTION	48
Corruption Connected with Execution of Non-proprietary Tasks in Public Sector	48
Corruption Connected with Use of Budgetary Instruments and State Assets	49
Corruption in Local Municipalities	50
60 YEARS FROM MARCH DEPORTATION	51
The Soviet Occupation Powers' Large-scale Operation "Priboi" (March 25 –29, 1949)	51
Criminal Cases on Deporters Proceeded in the Security Police in 1995–2008	53



Raivo Aeg, Director General of the Security Police Board.

Dear reader,

I am honored to greet you and present you our regular Annual that gives overview of the activities of the Security Police Board in 2008.

In 2008 passed 15 years from re-foundation of the Security Police as an independent agency – last year marked changes in the management of the Security Police that are important from the viewpoint of the Service: Aldis Alus left after termination of term of office and Deputy Director General Fatislav Keivsar, who had been working in the Security Police since its re-foundation, retired. Without substantial contribution of former directors and veterans, who commenced the Service, our Board would undoubtedly be what it is now: a strong and professional special service

with experience and traditions, securing state security and public order appropriate to democratic state based on the rule of law, performing important role in guaranteeing security in Estonia, as well as in the European Union and NATO.

The main tasks of the Security Police have remained the same in the course of years: securing constitutional order and territorial integrity of the Republic of Estonia; anticipation and prevention of intelligence activities aimed against the state; protection of state secrets; combatting terrorism; disclosure of potential corruptive activities of high-ranking state and local municipality officials; ascertaining war crimes and crimes against humanity committed

during and after the II World War on the territory of Estonia; pretrial investigation of crimes, provided by legislation; and extrajudicial proceeding of misdemeanours.

The task proceeding from the Constitution of the Republic of Estonia – to secure the persistence of democratic Estonia with the help of all means of internal and foreign policy – is the foundation of Estonia's security policy. This is the essence of our everyday work.

As a security agency of the Member State of the European Union and NATO we have a great responsibility to anticipate and prevent (besides attacks aimed against the Republic of Estonia) also attacks aimed against the interests

of our partners. Experience acquired during last 15 years and interest allow us to be optimistic about executing these tasks in the future. The espionage case of Herman Simm, disclosed in 2008, which will probably go into the world's intelligence history, was a good example of high professional level of our agency. Disclosing traitors and bringing them to justice is an extremely complicated task for any state's special services, especially in contemporary world of technical possibilities, where it is easy to conspire and hide one's traces. This case is the best proof of the quality of our counterintelligence officials and our partner services have not ignored that.

The case of Herman Simm expressively displayed the necessity to protect state secrets. The volume of state secrets and circle of persons involved in state secrets has considerably increased with accession to international organizations. We consider especially important the mutual efforts of all state authorities in protecting state secrets and we are ready to share our knowledge in this field. This includes entrepreneurs, who very often do not recognise the dangers proceeding from industrial espionage. The Defence Forces Organization Act that took effect in 2008, provides that from 2009 the share of the Security Police in protecting state secrets increases significantly – our agency will carry out security checks in Defence Forces, as well.

Priority in protecting constitutional order was and is the prevention of threats proceeding from Russian national extremists and influential activity of Russia, aimed at instigating tension between different nations in Estonia.

In combatting corruption public attention was most attracted by criminal cases initiated in respect to high-ranking officials of several local municipalities. Regretfully, in connection with anti-corruption combat, several politicians have accused law enforcement authorities in being inclined and executing

orders. Once more I assure that the Security Police and other law enforcement authorities carry out tasks strictly pursuant to law. There are no legal acts imposing quotas or rations on criminal cases concerning parties or their members, or provided other distinctions in that matter. The aim of such unfounded accusations is evidently directed towards banning any procedures on party members – in other words, against the principle of equal treatment and state based on the rule of law. Our position is that corruption is like cancer, which is destructive in longer perspective and there can be no exceptions in fighting it off.

It would be best, if every citizen of Estonia comprehended that the security of both, the state and an individual, can be created and secured mutually.

Although the threat of terrorism in Estonia is continually insignificant and we are one of the least endangered areas in the European Union, we cannot pay less attention to potential risks proceeding from various extremist movements. Estonia is not isolated from the rest of the world and as a special service, we must keep up with what is going on around us, assess potential risks and threats, and prevent them, if needed. Preventive anti-terrorist measures and readiness to act in danger has been and is among the priorities of the Security Police.

In connection with decreasing risks proceeding from illicit handling of explosive devices, explosives and explosive substances we are glad to say that in 2008 there were no explosions in Estonia ending with casualties. The first campaign carried out in cooperation with the Rescue Board and the Public Prosecutor's Office, "Report explosives", which gave people possibility to hand over explosives in their possession without punishment, undoubtedly played an important role in this result. Similar campaign is planned in 2009, as well.

The year 2008 will go into history as a year of several important events that will, first of all, have influence on future, the most significant among these being perhaps the beginning of worldwide economic crisis. Nobody can predict the scope and results of the crisis on the world and on Estonia. Historic experiences indicate that difficult economic conditions, as a rule, complicate the internal security situation. Thus, the responsibility laying on the Security Police increases even more. Security is by no means anything that could be achieved ultimately and in a short time. It is a complex set of problems, and in order to be successful, it assumes co-

operation between all state authorities and also comprehensive support from Estonian citizens. It would be best, if every citizen of Estonia comprehended that the security of both, the state and an individual, can be created and secured mutually. Safety and security are often taken as granted, without thinking about it. Citizens do not usually notice the constant and extensive work in this field, or it is concealed behind the veil of state secret. What will not pass unnoticed is the absence of security and concurrent deterioration of living environment.

In conclusion I would like to thank in the name of the Security Police Board our cooperation partners in Estonia and abroad, and all law-abiding and orderly people in Estonia. I wish wisdom and countenance to cope with complicated problems ahead of us in coming years.

Wishing you interesting reading and pleasant cooperation,

Raivo Aeg
Director General
of the Security Police Board



Ceremonial meeting at Maardu Manor on June 18, 2008.

COOPERATION AND PUBLIC RELATIONS

2008 had an air of jubilee: 15 years from refoundation of the Security Police as an independent agency passed on June 18. Ceremonial gathering with colleagues and cooperation partners in the historic main building of Maardu Manor will definitely be remembered.

Following our tradition, two state officials, whose personal contribution and support helped to promote inter-agency cooperation and successfully secure legal order in the state, were awarded on the Police Day festive gathering by the Security Police. On November 12, 2008, according to the directive of the Minister of Internal Affairs, the Head of the Border

Guard's Southeast Region, the Border Guard Lieutenant-Colonel Tõnu Reinup was awarded an inscribed firearm. According to the directive of Director General of the Security Police Board, Chancellor of the Ministry of Defence

15 years from refoundation of the Security Police as an independent agency passed on June 18

Lauri Almann, who was leaving this post, was awarded with the Plate of Merit of the Security Police.

A very important area from the state's position, where success cannot be

achieved without professional, fluent and confidential inter-agency cooperation, is crisis regulation. In order to guarantee physical preparedness and material-technical ability for public structures and private enterprises, they need regular topical trainings and instructing. One reason is definitely the fact that in every organization there are some changes in staff during a couple of years, and trained and competent employees are replaced with new and unexperienced ones. Some more important joint trainings in 2008 deserve to be pointed out.

On March 17-20, 2008, the special unit of the Security Police Board

in cooperation with K-Commando trained in the framework of anti-terrorist combat, how to enter the planes belonging to *Estonian Air*, release hostages and detain terrorists. Despite the fact that Estonia is continually one of the few countries with low threat level of terrorism, the situation might change any moment and plane hijacking has always been among terrorists' favourite targets due to extensive media reflection.

On November 19, 2008, the Security Police Board participated in joint training "Kiirgus 2008" ("Radiation 2008") at Koidula border inspection point on eastern border, in the course of which was practiced the readiness of different agencies and acting in the situation of illicit trafficking of radioactive radiation source across the border. The Security Police Board also participated in the crisis regulation training, carried out for the Security Committee of the Government and other agencies by the Ministry of Defence on December 16 and 22, 2008.

In 2008, public interest and especially media attention towards the activities of the Security Police Board increased significantly (compared to previous years). The reason for this, above all, was disclosure of the treason case of Herman Simm that met active and emotional response, but also criminal cases initiated in respect to the high-ranking officials of several local municipalities and several other commenced or continued trials. The case of Herman Simm expectedly met active interest of international media. It is good to acknowledge that both, local and foreign journalists mostly reflected events connected with the Security Police objectively and neutrally.

From the negative aspect we should mention credulousness of some journalists (publications) and their low



The Plate of Merit of the Security Police Board to the Chancellor of the Ministry of Defence Lauri Almann.



Inscribed firearm to the Head of the Border Guard's Southeast Region Tõnu Reinup.

level of source-critical attitude towards the news, which was particularly pronounced in unchecked take-over and broadcasting of gag-news about "the farm of the Estonian SSR". Such credulousness and naivety is just the thing contributed by Estonia-hostile information war strategists in their well-concealed manipulation ac-

tivities. In September 2008, the mentioned gag-news gave Estonian people good opportunity to have a first-hand experience, how the masses are psychologically manipulated and how propaganda could intimidate, disturb and provoke us.



COUNTERINTELLIGENCE

Intelligence includes gathering and analysing information that is either secret or hard to access, more widely it means just covert information gathering. In the majority of intelligence services it is mainly done by the service's employees or intelligence officers, who work undercover. The usual cover is diplomatic status in the state's foreign representations, but it is not the only possibility. Many countries use officers, who work under non-traditional cover (as businessmen, scientists, journalists). Several intelligence services additionally deal with signals intelligence, or gathering information by means of technical measures.

Anticipation and prevention of intelligence activity aimed against the state, among this also protection of state

secrets, is called counterespionage or counterintelligence. Simply put, the purpose of counterintelligence is ascertaining, neutralizing and, if necessary, inhibition of the activity of foreign special services in the territory of the state. The utmost task of counterintelligence is to identify persons, who have contacts with the special services of foreign countries and who are instructed to gather information. Gathered information is not solely confined with state secrets, it also includes intra-agency or other sensitive data (e.g. personal data concerning private life).

Every country has its special services – intelligence services (mostly divided into civil and military intelligence due to their specifics) and counterintelligence service. Counterintelligence

services traditionally deal with securing the state's internal security and gathering information necessary for that. Typical fields of activity are counterintelligence, combating terrorism, guaranteeing constitutional order (combating political extremism), proliferation, but also combating corruption and crime, protection of VIPs, etc. Counterintelligence services have substantially greater choice of means for information gathering than intelligence services. This, of course, is due to the fact that they act risk-free within their own territory, taking maximum advantage of the state apparatus (control over state border, inter-agencies cooperation, databases, etc.).

In the Republic of Estonia, special services are called security services.

2008							
Сентябрь September September Septembre							
Неделя Week Woche Semaine	Понедельник Monday Montag Lundi	Вторник Tuesday Dienstag Mardi	Среда Wednesday Mittwoch Mercredi	Четверг Thursday Donnerstag Jeudi	Пятница Friday Freitag Vendredi	Суббота Saturday Samstag Samedi	Воскресенье Sunday Sonntag Dimanche
36	1	2	3	4	5	6	7
37	8	9	10	11	12	13	14
38	15	16	17	18		20	21
39	22	23	24	25	26	27	28
40	29	30					



According to the provisions of the Security Services Act the activity of both, the Security Police Board (counterintelligence) and the Information Board (intelligence), is aimed at securing persistence of constitutional order in the state by non-military preventive means, but also gathering and processing information necessary for shaping security policies and national defence. Considering Estonia's geopolitical situation, counterintelligence here denotes mainly detection, anticipation and prevention of influencing and intelligence activity proceeding from Russia. The treason case of Herman Simm once again distinctly pointed out that we cannot work without cooperation partners.

In 2008 Russian special services (SVR, GRU, FSB) continued intense activities aimed against Estonia. As Russia has nearly always considered NATO and its Member States (including Estonia) as a potential threat, it strives to be as well informed as possible about this military organization. This, in turn, causes increased interest of Russian special services in what is going on in Estonia. Foreign Intelligence Service (SVR) and Main Intelligence Directorate of the General Staff (GRU) are interested in a number of areas: internal, foreign, security, defence, economic, population, scientific and educational policies, but also energy security. It should be constantly beared in mind that Russia has restored its imperialist ambitions and is not eager to consent with a lot of in-

ternal and foreign policy choices made by Estonia. In order to prevent and counter Estonia's choices, or influence them in favourable direction for themselves, Russia constantly needs very good and updated intelligence and background information basically about everything. Obtaining such information for the leaders of Russia is the task of able and large special services, which do not economise funds or resources in executing their tasks.

The treason case of Herman Simm, which had lasted for years, and was disclosed by counterintelligence in the autumn of 2008, figuratively indicated special interest of Russian foreign intelligence and the risk it imposes to any agency or organization in the West. Defence and security information

received from Herman Simm could be used in diplomatic activities against NATO's expansion, and even more so in reinforcing Russia's defensive potential against NATO. Simm's treason activity harmed defensive potential of NATO and Estonia, and its time and money consuming reimbursement is ahead in coming years. As classified information about Estonia's military structures was to some extent dis-

quent event in Russia's foreign policy in 2008. Direct aggression towards sovereign neighbouring country concurrently with Olympic Games significantly changed the security situation in all countries neighbouring Russia, because armed attack against a neighbouring country once again became a reality in Russia's foreign policy arsenal. During the conflict in Georgia the Security Police ascertained arisen

planned into the Gulf of Finland, the Baltic nuclear power station project and Estonia's energy security issues as a whole.

In 2008, the third and largest Russian special service – the Federal Security Service (FSB) – extended its activities in Europe, first of all by sending official representatives to the increasing number of states. In one interview, the Head of FSB Nikolai Patrushev emphasized already in 2007 that although the agency is represented in 34 countries they want to increase the importance of international cooperation even more. FSB has the leading role in anti-Estonia subversive activity, because they have worked out a distinct strategy, how to harm Estonia and how to split Estonian society. Influential activity carried out via local minority communes and attempts to influence Estonia's internal policy are the most prominent and

Armed conflict with Georgia can definitely be considered the most eloquent event in Russia's foreign policy in 2008.

closed and compromised, several basic changes should be made in the area of internal security. Reorganizing security systems and intensifying counterintelligence is more complicated, because there is more to fend off than just conventional threats.

activity of Russian special services in Estonia. SVR was very interested in how Estonia supports Georgia and how Estonia and its partners respond to Russia's devastating invasion into Georgia.

Armed conflict with Georgia can definitely be considered the most elo-

As for other areas of intense interest to Russian intelligence in 2008 we could name the Nord Stream gaspipe,



important outside threats. Use of hostile and slandering propaganda, but also active measures could be detected in their influential activity in 2008.

The 2009 elections in Estonia will be yet another touchstone for Russian special services. According to the Security Police they have quite modest chances to force candidates on their payroll into the European Parliament and Riigikogu (the parliament of Estonia) with legal means and methods. Should both elections be a failure, it is quite probable that previously composed or used subversive projects (e.g. inciting application of territorial autonomy for Northeast Estonia) and attempts to harm Estonia's stability and reputation in the conditions of recession with other methods will be exploited.

Besides the abovementioned traditional counterintelligence activity,

distinct signs of intelligence activities aimed against Estonia in other fields connected with politics and defence forces could be detected in 2008, as was the case in previous years, as well. Thus, the Security Police has to prevent scientific and industrial espionage, because as a result of promotion of Estonia's scientific and development activities and more extensive international cooperation of institutions, the interest of foreign public and private agencies in our applied science has increased significantly.

As an example from 2008 we can bring a small enterprise operating in South Estonia, selling high technology samples developed by them to an enterprise operating in a major Asian country, hoping to extend their area of activity there. After receiving samples, Asian enterprise terminated all contacts and it can only be suspected what happened with the product onward.

This was a typical case of industrial espionage, which have taken place in Estonia in previous years, as well. Several years ago a similar incident had connections with the residency of a special service of Russian Federation.

Hoping to extend their clientele and regions of activity, entrepreneurs often do not think about the risks of science and technology intelligence. Such risks frequently split up into two: on the one hand, there is possibility of security risks directly aimed against Estonia as a state, and on the other hand, (very important for a businessman) enterprise's income forgone and/or patent of invention stolen.

In 2008 the Security Police Board ascertained that besides the usual activity of Russian special services in Estonia, the number of several other countries' services acting legally on borderline was increasing.



DISCLOSURE OF THE TREASON SCHEME OF HERMAN SIMM

On May 26, 2008, the Security Police Board initiated the criminal case on investigation of the activity of Herman Simm on the basis of information collected and analyzed by counterintelligence, referring to treason by Herman Simm. Simm had worked on the post of deputy advisor in the Ministry of Defence until March 31, 2008, and had access permits to top secret level state secrets of Estonia, as well as to classified foreign information until May 13, 2008. On May 26, 2008, there was enough material for initiating collecting evidence in the criminal case. The Surveillance lasted till September 2008, when Herman Simm and his wife Heete Simm were detained as suspects.

Treason

In the course of preliminary investigation the following facts were ascertained.

From summer 1995 till detention on September 19, 2008, Herman Simm collected, with the aim to communicate in different European countries to the officers of the Foreign Intelligence Service of the Russian Federation (SVR) the following materials:

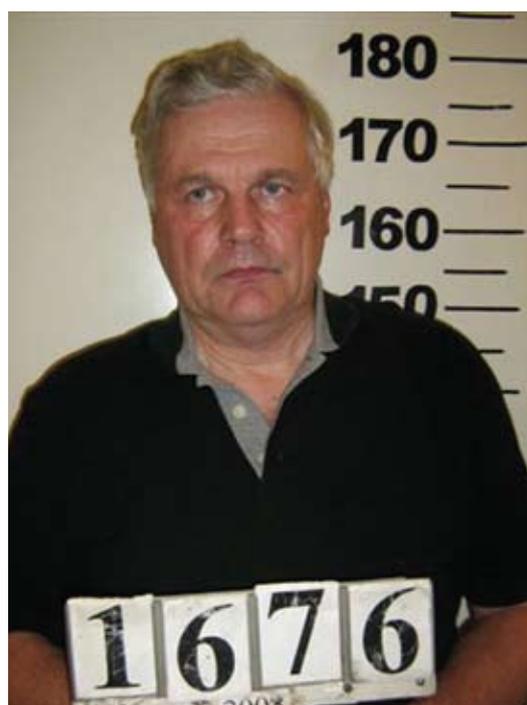
1) State secrets concerning Estonia's foreign relations, defence policies, security agencies and infrastructures, and also data protection, altogether – at least 4 documents including restricted, 1 document including confi-

dential and 19 documents including secret level state secrets.

2) Classified information of foreign states and international organizations communicated to the Republic of Estonia according to international agreements, concerning information on communication and information systems, data security, intelligence, counterintelligence and defence policies, altogether

– at least 82 documents including restricted, 247 documents including confidential and 33 documents including secret level foreign information.

3) Personal data of persons living in the Republic of Estonia and other information, which helps foreign intelligence to harm the interests of the



Herman Simm in the house of detention on 19.09.2008.

Republic of Estonia, and detect and incline other citizens of the Republic of Estonia to treason.

Thus, pursuant to § 232 of the Penal Code (§§ 62, 63 and 73 of the Penal Code until 31.08.2002), Herman Simm committed treason – assisting a foreign state, an alien or a person acting at the request of a foreign state in non-violent activities directed against the independence and sovereignty of the Republic of Estonia, or collecting state secrets or classified information of a foreign state with the intention of communicating thereof, or communicates such information to a foreign state, alien or a person acting at the request of a foreign state.

In addition to the abovementioned, from September 1, 2001, till detention, Herman Simm collected with the intention to communicate to SVR contacts information, declared data for intra-institution use, concerning national defence policies of the Republic of Estonia, defence forces, international communication and security systems - at least 2,908 documents.

Thus, by such activity, Herman Simm, pursuant to § 243 of the Penal Code – committed collection of information classified as internal information and communication of such information to a foreign state, alien, or a person acting at the request of a foreign state.

Traitor

Herman Simm and his wife Heete Simm were detained on September 19, 2008. In the course of search in their home and summer-house the following items were found: documents marked as state secret; items, which

could be used as caches; cameras, memory sticks and PC containing pictures of documents communicated by Herman Simm. Loss proceeding from treason was assessed and preliminary investigation was carried out by the Security Police in cooperation with the NATO partners. Evidence collected in the course of international cooperation affirmed the long-term activity of Herman Simm. Proof collected against Herman Simm was mainly of IT-type evidence, supplemented with a smaller amount of proof collected by surveillance and statements of witnesses.

Herman Simm admitted his guilt right after detention. During the whole period of preliminary investigation he was cooperative, and despite his health problems behaved correctly and composedly in the house of detention.

Herman Simm was born in Suure-Jaani on May 29, 1947. His career in the militia system of the Ministry of Internal Affairs of the Estonian SSR began on November 5, 1966, as a third-rank militia official of the 2nd motorized platoon of the Single Motorized Operative Division of Tallinn Main Office of Militia. From the earlier life he possessed the 1st stage in épée fencing, category of sports referee and certificate of public sports organizer. On July 14, 1967, he was promoted Junior Sergeant and on April 29, 1971, he received his first rank of officer – Militia Lieutenant. In 1974 he became Senior Militia Lieutenant, in 1977 Militia Captain, in 1981 Militia Major, in 1985 Militia Sub-polkovnik and on July 5, 1990, Militia Polkovnik. With this rank his his career at the service of Soviet occupation powers ended.

In 1970, parallel with working, he graduated from an institution of higher education – Tallinn Polytechnic Institute – as a chemist. In 1976 the Senior Militia Lieutenant Herman Simm became the member of the Communist Party of the Soviet Union. According to the service record, Herman Simm deserved recognition 44 times during his 25 years of career in Militia: all three grades of the medal “For Impeccable Service”, the medal “For Service Bravery”, the badge “Exemplary Service in the Ministry of Internal Affairs”, the badge “Progressive Militia”, the jubilee badge “50 years of Soviet Militia”, 8 certificates of merit, 2 valuable gifts (cameras), 8 acknowledgements, 17 monetary awards, and twice his photo was on the honours list of the Ministry of Internal Affairs of the Estonian SSR. As for punishments, he received only 2 directives of reprimand by the Minister of Internal Affairs. One of these, on August 27, 1985, for the fact that his employment badge (together with the clothes, left on the beach at the Gulf of Pärnu) was stolen when he was swimming on August 23, 1985.

Stopping on Herman Simm's service in Militia so thoroughly is important, because it was as a young Militia NCO that he made his first step on the long road of treachery. In 1968 the 3rd Department of the State Security Committee (KGB) of the Estonian SSR contacted him in so-to-say routine manner. In 1985, when the Militia Sub-polkovnik Herman Simm had become the Head of the Militia Department of the Main Office of Extra-agency Guards Service of the Ministry of Internal Affairs of the ESSR, the KGB of the ESSR restored contacts with him and he became a confidant of security organs or KGB. New confidence relation

with security organs lasted until dissolution of the State Security Committee of the ESSR in autumn 1991, after re-independence of the Republic of Estonia. As a militia official, the essence of Herman Simm's cooperation was surveillance of the activities/moving about of foreigners staying in Estonia and contributing to observation at various events. Cooperation was greatly Simm's own initiative.

On October 5, 1992, the Deputy Director of the State Guards Service of the Police Board Herman Simm took an oath of conscience to the Republic of Estonia. On March 23, 1993, the order

man Simm didn't need time to answer affirmatively to SVR's cooperation proposition. Personal difficulties – leaving the Police and public pressure – were fresh in Simm's mind. New post in the state's defence structures with access to information, very intriguing from the point of view of foreign intelligence, suddenly opened promising future prospects to aggrieved and disappointed man. Thus, in his case, it was not a classic recruitment operation, but classic betrayal case (the so-called KGB informant became an intelligence agent of a foreign country). Intelligence history confirms that the best (and most long-time) agents act on ideological

general and high state awards has remained a dream) and money.

Herman Simm wistfully called the shoulder patches of Major General and Russia's decoration, promised to him by the SVR as an inspiration, as "Russians' fairy tale". The fact, however, is that the man, who choose the path of a traitor, believed these promises for a long time and hoped for their execution. The fact that such promises turn out to be false, clearly indicates total lack of interest of the SVR to ensure good and secure future for their agents (new dwelling place, pension, etc.). Russian intelligence had also given no consideration to the possibility of disclosure of the agent or to his potential rescue (one SVR officer came up with a very simple and schematic escape plan just in the course of a meeting, but claimed that in case of being caught he is not helped and is on his own). However, money paid for treason was not a fairy tale – Herman Simm received good money.

At the time of committing crimes Herman Simm worked on the following posts:

03.08.1995 – 11.08.1996
Head of the Information Analysis Bureau of the Defence Policy Department of the Ministry of Defence;

12.08.1996 – 31.01.2001
Head of State Secrets Maintenance Service of the General Department of the Ministry of Defence;

01.02.2001 – 31.05.2004
Head of State Secrets Protection Department of the Ministry of Defence;

01.06.2004 - 19.11.2006
Head of Security Department of the Ministry of Defence; Estonian National Security Authority;

20.11.2006-31.03.2008
Adviser to the Ministry of Defence.

Intelligence history confirms that the best (and most long-time) agents act on ideological or deeply personal motives.

of the Government assigned Herman Simm the Police Prefect of Harju County, and on December 2, 1994, Director General of the State Police Board. On May 19, 1995, he was released from office of Director General of the Police and assigned to the police reserve. On July 31, 1995, Herman Simm asked to be released from police service in connection with retirement.

The same year, in 1995, the former confidant of the KGB of the ESSR Her-

man Simm's long-term work for SVR indicates that he was not recruited with blackmailing and threats. His mixed motives to become a traitor should be emphasized: personal aggravation towards Estonian Police and the Republic of Estonia (after releasing from the post of Director General of the Police he was offered a post of deputy superintendent in Investigation Department of the Central Criminal Police), also outruling need for credit (the rank of



The dream of general's shoulder-patches can be disastrous.

Valeri Zentsov is a good example of how exservicemen of the Soviet Union, including former special service officers, are a threat to Estonia's security even 10 – 15 years later.

ESSR KGB officers might act in Estonia on request of Russian foreign intelligence agency, who manipulate with agents and trustees recruited in Soviet times. It is very difficult to disclose their existence and activity, because (opposed to Latvia and Lithuania) no lists of carded officers or agencies remained in Estonia after dissolving the State Security Committee of the Estonian SSR. Such lists were composed afterwards on the basis of indirect data and various documentation, and they will never be complete.

The Security Police Board has always had a position that giving residence permits to exservicemen of the former Soviet Union and Russian Federation would harm the security of Estonia and would conflict the idea of the Aliens Act and legal practice applied until the decision of the Supreme Court from October 24, 2002. The Security Police has also emphasized that from the viewpoint of the state's security such people might pose collective security threat. Thus, the possibility to refuse permanent residence permit to persons, who have been identified as a threat to the state's security individually, is not enough.

The Security Police Board has repeatedly informed the public that any kind of cooperation with the State Security Committee of the ESSR in the past could become the basis of blackmail, and has recommended to turn voluntarily to the Security Police in order to anticipate problems. The case of Herman Simm has once again confirmed the topicality of this threat.

Later, the SVR took a strategically reasonable step: the agent-handler Zentsov was replaced with agent-ille-

gal Sergei Yakovlev and meetings with the agent in Estonia stopped. Support to illegals' line in Estonia, proceeding from diplomatic representation of the Russian Federation, stopped at the same time. The officer of the Illegals Department of the "S" Center of the SVR's Main Office Sergei Nikolayevitch Yakovlev was a typical agent-illegal, merged into the society of a foreign country, acting as a citizen of Portugal Antonio Amurett de Jesus Graf. He led agent Herman Simm until the latter's detaining on September 19, 2008. As an intelligence officer, he demanded from the agent, besides collecting information about defence policies of Estonia, information concerning IT- and communication systems of the defence structures of the European Union and NATO that appears to be among the priorities of Russian intelligence.

Herman Simm communicated information to the SVR orally, as well as in the form of documents. Classic Russian intelligence methods were applied for communication with the agent. Herman Simm met with the SVR officers in different countries – 15 ascertained by now. During the last period of cooperation the main stake of conspiracy was put on the identity of Estonia as a Member State of the EU. The meetings were combined with Herman Simm's business travels and vacations. Behind traditional communication measures of Russian intelligence were the officers of the SVR Center. The traitor was paid for information in cash. During preliminary investigation the Security Police managed to prove income received in the amount of 1.3 million EEK.



Valeri Zentsov in 1997.



Russian spy Sergei Yakovlev.



Herman Simm as a young militia official and militia sub-polkovnik – during contacts with security institutions.

Punishment

On February 25, 2009, Harju County Court, pursuant to compromise procedure, convicted Herman Simm in treason and imposed a punishment of 12 years and 6 months imprisonment. As part of the compromise procedure payment of civil action in the amount of 20 million EEK and on behalf of the state and criminal revenue of over 1.3 million EEK, received for treason, was ordered.

The Public Prosecutor's Office terminated criminal proceedings on Herman Simm's wife Heete Simm on February 25, 2009. Surveillance preceding detention and items discovered in the course of search indicated that Heete Simm might have helped Herman Simm in treason, but evidence to prosecute Heete Simm was insufficient.

The speed of criminal proceeding in case of treason, especially in case of a long-term and extensive treason, is a vital factor, because all national public institutions, but also foreign partners

of the state and special services, whose interests were or could have been damaged by treason, wait for the outcome. Firstly, the reputation of the traitor's homeland is at stake. Therefore the solution of the criminal case of Herman Simm – conviction pursuant to compromise procedure together with a long-term punishment and payment order of civil action – is the best outcome for a state. Several factors were in favor of compromise procedure.

1. Compromise procedure is quick. Judicial decision will be reached in maximum one month since the suspect is prosecuted. Taking into consideration the court practice and procedures of general procedure in Estonia so far, proceedings of such a complicated and bulky criminal case could take up to one year already in the court of first instance.

2. Compromise procedure ensures sufficient punishment and civil action. In this particular case the punishment agreed was close to maximum (12.5 years imprisonment, while the absolute

maximum is 15 years) plus confiscating the property acquired by criminal means and the property belonging to the suspect to ensure civil action.

3. Compromise procedure decreases security risks connected with the court session. In judicial proceedings the proof presented assumes issuing access permits to foreign information for participants in court proceedings and this necessitates performance of security checks on such persons. Access to classified information in case of general procedure is given for significantly larger circle of people than in case of compromise procedure, and this in its turn increases the possibility that secret information could become public.

4. International judicial practice in similar cases – court proceedings in the Western countries have been closed court sessions and been quite short-time, e.g:

- a. Aldrich H. Ames – a counterintelligence agent of the CIA, who sold himself to the Soviet Union and later



Overview of the spy scandal in a Portuguese newspaper "Expresso" on 03.01.2009.

Russian intelligence, for 4.6 million USD all in all. Arrested on 22.02.1994 and the court judgement of life imprisonment, adjudicated as compromise procedure, entered into force on 28.04.1994 already.

b. Robert P. Hanssen – a counterintelligence agent of the FBI, who sold himself to Russian intelligence and who is considered the most dangerous traitor in the history of the United States. Arrested on 18.02.2001 and court judgement of life imprisonment, adjudicated as compromise procedure, entered into force on 13.05.2002.

The long-term punishment imposed on Herman Simm has several positive aspects. The traitor got what he deserved. Tense situation arising from detention of the traitor became clear both, to national and international public, because until judgement of conviction there is a lot of suggestions, suspicions and speculations. Rapid conviction of the treason suspect pursuant to criminal procedure also indicates professional and international level of the Security Police Board.

1. Conviction and imposing punishment took less than 6 months from the date of detention.
2. Speed and clarity make it possible to start elimination of internal and international damage caused by the traitor.
3. Intensive, quick and efficient international cooperation gave proof necessary for criminal proceeding.

Learnt Lessons

Interception of a traitor or foreign agent so that he/she could be prosecuted and convicted on the basis of high-quality proof is a very complicated task. It requires time, contemporary technical means, professional and experienced employees, international cooperation and some luck from the counterintelligence of any country. This is a concealed crime, just like for instance corruption, and its (fast) detection is hindered, on the one hand, by nowadays open world and, on the other hand, by all kinds of technical

means to cover one's activities and communicating collected information. The prerequisite of human intelligence is the utmost conspiracy – from the hirer as well as from the recruited. Damage is caused to the third party (in case of Herman Simm it was the Republic of Estonia and NATO). Intelligence always means using the most secret methods and most recent technical means.

In disclosure of the treason of Herman Simm, high-quality counterintelligence played important role. In assessing the damages caused by the traitor and unconfounding the results of treachery we constantly cooperated with the partners in NATO and in the European Union. The Security Police Board did not conceal the unpleasant fact of treachery from neither the public nor the partner services. On the contrary – in order to avoid similar cases in the future we have acted as open as possible in handling the case and this is quite unique in the world practice. It would probably never be possible to show the whole damage, caused to

Estonia and NATO, in numbers. Assessment of damages on various levels will be dealt with thoroughly also hereafter. Estonia's defensive ability (including information concerning development of cyber-defence, and radars and defence forces) was undoubtedly partially harmed. Much work done so far should definitely be reassessed or rebuilt, e.g. security systems, organization of work, information protection, etc. However, it should be mentioned that in Russia the main contractor of secret information betrayed by Herman Simm is usually the General Staff of the Army and its Main Intelligence Directorate (GRU). According to the Security Police the received information could have harmed NATO and Estonia significantly more in the capable hands of the military men, but it depended on the kindness of the chekists-counterparts of the SVR, how much information they wanted to share with the GRU.

In case of Herman Simm a lot of people undoubtedly asked, how could a traitor act for such long time. Herman Simm was employed by the Ministry of Defence on August 3, 1995. A routine background check was certainly performed, but nothing that would hinder hiring him to the post was ascertained at that time. It might be interesting to know that according to the State Secrets, Act in force, the Security Police had 10 days to perform security clearance. Nothing dubious was ascertained during posterior background checks performed in connection with access permit to state secrets. He performed his everyday duties carefully, and was punctual and demanding. If there is a valid suspicion or explicit evidence before issuing access permit to state secrets, the law provides possibility to refuse from issuing the permit. In case of Herman Simm there were no such reasons. According to the law, granting or refusing the access permit must

be motivated and affirmed, because refusal could be contested in court. Refusing the state secret permit would have meant for Herman Simm that he would have automatically lost his post in the Ministry of Defence.

Background check in itself is not a miracle remedy: the proceeding does not give a 100 % guarantee that a person will not work in favour of the enemy at some point. This is the first instance that allows to somewhat decrease risks, but it does definitely not totally exclude them. Herman Simm was not recruited at the time of security check. And, of course, a traitor does not notify national counterintelligence of such fact. Before accession with NATO it was checked, whether the state secret protection system corresponds to NATO's requirements. The experts found it did. No country has yet invented measures that would totally preclude treason. Such unfortunate cases have taken place in much larger NATO member states with a lot more experience and opportunities (and also in Russia), and such cases will probably occur in the future as well. However firm and contemporary the technical protection measures will be, human factor could never be excluded. From the position of Estonia and the Security Police Board, the most important aspect is that the traitor was finally detected. This is a signal to other traitors, whether present or future – one day you will be caught anyway!

A traitor usually acts under extreme conspiracy. And successful conspiracy presumes the smallest possible circle of people who know about what is going on. The people who knew about the activities of Herman Simm and who consciously helped him consisted of only himself and his intermediary.

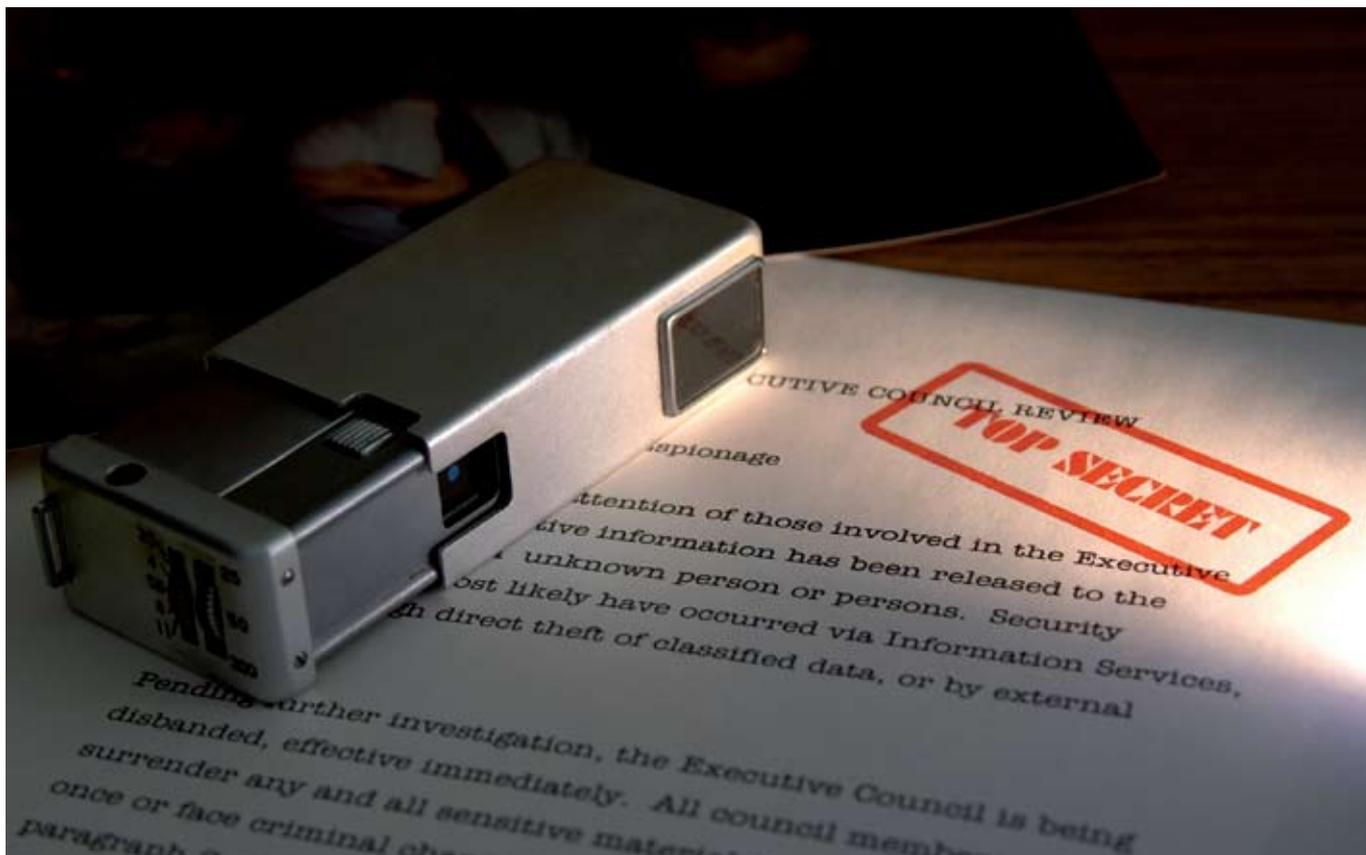
When we talk about Estonia's reputation, the impact of treachery is twofold.

In the eyes of general public, above all in the West-European countries, this case undoubtedly cast a shadow over Estonia. However, rapid criminal proceeding together with conviction of the criminal has sooner increased than harmed the reputation of the Security Police and the Republic of Estonia in the eyes of our partner services and security experts. Despite the fact that the whole incident was extremely undesirable, we learn and make conclusions from it, and secure the weak points of NATO security systems in Estonia that manifested themselves. In conclusion it is important to emphasize that besides massive experience the Security Police Board and its partner services received a lot of fresh information about the contacts and interests of Russian intelligence in Europe in connection with the espionage case of Herman Simm.

The Security Police Board thanks all observant and honest people who notified us of the cases, when the Russian under-cover agent Sergei Yakovlev contacted them or attempted to build up contacts in Estonia. We are continuously interested in every bit of information and hint that could help our counterintelligence to reveal persons who harm or threaten the security of Estonia.

Our contact number is +372 612 1400.





PROTECTION OF STATE SECRET

Training and consulting could be considered the most important keywords in the area of state secrets' protection in 2008. In connection with entering into force of the new *State Secrets and Classified Information of Foreign States Act* on January 1, 2008, the Security Police Board found it would be necessary to pay more attention to introducing the new Act. 53 schooling events concerning protection of state secrets, with more than 1,700 participants were held for various public departments and private enterprises during the year. However, as not all departments and enterprises, processing state secrets, have received sufficient training from the Security

Police Board after enforcement of the new Act, the volume of schoolings will be considerable in 2009, as well. The most confusing aspect in applying the new Act, raising the greatest number of questions, was marking on the medium the legal basis of classification of classified media.

No substantial infringements in observing the requirements on state secrets' protection were ascertained in 2008. However, the circle of persons, who possess authorized access to state secret (process state secret or will most likely process state secret in the future) is increasing constantly. On the one hand, the number of em-

ployees in private enterprises possessing state secret processing permit is increasing, as more and more enterprises are interested in participating in public procurements including classified information. Classified information should be processed in the premises of the enterprise, i.e. outside public agency's movables and immovables. Providing services to public agencies that include state secret, at least some of the employees of such enterprise must possess security clearance for state secret.

On the other hand, the number of security clearances increases due to increasing number of Estonian

citizens going to work at the posts in the EU institutions and NATO structures that assume possession of security clearance for the EU and NATO classified information. Every citizen of Estonia, who wishes to work in some EU institution or NATO structure, on a post that assumes right for access to classified information, must first cover security checks in the country of citizenship, i.e. in Estonia. Only after that the person receives certificate for access to EU or NATO classified information. Increasing number of security checks undoubtedly indicates that Estonian citizens are valued workforce at international level.

Great challenge at the beginning of 2008 was the *State Secrets and Classified Information of Foreign States Act* that entered into force on January 1, 2008, and accompanying necessity to explain changes in protection of state secrets to all persons processing state secrets. The challenge in 2009 is the *Defence Forces Organization Act* that entered into force on January 1, 2009, to take over from the General Staff of the Defence Forces security checks in the Defence Forces and National Defence League. Thus, from the beginning of the year 2009 there will be only two agencies that perform security checks: the Security Police Board and the Information Board. The Information Board performs security checks only for the persons running as a candidates for service or already working in the Information Board (except Director General and Deputy Director General of the Information Board), and for Director General and Deputy Director General of the Security Police Board, secretary

general, deputy secretary generals of the Ministry of Internal Affairs, and public prosecutors. In all the rest cases security checks will be the task of the Security Police Board.

At the same time, the General Staff of the Defence Forces maintains obligation to check conformity to organization requirements on protection of state secrets and accessibility of persons to state secrets in the Defence Forces and the National Defence League. As compliance with the procedure for access to state secrets, i.e. security checks on persons, who apply for access to state secrets, is one of the measures of state secrets' protection, the new organization of work assumes more active cooperation between the Security Police Board and the Defence Forces in the field of protection of state secrets.

In 2008, pretrial proceedings on a criminal case of infringement of state secret were completed. The Defence Forces officer Rene Toomse, who served as the commander of the unit ESTHUMINT-2 at NATO ISAF military mission in Kandahar Air Force Base, Afganistan, is suspected of forwarding classified information via non-encrypted E-mail to a person who had no access right to state secrets. He also left classified documents on the table in his workroom, enabling any third party, possessing no access right to state secrets, to get acquainted with classified documents. This behavior qualified under § 241 sec. 1 of the Penal Code – illegally communicating or providing illegal access to state the secrets. The criminal case is forwarded for further proceeding to the Public Prosecutor's Office.



PROTECTION OF CONSTITUTIONAL ORDER

“Compatriots” as a Tool of Russia’s Foreign Policy

An important line of work in the Security Police Board is to identify and prevent Russia’s influencing activity against Estonia. Unfortunately, the so-called Russian compatriots or Russians, living outside the territory of the Russian Federation, are becoming one of the most important leverage. The concept of the term “compatriot” does not coincide with the concept of the term “citizen of Russia”. Examination of the term compatriot indicates that this euphemism stands for the so-called fifth column or in other words – this is how naïve persons, influenced by imperialist ideology, not fully understanding the exact meaning of their activity, let themselves to be taken advantage of and become the target of manipulations, failing to form an adequate understanding of the world.

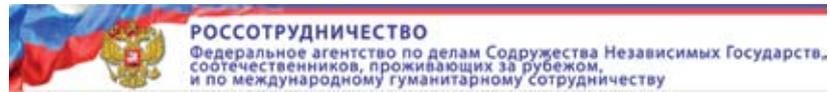
Russia’s activities are aimed at opposing Russians living in Estonia (more generally, everybody, not Estonian by nationality) and authority of the state. It is important to turn attention to the fact that protection of “compatriots” really means only decoration in front of imperial foreign policy. Although

state support should include everyone, whom Russia claims to be compatriots, Estonia’s experience has so far indicated that the actual attention is concentrated on individual leaders of local organizations, loyal to Kremlin. This is why the whole support (including financial) is in possession of chosen persons, who divide it as they please. The ordinary folk has so far received only beautiful promises.

Important milestones have been subordination of the Government Committee of Compatriots Living Abroad directly to the Minister of Foreign Affairs and establishment of Compatriots’ Department to the Ministry of Foreign Affairs in 2005, that commenced gradual reinforcement of the state’s control over “compatriots” policy, but also increase of the role of special services in anti-Estonia activities.

In 2006 the administrations or representatives of Russia’s “compatriots organizations” were still elected. Since 2007 tendency has deepened to cut out the elections as well as setting up candidates in coordination councils and administrations are approved without discussions. The public is hypocritically informed of concise discussion and democratic election of representatives.

Such performances mainly take place at “compatriots conferences” in Russia, that should represent the “compatriots community” of one country of residence or a joint representation of several countries of one region. There are always unexpected deviations from scenarios confirmed in Moscow that cause a lot of confusion. Thus, the too balanced coverage of the armed conflict between Georgia and Russia by the TV-channel *Pervyi Baltiiski Kanal* (PBK) caused disapproval in Russian compatriots activists living in Estonia, who publicly expressed it at the Baltic Regional Conference in Riga in August 2008. Interesting was the fact that on September 1, 2008, the chairman of Latvian Coordination Council Viktor Gushtshin sent to the Secretary of Estonian Russian Compatriots Coordination Council Andrei Krasnoglazov an official position of the Ambassador of the Russian Federation in Latvia that the Ambassador forbids to deliver to PBK the resolution concerning the events in Ossetia. Basically the Ambassador of the Russian Federation residing in Latvia was forced to block the unprompted activity of the activists in criticizing the media channel necessary for Russia.



Fund “Russki Mir” (“Russian World”)

Since 2006 compatriots policy is more and more shaped according to the so-called concept *Russki Mir* – a policy that emphasizes the principle of historic Russian region. This ideology strives for uniting Russians identity all over the world on the basis of culture, language, religion, etc. The fund “Russki Mir” was founded in June 2007, financed from Russia’s federal budget and private contributions. In autumn 2007 the fund began actively to participate in and support compatriots congresses. For instance, the fund financed with 30,000 euros the European Russian Forum in Brussels on 01.–02.10.2007, the main organizer being the leader of European Russian Alliance and member in the European Parliament Tatjana Zhdanok. This confirms that besides culture and language projects the fund finances distinctly political events. It should also be mentioned that the managing director of the fund “Russki Mir” is Vjatcheslav Nikonov – the grandchild of notorious Vjatcheslav Molotov and the advisor of the last chairman of the State Security Committee of the Soviet Union (KGB) Vadim Bakatin.

In 2008 the fund “Russki Mir” started intensive activity in Estonia, as well, financing several “compatriots” projects here. In Estonia some former officers of the special services of the Soviet Union and several extremist politicians are connected with this fund – e.g. the member of the Russia’s Worldwide Compatriots Coordination Council

and the Russia’s Compatriots Coordination Council in Estonia Andrei Zarenkov and the council member of the Pushkin Institute Andrei Krasnoglazov. On June 27, 2008, at the yearly Estonian Russia’s compatriots organizations conference, the journalist and former intelligence officer of the KGB of the Estonian SSR, the member of the Russia’s Compatriots Coordination Council in Estonia Vladimir Ilyashvitch performed as the representative of the fund “Russki Mir”.

Mir” officially claims that it does not intervene in politics, the opening of the representation in Tallinn directly indicated the dependence of the leaders of the fund on local Russian Embassy.

Rossotrudnitchestvo

In May 2008 the CIS Federal Board was founded in Russia that was renamed the Federal Agency of Humanitarian Cooperation of Compatriots Living in CIS and Abroad

Russia’s activities are aimed at opposing Russians living in Estonia (more generally, everybody, not Estonian by nationality) and authority of the state.

The opening of the representation of the fund “Russki Mir” in Tallinn took place on December 18, 2008, in the premises of the Pushkin Institute, 72 Maneeži Street. Presentation introducing the fund was held in the main hall of Rahvusraamatukogu (National Library). During the event the persons connected with the fund constantly tried to control information delivered to Estonian media. For instance, the journalists were recommended to coordinate journalists questions beforehand. The fund’s press release about the opening of the fund was pre-written and was not allowed to be changed, etc. Launching the activity of the fund’s representation in Estonia marks the beginning of the next step in Russia’s compatriots policies against Estonia. Via the activity of the fund in Estonia, several institutions of the Russian Federation can influence the processes connected with compatriots policy in Estonia. Although “Russki

(*Rossotrudnitchestvo*) on September 6, 2008. According to the Security Police Board the activity of this Agency will start to influence processes connected with Russian compatriots in Estonia from 2009, when the new Citizenship Act and Compatriots Act of the Russian Federation enters into force, and compatriots support programme for the years 2009–2011 will commence. It should be emphasized that the mentioned Federal Agency (as its predecessor *Rosžarubežtsentr*) has the right to establish its own foreign representations or use diplomatic officials of Russia. This means that all staff employees of Russia’s foreign representations (embassies, consulates) and the 185 employees of the Federal Agency assigned abroad (to embassies and foreign representations of the Agency), also the persons employed in the host country have permission to work for the Federal Agency *Rossotrudnitchestvo*.

Thus, it could not be excluded that from 2009, establishment of *Ros-sotrudnitchestvo*'s subsidiary in Estonia might be supported on the basis of the information center of the fund "Russki Mir" founded at the Pushkin Institute. The Federal Agency is funded directly from federal budget, not via the Ministry of Foreign Affairs. The main functions of *Ros-sotrudnitchestvo* are connected with the CIS, with Russian-language education and Russian culture, with popularizing of scientific-technical cooperation, Russian compatriots and humanitarian cooperation. Provision, according to which the Federal Agency should guarantee protection of state secret, is of interest, meaning quite probably that Russia continues its intelligence activities under cover of this Federal Agency.

Russian special services try to reorganize their activity, which means implementation of new means and coverings, and proportional increase of intelligence. In anti-Estonia (intelligence) activity the new Federal Agency means non-customary conspiracy in covering its activities. Russian members of cultural elite, intellectuals, scientist, and persons and politicians connected with the Pushkin Institute could be used (usually without their knowledge) for collecting and communicating to Russia various information for the purpose of utmost importance. Via compatriots policy and "private" funding, Russian agencies (among them special services) have significantly strengthened their control and influence over Russian compatriots – any democracy in their decision-making processes is excluded. The leaders of compatriots must be loyal to high-ranking Russian national officials and act exactly as they are told. Financial support is received and divided according to the same principles, as well. In its anti-Estonia activities Russia actively at-

tempts to take advantage of financial interests of Estonian businessmen. It is recommended to local compatriots more and more to turn to businessmen who do business in Russia, with the request to finance them. Tactics employed in that try to achieve the situation, where influential activity is paid for by Estonian tax payers, not Russia.

Developments in Russia's compatriots policy show the increase of Russia's ambitions in the world and especially in the Baltic States. If elsewhere in Europe attempts are made to mobilise Russian communities and realize support programmes, then in the Baltic States they are planning access to the European Parliament with one of the aims to acquire the status of an official language to Russian. In Estonia's context "the need to have successful cooperation with the governments of the host countries" probably means to bring pressure to the government via the structures of the European Union, where Russia's compatriots policy is not sensed as sharply.

According to the latest information Russia has decided to stake at the 2009 elections of the European Parliament an unexpected candidate Aleksei Semyonov. Although it is no secret that Semyonov is a member of the Constitutional Party, he has not yet proved himself in public as a politician. It would be all the more noteworthy, if Russia would selfishly betray Dmitri Klenski and the recent leading politician of the Constitutional Party Georgi Bystrov, who have propagated the ideas of the Kremlin in Estonia for a long time and self-sacrificingly, and starts to seek new alternatives. Aleksei Semyonov is a person with classic loyalty to Kremlin, who coordinates his activities and decisions with the wants of the financiers.

Extremists Supported from Russia

One of the greatest security risks for any country is internal scission, whether on political, national or religious grounds. Cleft in society makes the state much more vulnerable from outside. It is always initiated and intensified by various extremist movements.

Although most of the Russian-speaking youngsters have integrated into Estonian society, serve in defence forces, acquire the best possible education and participate in politics, Russian youngsters have grown up besides them, who, despite enjoying democratic freedom and knowing their rights as citizens, live concurrently in the information field of Russia's media and information channels fully or partly. This marginal part of Russian-speaking youngsters has, in their search of identity, totally orientated on Russia, and on dominantly imperialist and chauvinist values. The persons most influenced of foreign ideology and propaganda oppose themselves sharply to the state of Estonia, try to find sympathizers and seek for field of action. The more attention they receive, the more inspiration they get and at the same time increases the risk that their activities go to extremes.

All extremistically disposed Russian groups and individual activists currently acting in Estonia have been inspired by Russia's imperial propaganda and their activity is orientated towards ideologic and financial support received from Russia. They try to instigate national contradictions, playing their cards on historic days and different treatment of history, and support segregation of Estonian and Russian population (requests to give special status to Russian language and education, etc.). It is not



Unsuccessful attempt of instigating hostility – smeared wall of Tallinn Secondary School No. 53 at 42 Sütiste Street.

always possible to prevent fully the society-splitting activities of Russia-inclined groups and individual persons, whose activities balance on the edge of legal and illegal, because it would restrict democratic freedom. This is a paradox.

Last year the leaders of Russian extremists attempted to find new output, cooperation partners and financiers. Compared to previous years, in 2008 Russian extremists' were remarkably more active in using Internet for propagating their ideas. Two main reasons could be brought out: lack of supporters for actual activity (meetings, pickets) and court sessions held on participants of the April riot of 2007. Thus, the radical extremists under the label of "Notchnoi Dozor" (Night Watch), who lay claim to have extensive support of Russian community, managed to mobilize to the most important event of 2008 – celebration of the anniversary of the mass riot – only a few tens of people. On September 22, 2008, on the anniversary of the march-in of the Red Army to Tallinn, the "meeting" consisted of only a dozen persons.

Marginal movement "Notchnoi Dozor", with a small group of supporters, that strives to split Estonian society with every possible measure, deserved unproportionally extensive attention in Estonian media in 2008, in inverse proportion to its significance among Russian community. Characteristic to the group are internal contradictions between the leaders and decrease of outside support. In media (and via that, also in public) the main interest deserved random news picked up on the website of "Notchnoi Dozor" during weekends. The most remarkable example was panic among the Russian-speaking population in November 2007, brought into being from nowhere, concerning devaluation of Estonian kroon that was reflected in the press only after the bored activists of "Notchnoi Dozor" published this piece of "news" on their webpage. It was not the opinion of "Notchnoi Dozor", just an article consisting of entries picked up from various links. Statements summarized by "Notchnoi Dozor" had actually been made much earlier and had had no attention at the time.

It should be understood that most of the Russian extremist groups in Esto-

nia are mainly virtual Internet-based projects, which in reality have no supporters. The main activity of "Notchnoi Dozor" activists are the attempts to gain attention of Estonian press with news spread via their website. The greatest achievements are the cases, when some of Estonian politician bothers to argue with them.

A three-members (!) "New Generation Northwesterners Union" that "broke into" media managed to produce on their homepage altogether 11 statements from various areas in 2008. One important area they emphasize in these statements is education and they try to manifest themselves as protectors of Russian-language education and Russian schools. Ironically enough, at the night of October 11, 2008, the Police detected one group-member, the student-activist Aleksandr Kotov, scribbling on the wall of his former school (Tallinn Secondary School No 53) Estonian-language words „KURADI TIBLAD“ ("Bloody Russes"). In order to make the word seem more effective, he precedingly threw a self-made colour-bomb at the school, damaging two walls of the house by that. Kotov's naive wish to find supporters to his extreme actions



“Nochnoi Dozor” and Impressum in each others arms.



Galina Sapozhnikova

can not be excluded, of course. The Security Police Board has occasionally been accused of unfounded persecution of young people. The above-mentioned case indicates that special service could not sit back and watch, how the propaganda of an unfriendly country agitates socially immature youngsters or even underage persons to break the law.

A common feature of all Russian groups with extremist inclinations is that they are unprincipled and have mixed-up way of looking at the things. A good example is A. Kotov and his two comrades, who on the one hand, in words, protect Russian schools, but on the other hand scribble on the walls of their schoolhouse, calling Russians with abusive names. Or the abovementioned “Notchnoi Dozor” that cooperates with both, close-minded communists from Pskov, as well as with ultra-nationalists.

In the source of the activities of Russian extremists could be observed classical origins of extremism, where

persons, who are unable to handle their personal life and employment affairs start to seek for those, who are guilty of their ineptitude. The main feature of any extremism is antagonism – whether on the basis of racial features (neo-Nazis) or language-based features (Russian chauvinists). The prevailing failures in personal life and work of the members of Russian extremist groups clearly indicates inability to find a place in society. Minor criminal offences, hooliganism, tax evasion, drunk driving or driving without driving licence, etc. are pointed at as discrimination on national grounds.

The alleged national discrimination offers work and income to the press representatives of extremists Jekaterina Zorina from Russia’s TV-channel *Rossija* and Galina Sapozhnikova from the Moscow newspaper *Komsomolskaja Pravda*. In 2008 their activity was not restricted with writing only “heroic stories” about the events organised by extremists – together with the activists of “Notchnoi Dozor” they

were hoping to provoke the imaginary enemy. These they tried to find from the annual gathering of the “wrong side” war veterans at Sinimäed. Zorina and Sapozhnikova came from Riga to Tallinn in the same car, together with Maksim Reva, prosecuted on organising the April riot.

With Galina Sapozhnikova as a leader, and funds from Russia, a new information war project was launched on October 2008 – a non-profit association Impressum, calling itself “international media-club”, with the main task to turn the key topics of Russian propaganda attractive for Estonian media. Amazingly, at the very same day (October 28), a fund “Historic Memory” (“Историческая память”) was founded in Moscow with a well-known history forger Aleksandr Dyukov as Director General. The fund has made it its purpose to fight against “rewriting the history” of the XX century in the Baltic States and Ukraine. One of the first acts of *Impressum* was to translate into Estonian and publish in Estonia Aleksandr Dyukov’s



The baggage of an active member of “Nochnoi Dozor” at Estonia – Russia border. This is how the Kremlin propaganda machinery is supplied with materials that should discredit Estonia. If nothing better is not found, publications on history will do as nicely.

The main feature of any extremism is antagonism – whether on the basis of racial features (neo-Nazis) or language-based features (Russian chauvinists).

book “*Myth of Genocide: Repressions of Soviet Power in Estonia (1940–1953)*”, which was published in 2007, but received no attention. The former officer of the Intelligence Department of the KGB of Estonian SSR Vladimir Ilyashevitch was also involved in publishing process. The presentation of this publication was provocatively scheduled on the 60th anniversary of the 1949 March Deportation – March 26, 2009.

Although Aleksandr Dyukov has no scientific degree or outstanding professional achievements in history, he has good access to the documents conserved in the archives of the Russia’s Federal Security Bureau (FSB). To ordinary historians, despite citizenship, the doors to this archive are firmly closed. Thus, Dyukov has certainly full approval of the FSB.

It is important to emphasize that the representatives of Russia do not only play the role of direct coordinators of extremists, even more important is the anti-Estonia or Estonia-hostile background created in media. So, in 2008, in case of the armed conflict between Russia and Georgia, it could be seen that Russia’s vigorous propaganda influenced all European countries with numerous Russian-speaking auditorium and activated local Russian extremists to various actions. During the Russia–Georgia armed conflict, for instance, Dmitri Klen-ski, who had lived modestly after the 2007 April events, became active and made several approving statements on Russia’s activities, and organised a fund-raising campaign in support of South-Ossetia.

Left-wing and Right-wing Extremists

The Security Police continuously keeps eye on persons with both, extremely left and extremely right inclination and their activities that could lead to extremism or violent conflicts. Increasing cooperation between Estonian and foreign sympathizers (both, left- and right-wing extremists), also more distinct formation of left-wing movement might be mentioned as the most important tendency in 2008. During last years Europe has experienced increasing problems in connection with mutual and violent conflicts between right-wing extremists (skinheads, neo-Nazis) and left-wing extremists (anti-fascists, anarchists, anti-globalisationists, anti-racists). As an example we could bring the annual rightist extremists’ Salem March in Sweden and European Social Forum taking place in several countries that are accompanied by violent demonstrations.



Swedish right-wing extremists in Estonia.

Estonian right-wing extremists have the closest contacts with Swedish sympathizers. The main initiator of these contacts is an active right-wing extremist from Pärnu, the board member of Estonian Independence Party (EIP) Kaido Nõmmik. 24 members of the neo-Nazi organization *Swedish Resistance Movement* (SRM) were in Estonia on May 9–11, 2008, on his invitation. SRM is the most forcible Swedish right-wing extremist organization, vividly characterized by the fact that about half of its near 150 members have been punished pursuant to criminal procedure. During the search executed at the members of SRM in March 2008, the Swedish Police confiscated a large quantity of firearms, ammunition and explosives.

On July 24, 2008, 8 members of Swedish rightist extremist movement Info14 arrived from Sweden to Est-

onia, among them Robert Vesterlund, who is in Estonian list of prohibition on entry. In cooperation with the customs officials Vesterlund was held up and sent back to Sweden by the Border Guard. A police operation was carried out in the morning of July 26, 2008 – one person was detected to have symptoms of alcohol while driving and another person had road traffic offences.

Via both kind of extremists the above-mentioned problems might reach Estonia in the nearest future. In August 2008 The Swedish Police detained several Estonian animal protectors after the event they were participating at turned violent. In December 2008 six Estonian skinheads, who wanted to participate at Stockholm Salem March, were held up at the border. As the leftist movements are beginning to emerge in Estonia and their actions are becoming more frequent,

such actions and conflicts between two antagonist sides might become potential threat. In 2008, dissatisfaction of the older generation skinheads could be observed in connection with intensifying activity of Estonian anarchists and animal protectors in which they see threat to Estonia's nationhood. The purpose of leftists and rightists is often defying or provoking mutual conflict, not protecting or disseminating their ideas. Young people, who go along with extremists' actions due to curiosity or adventure, as these actions seem exciting, often do not acknowledge that they might put their fate at stake or ruin their future. As all special services, guaranteeing internal security in the state, the Security Police Board of Estonia observes all movements that propagate and incite violence with their activities.

Estonian rightist extremists sometimes organise events that are directly



Skinheads at the concert.

connected with propagating the ideas of national socialism. The initiator and organizer of such events has for years been a Finn, Risto Mikael Teinonen, who has organised celebration of the birth anniversary of Adolf Hitler in Tallinn and Tartu, also other red-letter days of the Third Reich (the Munich “Beer Putsch”, the Wannsee Conference, etc.). Although the number of neo-Nazis is about twenty in Estonia, the abovementioned activities, but also participation of persons favouring-propagating national socialism and xenophobia at commemorative events of various historic events bring direct harm to Estonia by giving Russian propaganda the possibility to point at Estonia as a country supporting Nazism. On the other hand, consideration should always be given to potential responses and impacts such various historic viewpoints cause in the friendly countries that during the II World War predominantly suffered

due to Nazis, not Soviet occupation.

Participation of the persons, who call themselves nationalists or supporters of Estonian soldiers, participate at celebration of former red-letter days of the Third Reich criminal Nazi-regime with equal provocativeness, indicates ideological confusion of such young people. This is why these youngsters give reason to classify them in Europe as rightists or supporters of right-wing extremism.

A noteworthy change that took place in 2008 was increasing interest of the rightists to participate in politics. Such change in attitude could, first of all, be explained with political successes of right-wing extremists in several West-European countries, and this has been an inspiration for their sympathizers in Estonia. The main models are the German National-democratic Party (*Nationaldemok-*

ratiscche Partei Deutschlands – NPD) and Swedish Resistance Movement (SRM). The most important thing expected is more extensive public attention and, first of all, support from Estonian Independence Party (EIP), where several members of the board favour rightist views and some have been skinheads in youth.



RUSSIA'S INFLUENCE ON ECONOMIC SECURITY OF ESTONIA

The year 2008 proved epochal in the whole world, as financial crisis evolved into economic crisis with predicted culmination in 2009. The crisis did not leave Russia uninfected, its economy is strongly affected by four times lower petroleum price and followed by dropped gas price six months later. Unemployment is increasing and the 6% economic growth is turning into recession in 2009. Changes in economy have forced Russia to review the state budget several times and to devalue their currency – the rouble.

National stockpiles decrease in great speed. Financial crisis and concurrent discredit has raised serious problems also for such major Russian groups as *Gazprom*, *Rosneft* and *Transneft*, who have trouble to refinance their loans and getting investments vital for development. *Rosneft* and *Transneft* are conducting negotiations with China for borrowing, respectively, 15 billion and 10 billion USD with barter agreements, that would be paid for with petroleum supplies. At the same time Russia is taking even more

advantage of the possibility to nationalise private enterprises.

In 2008 the Security Police Board observed increasing interest of Russian investment capital in Estonia's energy sector. Russia's influencing activity concerning Estonia in connection with the Nord Stream project, very important from the position of Russia's energy security, could be identified constantly. The main way to influence Estonia is via European partners participating in the project (*BASF*,



Gasunie), and influential persons in Germany, Netherlands and Finland. Processes in the world economy have brought change into the Nord Stream project, as well. In November 2008, *Nord Stream AG* sent the environmental impact assessment draft statement to all states at the Baltic Sea. Although it was a draft version of the final Nord Stream's Espoo statement, *Ramboll Group A/S* that drew up this statement, left out all notes and shortcomings previously repeatedly indicated by the countries of origin, as well as influenced countries (Estonia belongs among the latter), and there are a lot of contradictions in presented conclusions.

Another important development in Russia's anti-Estonia activity is

A law on special economic measures has been passed in Russian Federation, which in future might be applied on Estonia, as well.

increasing interest in projects of nuclear energy power plants in Estonia (or connected with Estonia) and also in wind energy projects. In case of wind energy the most important aspect is the fact that the most likely solution to compensate instability of wind energy are the generators running on gas. An enterprise with Russian background, *Greta Energy Inc*, has a plan to set up wind-parks in Hiiumaa and East-Virumaa, with total power of 1500–2000 MW. Although *Greta Energy* was founded in Canada in 2004, the enterprise is closely connected with Russia: its directors are from Russia and the largest office outside Toronto is in Moscow.

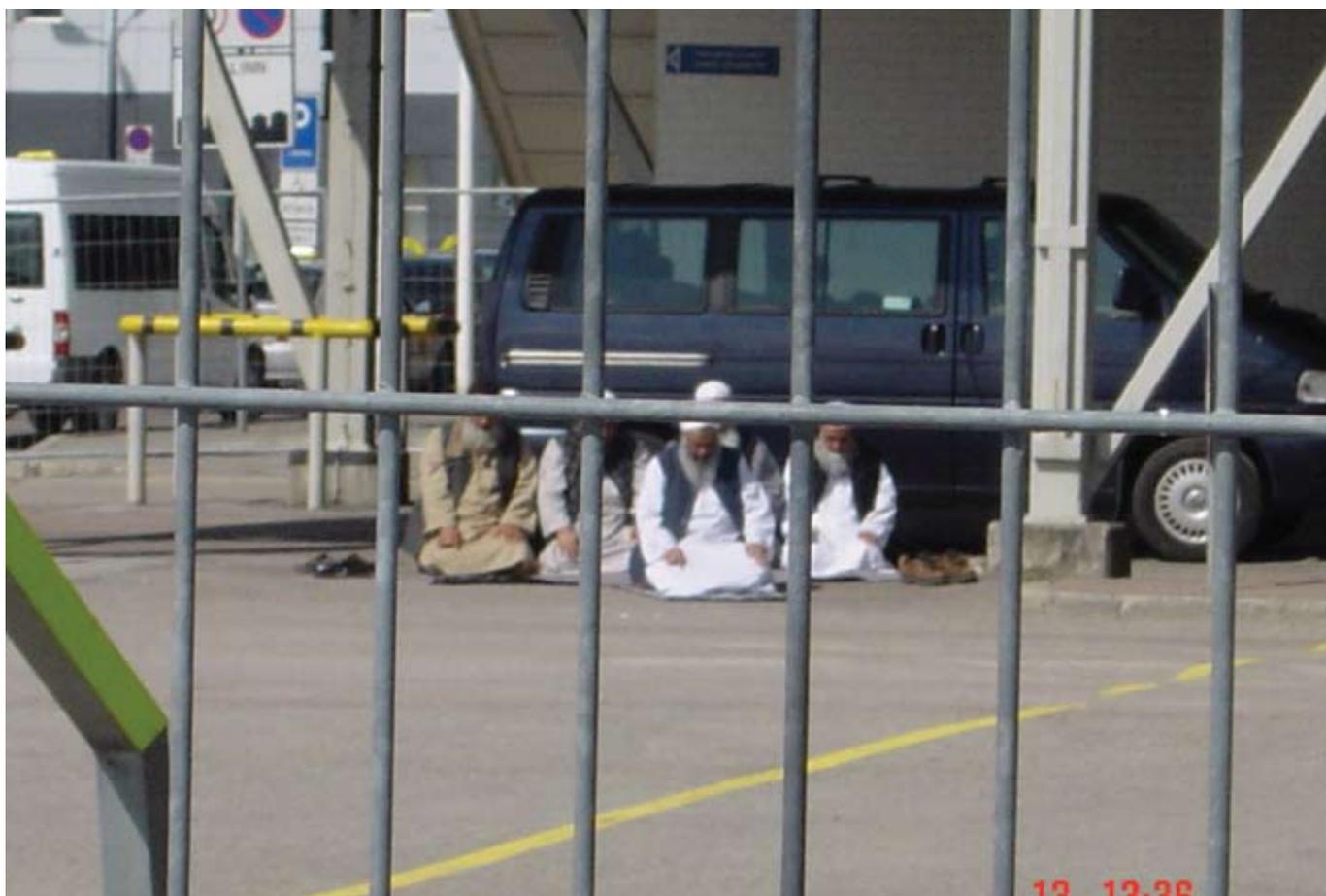
Besides energy projects Russian capital is still interested in transit, which is influenced by both, economic and political processes. Developments in transit passing through Estonia are controversial. On the one hand, in declining economic situation economic arguments will play increasing role and goods will be transported cheaper ways. This, in its turn, increases potential of transit via Estonia for these lines of goods that, according to concluded contracts, travel cheaper by railways. For instance, *Russian Railways* constantly hindered coal transit via Estonia (did not give cars and confirm transportation schedules, by that supporting Ust-Luuga and Murmansk harbors). In December 2008 these obstacles partially vanished. The reasons that could be outlined are increased demand on coal, Russia's social situation (attempts are made to maintain workplaces for coal-miners), favourable rail transport contracts concluded with terminals and changed owners of coal terminal.

However, transition of transit companies into Russian consortiums might not bring along upturn in transit, because of a new factor, recession, that influences transit in Russia.

Russia's transit, passing through Estonia, is influenced by the fact that Russia develops harbours at the Baltic Sea, especially in Ust-Luuga. However, it should be said that due to economic and financial crisis, all major projects in process are either stopping or being postponed. All the mentioned factors confirm once again high and diverse risks connected with Russia's transit business, the reasons of what should not be sought from Estonia.

According to the Security Police Board, Russia's attempts to influence internal affairs of the neighbouring countries, including Estonia, are a constant threat in the field of economic security. Dependence of Estonian enterprises on raw materials, supplied predominantly from Russia, is also a continual risk.

A law on special economic measures has been passed in Russian Federation, which in future might be applied on Estonia, as well. On the other hand, the past has indicated that Russia approaches to problems creatively and is optionally ready to use also unofficial economic sanctions, and this means that enterprises having better relations among the authorities in the Kremlin possess competitive advantage.



A group of *Jamaat Tabligh* members on 13.05.2008 at Tallinn port.

PREVENTION OF INTERNATIONAL TERRORISM

Estonia has been one of the few countries in Europe where radical Islamic groups are not active. At the same time it does not mean that Estonia should not be attentive about the dangers involved in Islamic terrorism. On the one hand, it should be taken into account that Estonia is a part of the European Union and the world security environment where national borders have disappeared and terrorism is a serious threat. Last years have shown that Europe particularly has become the

target of large-scale terrorist attacks. On the other hand, Estonia is influenced by terrorism even in the faraway corners of the world – that is because Estonian citizens travel more and are likely to become victims of a terrorist attack outside the borders of Estonia. Tourism objects in various countries have been the attack targets in the last few years, the most remarkable example being attacks against hotels in India in 2008.

Accession with the Schengen visa zone has highly raised the attractiveness of Estonia as a transit country of illegal immigration. Illustrative of the situation is the example of India, Punjab region, where in summer 2008 an advertisement was distributed, which invited to come to study in Estonia. The ad noted that Estonia is a part of the Schengen zone and it is easy to get an Estonian visa. Taking into account the existent and preceding information, it is likely that people, who are interested

in the offers, are not interested in coming to study in Estonia, but after getting the Schengen visa will head for some other country in Europe. Similarly, illegal immigrants have wanted to come to Estonia from Nigeria, Pakistan, Georgia, China, Russia, etc. There is a popular scheme according to what people look up the contacts of any sort of schools or private enterprises and try to convince them to invite persons who are applying for visas. Many bona fide entrepreneurs do invite visitors. But the visas which have been gotten by a scam are usually used on a different purpose than the ones claimed when applying for a visa.

Foreign Islamic Organizations in Estonia

Although there are no active local Islamic groups in Estonia, there was a growth of interest towards Estonian Muslim community by Islamic organizations of the foreign states in 2008. There is a reason to believe that some of these organizations, or a few members, who have visited Estonia, are supporting radical Islam. The interest towards Estonian Muslim community has manifested itself in visiting Estonia and in giving subsidies, and local muslims have also been invited to events in foreign states. This kind of interest is bilateral – Estonian muslims have a constant interest in developing contacts outside Estonia, one of the reasons being the desire to find supporters for creating a mosque in Estonia. Of these, which had contacts with Estonia in 2008, the most important ones were *Jamaat Tabligh*, *Al-Waqf Al-Islami* and *Hizb ut-Tahrir*.

The Security Police Boards previous annuals have reflected Estonian muslims’ regular contacts with the organization *Jamaat Tabligh*, which

spreads fundamental Islam and which members have visited Estonia since the year 2003. It should be mentioned that although on the surface they seem like righteous missionaries, some of the members of *Jamaat Tabligh*, who visited Estonia, have been punished pursuant to criminal procedure (for illegal handling of drugs or document forgery) and people of whom there is a reason to believe to have been supporting radical Islam in foreign countries.

In 2008 members of an Islamic organization *Al-Waqf Al-Islami* from Saudi Arabia visited Estonia. *Al-Waqf Al-Islami* is a charity organization with branches in European states that have built many mosques and schools following fundamental Islam. In Estonia *Al-Waqf Al-Islami* has financed camps for Muslim women and young men.

Of the three above-mentioned groups the most radical is *Hizb-ut-Tahrir*. It is an Islamic party, which goal is to create a worldwide Islamic Caliphate. This organization is forbidden in most Arabic countries and also in Germany. *Hizb-ut-Tahrir* has had only a brief connection with Estonia – one of their active members from Western Europe visited Estonia in 2008 and searched contact with local Muslims.

In 2008 continued Estonian Muslims’ contacts with an Islamic organization *World Association of Muslim Youth (WAMY)*, which was reflected in the last Security Police Board’s annual in association with Estonian Muslims taking part in WAMY camps. In 2008, 12 members of the Estonian Muslim community took part in a WAMY camp in Poland for young Muslims.



Muhammad HANIF



Muhammad ASLAM



Muhammad ALI



Shahzada KHAN

Members of *Jamaat Tabligh* from Pakistan in Estonia.

One of the interesting things from the year 2008 would be the imposing actions of the Finnish Islamic Party (SIP) and its leader Abdullah Tammi towards Estonia. Abdullah Tammi sent two warning letters to the Estonian Embassy in Helsinki – in the first he “recommended” that Estonia should pull back their units from Iraq and the other letter disapproved the United States and the fact that Estonia supported Georgia, it also expressed support to Russia in connection with the attack against Georgia. The letters did not indicate any straightforward threats, the main reason for those let-

of view of counter terrorism. The interest of these persons towards Estonia has largely been increased due to the fact that Estonia joined the Schengen visa zone at the end of 2007. The number of cases of people applying for Estonian visa in order to get into the Schengen visa environment and move on to another country in Europe has increased.

As in several other European countries it is also a growing tendency in Estonia that people who accept Islam are not native-born Muslims, in other words they are Estonians or Russians. Most

plan to establish the mosque and an Islamic center in Estonia. In March Sultan bin Mohammed Al-Quasimi, the Emir of Shāriqh Emirate in United Arab Emirates (UAE), made an official offer to finance the building of the mosque and Islamic center in Estonia. Financing of the building of the mosque would have to take place via Shāriqh Emirate’s national organization *Awqaf General Trust*, which deals with funding different Islamic charity programs outside the UAE. There have been similar plans for building a mosque before that, as well – led by both, Estonian Islamic Community and Estonian Azerbaijan Community. As an example of a curiosity, in 1992 there was a plan to build a mosque in Tallinn at Tõnismäe – at the location of the infamous “Bronze Soldier”.

Financing Terrorism

In the previous annual we reflected a criminal case that identified connection of Estonian citizens with the financing scheme of terrorism. It indicated that terrorist organizations can use Estonia as a part of their financing activities, and that is why our law enforcement agencies continuously keep an eye on that issue. In order to legalize the origin and destination of money, local credit and financing institutions, but also mediators of electronic money and money transfer enterprises are used. Very probable is also “selling” an Estonian bank account to people connected with

In 2008 Estonian Muslims gained public attention primarily with the plan to establish the mosque and an Islamic center in Estonia.

ters was probably the act of drawing attention to their party. Abdullah Tammi is a Finn who has accepted Islam and is tightly bound with an Islamic organization *Jamaat Tabligh*. In 2008 Tammi confessed to media that he had worked for the KGB during the reign of the Soviet Union and after. The style of his second letter was similar to the rhetorics used in Russian media.

In addition to the abovementioned organizations, the members of Estonian Muslim community have had brief contacts with other Islamic organizations, but those are not connected with the propagating of radical Islam.

Developments in Estonian Muslim Community

The community of Estonian Muslims largely consists of the people from former Soviet Union areas: Tartars, Asers, Chechens, etc., who have integrated well into Estonian society and whom there is no reason to connect with radical Islam. At the same time there is a constant increase of immigrants from the so-called risk countries from point

of the converts are women who have accepted Islam due to the suasion of a partner or a husband. People who convert usually take over their partners or rolemodels’ beliefs and translation of the religion even if these might be radical. International terrorist organizations are reputedly very interested in recruiting converts because in that way they remain unnoticed by the law enforcement agencies. The potential involvement of converts was demonstrated in May 2008, when a convert Nicky Reilly attempted a suicide attack in Great Britain, in a restaurant in Exeter city, but was injured in an untimely explosion.

In 2008 Estonian Muslims gained public attention primarily with the



Undeclared gold discovered at Tallinn Airport from the baggage of a businessman of Asian origin.

terrorism, thus taking advantage of the highly developed IT possibilities used in Estonia.

The main cooperation partner is the Financial Intelligence Unit of the Central Criminal Police in checking the most intriguing deals that might indicate money laundering in association with terrorism. So far no direct associations have been observed.

In funding terrorism, an important role plays physical transport of cash and other currencies (e.g. creditcards, precious metals and other valuables) in avoiding official channels. According to the information of the Security Police Board, people from risk countries often avoid declaration to transport large amounts of money or valuables to their homeland. For example in June 2008, in Tallinn Airport, an Asian businessman tried to transport about 250,000 EEK worth of gold and cash out of the country without declaring it. During misdemeanor procedure he was forced to declare the gold and pay a customs duty, all in all 53,000 EEK. In addition, due to the misdemeanor procedure and expedited procedure, he was penalized with a fine worth 6,000 EEK.

Prevention of Illicit Traffic of Strategic or Dual-use Goods

From the standpoint of combating terrorism proliferation or blocking the spread of weapons of mass destruction and other strategic weapons by preventing illegal trade is still important. The fixed limitations serve the goal of guaranteeing peace and stability in the world, reduction of the birth of new crisis areas and stopping the escalation of existing crisis areas, also to attempt to reduce and avoid violations of human rights.



Part of armoured vehicles discovered in Paldiski, which were brought in without necessary transit permit.

In 2008 the Security Police Board opened 11 criminal proceedings concerning illegal import and export of strategic goods. In 7 cases, crime pursuant to § 392 of the Penal Code was identified in the activities of involved persons, i.e. import or export of prohibited goods or goods that need a special permit, and in 4 cases the procedure was closed due to the absence composition of criminal offence.

Illegal export or import of the following illegal strategic goods was identified: armoured vehicles, components of automatic firearms, military pyrotechnics, an electric shock weapon and a night vision device, an optical scope, a night binoculars and a metal detector, which, according to their technologic qualities belong in the list of military equipment.

Considering the facts of these crimes and the fact that the guilt of people committing them was not great, the prosecuting authority found that law-abidingness of these persons could be achieved in the future without punishing them pursuant to the criminal procedure. Regardless of getting away without a punishment pursuant to the criminal procedure, the persons, who had not timely requested a permit for transporting strategic goods, had to pay the total of 403,500 EEK to sta-

te expenditure. The smallest amount paid was 1,500 EEK and the largest 200,000 EEK. Here it should be stressed that the timely applied levy from the commission of strategic goods would have cost only 200 EEK.

When analyzing the ascertained infringements related to strategic goods in 2008, we can say that in importing to Estonia the highest number of errors were made against goods listed as military commodities, such as components of automatic firearms, night vision devices, optical scopes and night binoculars.

We want to point out that components for firearms, listed as military commodities, need application of special permission for import, export and transit, not only for the parts but for all extra gear or special components. For example, recoil compensators, adaptors, scope adjustment devices, jigs.

In case of night vision devices, optical scopes, night binoculars and metal detectors, people should thoroughly invest whether the items are military goods or not, or for what purpose these things are designed and made for and what kind of technical parameters they have, by evaluating their characteristics before importing or exporting these goods from or into Estonia.



Examples of explosives voluntarily handed over during the campaign "Report Explosives".

It is important to remember that in case of importing military goods into Estonia the special permission has to be issued before the imported good reaches Estonia and the customs warehouse in Estonia.

Removing Explosives from Illegal Circulation

In preventing terrorism and preventing the crimes connected with terrorism, a very important job for the Security Police Board is active counteracting against illegal handling of explosive substances, the making of explosive devices and the use of these devices, and that means constant identifying of offenders, prosecuting them and removing explosive substances from illegal personal use. In 2008 the Security Police Board's officials detected and removed

from handling the total of 128.3 kg of explosive substances, 626 detonators for different use, 63 grenades, 76 different mines and missiles, 4,957 cartridges with different calibres and 29 firearms. Despite intensive counteractions and successful inter-institutional campaign "Report Explosives" the amount of illegal explosives that are still in circulation is significant. 89.2 kg of explosive substances and 232 detonators were removed from illegal use in 2007, whereas in 2008, 128.3 kg of explosive substances and 626 detonators was removed – it means 39.1 kg of explosive substances and 394 detonators more than in the year before.

In comparison with the last few years it is evident that in 2008 the Security Police Board confiscated more explosive substances and detonators

than in 2006 and 2007 altogether. At the same time it is not wise to make simple conclusions dependent on these numbers, because the work done in that specific area is usually fruitful after years of practise. In other words – the amount of removed explosives and detonators is the result of surveillance and investigation done during the previous years.

On the one hand, the numbers show that the Security Police Board has done a successful job removing explosives from illegal use, but on the other hand, it also regrettably means that people associated with criminal groups and also ordinary citizens still have in their possession large amounts of illegal firearms and illegal explosive substances. That thesis is supported by the fact that during the Security



Examples of explosives found in the course of search at the farm of Eduard Jakobson in Rapla County on February 6, 2008.

Police Board's and Rescue Service's joint campaign "Report Explosives" in February 2008, people voluntarily gave away – in addition to the previously mentioned – 1,197 detonators, 5,716 cartridges, 376 pieces of pyrotechnical goods, 1,150 m of detonating cord, 12,25 m of blasting fuse and 300 litres of napalm.

It is a regrettable that almost all persons from whom the Security Police Board in 2008 confiscated illegally acquired, produced or stored explosives or devices after the campaign in the course of investigation, knew about the "Report Explosives" campaign, but chose to not report explosives and continually kept them at home.

Analysis of the cases of the year 2008 indicates that one of the sources of

illegal explosive substances, time and time again, has turned out to be the northeast Estonian mines and factories providing them with explosives. The reason for that is the weak controlling system in the mentioned enterprises.

- On January 18, 2008, a criminal investigation was initiated on a case where deficiency of electrical detonators sent from Orica Germany PLC was established at the territory of an explosive factory Orica Estonia PLC in Ida-Viru County. The suspects in this case are a citizen from Maardu and a driver from BPJ Sunway, from whose possession the detonators were found. The Security Police Board returned the detonators to Orica Estonia PLC.

- On April 8, 2008, a criminal investigation was commenced concerning Konstantin Ishov and his wife Jelena Ivanova-Ishova from whom 3.4 kg of explosive substance nobelite and important components for explosive devices coming from Orica Estonia PLCs were removed. As during the expertise it was established that the explosive substance was no longer utilizable, the criminal procedure was terminated, but the fact that private persons have large amounts of explosive substances in their homes means that the security and supervision in the factory is inefficient.
- On May 5, 2008, a criminal procedure was commenced concerning two men, who had obtained the explosive substance nobelite (11.5 kg) for selling purposes; that substance is

used in mines and is produced only by Orica Estonia.

- On July 31, 2008, a criminal procedure was commenced based on the application made by Orica Estonia PLC concerning the disappearance of 46 electrical detonators from the mine *Estonia*.

The given examples allow an argument that the weak monitoring system in mines and explosive substance factories about their explosives is an expanding threat. Although the Security Police Board has notified Estonia Oil Shale Mine and Orica Estonia PLC managements about the inefficiency in monitoring the explosive substances repeatedly during the previous years and drawn attention to the need to significantly toughen the control over explosive substances, it has still not been done. Explosive substances, acquired from illegal sources is a great security risk and the criminal use of these can result with unpredictable effects to human lives, health and properties.

Another large field of issue is that more and more illegal explosive substances has been discovered from people who search military artifacts from the battlefields of the World War II and often collect them illegally. Many of these people are (injecting) drug addicts for whom the selling of digged up ammunition and explosive substances stolen from mines has become a way of making money. Many of them have been previously sentenced by court for various crimes. Two cases can be brought out to illustrate this tendency:

- On May 26, 2008, Harju County Court punished Jevgeni Filin with three years' conditional sentence and 18 months probationary period for illegal handling of large quantities of explosive substances (amongst other things the handling of explosive substances from the WWII). In the case of Jevgeni

Explosive substances, acquired from illegal sources is a great security risk and the criminal use of these can result with unpredictable effects to human lives, healths and properties.

Filin it is interesting that he is a member of the coalescency "Viroonia" that deals with military history.

- On March 28, 2008, a criminal procedure was initiated concerning the citizen of Narva Dmitri Shtshukintsov, from whose illegal possession explosive substances, ammunition and a firearm from the II World War were confiscated. On September 5, 2008, he was convicted and punished with pecuniary punishment.

At this point it has to be stressed that digging explosives from wartime battlefields is foremost dangerous to the digger himself (for example on July 29, 2007, Maksim Voronin, a member of a war history coalescency "Priboi" died in an explosion in the forest at Vaivara, Viru County), but also to the people who later get into contact with the mentioned objects, because usually the digged up explosives are in a bad condition and therefore extremely unstable and explosive. To reduce the amount of explosive substances in illegal circulation and to prevent explosions, the Security Police Board pays more attention than before to the so-called "black archaeologists" who either do not or do not want to understand that even owning explosives that have stayed in the ground since war is criminally punishable.

In addition to the abovementioned cases many cases were discovered and quickly received judicial decisions in 2008 that concern illegal explosive substances and which basically divide all over Estonia and are worth mentioning.

On February 18, 2008, 3.4 kg of illegal explosive substance trotyle and 0.9 kg

of illegal explosive substance ammonite were taken from Sergei Antipov, a habitant in Sillamäe. On September 9, 2008, Antipov was sentenced 2 years and 1 month imprisonment with probationary period of 18 months.

On March 17, 2008, criminal procedure was initiated on August-Agu Laprik and Lauri Laprik, who were detained in the course of pursuit and from whose possession were taken 3.5 kg of explosive substances, 838 cartridges, a handgrenade RGD-33, 22 detonators, 5 firearms, 2 important components of firearms and 2 silencers. August-Agu Laprik was sentenced 4 years imprisonment with 4 years probationary period and Lauri Laprik was sentenced 4 years and 5 months imprisonment with 4 years probationary period.

On November 3, 2008, Tõnis Johannes from the National Defence League was charged guilty in making and keeping of firearms, important parts for firearms, explosive devices and explosive substances and he was punished with 3 years imprisonment from which 6 months were compulsory to serve immediately. Gunnar Volt, a friend of Tõnis Johannes was found guilty in producing a firearm, ammunition and an explosive device (a tubebomb) and for storing and conveying an important component of an explosive device (a detonator). Gunnar Volt was punished with 2 years imprisonment with 3 years probation period. During the investigation 2.7 m of detonator cord, ca 9 kg of explosive substance trotyle, a tubebomb containing propellant, 19 detonators, 5 important parts for firearms, 3 firearms, 467 cartridges, 9 handgrenades, 1 gungrenade, 2 mortar mines and 2 missiles were taken from their possession.

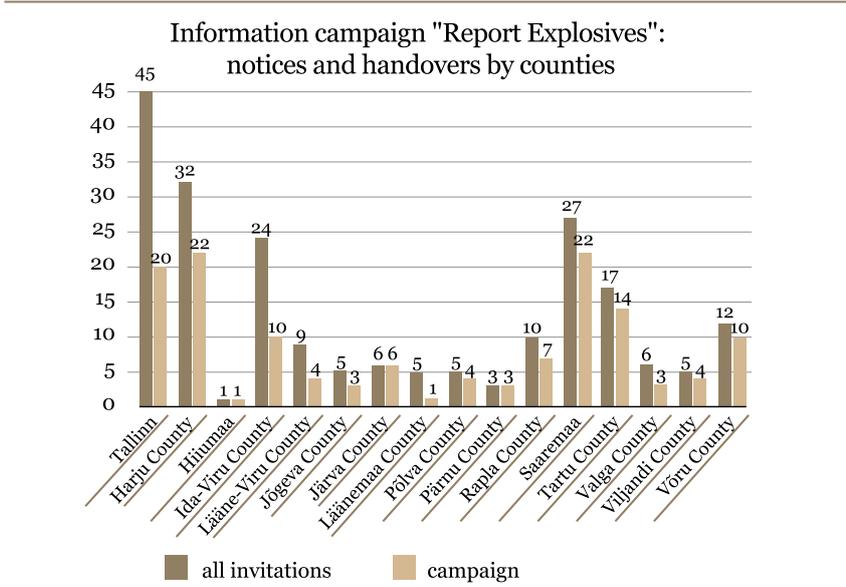
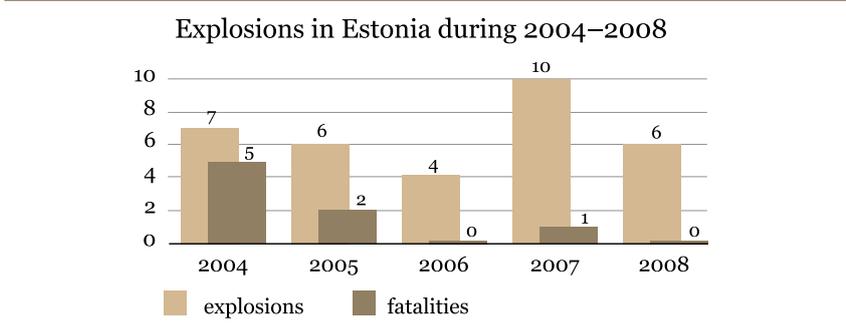
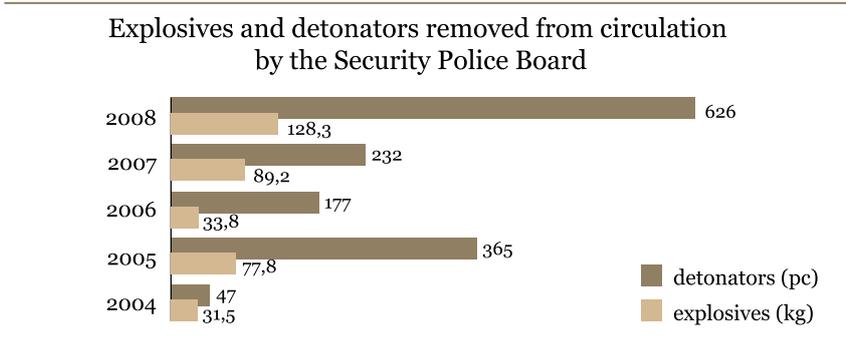
In 2008 a criminal case that was initiated by the Security Police Board on October 2, 2006, on different explosive substances and ammunitions found from a car belonging to Kaido Niitmäe, reached a court decision. On January 30, 2008, Harju County Court punished Kaido Niitmäe with 4 years imprisonment with a 4 year probationary period. Niitmäe's accomplice Ago Säarak, from whose farmhouse different explosive substances, ammunition and firearms were discovered, was punished with 7 years imprisonment.

Detection of Explosions

One of the main missions for the Security Police Board in Estonia is the ascertaining and prosecuting of persons who are involved in organizing explosions by explosive substances or explosive devices. In 2008, 6 explosions were arranged in the territory of Estonia, in effect of which no one died, but 7 people were injured. We hope that the good work made by the Security Police Board has a part in forfending the loss of human life.

The explosions take place foremost due to the ineptness when handling explosive substances (such substances are illegally possessed, of course). Explosions that took place in 2008 support this thesis:

- On January 29, 2008, 4 under-aged schoolboys threw a 23-mm missile, found from a former Soviet Union army campus in Tartu, into a fire without being aware of the consequences of a missile explosion. The shockwave and rambling pieces of metal caused bodily harm to all 4 youngsters. Although the criminal procedure on the case was terminated, the material was still passed on to the juvenile committee of Police.
- On April 23, 2008, a criminal procedure was initiated concerning a



citizen of Valga Stewen Huopalainen, who found an electric detonator from a woodshed, took it into his apartment and connected the wires of the detonator onto a cellphone charger which was connected to the electric circuit. Of course an explosion followed but the pryer luckily got away with only minor injuries. The South Prosecutors Office terminated the criminal procedure in relation to the lack of public interest of procedure, but charged Stewen Huopalainen with a pecuniary obligation to pay

the public revenue in the amount of 2,000 EEK and the procedure expenses in the amount of 1,690 EEK.

- On March 11, 2008, a criminal procedure was initiated concerning Risto Rimmel and Raivo Laanvee who organized a total of 3 explosions. Risto Rimmel found 10 electric detonators while working on a construction site in Finland and illegally transported these to Võhma, Estonia. On March 9, 2008, Risto Rimmel and Raivo Laanvee had an idea to "make a bang"



Honorary watch in honor of Abdullah Gül, the President of the Republic of Turkey.

with the detonators. They committed 2 explosions in Võhma near the store “Ugala” and a flowershop by putting 2 detonators inside the metal tube of the banister and connecting the detonators with the battery of a battery drill. The explosions harmed the banister. After that they organized an explosion near the parking lot of “Toidutare” by Tallinn-Viljandi highway, using a similar method. On July 22, 2008, Raivo Laanvee and Risto Rimmel were sentenced 2 years of conditional sentence with a 1.5 year probationary period.

- On August 22, 2008, a 13-year old boy commenced an explosion in the forest near Matsu tourism farm, Tudulinna Parish, in Ida-Virumaa County by connecting two electric detonators with a wire, which exploded in his hands, luckily only mildly injuring his fingers, face and chest. According to his own words the boy just wanted to try, if the detonators

he found exploded or not. Criminal procedure was terminated, materials were sent to the local juvenile committee that, on November 19, 2008, imposed a punishment of warning to the youngster.

The previous examples prove that people know insufficiently about prohibition and punishments of acquiring found explosives. People also do not acknowledge that “playing” with explosive substances has very serious and life threatening consequences. Unfortunately, during the last year the interest towards explosives has greatly increased among citizens. An indirect circumstance that can favor this behaviour is the lenient punishments for crimes with explosives. The existing judicial practise usually charges illegal handling of explosive substances with pecuniary penalty or conditional imprisonment. Considering the social dangers connected with crimes with explosive substances, punishments are obviously too lenient therefore they

do not serve their general preventing purpose. Pursuant to that illegal handling of explosive substances might again increase and therefore the number of explosions ending with injured and killed might also increase. The fact that this kind of prevention policies has no efficient discouraging effect during last few years occurs in increased number of people who visit old battlefields to dig up military devices, including explosives, who do not acknowledge to themselves that owning explosives that have been lying in the ground since the war is, on the one hand, an act punishable pursuant to the criminal procedure and, on the other hand, simply dangerous.

Several criminal procedures initiated by the Security Police Board during previous years on explosions reached judicial decisions in 2008.

On March 17, 2008, Harju County Court sentenced Meelis Randmaa with conditional imprisonment of 1 year and 4 months with 3 year probationary



Angela Merkel, the Chancellor of the Federal Republic of Germany in Estonia on August 26, 2008.

period, and a supervision of conduct was applied on him. In 2007 Meelis Randmaa had committed explosion by cutting an electric detonator with scissors and lost his thumb and vertebrae of the two more fingers. 26 capsule detonators were removed from the scene of event.

On April 29, 2008, the case of Vitali Orekhov reached judicial decision. Orekhov, together with Aleksandr Dziobik and Aziz Shamirov, made a bomb of domestic chemistry products at home and the explosion burned 60% of Vitali Orekhov's skin and Aziz Sharimov's got burns on 26% of the skin. Orekhov was charged guilty in bringing serious bodily harm, but he was released from final sentence – 2 months of imprisonment – because he received serious bodily harm in effect of his crime. The criminal procedure on Aleksandr Dziobik and Aziz Sharimov was terminated.

On June 25, 2008, judicial decision was reached in the case of Urmas Koemets, who was accused in organizing an explosion in Kaika village, Antsla Parish, Võru County on October 15, 2007, in effect of which a games' shooting platform made by hunters in the Karula Nature Park was destroyed. Urmas Koemets was charged a pecuniary sentence in the amount of 30 days of payment (i.e. 3,690 EEK).

The analysis on organized bomb explosions indicates that so far no explosions in Estonia have been arranged serving the reasons of terrorism. Also no known criminal groupings active in Estonia have arranged bomb explosions by means of rivalry. The reason why different groups do not use explosive substances in rivalry in comparison to the middle of the 1990s might be the counteractions of law enforcement agencies.

Securing State Visits, Persons under Defence and Public Events

Combating terrorism continually associates with guaranteeing security of proteges, also during state visits and public events, where the Security Police Board constantly participates with drawing up threat evaluations, background checks on involved people, technical support and, if necessary, with additional forces for providing physical security. The most important events in 2008 in which the Security Police Board took part in providing security were the following:

- The visit of Michael Chertoff, the Minister of Internal Security of the United States of America, on March 11–12, 2008.
- The visit of Anders Fogh Rasmussen, the Prime Minister of Denmark, on April 10–11, 2008.
- The visit of Queen Beatrix of Holland, on May 13–15, 2008.

- The visit of François Fillon, the Prime Minister of France, on May 29–30, 2008.
- The visit of King Albert II of Belgium, on June 10–12, 2008.
- The Conference of Ministers of Health of the European WHO region, on June 25–27, 2008.
- The visit of Angela Merkel, the Chancellor of the Federal Republic of Germany, on August 26, 2008.
- The visit of Abdullah Gül, the President of the Republic of Turkey, on October 2–11, 2008.
- The visit of Michael Chertoff, the Minister of Internal Security of the United States of America, on 29–30, 2008.
- The meeting of NATO Ministers of Defence on November 12–13, 2008.

On August 08–17, 2008, due to the war between these countries, additional security measures were applied to Georgian and Russian Embassies according to the Security Police Board's proposals. Prior to that the Georgian Embassy had received a threat on phone and the windows of the Russian Embassy buildings were thrown in. On August 15, 2008, and November 27, 2008, according to the Security Police Board's proposal, the Turkish Embassy's safety was secured to prevent dangers that could result from the acts of Kurds.

In 2008 no really dangerous attacks or incidents took place during secured state visits, in connection with proteges or at public events. That is primarily due to good cooperation in minimizing risks of the relevant offices – the Personal Protection Service, the Security Police Board, the Rescue Board the Explosive Removal Center, the Police Prefectures.

Judicial Decisions on Illicit Trafficking of Firearms in 2008

In 2008 a criminal case, investigated by the Security Police Board on illegal handling and export of large number of submachine guns PPS-43 with great penetrating projectile, and ammunition by a group of people, reached a judicial decision. This certain case deserves detailed reflection in our Annual as an interesting example of how revealing one crime can disclose a chain of crimes of international scope, involving dozens of people who are committing various serious crimes. Revealing such crimes and collecting evidence about such crimes needs good international cooperation, professional dealing, lots of time and a lot of various resources.

On March 7, 2007, the Security Police Board, in cooperation with the Central Criminal Police's K-commando arrested at 32 Pallasti Street, Tallinn, on the territory of a garage union, at the moment of detention the two suspects – Aleksandr Kaldma and Sergei Lodi – were loading on a truck with Lithuanian licence plate 95 submachine guns and 2,170 cartridges with the aim to smuggle these objects to Lithuania. Preliminary investigation carried out by the Security Police Board revealed that in possession of Sergei Lodi has been at least 115 submachine guns and 4,966 accessory cartridges. The Security Police Board managed to confiscate 105 submachine guns PPS out of 115 submachine guns PPS-43 and 3,062 out of 4,966 accessory cartridges from Sergei Lodi and other people who were illegally handling those objects. In addition, 4 pistols, 1 rifle, ca 2.5 kg of explosive substance, 9 electrical detonators, ca 15 grams (a large amount)

of narcotic substance methylen-dioxymethamphetamine (MDMA) and N-ethyl-MDA (MDE, MDEA), also 7.8 kg of 1-phenyl-2-propanone or phenylacetone – a component for making amphetamine and methamphetamine was taken away from Sergei Lodi.

On July 3, 2008. Harju County Court punished Sergei Lodi with 12 years imprisonment for illegal handling of large amounts of firearms, ammunition, explosive substances, drugs and components for producing narcotic drugs, and illegal export of large numbers of firearms. The Court punished Aleksandr Kaldma with 10 years imprisonment for illegal handling of large numbers of firearms and ammunition, and illegal export of mentioned objects. To Alex Kozlowski and Margo Mittali, who once helped Sergei Lodi and Aleksandr Kaldma export 10 submachine guns PPS and 1,260 cartridges from Estonia to Latvia, the Court sentenced 5 years imprisonment for illegal handling and export of large numbers of firearms and ammunition.

Both, the prosecutor and the criminal defence counsel, presented appeals in effect of Harju County Court's decision on July 3, 2008 – the prosecutor pursued a 14 year imprisonment for Sergei Lodi and the counsel pursued partial abrogation of the verdict and exculpation for Sergei Lodi.

The Tallinn Circuit Court established on November 20, 2008, that as the Harju County Court reached a guilty verdict on July 3, 2008, on the basis of unfounded motives and evaluation of nondescript evidence on illegal handling and exporting of non-civil-use firearms and large amounts of narcotic substances and episodes

of crimes involving these objects, the court judgement is to be annulled and sent back to the Harju County Court for a new hearing with a different panel. The Criminal Board of the Circuit Court found it necessary to point out in the court ruling that the lack of reasoning in the County Courts verdict means significant infringement of criminal procedural law and in the case of identifying that sort of infringement the criminal matter must be sent back to the County Court for a new hearing and that the Circuit Court has no way of considering whether the County Court has convicted the accused with a reason or, in case of infringement of the criminal procedural law, should the accused be acquitted. The Supreme Court has in previous decisions repeatedly emphasized that formation of the judges conviction has to be traceable for a person reading the verdict, which means that the decision has to indicate what circumstances the court deemed proved and why and according to which certain evidence the verdict is relied on (*The verdicts of the Criminal Chamber of the Supreme Court 3-1-1-85-00, 3-1-1-47-049; 3-1-1-43-05, JT*).

The decision reached by Tallinn Circuit Court on November 20, 2008, was contested by the Public Prosecutor's Office and the Circuit Court delivered the materials to the Supreme Court. This means that in the year 2009 the court actions concerning the accusations on Sergei Lodi in illegal civil handling of firearms and illegal export of firearms and illegal handling of narcotic substances will continue. The Harju County Court decisions from July 3, 2008, concerning other convicted offenders, will remain in force.



Extensive chain of crimes of international scope disclosed in the course of ascertaining one crime. Confiscated batch of secret weapons .

In the course of the investigation of illicit trafficking of weapons the Security Police Board disclosed extensive international drug smuggling activity. As a result of international cooperation operations with several European law enforcement authorities 205 kg of different narcotic substances and 364 litres of phenylacetone – the component for making amphetamine – was confiscated from Aleksandr Kaldma and his accomplices in crime. Also 4.5 million illegal cigarettes were confiscated. At this point it is important to emphasize that the confiscating of narcotic drugs and excise goods in different countries deprived the criminals of the possibility to earn assessedly 15–20 million EEK of criminal profit.

In 2008, from investigating the the criminal case on illicit trafficking of firearms the Security Police Board managed to accomplish and take to court altogether 5 criminal matters on illegal handling and illegal import and export of about 725 kg of narcotic substances and illegal handling and import-export of a more than 1.3 tons of 1-phenyl-2-propanone or phenylacetone, the component substance necessary to make amphetamine and methamphetamine.

The two above-mentioned criminal cases on illicit trafficking reached judicial decision and entered into force in 2008.

The criminal case dealing with a group of 4 members, who from February 1 to February 4, 2007, illegally handled (§ 189 sec. 1 of the Penal Code) and smuggled (§ 392 sec. 2 p. 2 of the Penal Code) from Estonia to Germany 200 litres of a narcotic substance 1-phenyl-2-propanone or phenylacetone – a component necessary for producing amphetamine and methamphetamine. The named amount of the component of narcotic drug did not reach into criminal circulation in Germany due to cooperation with the German customs office, because the truck driven by Sergei Petrovski was detained at the Lübeck port and during the customs inspection jerricans containing 200 litres of phenylacetone hidden in large paintjars were found and confiscated.

On May 22, 2008, Harju County Court punished Aleksandr Kaldma with 5 years imprisonment for possessing and organizing the transport of 200 litres of phenylacetone from Estonia to Germany. The court punished Sergei Petrovski, who transported the load of phenylacetone in his truck to Germany, with 4 years imprisonment and 4 years probationary period. The Court punished Margo Mittal, who helped Aleksandr Kaldma bottle and hide the jerricans containing phenylacetone to paintjars with 2 years imprisonment with 18 months probationary period. Boriss Kronshtatov, who at the request of Aleksandr Kaldma transported the paintjars containing jerricans and helped Sergei Petrovski to load these into the latter's truck, was punished with 2

years imprisonment with 18 months probationary period. In addition the court claimed 26,000 EEK of criminal profit and a total of 72,473 EEK of legal costs and penalty payment.

The second criminal matter deals with a group of people who illegally handled and illicitly trafficked 1.1 tons of a narcotic drug 1-phenyl-2-propanone or phenylacetone – the component for making amphetamine and methamphetamine – from Russia to Estonia during the period of August 2006 to February 2007.

On October 2, 2008, Harju County Court charged 10 people guilty in compromise procedure according to § 189 sec. 1 and § 392 sec. 2 p. 2 of the Penal Code – preparation for distribution of narcotic drugs or psychotropic substances and illicit import of prohibited goods, and 3 people were charged guilty according to § 189 sec. 1 of the Penal Code for preparing the distribution of narcotic drugs (that is a total of 13 people). There are two key people in perpetration of the named crimes: Aleksandr Kaldma and Igor Zygmont. Pursuant to the materials of the criminal case Aleksandr Kaldma asked Igor Zygmont to find opportunities in Russia to obtain phenylacetone, Igor Zygmont arranged the transport of the obtained phenylacetone from Yekaterinburg, Russia, to Estonia, involving into this other people, and arranged the resale in Estonia. The Court punished Aleksandr Kaldma with 6 years imprisonment. The Court

A vehicle detained in Germany, loaded with jerricans containing phenylacetone, a component used for producing amphetamine, hidden in large paintjars.



punished Igor Zygmont for arranging, keeping and passing on the phenylacetone with 6 years imprisonment with 5 years probationary period, including into the penalty time the 11 months and 24 days spent in provisional custody. The Court also confiscated the criminal profit in the amount of 222,000 USD (2.2 million EEK) from Igor Zygmont, which he received from Aleksandr Kaldma for phenylacetone. During preliminary investigation Igor Zygmont voluntarily agreed to compensate the illegally received profit and had it transferred to the Ministry of Finance's bank account, making

The Court punished with 4 years imprisonment Konstantin Otbetkin, who ordered a large amount of phenylacetone from Aleksandr Kaldma, had it transported from Russia to Estonia and sold

Considering the fact that in case of amphetamine the dose of effect is ca 120–150 milligrams, approximately 7.8–9.7 million people could be drugged from that quantity of amphetamine.

it possible for the Court to immediately confiscate it instead of reclaiming the given amount and address it to the public revenue during executive proceedings. After the announcing the court decision, Igor Zygmont was released from custody and immediately sent from Estonia to Russia, because he is a citizen of the Russian Federation.

The rest 11 people the Court punished, according to their role in committing crimes and the amounts of illegally handled components, from 1-year imprisonment with 3 years probationary period to 4 years imprisonment.

160 litres of it in Estonia. In addition the Court confiscated 1 million EEK of criminal profit of Konstantin Otbetkin received from reselling 160 litres of phenylacetone in Estonia. Otbetkin was willing to compensate that during the preliminary investigation by transferring the given amount to the Ministry of Finance's bank account.

The Court confiscated of the convicted offenders a total of 3,262,377 EEK of criminal profit and ordered from the sentenced persons additional payment of illegally gained profit of 48,000 EEK and 157,972 EEK of state penalty payment, fees for expertise and defence.

To help better understand the danger to society of 1.3 tons of phenylacetone, we bring as an example some calculations. Depending on the methods of manufacturing there is approximately 50–90% amphetamine in 1 kg of phenylacetone. Therefore, out of 1.3 tons of phenylacetone it would be possible to make 0.65–1.17 tons of amphetamine. Considering the fact that in case of amphetamine the dose of effect is ca 120–150 milligrams, approximately 7.8–9.7 million people could be drugged from that quantity of amphetamine. The identified buyers of this certain phenylacetone have claimed that their attempts to make amphetamine failed or that they destroyed the phenylacetone in their possession after hearing that Aleksandr Kaldma was detained as a suspect.

COMBATTING CORRUPTION

Combatting corruption by the Security Police Board mainly bases on the regulation endorsed by the Government of the Republic that imposes investigative jurisdiction between the Police Board and institutions under its administration, and the Security Police Board. According to the regulation, proceeding crimes under investigative jurisdiction of the Security Police Board are the criminal official misconducts committed by the higher officials and from July 2007 also the heads of the six larger local governments – Tallinn, Tartu, Pärnu, Narva, Kohtla-Järve and Jõhvi. Besides proceeding criminal official conducts the Security Police Board contributes to prevention of corruption by organising trainings on this issue to increase awareness among officials.

In assessing corruption risks more and more consideration should be taken on aspects of the state's financial, economic and industrial security, because corruption by using budgetary means and public property, and in certain cases also in larger local governments could weaken the security of the whole country. In addition to that it should be taken into consideration that a corrupt official is a good recruitment target for intelligence services of the unfriendly foreign countries. Thus the Security Police Board has turned the main attention to disclosing and proceeding complicated corruption cases that influence the state's security and international reputation most.

Compared with previous years, corruption schemes have become more sophisticated and more difficult to disclose. Dishonest officials try to cover and conspire their illegal activity more

carefully, learning from the mistakes of detected colleagues. This tendency partially indicates to the fact that combating corruption has become more systematic and efficient in the recent years, and dishonest officials sense that the risk to be caught increases. Greatly due to that the number of criminal cases on criminal official conduct sent to the prosecuting authority by the Security Police Board has shown some decline and this tendency will clearly continue.

Corruption Connected with Execution of Non-proprietary Tasks in Public Sector

Corruption connected with non-proprietary tasks concerns, first of all, execution of tasks that demand no direct expenses or earning income to the state. These are corruption cases of making procedural decisions at law enforcement agencies or leaking official information, but also bribes and issuing permits, licences or national coordination decisions.

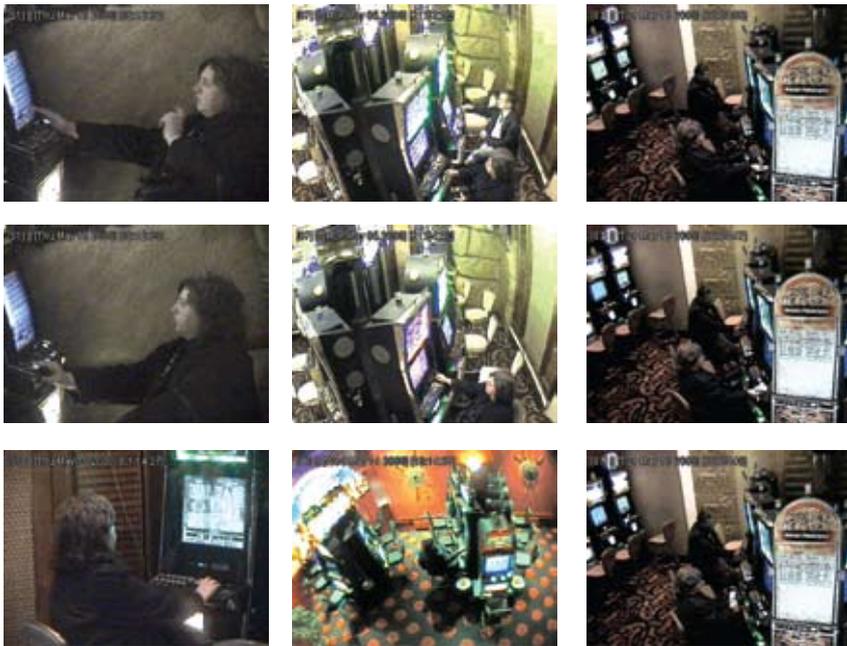
One of the largest fields of work here is undoubtedly disclosure of corruption cases in the agencies proceeding misdemeanour matters. The practice so far indicates that illegal acts in this area often proceed from the basis of personal relations or other social connections, and are not always directly associable with a single decision adjudicated by the official. At the same time there are cases, where an official has accepted gratuities or bribe for making certain procedural decisions. For instance, court judgement adjudicated on judge Ardi Shuvalov for accepting bribe in the amount of 200,000 EEK took effect in June 2008 and the

former judge is actually serving imprisonment for committed crimes.

Besides cases of accepting gratuities and bribe there are fortunately also cases, when the person offering bribe is disclosed with the help of honest officials. For instance, in October 2008 the Security Police Board forwarded to prosecuting authorities the criminal case on the activity of the member of Narva City Council, who is suspected in giving a bribe.

Corruption concerning with issuing licences, permits and coordination decisions, and performing state surveillance occurs in public sector is connected with non-proprietary tasks. One of the most important fields of work here is disclosing corruption in customs and border control and the Security Police Board continues to collect information in this area actively. Due to disclosed customs and border corruption cases the efficiency of customs and border control has increased, and so has the receipt of taxes.

Last year, besides disclosing customs and border control corruption the Security Police Board paid more attention to disclosing illegal activities of environmental authorities. In June 2008 the Security Police Board forwarded to prosecuting authorities the criminal case on the activity of an employee of Ida-Virumaa Environmental Service, who is suspected in asking for bribe.



Maksja	Saaja	Selgitus	Kuupäev	Summa
Sotsiaalkindlustusamet	Raali Raudsepp	pension	04.01.08	3 337
Sotsiaalkindlustusamet	Raali Raudsepp	pension	04.01.08	3 371
Sotsiaalkindlustusamet	Raali Raudsepp	pension	04.01.08	3 795
Sotsiaalkindlustusamet	Raali Raudsepp	pension	04.01.08	4 150
Sotsiaalkindlustusamet	Raali Raudsepp	pension	04.01.08	4 706
Sotsiaalkindlustusamet	Raali Raudsepp	pension	04.01.08	4 935
Sotsiaalkindlustusamet	Raali Raudsepp	pension	11.01.08	51 206

A “style sample” of the activity of an accountant Raali Raudsepp, a gambling addict: forged pension transfers; and the public official gambling away the “pension”.

Corruption Connected with Use of Budgetary Instruments and State Assets

Processes using budgetary means, connected with public procurements and large-scale public investments, is still among the most important fields of work for the Security Police Board, receiving continuously intensive attention in combating corruption. More harmful corruption cases in using budgetary means and state assets concern corruption connected with concluding illegal agreements about the conditions of public procurement.

In February 2008 the Security Police Board forwarded to prosecuting authorities the criminal case on the activity of Valga county governor Georg Trashanov, who is suspected in taking gratuity and bribe. According to the evidence in the criminal case, during 2006–2007, Trashanov received from the member of AS GOBUS management altogether 170,000 EEK in cash in the form of gratuities and bribe. In return Trashanov unfoundedly preferred AS GOBUS in public procure-

ment organised by the county government on regular public passenger services and granted other incentives to the company in increasing capacities and additional allowances, and left unapplied contractual supervision and sanctions.

In October 2008 the Security Police Board brought charges on Andres Metsaveer, the head of the administrative service of the Chancellery of the Riigikogu. According to the materials of the criminal case, during 2007–2008 Andres Metsaveer received from his former classmates as a bribe more than 43,000 EEK in cash and building materials. In return Metsaveer guaranteed for their companies repairing and building orders of the Chancellery of the Riigikogu and gave them advantages in public procurement competitions. According to the materials of the criminal case it could be claimed that these companies probably got these orders only due to the activity of Andres Metsaveer, because for one of these companies the Chancellery of the Riigikogu was the main contracting entity for years.

Besides the cases of taking gratuity and bribe there still occur cases, where officials abuse confidence and misappropriate budgetary means. In July 2008 the Security Police Board forwarded to the prosecuting authorities the criminal case on the activity of the advisor of the Commander of the Defence League Sulev Tammemäe, who is suspected of abuse of confidence and contributing to fraudulent conduct. According to the materials of the criminal case, during 2005–2006, Tammemäe colluded with his former colleagues and organised for the Defence League the purchase of a house in Tallinn city center, belonging to their company, for the price 37.8 million kroons higher than its actual market value. In order to artificially increase the market value of the house, fictitious purchase bids with prices more than two times higher than the actual market value were produced for the Defence League from the name of well-known real estate companies. Noteworthy here is the fact that immediately after concluding the transaction Sulev Tammemäe quit the Defence League and went to work to the company that had sold the house.

Compared with previous years, corruption schemes have become more sophisticated and more difficult to disclose.

In November 2008 the Harju County Court convicted Raili Raudsepp, the deputy chief accountant of the Accountancy Division of the Finance and Property Management Department of the Social Insurance Board, in misappropriating and punished her with conditional imprisonment. According to the materials of the criminal case, in 2008, during 4 months, Raudsepp misappropriated over 380,000 EEK from the fund of state pensions and transferred it to her personal account as instalments. For covering up she altered in accounting programmes and other databases the data concerning the payment of pensions. The fact that Raili Raudsepp, as deputy chief accountant, had unlimited user rights to access accounting programmes and other databases, and control over her activities was insufficient, made it much easier to commit the crime. Another noteworthy aspect is the fact that Raudsepp gambled all the money away in casinos and paid for SMS-loans she had taken for playing in casinos.

Corruption in Local Municipalities

In July 2007 investigating corruption crimes of the heads of six larger local governments – Tallinn, Tartu, Pärnu, Narva, Kohtla-Järve and Jõhvi – became the task of the Security Police Board. As a result of active information collecting the first corruption cases in this area have reached court in 2008, and some more will follow soon.

In April 2008 the Security Police Board forwarded to the prosecuting authorities the criminal case on the activity of the Head of the Engineering Depart-

ment of Tallinn Public Utility Office Jaan Maanas, who is suspected of taking bribe. According to the materials of the criminal case, during 2007–2008, Jaan Maanas repeatedly took bribe from the director of a building company in the amount of nearly 120,000 EEK. In return Maanas took care that this company got as many orders as possible and guaranteed quick payment of submitted invoices. Maanas also communicated to this company the city governments's inside information for the sake of guaranteeing the company business activity.

In October 2008 the Security Police Board forwarded to the prosecuting authorities the criminal case on the activity of the Head of the Construction Service of Pärnu City Government Enno Tammekivi, who is suspected of taking bribe. According to the materials of the criminal case, during 2006–2007, Enno Tammekivi received from three companies more than 721,000 EEK in cash, and building materials and construction works. One company even paid from its bank account the downpayment for the log house purchased by Enno Tammekivi. In return Tammekivi guaranteed these companies several advantages in the city government's procurements remaining under limits of public procurements, and by that ensured that the bids of these companies won.

In November 2008 the Security Police Board lodged suspicion on taking gratuity and bribe to the Head of the City-managing Department of the North-Tallinn City District Government Allar Oviir. According to the materials of the criminal case, in 2008, Oviir received

as a bribe 20,000 EEK from the executive director of a company, for illegal renewing of lease contracts of different municipal apartments with the purpose of later privatisation. Allar Oviir also helped the same person in concluding lease contracts on municipal apartments on the names of nearly 60 different persons, who according to the regulation of the city council have no right to apply concluding lease contract on municipal apartment. Besides that, in 2007–2008, Allar Oviir received gratuity in the amount of over 74,000 EEK from the owners of three companies for ordering repair and management works of different municipal rental and accommodation premises owned by the city.

In December 2008 the Security Police Board lodged suspicion on taking bribe to the advisor of the Deputy Mayor of Tallinn Ivo Parbus. According to the materials of the criminal case Ivo Parbus received from three persons gratuities in cash and in the form of gift coupons, altogether in the amount 130,000 EEK. In return for received gratuities Parbus was supposed to help these persons in proceeding the problems arising in connection with various detail planning projects in Tallinn, in concluding necessary coordination issues and in accelerating the process.

In conclusion it could be said that the results achieved by the Security Police Board in 2008 were good. Several substantial criminal cases, disclosing corruption, were forwarded to the prosecuting authorities and proceeding of several criminal cases will be completed in the nearest future.



The train of deportees at Keila station in March 1949. The picture was taken by Gustav Kulp, a photographer from Keila (photo from private collection).

60 YEARS FROM MARCH DEPORTATION

The Soviet Occupation Powers' Large-scale Operation "Priboi" (March 25–29, 1949)

On March 25, 1949, the Soviet occupation powers initiated the large-scale operation "Priboi" (Russian for "Breaker") in Estonia, Latvia and Lithuania that stipulated deportation of over 100,000 innocent citizens into faraway districts of the Soviet Union on permanent basis. According to the decision No. 390-139ss of the Council of Ministers of the USSR from January 29, 1949, 7,500 families, altogether 22,500 persons, were to be deported from Estonia.

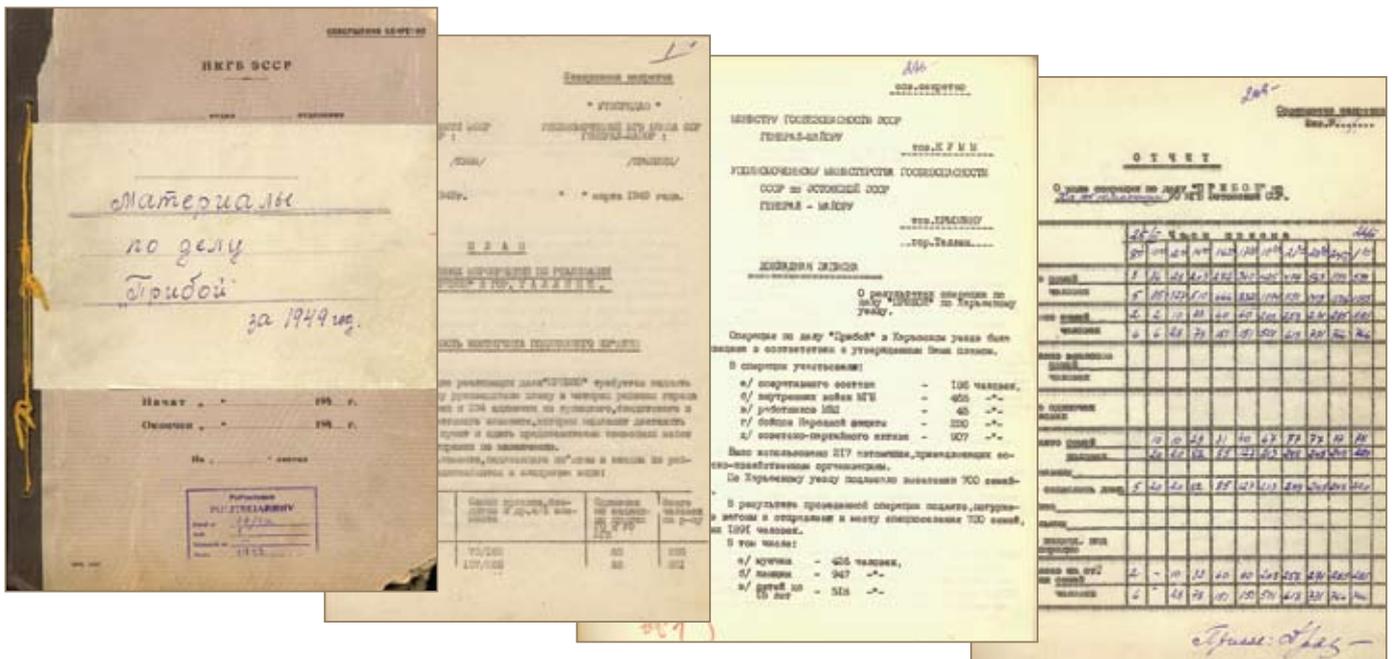
Deportations were inseparable part of the Soviet repressive internal policy of the time: as a result of at least 130

deportation operations, which were carried out during the period of 1920–1953, millions of people were violently taken away from their homes. Jointly with ethnic Germans the whole nations – Chechens, Ingushes, Volga Germans, Crimean Tatars, etc. – were deported as guilty during the II World War. Repressions aimed against the people of the Baltic States began immediately after the Soviet Union occupied and annexed the three independent countries in summer 1940 and continued immediately after re-occupation of Estonia, Latvia and Lithuania in 1944.

According to the decision No. 390-139ss of the Council of Ministers of the USSR from January 29, 1949, the following persons were to be deported from the Baltic States:

- 1) the family members of "bandits" and nationalists, including the families of the "bandits" who were hiding, who had been convicted or who had been executed;
- 2) legalised "bandits" and their family members, who continued anti-Soviet activities;
- 3) persons and their families, who helped "bandits";
- 4) "kulaks" and their families.

The occupation power called "bandits" all Estonian men who had either participated in armed fight against the Soviet Union (whether as partisans (forest brothers) in Estonian woods, or in composition of German or Finnish Army), deserted from the Red Army or had been hiding to avoid mobilization into the Red Army. "Kulaks" were considered all hardworking and ambitious



Excerpts from the notorious file “Priboi”.

farmers who owned over 30 hectares of farmland and/or had used hired help in their farms in the Republic of Estonia. In brief, the occupation power considered all deportees to be “bandit-nationalist and kulak element”.

Execution of operation “Priboi” became an obligation of the Ministry of State Security of the USSR (MGB) and the Ministry of Internal Affairs of the USSR (SM). The Ministry of Security was responsible for the first part of the operation “Priboi” – composing the list of families to be deported, picking up the listed persons and delivering them to the specially founded loading points at railway stations. The task of the Ministry of Internal Affairs was to form the echelons at loading points and deliver them to places of destination. This extensive operation was appointed under the command of the 1st deputy of the Minister of State Security Sergei Ogoltsov. Commissioners arrived from Moscow to coordinate the work in the republics’ ministries. Major-General Ivan Yermolin was the posted commissioner in the MGB

of Estonian SSR, and Major-General Vladimir Rogatin was commissioned to the Ministry of Internal Affairs of the Estonian SSR.

As in every other field of society in the Soviet Union, the basis of the Stalinist repressive policies was socialist planned economy. The puppet-government of the Estonian SSR composed the plan for every county. In order to guarantee definite execution of Moscow’s required plan, besides the main list of “bandits and kulaks” there was a parallel additional list that consisted of 1906 families.

A week before the beginning of the March Deportation, on March 17, 1949, the head of the MGB of the ESSR, Major General Boris Kumm sent a top secret overview of the preparations of the operation to the Secretary of the Central Committee of the Communist Party of Estonia Nikolai Karotamm, which has a handwritten note: “1500 kulak families short”. His open-minded saying of the Party leader (there are not enough kulaks!) most expressively

proves that in March deportation it was not the priority to get rid of persons whom the Soviet power considered an enemy, but the repression in itself as an action destroying the spirit of resistance and terrifying people. Despite that the number of such persons was considerably less than the plan envisaged, but the plan had to be fulfilled and, even better if exceeded. Thus, from March 25 to March 29, 1949, the better part of families in this list (in addition to the “main list” of kulaks and bandits) were deported.

23,024 security officials, offices and soldiers of internal and regular forces, members of the Communist Party, and Soviet activists participated in committing this crime against humanity. In Estonia 1,987 field-groups were composed to apprehend deportees, whereas one group had to unexpectedly pick up and deport 4 families. 12,400 horse-wagons were mobilised for transporting detained families to gathering points, 2,772 cars for transportation from gathering points to the stations, of these 1,545 the vehicles

of civil services and organizations 16 loading points were organised along Estonian Railway Lines, and 19 railway echelons with 1,079 wagons were formed.

Deportation operation in Estonia started on March 25, 1949, early morning, at 04:00 am, when unsuspecting people were sleeping in their homes. As capturing and transportation to loading points took much longer than expected, the formation of echelons continued until March 29. At the same time the Party activists marked down the property of deportees in their homes; it was to be sold or handed out to local collective farms in ten days. A probable amount of 20.702 people – almost three quarters of them women, children and elderly people; the heads of the families had already been arrested earlier – were expatriated from Estonia for good. The majority of deportees were taken very far from their homes – to Krasnoyarsk Krai and Novosibirsk Oblast, Siberia.

The main goals of the 1949 March deportation were total destruction of Estonian private farming, compulsory formation of collective farms and state farms and eliminating armed resistance or local partisans (forest brothers). The criminal nature of the March deportation is proved by the mere fact that the measuring unit of the operation was the whole family, not an individual who was considered guilty. Besides the principle of punishing the whole families, the deportable families were selected by the security services on the basis of certain group features, and due to that the 1949 deportation should be considered genocide aimed against Estonian people.

Researches on March deportation have indicated that deportation lists were not composed by higher authorities or by local executive committees (based on local informants); decisive

was the activity of the employees of the Ministry of State Security of Estonian SSR, known as chekists. First and foremost, a family got into the list due to identification document composed by local security field-commissioner. Thus, the field-officials of MGB's regional departments possessed quite extensive authority in both, composing deportation lists and executing deportation operation, and by that they became legally accomplices of crime.

Since 1995 the Security Police Board investigates crimes against humanity and war crimes committed on the territory of the Republic of Estonia or by Estonian citizens. Among such non-expiring crimes is also forcible deportation of Estonian residents to the Siberian regions of the Soviet Union by Soviet occupation powers in the course of extensive operation "Priboi" on March 25, 1949.

In 2009, 60 years passes from March deportation, the genocide on Estonian people committed by Soviet occupation powers. Deportation, according to the principles of international law, is a timeless crime that obliges to prosecute persons who participated in committing these crimes even today. At the same time we are racing with time: the number of victims and perpetrators of mass deportation is decreasing and soon the investigation and judging of March deportation becomes a demesne of historians.

Criminal Cases on Deporters Proceeded in the Security Police in 1995–2008

During 15 years, when the Security Police Board has been investigating the March deportation, tens of thousands of pages of documents have been studied, and hundreds of victims and witnesses questioned. It has been a complicated task to investigate and attest

successfully in court the crime that was committed more than half a century ago. As a result of the work done, 8 criminal cases, concerning different episodes of the 1949 deportation, have been taken to court and 8 persons have been convicted. However, despite the fact that the number of suspects during these years has been significantly higher, it is possible to bring to justice only those, whose health the experts have assessed good enough to participate on trial. It is important to underline the fact that until now not a single person charged by the Security Police has been acquitted in courts. Investigation of every criminal case and its proceeding has taken a long time – at least three years. Verdicts of guilty, which have taken effect, have also proved that the activity of criminals has received official and objective assessment.

It took four long years to reach to the first judicial decision on the criminal case of the March deportation. On January 22, 1999, the Lääne County Court convicted the former field commissioner of Lääne County department of MGB of the ESSR Johannes Klaassepp (born 1921) for deporting 23 persons and attempted deportation of 9 persons from Lääne County in 1949, and punished him with 8 years conditional imprisonment with 2 years probation period. On April 6, 1999, Tallinn District Court partially satisfied Johannes Klaassepa's appellation, counting as attested deportation of 15 persons and attempted deportation of 2 persons, but left the punishment unaltered.

On March 10, 1999, Pärnu County Court convicted the former field commissioner of Pärnu County department of MGB of the ESSR Vassili Beskov (born 1918) and punished him for deporting 7 families (21 persons) and attempted deportation of 2 families with 2 years conditional imprisonment with 3 years probation period.

On July 30, 1999, Pärnu County Court convicted the former field commissioner of Pärnu County department of MGB of the ESSR Mihhail Neverovski (1920–2000) for identifying 75 families or 278 persons, who were then deported. According to the decision Neverovski participated personally in deportation of 8 persons and attempted deportation of 2 persons, and he was punished with 4 years imprisonment. Tallinn District Court released him of actual imprisonment, replacing it with 4 years conditional imprisonment with 3 years probation period on November 1, 1999.

On March 17, 1999, Järva County Court found that the guilt of the former field commissioner of Järva County department of MGB of the ESSR Vladimir Loginov (1924–2001), who participated in deportation in Järva County in 1949, is guilty of crimes against humanity (deportation of 16 persons) is attested and closed the criminal case. Court decision ordained Loginov to psychiatric hospital for coercive treatment until recovery.

Tallinn City Court's decision from October 31, 2002, convicted the former senior field commissioner of Harju County department of MGB of the ESSR Juri Karpov (born 1921) in deportation of 40 persons and attempted deportation of 20 persons. On December 19, 2002, Tallinn District Court did not satisfy Karpov's appeal and the decision of Tallinn City Court stayed in force. On March 5, 2003, the Supreme Court did not give leave to Karpov's cassation appeal, thus entering into force the decision of Tallinn City Court to punish Juri Karpov with 8 years imprisonment, which will not be enforced if he will not intentionally commit criminal offence in 3 years.

On October 10, 2003, Saare County Court convicted August Kolk and

Piotr Kislyi in deportation at Saaremaa in March 1949, and punished them for crime against humanity with 8 years imprisonment with 3 year probation period. Both, Tallinn District Court and the Supreme Court, on January 27, 2004 and April 21, 2004 respectively, left the appealed decision in force without any changes. On January 17, 2006, European Court of Human Rights did not accept their appeal against the Republic of Estonia.

On November 7, 2006, Saare County Court convicted Vladimir Kase in a crime against humanity and punished him with 8 years imprisonment with 3 years probation period.

12 people were brought to justice in Saaremaa episode of March deportation: former MGB field commissioners of Saaremaa department Rudolf Sisask (born 1926), Stepan Nikeyev (born 1924), Boris Loho (1918–2001), Albert Kolga (1924–2006); employee of the central apparatus of MGB of the ESSR August Kolk (born 1924) and militia officers of Saaremaa department of the Ministry of Internal Affairs of ESSR Piotr Kislyi (born 1921), Viktor Martson (1921–2004), Vladimir Kask (born 1926), Heino Laus (1927–2006), Osvald Adamson (1927–2001), Leonid Maikov (1924–2001) ja Nikolai Zherebtsov (1921–2003). Boris Loho, Osvald Adamson and Leonid Maikov died before judicial process. For health reasons the proceedings were terminated on Nikolai Zherebtsov before the beginning of judicial process. Heino Laus, Viktor Martson and Albert Kolga died during the years-long process. Rudolf Sisask was exempted due to health reasons. Judicial process continues on Stepan Nikeyev.

On September 29, 2003, criminal procedure was started on deportation of 84 families, or 261 persons, from Hiiumaa. Four years later, on August 9,

2007, Lääne District Prosecutor's Office, based on information gathered by the Security Police during preliminary investigation, lodged suspicion against Arnold Meri (born 1919). He was accused under § 90 (genocide) and § 97 (attacks against civilians) of the Penal Code, of leading deportation in Hiiumaa on March 25, 1949, which included forced deportation and displacement of 251 civilians to the territory of occupying country. Despite propaganda games around court session that we described in our previous annual, initiated from Russia and holding out for nearly a year, judicial process started in Kärdla on May 20, 2008, and should have continued this year. The death of Arnold Meri on March 27, 2009, unfortunately terminated both, the judicial process and the prospect to convict in genocide a high-ranking official who participated in deportation. On the other hand, the time of death of Arnold Meri – exactly 60 years after the deportation – might in a way be considered symbolic.

Although Estonian courts have punished participants – security officials, and militia officers – of 1949 March deportation with conditional sentences only, it is much more important that the Republic of Estonia has officially condemned deportation as timeless crime against humanity and declared totalitarian occupation regime of the Soviet Union criminal.



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