



ESTONIAN INTERNAL SECURITY SERVICE
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The Director General Arnold Sinisalu

Dear reader,

With this document we are publishing an overview of 2016, which is our 19th annual review. Based on the analysis of collected information, we present the results and conclusions that we can and must share with the public. Adequate awareness of potential threats provides every person with the opportunity to organise their life in a free society in a better way.

In 2016, it became evident at all levels, both in Estonia and elsewhere in the world, that the explosive growth of social media has had an impact that was not completely foreseen. Moreover – the onslaught of false claims and misleading information have made many of us think that we have reached a post-truth age. Is that really the case, and was the truth dominant in the world until now? I have serious doubts about that. Perhaps we here in Estonia have sensed that false and misleading claims, and untruthful facts influence our way of life, and that truth has been ignored or twisted for a long time. One of the most characteristic examples is

the supposed harassment of Russian-speaking people, although there are strong facts proving the opposite. In particular, a large number of Russian citizens and other Russian native speakers settle in Estonia every year: these people obviously consider our country to be a sensible and safe place to live or work. Perhaps it would be more correct to say that the growth of social media has not resulted in a post-truth world, but in the onslaught of stupidity. Of course, I am not saying that social media only has a negative effect, far from it.

Manipulations with history are not over, and we are not living at the “end of history”. The western democratic and peaceful way of life is not a self-explanatory or desired social development for everyone. We are still witnessing attempts to erode our society. Sometimes, our enemy will achieve a tactical victory. Most recently, it was 10 years ago, the long-term persistent influence activity by the Kremlin culminated in a public attack on the national flag in May 2006, and in

April 2007 with riots against the police and looting in Tallinn and Ida-Virumaa. I daresay we have learned our lesson from this as a society here in Estonia. All of us always have more than enough hindsight, but it is a bit like the flu virus: immunisation will not help against all strains, and the effect will not last forever. Overall, however, we are stronger and smarter when resisting hostile influence activities.

We believe in ourselves, and we value freedom, just as we are convinced of Estonia's defence abilities, and the existence of safety and legal certainty. We value the work that our government and our sympathisers have done for decades, to create and develop a stable and safe Europe. It is always easier to demolish than to build, especially if there is a strong foundation built on safety that is seemingly resistant to every mistake. We can overcome mistakes if we learn our lessons at the right time, and draw conclusions from the mistakes.

State secrets are the secrets of the state, although some people have not understood this, and consider these to be their personal property. Intentionally ignoring the requirements to protect state secrets, also after a termination of employment, will result in a criminal sentence. The investigation of these crimes helps to prevent treason.

Russian intelligence agencies continue espionage against Estonia. In counterintelligence, there is an ongoing tendency to recruit "ordinary" people and criminals for secret collaborations. Again this year, we have to include regrettable examples of how some people have started carrying out anti-Estonian tasks given by Russian intelligence agencies. We have identified these cases and, in collaboration with the Prosecutor's Office, we have prosecuted these criminals. There is increasing interest in the field of defence. The increased presence of NATO allies in the Baltic countries and in Poland is vexing for Russia. It is this vexation in particular that Russia demonstrates in words and actions, trying to make it as unpleasant as possible for NATO member countries to support their allies. For Estonian security authorities, this means more work, but it is highly beneficial with regard to improved safety and stability.

Terrorism has kept people alert, even in the safest countries. The threat of terrorism remains low in Estonia. At the same time, the past year was significant in a sad way: two of our people perished abroad due

to a terrorist attack. The supporters of terrorism have been convicted in court¹ and, for the first time, we extradited an Estonian citizen to Ukraine for suspected terrorist crimes. Unfortunately, already since 2014, Ukraine has had to take up arms to protect its country against attacks threatening its constitutional order. We are all witnesses to how dangerous government-supported terrorism and acts of war can be for the security of a European country.

We believe in ourselves, and we value freedom, just as we are convinced of Estonia's defence abilities, and the existence of safety and legal certainty.

In the digital world, we can become victims without even realising it. Adequate digital hygiene in an orderly defence system helps to prevent the worst. A life described with zeroes and ones, whether we are aware of it or not, is part of our surrounding environment. As an e-government we must protect ourselves and our right identity in the digital world because attackers can appear from several foreign countries as well as from non-government institutions.

It can be said that anti-corruption activities are proceeding normally; we are continuing our operations for the sake of a cleaner and stronger society. Finding joy in little things, we can say that we are occasionally able to prevent corruption risks better than before. Unfortunately, this is not often the case. Preventing and investigating damage that threatens national security is the duty as well as the right of the Internal Security Service, imposed on us by the legislative authority.

In this year's review, we describe how the KGB harassed the intelligentsia during the Soviet occupation, as these people were a threat to the Soviet regime. We have retrieved some correspondence that the KGB took from the Estonian intelligentsia. We are now trying to deliver them to those recipients who are still alive. Let that section help us understand the history of our nation, and the suffering it went through at the time.

Arnold Sinisalu

¹ Both, the county court and the district court, convicted these individuals in 2016, but the sentence had not entered into force before the printing of this annual review. The Supreme Court decision is set to be announced just before the publication of the annual review.



DEFENDING THE CONSTITUTIONAL ORDER

The primary task and duty of the Internal Security Service is to defend our constitutional order in Estonia and prevent violent damage to the country's territorial integrity. Threats to constitutional order may be broadly divided into military and non-military, and the Internal Security Service works to prevent the latter from materialising. It is our daily duty to prevent and combat violent damage to our constitutional order and to gather and process information to that end. On this basis we are able to share a selection of our most important conclusions. Although we can say in retrospect that constitutional order was not directly threatened in 2016, we consider it necessary to outline activities and events that may threaten the security of Estonia in the longer perspective, the prevention and combating of which is the duty of the Internal Security Service.

Extremism and the impact of the migration crisis

Standard extremism (left-wing, right-wing, etc.) is largely disappearing in Estonia without presenting much of a threat to national security. Bands of skin-heads attracted public and media attention in 2016, but the incidents did not even amount to indirectly threatening constitutional order.

Tensions in society can sometimes rise up, and through this a phenomenon may seem to be or develop into extremism. The year 2016 showed that the fear surrounding the arrival of refugees was groundlessly exaggerated, but this did not threaten national security. In fact, anti-refugee activists do not have a real enemy to target. Abstract talks about the Islamifica-



Photo: Sven Začek

tion of Europe did not match reality in Estonia. The topic of refugees was overshadowed in 2016 by other events of actual significance. Very few offences have been committed by immigrants in Estonia that could be magnified. This was probably understood and actual anti-refugee activity has therefore halted, or as we have said – it was shadow-boxing. The activity of one attention-seeking group has raised questions from the beginning – their zeal was to seek alleged dark-skinned offenders, while the former and current leaders of the group have records for robbery, theft, drunk driving, alimony debts and even murder. In 2016, the group showed itself on the streets and at events a few times; no conflicts occurred, but their presence hardly improved the sense of security among the public. The actual security issues lie elsewhere, and volunteers can serve public order as assistant police officers.

The instigation of hostilities against refugees continued in social media in 2016, and a few demonstrations were held against immigration. Anti-refugee enthusiasm cooled down compared to 2015. After the arrival in Estonia of the first refugees under the Euro-

pean migration agenda, a few invitations were made to seek out where the refugees were living and photographs were taken of people with a different skin colour in Estonian towns and posted on social media. With the exception of a few gangs roaming the streets, their goals were largely limited to social media and no events worthy of mentioning followed.

One key security impact on Estonia and Europe was a deepening confrontation with the Russian Federation owing to an aggressive Russian foreign policy.

A few anti-refugee activists attempted to involve Russian-speaking people to spread their message in the Russian-language media, but this had no wider impact. However, it did give Russian propaganda channels an opportunity to cause tensions through the refugee issue in Estonia and also in Europe.

Security impact of divisive Kremlin policies

One of the characteristic factors that had a security impact on Estonia and Europe was a deepening contrasting with the West owing to an aggressive Russian foreign policy. In the Kremlin-controlled Russian-language information space, the West is depicted as an enemy, or at least a threat to Russian interests. These interests are no longer clearly and openly defined, but it is effectively a spheres of influence policy attempting to maintain the legacy of the Soviet Union, the grounds for which were worded as early as 1992 in the Karaganov Doctrine. This document is the source of “the near abroad” concept, the countries of which should not have an independent policy for their internal, foreign or security issues. The same doctrine is the source of Russia’s objective to use Russian-speaking minorities in other countries as a tool of political ma-

Russia is inconsistent and opportunistic when inventing methods to achieve its goals, and uses them depending on the particular situation and options in each EU and NATO member state. To break relationships between allies and split societies, Moscow uses cyber attacks, controlled information leaks, disinformation and blatant lies in order to influence public opinion and discredit the democratic election process. In some EU and NATO countries with a Slavic majority, it tries to earn credit through Pan-Slavic ideas, maintaining contact with organisations advocating “traditional family values”. One method of destabilising states and causing tensions is to support political extremist forces and, in some cases, assist them by funding their activities. It is enough if at least some of the objectives of such forces (e.g. opposition to NATO or the European Union) coincide with Russia’s strategic goals to break down or destabilise these alliances of western countries.



Doves were used in Soviet propaganda as early as the 1950s. On the left: Demonstrators in Leipzig in 1950. Photo: Rössing, Roger & Rössing, Renate. SLUB, Deutsche Fotothek; on the right: an anti-NATO event organised by Kremlin-minded extremists. Photograph: Delfi team photographer, Priit Simson.

nipulation. More recent developments have demonstrated, however, that Russia is also ready to instigate aggression in order to implement its spheres of influence policy.

To weaken its perceived enemies and turn the situation to its own benefit, Russia is using the old “divide and rule” principle where the end justifies the means. As a more general goal, Moscow is attempting to weaken the unity of the European Union and NATO, question relationships between allies, jeopardise individual societies and make attitudes more positive toward the Kremlin’s activities.

Moscow’s divisive policy therefore has many facets. A special form of the divisive policy that Russia calls its compatriot policy is the abovementioned manipulations using Russian expatriate communities. The more general purpose of this activity is to further segregate Russian minorities and widen the resulting social divide. Among other things, the Kremlin wants to lead them to fulfil the aforementioned goals – to destabilise and create tensions in the societies of EU and NATO states, and to undermine ally relations. Organisations and institutes that are formally research institutions actually carry out the same mission.

NATO as a keeper of stability disturbs the Kremlin

NATO's decision to place additional battle groups in its eastern member countries to counter Russia's increasing aggression left its imprint on 2016. This was met with an aggressive reaction by the Russian media and politicians, and as usual – reversing cause and effect – an aggressive propaganda campaign was launched attributing the North Atlantic alliance with bad intentions toward Russia. Moscow's stance was also conveyed by a handful of extremists active in Estonia, who organised an anti-NATO picket and a so-called peace march. They did not find much of a following in society, but they met the goal of providing the Kremlin propaganda channels with verbal and photographic material to demonstrate “anti-NATO sentiment in Estonia”.

The slightly confused extremists did not even know the precise date of the NATO summit, which is why they picketed the streets on two occasions, while the emergence of a new motivation for peace also deserves special mention. This is yet another re-use of Cold War methods, by which a handful of paid activists attempted to stage the spontaneous support of the people for the Soviet Union and undermine the defence ability of the free world, under the slogan “the fight for peace” in western societies, from the 1960s to the 1980s.² It is especially oxymoronic to see the belligerent rightist Allan Hantsom as a speaker for “peace” – years ago our annual review described his instigation of ethnic and racist hate as being in the ranks of the Barkashovists³.

The fear of NATO expressed by the Russian media and officials might actually be more than mere hypocritical propaganda to mobilise the Russian inhabitants and activate certain like-minded people in the West. Such a fear is present in Russia in a genuine form at rather high levels, even though common sense and the slightest level of information would suggest that a military attack by NATO against Russia would be highly unlikely. What is the Kremlin really afraid of?

The only actual threat to the Kremlin from NATO states today is the “disease” feared by authoritarian and corrupt regimes, such as democracy, freedom of speech, legal certainty, freedom of enterprise and free competition, financial security, informed and brave

citizens, and a lack of the fear of criminals, dictators and actual aggressors. Moscow's regime may be tactically cunning, but Russia's strategy will not be effective against these “diseases” in the long term. At least not while the free world not only has freedom, but also the force to protect itself against aggression.

Methods from the Kremlin's influence operations toolbox:

The Kremlin constantly supports and funds people who promote anti-Estonian propaganda narratives at events held by international organisations. For example, representatives of the Legal Information Centre for Human Rights and the Russian School in Estonia once again participated in the annual Human Dimension Implementation Meeting organised by the OSCE Office for Democratic Institutions and Human Rights in Warsaw from 19 to 30 September 2016. The Kremlin's influence operations fund once again paid for their participation⁴. Paid for by Russian money, these “independent representatives of Estonian civil society” painted a picture of Estonia that completely met the expectation of the sponsor – Estonia violates the rights of Russian children to be educated in their mother tongue and has a “massive” issue with people without citizenship, and so on.

A special form of the divisive policy that Russia calls its compatriot policy is manipulations using Russian expatriate communities.

The Kremlin also attempts to buy power. In more extreme cases, it offers money (usually in a concealed way) to the political parties of foreign countries or lucrative positions to former politicians in the senior management of companies owned by or closely related to the Russian government. Various Russian state foundations and media enterprises also fund non-profit organisations abroad, including in Estonia. The amounts spent in Estonia are not large; such support can be measured in hundreds of thousands of euros rather than larger figures. However, competition for these limited

² More about peace marches and other *modus operandi* of the KGB has been written, for example, in the book “Mitrokhin Archive” (C. Andrew. “The Sword and the Shield: Mitrokhin Archive”, 1999. Basic Books), in which a former KGB officer discusses in depth the working methods and goals of the KGB.

³ Estonian Security Police Board, Annual Review 2002, p 10: “On the basis of § 72 sec. 1 of the Criminal Code (instigation of national, racial, religious or political hatred, violence or discrimination) the three accused persons (Allan Hantsom, Sergei Vassechkin, Sergei Seleznev) were declared guilty of committing that crime.”

⁴ Fund for the Legal Protection and Support of Russian Federation Compatriots Living Abroad. Persons earlier supported by the Fund in Ukraine were active in the annexation of Crimea in 2014.



*A Saint Petersburg skinhead had to be sent from Russia to Estonia in order to call Estonia Nazi.
Photographs: Facebook and the Internal Security Service archive.*

resources is tough, as there is no shortage of those who want to earn easy money. One way to do that is to get a better starting position allowing for direct contact with the officials behind the Kremlin funds. It is an open secret among Kremlin-minded propagandists in Estonia that certain members of the Coordination Council of Russian Compatriots, which is managed by the Russian Embassy, receive the bulk of the grants paid by the Russian state funds. The best way to receive grants is to share them with Russian officials and diplomats. A characteristic example of the Kremlin's financial scheme is the funding of the *Baltiyskiy Mir* publication, which has several contributors in Estonia. The Russian Embassy in Estonia paid USD 30,000 to publish the 2016 issue. However, the publication was not issued at all in 2016. The grants offer a lifestyle and source of income for certain people. Unfortunately, this kind of corrupt mentality has its impact on Estonia. It is quite typical that the money is used for ostensible business in Estonia involving attempts at tax evasion.

Sticking labels on Estonia is also typical. We have noticed a tendency to delegate right-wing extremists from Russia to Estonian events in order to publicly display Nazi symbols, which leads to media coverage of this “social problem” in Estonia. One of the best examples from last year is the attempted provocation where the Saint Petersburg skinhead Aleksei Maksimov was sent to Estonia to be captured on film as a “local Nazi activist”. Maksimov crossed the border dressed in clothes that covered his arms and legs, but when going to the memorial event for those who fell in the Battle for the Tannenberg Line, he changed into clothes that revealed his neo-Nazi tattoos, including a swastika. The Kremlin-controlled media was naturally eager to pick this up as an example of events in Estonia. As they had to send in an activist from Saint Petersburg to play the role, it showed that the label was difficult to stick and the methods suggest desperation.

At the Russian State Duma elections, the “frozen conflicts expert” Konstantin Zatulin from the distant city of Sochi set up his candidacy in a minor electoral district, and visited the Estonian town of Narva during his campaign. Zatulin, who had been black-listed in a number of countries,⁵ stated in connection with his Estonian visit that it was common practice in Estonia to repress representatives of the Russian-speaking community, that Estonia maintains a Russophobic stance in its internal and foreign policies, and has discontinued the broadcasting of Russian TV channels at the national level – all false statements that suit the Kremlin. Zatulin's entire visit was covered by the Russian TV channel Tsargrad⁶, which is owned by the Russian businessman Konstantin Malofeyev, who is on the EU sanctions list because of the events in Ukraine. He has funded the activities of the Eastern Ukrainian separatists as well as European right-wing extremists. The editor-in-chief of Tsargrad TV is the well-known Russian chauvinist Alexandr Dugin, who is also the founder and leader of the Eurasia Movement.

Media projects

The Kremlin is attempting to make greater use of the internet and social media in its anti-West, including anti-Estonian, influence operations. This is to save costs rather than to keep up with the times or pioneer novel opportunities. Remarkably, the Kremlin's anti-Estonian influence projects had financial problems in 2016. At a time when western countries are paying increasingly more attention to revealing the Kremlin's obscure activities and lies, Russian media projects see this as a sign of increasing and threatening anti-Russian propaganda. Braver claims have even stated that western countries have understood their inability to handle Russia's fifth column and have therefore begun to form a sixth column of newly emigrated Russians who will be used for anti-Russian operations. It is obvious that Russian migrants who have applied for asylum in western countries are troublesome for the Kremlin even abroad. Active people who have taken up residence in Estonia and speak about the real situation in Russia and about their new home in the West are making it difficult for the Kremlin to "sell" the already frail narrative of the massive repression of Russian-speakers and their hard life in Estonia for internal consumption and export.

Russian media projects are being created to influence the Russian-speaking people in foreign countries and also the policies of their countries of residence. Although the desired result is often not achieved, such attempts are not being waived but are rather becoming more consolidated. The activities of the Baltnews propaganda portals, which are targeted at Russian-speaking communities in the Baltic states and have been mentioned in earlier annual reviews of the Internal Security Service, are coordinated by several employees of Rossiya Segodnya. They effectively manage the work of the entire portal and the topics it covers. This work is remunerated through front enterprises controlled by Rossiya Segodnya. Alexandr Kornilov, the leader of baltnews.ee and baltija.eu, receives transfers of 11,400 euros every month from tax-free companies.

The aforementioned coordinators also regularly communicate recommended topics to the offices of Sputnik, the official sub-division of Rossiya Segodnya. Russia's messages distributed through the entire network are coordinated in this way. Rossiya Segodnya also obliges the Estonian, Latvian and Lithuanian Baltnews portals to cooperate with the Sputnik offices and to support and repeat the news they publish.

A new media alliance is planned by the Kremlin-minded

In the hope of increased funding, baltija.eu (Kornilov), bfro.be (Belgium, led by Sergey Petrosov) and plan russkoepole.de (Germany, led by Yuri Yeremenko) plan to jointly establish a new media centre to unite Russian propagandists. As a pilot project, the leaders of the above portals signed a cooperation agreement "to combat the anti-Russian information war of the western countries" in Brussels in November 2015. Petrosov and Yeremenko are already active in (social) media, including various virtual groups/communities uniting Kremlin-minded people in the EU. Petrosov has repeatedly stressed publicly the need to enhance cooperation and information exchange between the Kremlin-minded.

The project is substantiated by the claim that the EU and USA are creating/developing institutions and media resources to win the favour of Russian-speaking communities (including to successfully integrate them into the society of their country of residence).⁷ The Kremlin-minded alliance plans to set up a Russian-language media centre in Europe, consisting of news-sharing and subject-producing networks and a joint multimedia platform. The media alliance is seen as a seemingly decentralised network. It would include the Russian-language news portals in EU countries that would add their own produced news to the internet-based centre for other parties to the alliance to use and spread.

A prerequisite for the media alliance is the registration of a legal entity or "international non-profit organisation". This is expected to protect the project and its participants from pressure by the authorities of the EU and individual countries. The project is financed subject to the condition that it has no obvious links to Russia. The funding would come from a foundation in a foreign country, the capital of which would originate from foreign businesses and investors. The controlling share of the investment portfolios should be held by investors with Russian relations. As compensation and as a cover-up, investors would be offered advertising. In the next stage, members of the Kremlin-minded media alliance would be entitled to partial or full compensation for labour costs, but only if they meet their objectives. The media alliance would have its head office in Brussels, an office and advertising agency in Erfurt, Germany, and an office and regional editorial office in Tallinn.

⁵ In 2006–2008 in Ukraine; also on the Azerbaijani *persona non grata* list.

⁶ Tsargrad ("Tsar's City" in Old Church Slavonic) – the name of Constantinople (present-day Istanbul) in the Slavic tradition. A reference to the ideological dogma, gaining new popularity in the Kremlin, of Russia as the successor of the Roman Empire or the Third Rome.

⁷ European Centre for Press and Media Freedom, European Endowment for Democracy, Radio Free Europe/Radio Liberty, etc.

Russia's manipulation of history

The year 2017 will mark several anniversaries for Russia, the most important of which will be the centenary of the Russian Revolution. On 19 December 2016, the President of the Russian Federation Vladimir Putin signed an order on the organisation and conduct of events dedicated to the Russian Revolution of 1917. A meeting was held on 27 December 2016 on the initiative of the Russian Historical Society (RIO) to discuss the implementation of the order. RIO chairman and Foreign Intelligence Service (SVR) director Sergey Naryshkin stressed that conciliation and compromise should be the keywords when covering events celebrating the revolution. However, it is clear that quite different views of the world are difficult to reconcile and disagreements may easily arise. Grand celebrations will also be held for the centenary of the Cheka in 2017. On 22 December 2016, the Russian Federal Security Service (FSB) Social Council stated at its meeting that countering attempts to falsify the history of domestic security agencies was one of its main tasks for 2017. This obviously means that positive events have to be selected from history and combined into a new narrative appropriate to the current goals of the Kremlin. Especially problematic is everything to do with Bolshevism – the question remains of how to mourn the execution of the family of Tsar Nicholas II and the events that terrorised the Orthodox Church while celebrating the centenary of the Cheka at the same time.

How to mourn the execution of the family of Tsar Nicholas II and the events that terrorised the Orthodox Church while celebrating the centenary of the Cheka at the same time?

One of the topics in Russia's divisive policy is using alternative interpretations of World War II in an increasingly aggressive manner. Effectively, this is an attempt to turn the mourning of war victims into a political tool. The Immortal Regiment parade held in Tallinn on 9 May 2016 showed that revanchism and the display of provocative symbols are more important than celebrating the anniversary of the end of war and commemorating the fallen soldiers. At the Kremlin conference of figures of influence in Moscow in November 2016, Russian Deputy Foreign Minister Georgy Karasin highlighted the Immortal

Regiment action in foreign countries in 2016 as an effective example of Russian partnership. The Russkiy Mir Foundation promised to support the action and signed a cooperation agreement with the organisers of the action last year.

Activities of the Russian Association for Baltic Studies

Russia's influence operations against the Baltic states in the field of history intensified at the beginning of 2016. A sign of this development is the foundation of the Russian Association for Baltic Studies (RAPI), which should in the future bring together researchers studying the history and present situation in the Baltic countries. Alexandr Dyukov, leader of the Russian history propaganda agency, Historical Memory Foundation, spoke about the idea of founding RAPI and the need for it already in 2014. The public is being left the impression that the foundation was based on the initiative of researchers and not the promotion of Russia's foreign political and internal propaganda interests. The Ambassador of the Russian Federation in Lithuania, Alexander Udaltsov, was elected as the honorary chairman of RAPI. RAPI plans to launch its own scientific publishing house and editorial office, which will be led by Professor Genady Fyodorov of the Baltic Federal University in Kaliningrad. In its activities, RAPI uses the typical messages of Russian influence operations: discrimination of the Russian-speaking population, falsification of history, the Baltic states as a problematic region, and so on.

Establishment of the Yamburg Club

On 15 November 2016, the Yamburg⁸ Club, a new discussion club which should also unite researchers and experts across north-western Russia in the future, was presented at the Rossiya Segodnya press centre in Moscow. Strengthening ties with the Baltic states is seen as an important activity of the club. The presentation was attended by the author of the idea and chairman of the club Vyacheslav Skvortsov, President of the Pushkin Leningrad State University; president of the Yantarny Most (Amber Bridge Foundation) Juri Sizov; and the "political scientist" Dmitri Yermolaev. The latter noted at the presentation that the Baltic region had become a "polygon for geopolitical opposition", and the club would have the aim of

turning this military and political tension into a constructive dialogue.

In the past, Yermolaev has made anti-Estonian statements⁹ and accused Estonia of Nazism and the discrimination of the Russian-speaking community. For example in 2010, he signed a memorandum initiated by Modest Kolerov, which called for a more rigid foreign policy approach to Estonia by the Russian Foreign Ministry¹⁰.

Sizov and his influence project Amber Bridge was also discussed in greater detail in our annual review for 2010. The foundation, established under public diplomacy and internationalist slogans, has not been very active lately. The same can be said about

A series of anti-Baltic propaganda events in Kaliningrad

On 25 November 2016, a public meeting was held with Valeri Shekhovtsov, director of the Tretiy Rim film studio and producer of a number of documentaries showing the Baltic states in a bad light. The meeting was organised by the Kaliningrad-based discussion club Kaliningrad Blog Post and according to the advertisement, it was the first event of the series “Baltic Divide: the View from Kaliningrad”. The event was hosted by Alexandr Nosovich, journalist of the rubaltic.ru portal and analyst at the Russian Baltics centre, and Andrey Omelchenko, member of the local Civic Chamber.



The mayor of Narva (on the right) signing a friendship agreement in Kingissepp on 6 May. Photograph: www.город-кингисепп.рф

the Institute for Baltic Civilisations managed by the foundation, the acting director of which during 2010–2013 was Alexandr Chechevishnikov, Deputy Director of the Institute of International Research, Moscow State Institute of International Relations (MGIMO). Now the same individuals are trying to continue their halted efforts under the banner of the Yamburg Club.

The people attending the meeting were shown Shekhovtsov's propaganda films “Nazism in the Baltics” (2005) and “The Baltics. The Story of an Annexation” (2009). The organisers announced that they would hold similar meetings in Kaliningrad once a month. The events were allegedly motivated by the fact that the Baltic countries were actively implementing a “black list” policy and not allowing Russian experts to enter the country.

⁸ Yamburg - now Kingissepp, a town in the Leningrad Oblast, Russia, 20 km east of Narva. Yamburg was re-named Kingissepp after the Estonian communist Viktor Kingissepp in 1922.

⁹ See Annual Review 2010, Memorandum on the Principles of Russia's Estonia Policy in 2010.

¹⁰ See Annual Review 2010.



COUNTERINTELLIGENCE

The published draft of the Estonian Security Policy¹¹ points out that Russia's increased military activity and aggressiveness are influencing security in Europe. The military presence of the Russian Federation near Estonian borders has increased. Russia is interested in restoring its position as a great power and, to that end, does not refrain from sharply opposing western values and the collective Euro-Atlantic security system, or from using military force. The method that the Kremlin is using to achieve its strategic goals is a symbiosis of military and non-military means.

The Baltic Sea area is especially vulnerable to threats from Russia, as mentioned in an analysis by the International Centre for Defence and Security. This is because Russia has geographic and temporal advantages in this region. To face "unprecedented challenges emanating from the South and East," EU and NATO

leaders signed an important joint declaration¹² for improved cooperation in Warsaw on 8 July 2016. A greater presence of NATO forces is especially important for the Baltic states to balance Russia's increased military power in the region and its general aggressiveness.

The Internal Security Service is not alone in describing the potential threat from the East – analyses by several neighbouring states are now also confirming the same. For example, the Lithuanian security services (SSD, AOTD) point out in their common threat assessment¹³ that the activity of Russian special services has recently intensified in light of tensions within the EU and NATO. The security services of the Czech Republic¹⁴, Germany¹⁵, Sweden¹⁶ and other European countries have also noted an increased intensity of Russian intelligence operations. The special services act under the cover of diplomacy, businessmen, journalists,

researchers, various delegations and NGOs as well as under false identities. In recent years, the Latvian, Lithuanian and Polish services among others have revealed a number of agents recruited by the Russian special services, some of whom were active in the defence sphere. A fair number of signs have been noted that refer to recruitment activities, and the public has been therefore informed of the threats from hostile special services (e.g. in Germany, Lithuania).

According to information available to the Internal Security Service, Russian intelligence and security services also spy on the Estonian defence sphere and its agencies just as they do in our neighbouring countries.

This intelligence picture is administered for the Russian political and military elite by the Main Intelligence Agency (GRU), but intelligence operations are actively carried out by the Federal Security Service (FSB). All Russian special services actually gather information on NATO. They are interested in the foreign and security policies, defence planning and mutual defence cooperation of foreign countries in general and the development of the armed forces, defence industry, armament and the implementation of new capabilities in specific countries in particular.

They have a focal interest in the Estonian Defence Forces, Estonian Defence League, the allied forces present in Estonia and the exercises conducted here, as well as the key figures and personnel of the defence forces.

The Russian special services are interested in both the collection of information and in influencing decisions important for Estonia. The Russian intelligence and security services conduct anti-Estonian influence operations, including psychological operations – in other words, influencing the defence forces and the general population of a potential enemy. There is a fresh example from other countries about how far the Kremlin is ready to go. In connection with coup attempts and a planned assassination of its prime minister, Montenegro declared through Interpol two Russian citizens as fugitives, who had recruited a network of Russian and Serbian nationalists to implement their plan. The goal was to destabilise the domestic situation in Montenegro, and thereby prevent the country from joining NATO. One of these Russian citizens was formerly employed in Russia's diplomatic representation in Poland as a deputy defence attaché. Attaché positions are traditionally filled by the GRU.

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POPOV, VLADIMIR
WANTED BY THE JUDICIAL AUTHORITIES OF MONTENEGRO FOR PROSECUTION / TO SERVE A SENTENCE

IDENTITY PARTICULARS

Present family name: POPOV
Forename: VLADIMIR
Sex: Male
Date of birth: 29/06/1980 (36 years old)
Place of birth: Kurganstaja, Russia
Language spoken: Russian
Nationality:

CHARGES Published as provided by requesting entity

Charges: attempt of terrorism
Preparing acts against the Constitutional order and security of Montenegro through incitement
creation of a criminal organization

INTERPOL

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SHIROKOV, EDUARD
WANTED BY THE JUDICIAL AUTHORITIES OF MONTENEGRO FOR PROSECUTION / TO SERVE A SENTENCE

IDENTITY PARTICULARS

Present family name: SHIROKOV
Forename: EDUARD
Sex: Male
Date of birth: 20/02/1971 (46 years old)
Place of birth: G.Cits, Russia
Language spoken: Russian
Nationality:

CHARGES Published as provided by requesting entity

Charges: Creation of a criminal organization
attempt of terrorism
Preparing acts against the Constitutional order and security of Montenegro through incitement

GRU-related international fugitives suspected of crimes against the constitutional order in Montenegro, of forming a criminal organisation and an attempted terrorist attack.

11 <https://eelcloud.valitsus.ee/main/mount/docList/dfe42ba9-7219-4b0a-a1bd-196e9cdd7162?activity=2>
 12 www.consilium.europa.eu/en/meetings/international-summit/2016/07/NATO-EU-Declaration-8-July-EN-final_pdf/
 13 www.vsd.lt/Files/Documents/636035032005780000.pdf
 14 www.bis.cz/vyrocní-zprávaEN890a.html?ArticleID=1104
 15 www.verfassungsschutz.de/download/annual-report-2015-summary.pdf
 16 www.tandfonline.com/doi/full/10.1080/01402390.2016.1273830

Besides this type of conspired secret activity, the Internal Security Service and its partner agencies have detected photographing and filming of defence structures and military exercises and the flying of drones above Defence Force structures or during exercises by persons whose intentions were not benevolent. Considering the security situation, such incidents can be expected to recur. We are therefore inviting the public to be vigilant and inform the Internal Security Service and the Defence Forces of any incidents like those described above. To inform the Internal Security Service, please call 612 1455 or send an e-mail to korrapidaja@kapo.ee.

The Russian special services are interested in both the collection of information and in influencing decisions important for Estonia.

While the GRU acts both in the territory of foreign countries and from the territory of the Russian Federation, one of the main methods of the FSB is to recruit agents and collaborators from among people visiting the Russian Federation. Approaching people in Russia is a method known from the KGB era as “intelligence from the territory”. It is quicker and easier to identify and recruit potential targets on one’s own territory, while the FSB officers are protected from countermeasures from the domestic security authorities of the home countries of the

targets. When recruiting people abroad, the FSB employees are in real danger of being caught, while in Russia they are safe.

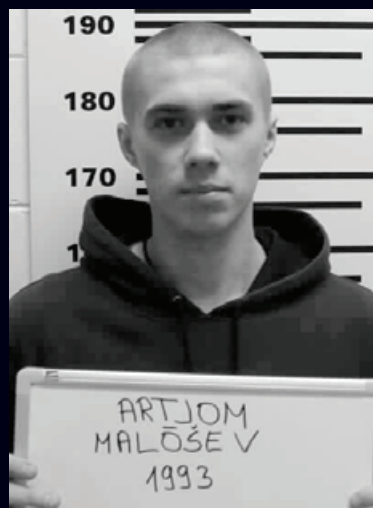
As a security agency, the FSB is gathering information on Estonia in various areas. It is particularly interested in our foreign and domestic policies and the defence forces and defence capability. Power structures and their staff are also in strong focus. Estonian government officials, but also journalists and entrepreneurs are therefore one of the main targets of the FSB. The FSB is also constantly interested in residents of border areas who often travel to Russia. This is why the FSB pays special attention to all those foreign visitors to the Russian Federation who have caught the eye of the FSB due to their job, habits or weaknesses, and who therefore become potential targets based on previous information processing.

The FSB’s activities are facilitated in situations where an Estonian resident has broken the law during their visit to Russia or has other administrative problems – such a situation is used to approach the person and to pressurise and recruit them from a position of power. People who have committed a crime in the territory of the Russian Federation are especially easy targets, and these may be forced to commit a crime against Estonia on the promise of a pardon or reduced punishment. The Internal Security Service advises anyone visiting the Russian Federation to be especially attentive and immediately inform the Internal Security Service in the event of any problems. The consul of the Republic of Estonia can help Estonian visitors to Russia, if necessary.

'Smugglers working for the FSB again

As in 2015, we arrested two smugglers in 2016 that had been cooperating with the FSB.

Artyom Malyshev, who has both Estonian and Russian citizenship, was convicted in 2016 under § 235¹ of the Penal Code (conspiracy against the Republic of Estonia) and sentenced to two years and six months imprisonment. Malyshev was recruited in 2011 to supply the FSB with information on the activities of the Estonian Defence Forces and its allies and of the movement of equipment and also information on the border guard stations and service locations of the South Prefecture of the Police and Border Guard Board and of the Board's staff. For his services, Malyshev repeatedly received cash from a representative of the FSB.



Alik Hutchbarov, who has both Estonian and Russian citizenship, was convicted in 2016 under § 235¹ and § 133¹ (2) 1), 2) of the Penal Code and sentenced to three years imprisonment as an aggregate punishment. Hutchbarov was recruited in 2012 to supply the FSB with information on the professional activities of the police officers of the Piusa Station of the Border Guard Office of the South Prefecture of the Police and Border Guard Board, and on individuals with whom the Estonian police officers communicated. For his services, Hutchbarov repeatedly received cash from a representative of the FSB.



PROTECTION OF STATE SECRETS



The Internal Security Service reminds you
that the following is forbidden here:

ELECTRONIC EQUIPMENT



EXTRANEOUS ITEMS



RECORDING



UNAUTHORISED ENTRY



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Our duty with regard to the protection of state secrets is to advise the people processing state secrets and, if necessary, intervene in the event of a threat that could lead to a violation of the requirements for the protection of state secrets. In this year's review, we are focusing on the principles of using secure areas. Although we analysed the basic principles of a secure area in the 2014 annual review, the main emphasis in this review is on the cross-usage of secure areas, and the distinction between temporary and permanent secure areas. It has become evident from communications between institutions that there have existed different interpretations of the legislative acts regulating the use and creation of secure areas, which has resulted in some officials misunderstanding the general principles of the protection of state secrets. We will also briefly talk about the amendments to the State Secrets and Classified Information of Foreign States Protection Procedure (SSCIPP) that entered into force in the second half of 2016, mainly focusing on the application for the right of access to state secrets.

Applying for the right of access to state secrets

As an introductory topic, we will explain the substantive aspects of the amendments to the SSCIPP, with regard to the application for the issue of national security clearance. Previously, there were different forms for applying for the issue of and extending the term of national security clearances. With the amendment to the SSCIPP that entered into force on 29 October 2016, the abovementioned forms have been unified for the sake of expediency. From now on, a single form will be used, and it will be compulsory to fill in all fields when applying for national security clearance. Furthermore, the content of the form has been updated, and it is now based on the most common trends in human interaction and general behavioural habits. It may initially take more time for the applicant to fill the form in but, on the other hand, the security vetting conversation may end up taking a lot less time. Considering that there are thousands of people in Estonia who have

the right of access to state secrets, and that the number of such people is more likely growing, this seemingly small amendment helps the state to manage risks more efficiently in this sensitive area. However, it is important to understand that during security vetting, every applicant's compliance with the right of access to state secrets under national security clearance will be assessed individually, based on the background information collected about that person. The duration of the conversation will depend greatly on the applicant's willingness to cooperate, including the comprehensiveness of the forms they have submitted previously.

Temporary and permanent secure areas

The protection of state secrets includes different complex measures involving risks connected with human behaviour, where a lot can be handled in the physical environment. Buildings and specific rooms have to enable the safe processing of state secrets; otherwise, it is not permitted to use them. For different enterprises and institutions that are not aware of this, investments in proper secure areas will pay off, for example with regard to international tenders for NATO and EU operations. When talking about efficiency and advantages, we must make a distinction between the use of a temporary and a permanent secure area. We have established that there is some misunderstanding among officials regarding the feasibility of using a temporary secure area. But in order to move on to the possibilities of the implementation of a temporary secure area, we should first explain the terminological difference between a temporary and a permanent secure area. The State Secrets and Classified Information of Foreign States Act (SSCIA) does not provide an actual explanation of a permanent secure area. It can be deduced from the concept of a secure area, which in SSCIA denotes an area with clearance for the coordinating institution, where it is permitted to process confidential, secret or top secret state secrets, or classified information of foreign states. Compared to a temporary secure area, the permit for the use of a permanent secure area is open-ended, which essentially

denotes a secure area in everyday use. The concept of a temporary secure area stems from SSCIPP, which can be understood as an area that is made secure as a last resort, and which is not used as a secure area in an everyday sense. For example, a temporary secure area could be a vehicle, a trailer, a ship, a bunker, a tent, etc., but for security reasons a temporary secure area should be created inside a permanent building, if possible. All re-

The obligation to keep and to protect state secrets does not end when an individual leaves employment and offenders can be held liable even several years after working in that particular position.

quirements of a permanent secure area are applicable to a temporary secure area, and if not feasible, the security of classified information is ensured by other measures. A significant difference compared to permanent secure areas is that a temporary secure area is created by way of exception, for a specific event, which means that only those classified data media necessary for completing a particular task will be processed within the area. When the processing need is over, classified data media will be taken to a permanent secure area immediately.

We have experienced situations where the concept of an exceptional circumstance has been understood differently in different institutions. In the Internal Security Service's view, exceptional circumstances cannot constitute events aimed at the employees of an institution or an enterprise, with an actual goal of getting the employees to socialise or to have a good time. Creating a temporary secure area under exceptional circumstances can only occur if an event requiring the processing of classified information cannot be held in a permanent secure area, and the choice of the area must consider compliance with secure area requirements as much as possible, to ensure the protection of classified information. As with permanent secure areas, the obligation of obtaining an approval for a

permit of use is also applicable to a temporary secure area. During their work, the Internal Security Service has had to refuse approval for the creation of a temporary secure area if the actual purpose of the event has remained unclear, and if the chosen location has not been deemed sufficiently suitable due to security reasons. As a supervisory authority, the Internal Security Service performs duties provided by the law, and can refuse to approve a temporary or permanent secure area if the requirements stipulated in the relevant legislation have not been complied with to a sufficient extent. Here, we would like to remind everyone that in accordance with the SSCIA, a violation of the state secret protection requirements may result in offence proceedings, either as a misdemeanour procedure or a criminal procedure.

The owner of state secrets is always the state

Unfortunately, with regard to state secrets, there are cases where guidance and awareness are insufficient for avoiding endangering state secrets. Risks caused by human behaviour instead of actual physical protection are a completely different topic. This year, we have to talk about cases where people who have had the right

of access to state secrets have consciously endangered state secrets, handling these like personal property. The obligation to keep and to protect state secrets does not end when an individual leaves employment, either temporarily or permanently, and offenders can be held liable even several years after working in that particular position. The owner of state secrets is the state. Always.

After exposing traitors, we have previously and repeatedly announced that people should come forward on their own if they think they have information about contacts that pose a threat to state secrets; for example, contacts with the special services of a foreign country, or other possible leaks of state secrets. For some people, the waiting time is now up – if they do not notify of such circumstances by themselves, they will sooner or later have to answer and take responsibility.

In 2016, the Internal Security Service discovered, or the court issued a final judgement on, some cases of unlawful access to and disclosure of state secrets, and there was indignation especially over former security authority and defence forces employees endangering state secrets. This was systematic and intentional, not accidental negligence.

On 13 June 2016, Harju County Court convicted Aleksandr Goncharov for the provision of illegal access to state secrets [§ 241 (1) of the Penal Code], and sentenced



him to imprisonment for two years and four months, of which six months had to be served immediately.

According to the court judgement, before leaving employment in September 2011, he took documents and data media containing state secrets, which he had in his possession for work-related purposes, out of the Internal Security Service's secure area. He kept them outside of the secure area, in the apartments he owns in Tallinn, thus enabling unauthorised people without a need to know to have illegal access to state secrets.

On 20 December 2016, Harju County Court convicted a former serviceman, Ivo Jurak, for the disclosure and provision of illegal access to state secrets [§ 241 (1) of the Penal Code], the unlawful handling of a firearm (§ 418 (1) of the Penal Code), and for unauthorised surveillance (§ 137 (1) of the Penal Code). Jurak took state secrets he possessed home from work. During the investigation, it was also established that Jurak unlawfully obtained and kept a weapon not related to the defence forces, and was involved with unauthorised surveillance after leaving employment. Jurak pleaded guilty, and during the compromise procedure, the court sentence was imprisonment of 2 years and 6 months, of which 7 months had to be served immediately. The remainder of the sentence is conditional, unless Jurak intentionally commits a criminal offence during the 4-year probation period.

In October 2016, the Internal Security Service detained one of its former employees, Jüri Figlovski, suspected of the provision of illegal access to state secrets, in accordance with § 241 (1) of the Penal Code. During the investigation, state secrets on electronic and paper data media were discovered in his possession, mainly consisting of information collected by the Internal Security Service. Therefore, he enabled people without the appropriate rights to have access to state secrets. On 7 February 2017, Harju County Court convicted Figlovski, sentencing him to imprisonment of 2 years and 6 months, with 6 months to be served immediately. The remainder of the sentence, 2 years, is conditional, unless Figlovski intentionally commits a criminal offence during the 3-year probation period.

The protection of state secrets is one of the main fields of work for the Internal Security Service, and the investigation of crimes related to state secrets partially helps to prevent potential treason. Although state secrets becoming compromised is a serious issue, the former ending up in the hands of unfriendly special services is a clear threat to our national security. It is important to understand that the Internal Security Service must indeed react to unauthorised people having access to state secrets, before Russian special services take that opportunity.



Boxes of Estonian state secrets were lying about the household of Alexander Goncharov.

PROVIDING CYBER SECURITY

The provision of cyber security cannot stand apart from the threats and crimes in the physical world and their investigation, which is why security authorities also need to possess cyber capabilities. It is the task of the Internal Security Office to identify and combat criminal activity against national security in cyberspace. We investigate cyber attacks and data acquisitions performed against the state's major infrastructure.

Cyber threats can basically be divided into three categories: cyber intelligence, sabotage and related influence operations in cyberspace. For the purpose of the above operations, many countries have created teams that are behind globally known cyber programmes constituting APTs (advanced persistent threats), the best known of which are those using the code names Sofacy, Dukes and Snake. These are essentially project-based operations in cyberspace, which pose a constant threat to the IT systems of protected targets. The teams performing such cyber operations are divided into specialist units, some of which deal with malware while others conduct analysis, preparations and infrastructure management. During such operations, hundreds of servers are kept working and brought into use during attacks while others are kept in reserve in case of detection and traffic needs to be transferred to new stand-by servers. Smart policy, elaborate internal cyber security management and international cooperation in investigations can help combat these threats.

The cases that received global coverage in 2016 targeted major agencies and political parties. Public sources in several countries contain references to cyber attacks on critical infrastructures. What should be mentioned here are the attacks against the Democratic Party during the US elections and, for example, the massive attack by Russian hackers on the Bundestag in Germany. What is characteristic of the above cases is that of all the stolen information, the attacker discloses the information "useful to them". Estonia needs to bear in mind the probability of such attacks before and during its EU presidency, which means that access to data "useful for the attacker" will be unintentionally given and it could be publicly disclosed if transmitted over unprotected channels. Cases of unauthorised access cannot be completely prevented because new methods of attack are being

constantly developed, the information security capability of agencies is relatively low in some places, and time-consuming international cooperation is sometimes insufficient to combat the attacks.

We are no less vulnerable than other countries. In 2016, Estonia also saw some attempts to access the information of the state's high-level decision-makers. The attacks were extremely skilfully executed from the technical point of view with the use of credible fake e-mails and previously unknown technical methods. In view of the functioning mechanisms of the abovementioned APTs, it is clear that attacks cannot be avoided entirely, but they need to be identified, and major damage needs to be mitigated. What should be considered especially dangerous is the symbiosis between the special forces of some unfriendly foreign states and cybercriminals, which in some cases has taken on the characteristics of a criminal gang. Namely, the somewhat indistinguishable nature of Russian special forces and cyber criminals is a unique intermingling of criminal and government structures. Therefore, Russian special forces and cybercriminals often use the same malware and work in each other's interests.¹⁷ Such operations especially threaten critical infrastructures because the same groups often operate for the purpose of sabotage, intelligence or profit while damaging the agencies that provide vital services in cyberspace.

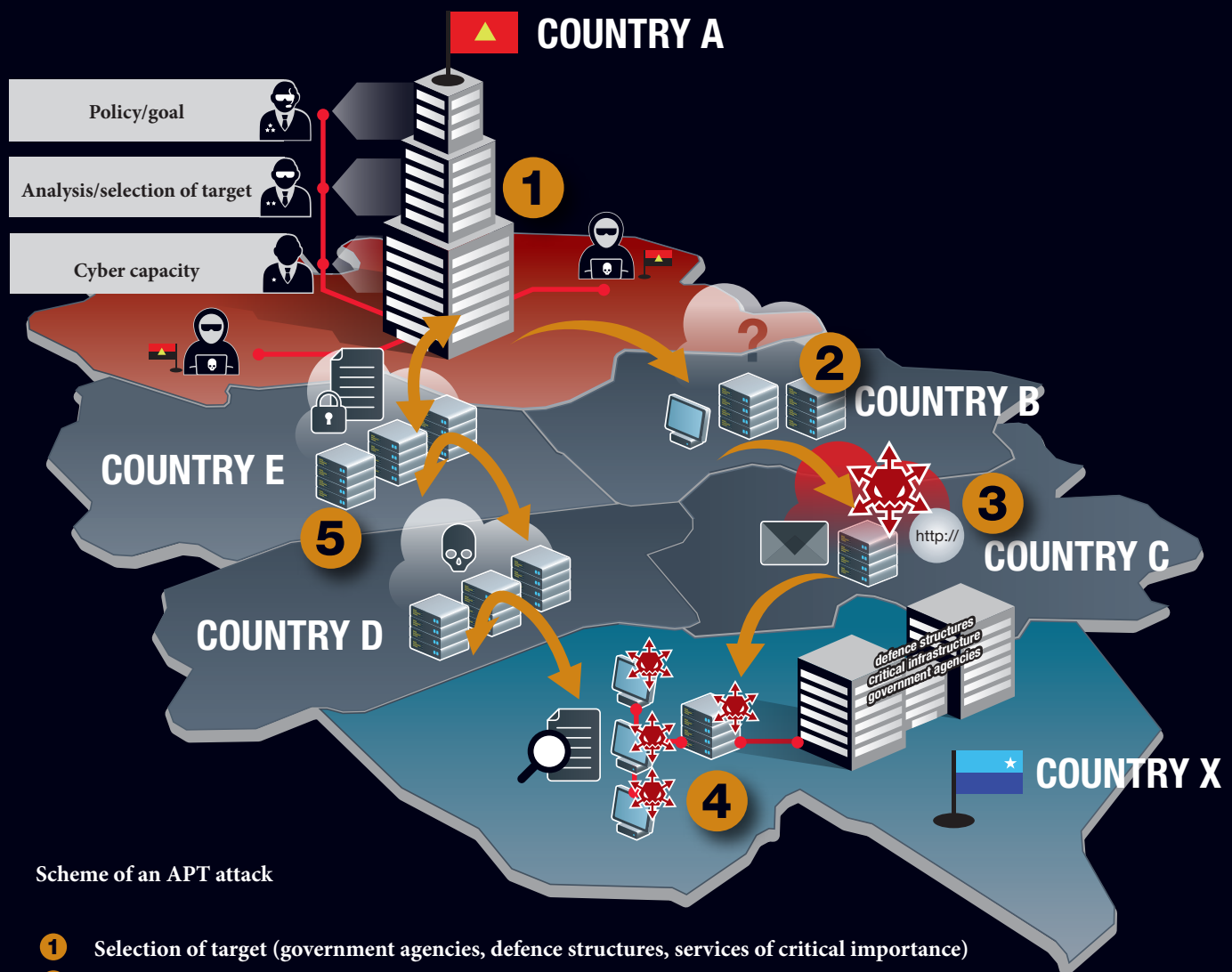
We highly appreciate national and international cooperation in the investigation of cybercrimes. We participate in various international formats. The significance of international cooperation also lies in the fact that a major part of the infrastructure of the attacks is dispersed over states built on different legal principles, which prevents law enforcement agencies from conducting prompt and thorough investigations. At the same time, the methods of the attacks involve the use of various anonymising tools and techniques, which in turn inhibits the performance of law enforcement agencies. Experience shows that new campaigns emerge all the time, and methods are continuously being enhanced, which complicates attribution, or proving which location or state is the origin of a cyber attack.

As far as Estonia is concerned, we forecast that cyber threats will increase in 2017 due to the EU presidency and the arrival of NATO units.

¹⁷ The issue that has found broad global coverage, for example, <http://europe.newsweek.com/russias-greatest-weapon-may-be-its-hackers-326974?rm=eu>

A cyberattack threatening national security is characterised by a complex scrambling of sources:

- Use of services allowing for anonymity (registration of servers using false data);
- Use of services allowing for encryption (VPNs);
- Anonymous means of payment – difficulty in following the money trail;
- Infrastructure in various countries and legal environments.



Scheme of an APT attack

- Selection of target (government agencies, defence structures, services of critical importance)
- Infrastructure enabling anonymity (springboards)
- Tactics for delivering malware to the target (taking over an email account, web link, etc.)
- Infection of the computer network of the target and mapping the information in it
- Two-sided data transfer to manage the malware, steal information or freeze the system



PREVENTION OF INTERNATIONAL TERRORISM

The situation globally and in neighbouring regions

The threat of terrorism has increased in Europe in recent years. In 2016, there were several terrorist attacks in the world and in Europe, which claimed many casualties, and which painfully affected Estonia. There were also a number of smaller terror attacks in 2016, which clearly illustrated that the threat of terrorism also includes “lone wolves” – people who do not receive specific instructions from terrorist organisations, but who are guided by the propaganda of such organisations.

Below is an incomplete short list of acts of terror committed in 2016, mainly affecting Europe, neighbouring regions, and the western world as a whole:

12.01.2016 a suicide bomber from the terrorist organisation Daesh blew himself up near the Blue Mosque in Istanbul, Turkey – 13 people died, and 9 people were injured (the majority were tourists from Europe).

22.03.2016 there were suicide attacks in Brussels, Belgium – 2 terrorists blew themselves up at Zaventem Airport, Brussels; and one terrorist blew himself up at the Maalbeek underground train station, Brussels – 35 people (incl. 3 terrorists) died, and more than 300 people were injured. The individuals behind this attack were also connected to the terrorist attacks in Paris in 2015.

12.06.2016 there was a mass shooting in Orlando, Florida, USA, in a nightclub called Pulse. The shooter was armed with several firearms – 50 people died (incl. the attacker), and 53 people were injured. The attacker had unclear motives; he had also claimed that he acted to exact revenge on behalf of Daesh. This was a terrorist attack with the highest amount of casualties in the US since 11.09.2001.

28.06.2016 there was a terrorist attack at Atatürk Airport in Istanbul, Turkey. Individuals with firearms and explosive devices killed 45 people, and more than 230 people were injured.

14.07.2016 Mohamed Lahouaiej-Bouhlel drove a truck into crowds on the streets in Nice, France – 86 people died, 2 were Estonian citizens; and more than 430 people were injured, including several Estonian residents. Having previously lived an otherwise liberal life, Mohamed had allegedly become religious immediately before the attack, and started to follow terrorist propaganda.

18.07.2016 a refugee armed with a knife and an axe attacked fellow passengers on a train near Würzburg, Germany – 5 people were injured, the attacker was shot by police.

24.07.2016 a refugee from Syria blew himself up in Ansbach, Germany – 15 people were injured, the attacker died.

06.08.2016 in Charleroi, Belgium, a man armed with a machete attacked two female police officers, while allegedly shouting “Allahu Akbar”. Both police officers were injured; the police shot the attacker.

10.12.2016 there were 2 explosions in Istanbul – a car bomb and a suicide bomber – 46 people died, 166 people were injured. The majority of the deceased were police officers. The group Kurdistan Freedom Falcons claimed responsibility for the act.

19.12.2016 a terrorist used a truck to ram into people at a Christmas Market at Breitscheidplatz, Berlin – 12 people died, 48 people injured.

19.12.2016 3 people were injured in a shooting near an Islamic Centre in Zurich, Switzerland.

For Estonia, the act of terror that took place in Nice on 14 July last year is of particular significance, as it resulted in the first known Estonian casualties from modern terrorism. Although the perpetrator, Mohamed Lahouaiej-Bouhlel, was not known to have ties with terrorist organisations, or an extremist past, references to his radicalisation and interest in terrorist propaganda were identified later.

Unfortunately, the threat of terrorism is large in some Western European countries, and it is mainly directed at civilians and law enforcement authorities. Acts of terror have been committed using explosive devices, firearms, cut-and-thrust weapons and vehicles. While the first two are mostly difficult to obtain, cut-and-thrust weapons, such as knives and axes, and vehicles are a part of everyday life. Attacks carried out with such equipment are essentially simple and opportunistic, but with no less tragic consequences than the attacks carried out with explosive devices or firearms.

Unfortunately, we cannot foresee a significant decrease in the threat of terrorism in the near future, both at the global or European level. Instability in the Middle East, Northern Africa, Yemen and elsewhere clearly feeds terrorism as a phenomenon, and due to globalisation, the developments in those regions will sooner or later impact Estonia as well.

For years, the most distressing region has been Syria and Iraq, where the bloodshed does not seem to end. The terrorist organisation Daesh, operating in Syria and Iraq, was mainly unsuccessful on the battlefield last year, and by the end of 2016, Daesh had lost a considerable part of the territory it once controlled. However, Daesh's failures have not resulted in a consequent decrease in the threat of terrorism. Rather, Daesh's military failures can result in a temporary increase in the threat of terrorism in Europe. In 2016, it was observed that the so-called jihadi tourism from Europe to Syria and Iraq was clearly on the decline, while the number of people returning to Europe had increased. People are using different ways to get back to Europe; for example, there have been cases where terrorists have come to Europe under a false name, among refugees. Unfortunately, we are witnessing how the Kremlin is using the situation in Syria for its purposes, amplifying the influx of refugees into Europe through its actions, while threatening the security of Europe, including the national security of Estonia.

The possible military defeat of Daesh and other terrorist organisations will unfortunately not get rid of the distorted ideology of terrorist organisations, and it will not undo the damage done by Daesh in spreading that ideology at an unprecedented level. In the regions



Russia has continuously sent people to Syria to stand for Russia's interests. Among the self-titled observers' delegation are Johan Bäckman and Mark Siryk, both familiar to the Estonian public. Photograph: Facebook.

under Daesh control, there are thousands of men, women and children who have adopted Daesh ideology and who have connections with Europe. The fate of these people after a possible military defeat of Daesh in Syria and Iraq is unknown. Daesh controls provinces in several other countries, so it is possible that those people will move on from Syria and Iraq to other unstable regions. Unfortunately, some will return to Europe. These include active men with military training who have committed monstrosities, children who have witnessed atrocities and who have been included in weapons training since 9 years of age, and women who have had weapons training and who recruit other women, and who conduct group punishments for those who have committed offences.¹⁸

Dozens of individuals have returned to Estonia's neighbouring countries, and it is highly probable that these people have participated in acts of war on behalf of terrorist organisations in Syria and Iraq. According to public sources, a person was arrested in Latvia on September 2016, suspected of participating in the conflict in Syria and Iraq. This was the first person from Latvia to have been detained for participation in the conflict in Syria and Iraq.

According to public sources, several individuals have been identified among the refugees in Finland who are connected to terrorist organisations and to committing war crimes.

The threat of terrorism in Estonia

Although the situation in the world and in neighbouring regions has not become calmer, the threat of terrorism remained low in Estonia in 2016. In recent years, it has been established that several people have visited Estonia for different reasons that currently do not pose a threat, who are involved with or who could be involved with extremist Islam and terrorist organisations. Even today, representatives of Islamist organisations propagating fundamental Islam visit Estonia, attempting to spread their characteristic interpretation of Islam. For the most part, Estonian Muslims have been sceptical about such Islamic missionaries, but a few have considered such an interpretation of Islam to be suitable for them. Regarding activity directed at Estonia, it is worth mentioning the Saudi Arabian Islamic organisation Al-Waqf Al-Islami, which has been discussed in previous annual reviews of the Internal Security Service. While in 2013 and 2014, Al-Waqf Al-Islami's interest and activities in Esto-

nia were on the decline, then from 2015 onwards, contacts between individuals connected to Al-Waqf Al-Islami and Estonian Muslims have been increasing again. Based on some public sources, it can be concluded that the interim drop in interest towards Estonia may have been caused by associating Al-Waqf Al-Islami with supporting the spreading of extremist Islam. For example, in the summer of 2014, the activities of Al-Waqf Al-Islami were consequently banned in Kosovo.

Kremlin is using the situation in Syria for its purposes, amplifying the influx of refugees into Europe.

As before, the Muslim community in Estonia is generally peaceful. We cannot completely exclude the possibility of an act of terror carried out by a lone wolf who has become radicalised sufficiently secretly, and who has previously been of no interest to Estonian law enforcement authorities. In other countries, such people have often been characterised by some kind of antisocial behaviour and/or mental issues. Neither can we exclude the possibility that more Estonian citizens might become victims of terrorism abroad.

Managing threats related to terrorists abusing the migration crisis

In 2016, the first resettled refugees arrived in Estonia, in accordance with the EU migration action plan, and by the end of the year, 89 people had been settled in Estonia. With regard to each of these people, the Internal Security Service did a pre-assessment of possible threats to Estonian national security. The check also includes interviewing the refugees abroad. The Estonian Internal Security Service officials in cooperation with other Estonian state officials have conducted refugee interviews in Greece and Turkey. Not all of the interviewees have reached Estonia, many have been denied a place in Estonia, and some have waived their application to come to Estonia during the process. There have been many specific reasons for the refusals, but these have been mainly caused by the interviewees lying, having fundamental views leaning towards extremist Islamism that are not compliant with our legal order, and ties with extremist groups.

¹⁸ In 2016, the Dutch General Intelligence and Security Service issued a more comprehensive publication, *Life with ISIS: the Myth Unravelling*

Despite the strict checks, there are some individuals among the refugees settled in Estonia who do not pose a threat to national security right now, but who have nevertheless been in violation of the Estonian legal order (i.e. have committed offences). There have been thefts, and cases of psychological and physical violence, which are not acceptable in the Estonian value system.

It is essential to integrate refugees settled in Estonia into local life. Although integration and matters related to it are not the task of the Internal Security Service, we assist Estonian institutions responsible for it in every way within our competence and legal limits because failed integration creates a foundation for radicalisation. Understandably, any level of integration requires a joint effort from the whole of society.

It is essential to integrate refugees settled in Estonia into local life.

The reality is that it is not possible to check absolutely everyone completely, and some individuals may end up in Estonia who do not need protection, and who can constitute a threat to national security sooner or later. The experience and observations of the Internal Security Service regarding the removal of international protection from people who pose a threat to national security, and their extradition, indicate that this is a complex, bureaucratic process that takes up quite a significant amount of state resources. Considering the dynamic nature of the security environment in Europe today, we see a need for a significantly faster procedure that is less exhausting for the state.

Investigating terrorism and related crimes

As in the previous annual review, we still have to talk about the problem of firearms that have seemingly been permanently deactivated and which are used for crimes related to terrorism. In Europe, people have understood how serious this issue is, and dealing with deactivated

weapons has been regulated better. That this is not just a theoretical threat was clearly evident when 12 people lost their lives due to these kinds of weapons used in the terrorist attack against Charlie Hebdo in 2014. In the annual review of 2015, we talked about a large criminal gang who was involved in reactivating deactivated firearms, and marketing these. The Internal Security Service solved a similar case in 2016.

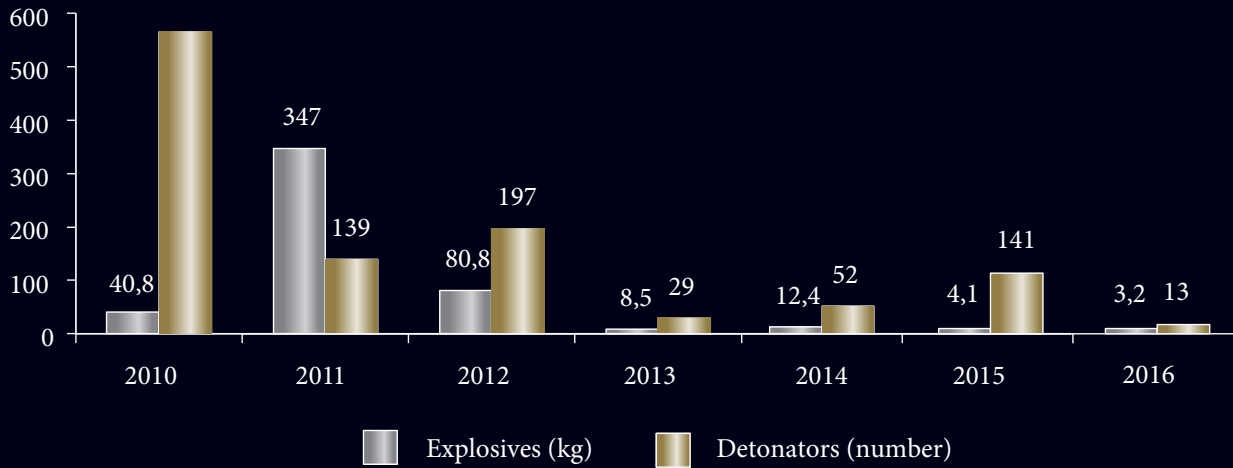
The threat of terrorism is close to Estonia, as witnessed by the fact that while a few years ago no criminal cases featuring the term Islamist terrorism were being investigated by the Internal Security Service; by 2016, there were already several such criminal cases.

By the print deadline of Annual Review 2016, there was yet no Supreme Court judgement regarding two citizens of the Russian Federation residing in Estonia, Ramil Khalilov and Roman Manko, who had been convicted of supporting terrorism by the county court and the district court. The Internal Security Service started the investigation regarding Khalilov and Manko in the first half of 2015. Both of them supported Abdurrahman Sazanakov, who went from Estonia to Syria in 2013 and joined a terrorist organisation there; therefore, committing a crime provided in § 2373 (1) of the Penal Code; that is, financing and supporting an act of terrorism and activities directed at it. On 12 January 2016, Harju County Court sentenced Ramil Khalilov to 7 years imprisonment, and Roman Manko to 5 years imprisonment. On 11 May 2016, Tallinn District Court partially annulled the county court judgement, and reduced the sentences – Khalilov was sentenced to 3 years and Manko was sentenced to 2 years imprisonment.

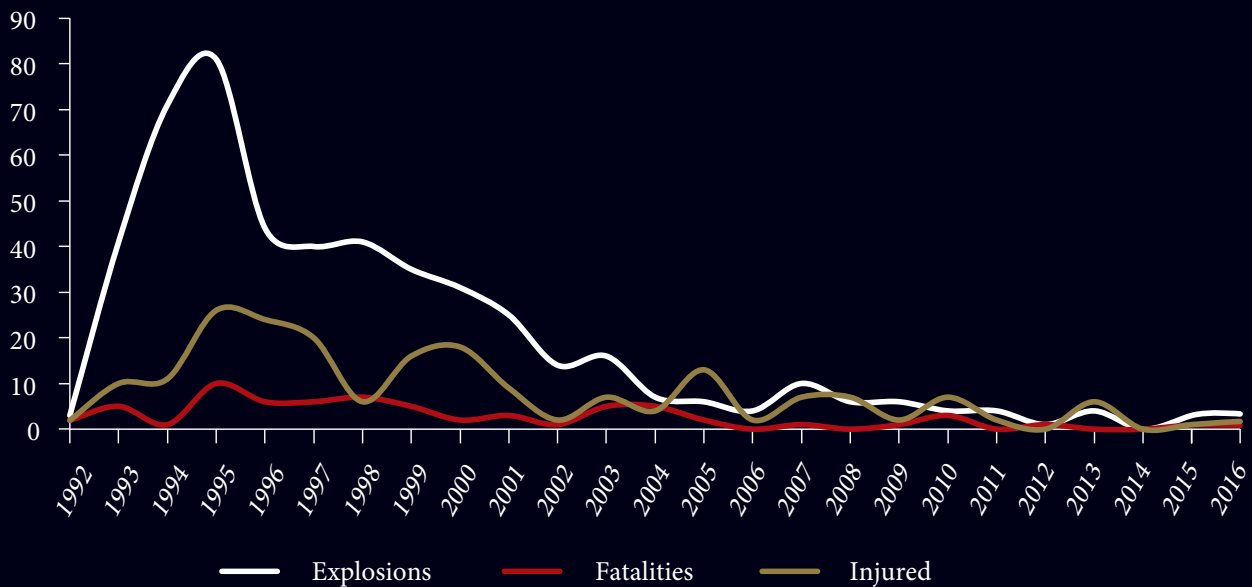
On 25 July, criminal investigation was initiated as English-speaking man had called Tallinn Airport and Internal Security Service claiming that Daesh intended to blow up a plane en route from Estonia to Germany. Internal Security Service captured the suspect, 33-year-old Vladislav Pälling and identified him having no contacts with Daesh or other terrorist organisations.

On 8 March, Harju County Court convicted Vladislav Pälling of aggravated breach of public order by using threat with an explosive device or explosive substance. Court sentenced him to 2 years and 6 months of imprisonment.

Explosives and detonators withdrawn from circulation by the Internal Security Service



Explosions in Estonia caused by explosives



Estonia extradited a terrorism suspect to Ukraine

On 30 June 2016, Estonia extradited an Estonian citizen, Vladimir Polyakov, to Ukraine. The Attorney-General's Office in Ukraine applied for his extradition for criminal prosecution. Polyakov is suspected of participation in a terrorist organisation. In June 2014, he became a member of the terrorist organisation "Lugansk People's Republic". It is suspected that in the periods 13.06.2014–09.07.2014 and 15.11.2014–26.11.2014, Polyakov completed tasks set by the leaders of the terrorist group, including guarding unlawfully occupied objects and unlawfully detained individuals. According to the order of the Government of the Republic from 21.12.2015, it was decided to extradite Vladimir Polyakov. Polyakov's attempts to contest the extradition ended in the Supreme Court on 17.06.2016, when Polyakov's appeal in cassation was not accepted, and the government's order for his extradition to Ukraine entered into force.

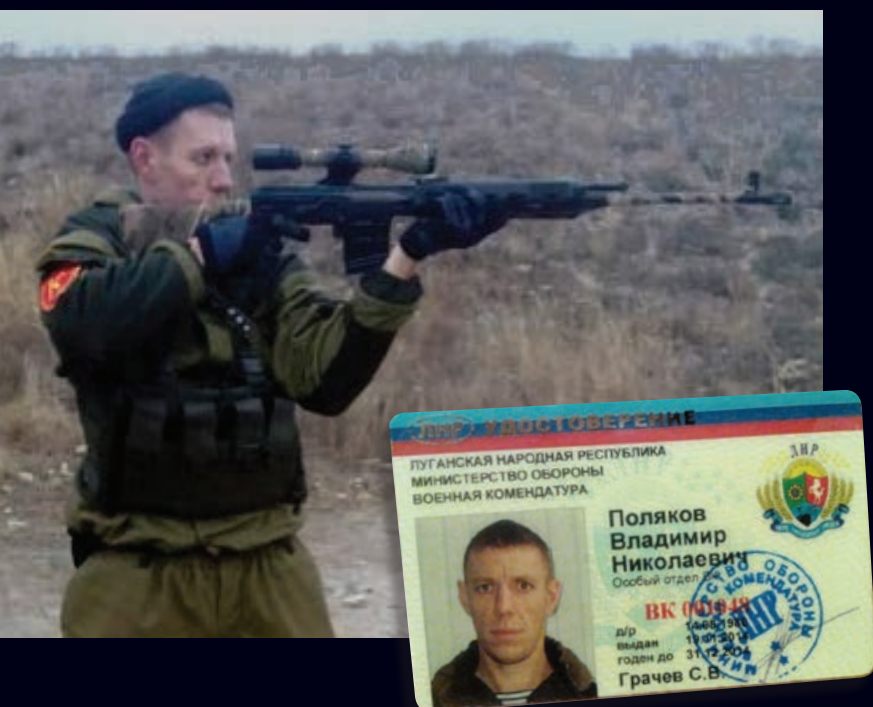
International cooperation is necessary for fighting against international terrorism, regardless of the origin and ideology of the terrorists. The threat of terrorism is undoubtedly greater if a foreign country supports it. The Ukrainian context shows that terrorism and acts of war are not mutually exclusive. Although the Russian Federation does not admit the presence of its forces in Ukraine, it created the so-called people's republics, which are essentially criminal-terrorist formations, in

Lugansk and Donetsk, on the territory of the sovereign Ukrainian Republic. As the Estonian Minister of Justice commented regarding the extradition, the Estonian precedent of extraditing an Estonian citizen suspected of a terrorist crime to Ukraine will hopefully help other countries also to reach the realisation that Ukraine must be helped through real actions to prevent terrorism and Russian aggression. By the time of the publication of this annual review, Polyakov's charges were under discussion by the Ukrainian courts.

Blocking the funding of terrorism

We must continue to be aware of the threats to European security caused by terrorism supported by the Kremlin; including the potential threat of illegal weapons on the European black market due to conflicts initiated by the Kremlin. The resolute position of the Republic of Estonia has helped to fight against the funding of terrorist groupings active in Ukraine through money laundering. Consequently, in a criminal case investigated by the Internal Security Service, a Russian citizen is internationally wanted, as he attempted to send money through a bank operating in Estonia to the so-called Donetsk People's Republic (DNR). As of 2016, Mihhail Zahharov is a wanted person, in accordance with his European arrest warrant. Zahharov attempted to make an online transfer in the sum of 10,000 USD via a bank operating in Estonia, from his account to the account of Gleb Leonidovich Kornilov in a bank operating in the Russian Federation, with the explanation "For Igor Ivanovich Strelkov from Moscow State University scientists".

The payment was stopped because the recipient, Igor Ivanovich Strelkov, was included in the list of people with regard to whom restrictive measures must be implemented in respect to actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine, as stipulated in the Council Implementing Regulation (EU) No. 433/2014 of 28.04.2014. According to the implementing regulation, Igor Strelkov (Ihor Strielkov) has been identified as one of the employees of the Russian Federation's GRU involved with committing acts of terror in Sloviansk, and was an assistant in security matters to Crimea's self-appointed prime minister, Sergey Aksionov. In April 2014, unlawful armed groups led by Strelkov attacked government departments in Sloviansk, in the Donetsk Oblast, Eastern Ukraine, also occupying a militsiya station.





Criminals attempted to take these illegal weapons with restored functionality via Estonia to Russia.

The Internal Security Service suspects that Zahharov is guilty of supporting and attempting to finance a terrorist grouping [pursuant to § 237³ (1) of the Penal Code] and a person committing crimes stipulated in § 237 (1) of the Penal Code.

Judicial decisions regarding explosives and weapons in 2016

At the end of last year, regarding crimes indirectly related to terrorism, a final judicial decision was made in the case of Ralf Miller and Sergei Staryhh for placing a home-made explosive device underneath the car of Igor Savenkov (formerly known for his vodka business), and therefore, for attempted manslaughter. Miller and Staryhh prepared a complex explosive device for manslaughter in a manner dangerous to the public. The explosive device had been attached under a car, which was located in a subterranean parking lot for 117 cars, underneath a building with 110 apartments and 7 commercial premises situated on Rävala pst in Tallinn City Centre. The device was intended to

explode in the morning, when the businessman was taking his son to primary school. The Internal Security Service caught the suspects within approximately two months.

The criminal case passed through all court levels twice, and because on 31 August 2016, the Supreme Court did not grant leave to appeal the case, Ralf Miller's conviction for the unlawful handling of explosives in large quantities, for the unlawful handling of an explosive device or its integral part, and for attempted murder by the use of an explosive device or an explosive in a manner dangerous to the public entered into force, with an aggregate punishment of 11 years imprisonment (sentence commenced from 30.07.2012).

On 15 November 2016, the Criminal Chamber of the Supreme Court did not change the 23.03.2016 judgement of the Tallinn District Court regarding the conviction of Sergei Staryhh, for the unlawful handling of explosives in large quantities, for the unlawful handling of an explosive device or its integral part, and for attempted murder by the use of an explosive device or an explosive in a manner dangerous to the public, with an aggregate punishment of 9 years imprisonment.

✂ Tartu County Court convicted Valerii Sergeev a citizen of the Russian Federation, who obtained partially deactivated pistols and submachine guns from Slovakia in October 2015, and tried to smuggle them in his passenger car through the Republic of Estonia to the Russian Federation. The smuggler of this large quantity of pistols and submachine guns was sentenced to 5 years imprisonment. Valerii Sergeev served 5 months of his sentence immediately; the remainder of the sentence is conditional, with a 5-year probation period. As a supplementary punishment, the smuggler was deported from the Republic of Estonia, with a prohibition on entry for a period of 5 years.

✂ Tartu County Court convicted Vadim Shamrai, who unlawfully kept more than 1.5 kg of high explosives in an apartment building in the city of Tartu, for a period of two years, until October 2015. As the unlawful storing of the large quantity of explosives endangered the life, health and property of the explosives enthusiast and that of his neighbours, the court sentenced him to 3 years imprisonment, of which Vadim Shamrai served 9 months immediately.

✂ Tartu County Court convicted Albert Orav, who took a 76.2 mm high explosive found in a forest near Valga to the basement of an apartment building in the town of Valga. Upon realising the danger of unlawfully storing high explosives, Albert Orav tried to get rid of his potentially lethal bomb, and dumped it into a rubbish bin located in front of an office building in the centre of Valga. Thanks to the vigilant residents of Valga, the threat from the war-time bomb ended with the decisive involvement of the police and explosive removal specialists. Albert Orav will pay for his unlawful acquisition, possession and conveyance of a major component of an explosive device with 2 years imprisonment, which he does not have to serve if he does not commit a new criminal offence within a 2-year period.

✂ Harju County Court convicted Sergei Olar, one of the leaders of a group involved with reactivating deactivated weapons and marketing them. The court punished him with 12 years imprisonment, Olar has contested the judgement in the district court. Other members of the same group have already received their final punishments at an earlier time: Sergei Stroiko 7 years, Juri Krongauz 8 years, Vladimir Vahrushev 6 years. The rest of the group members received smaller punishments

The Internal Security Service would like to remind readers that anyone can voluntarily hand over explosive substances and explosive devices they might have had in their possession or might have found to the Rescue Board, the Police and Border Guard Board, or the Internal Security Service, without any

fear of retribution. To hand over the explosives, you just have to call the Emergency Services on 112 and report your find. This is how everyone can help to ensure that the malicious or careless use of explosives does not endanger people's lives, health or property.

Regarding the availability of source materials for explosives

The issue of the availability of source materials for explosives has been discussed in Europe to an increasingly greater extent during the past decade. In 2013, the European Parliament and the Council adopted Regulation No. 98/2013, with regard to the need to limit the availability of substances used for manufacturing explosives to private individuals. The goal of the regulation is to have an overview of and to limit access to substances and their mixtures which can be used for making explosives. In order to enhance the measures for preventing terrorist crimes, it is necessary to harmonise legislation in all EU Member States. In Estonia, amendments to the Chemicals Act entered into force on 01.12.2015.

Estonia has decided to ban the sale of certain more dangerous substances to private individuals completely. For example, it is no longer possible to purchase any hair bleaching products with a hydrogen peroxide content of more than 12 per cent. Such substances can now only be sold by wholesalers for professional users and cash settlements are not permitted.

The substantive amendments to this law are mainly applicable to enterprises liable to be affected by a major accident, and to enterprises whose business operations include selling products containing explosive source materials. It is possible to purchase products that contain less than the maximum permitted amount of the listed substances.

As far as Estonia is concerned, a few people have only had an interest in experimentation, albeit a somewhat dangerous interest. However, in the rest of the world, this topic is of critical importance. The largest issue is online sales, and this is being monitored to an increasingly greater extent. In the recent explosions in Europe, substances included in the list of explosive sources had been used. In Estonia, it is very important to raise awareness among the general population, retailers and wholesalers. The Ministry of Economic Affairs and Communications has done a lot of work in this field. There are references and explanations on their website about how to act in case of a dangerous or suspicious purchase or find. The Ministry of the Interior has designated the Police and Border Guard Board as the official point of contact in Estonia.

The list of banned substances includes:

- **hydrogen peroxide (max. 12%)** cleaning products, colouring and dyeing supplies, teeth whitening
- **nitromethane (max. 30%)** medications, pesticides, fuel
- **nitric acid (max. 3%)** for manufacturing agricultural fertilisers, textile industry
- **potassium chlorate (max. 40%)** explosives, pyrotechnic articles, insecticides
- **sodium chlorate (max. 40%)** weed killers, cleaning products
- **sodium perchlorate (max. 40%)** pyrotechnic articles

Preparation to fight the consequences: 2016 training exercises

A joint counterterrorism training exercise “Double Wolf” was held on 15-16 May 2016 in the counties of Harju, Rapla and Lääne, and organised in cooperation with the different units of KAPO (Internal Security Service), PPA (Police and Border Guard Board), JuM (Ministry of Justice) and EKV (Estonian Defence Forces) as well as foreign partners. During the exercise, the participants practised cooperation between different departments in detaining terrorists in an off-road area, and solving a hostage situation. During the practical exercises, the participants used blank cartridges, explosive packages as well as

stun grenades for detaining people. Helicopters and a plane from the PPA were involved in the land-based search, as well as the police K9 units.

In mid-August 2016, the international counterterrorism training exercise ATHOS 2016 was held for the second consecutive year in Estonia, in northern Tallinn and in the small town of Harku. This time, the training exercise focused on detaining terrorists in an open urban space. The participants also practised evacuating victims, with the ambulance service and hospitals also involved in the training exercise. In addition to Estonia, there were participants from Austria, Finland, Latvia, Lithuania, Poland, France, Belgium, Hungary, Germany, Portugal, Slovenia, Slovakia and the USA.





THE FIGHT AGAINST CORRUPTION

Every country arrives at its own understanding of what threatens its security. The prevention and combating of corruption endangering national security is one of the functions of the Internal Security Service as set out in the Security Authorities Act. It has not always been stipulated this way by the legislator, but it has become increasingly clearer over the years that the prevention and combating of corruption is a strategic task for a small state in order to survive and maintain its sovereignty. In this year's description of security threats, including corruption, we will look back at past years to put the present situation into perspective and help predict future threats. The 25th anniversary of the restoration of the independence of the Republic of Estonia leads us to look back at the principal milestones of the fight against corruption.

We have noted attempts by the Kremlin to use business contacts and business influence in shaping Estonia's policy.

Unfortunately, the Corruption Perceptions Index by Transparency International does not reflect Estonia's results for the early 1990s, but compared to 25 years ago, the corruption level in society has remarkably, in fact sharply, decreased since the late 1990s. Everything is interrelated – the pillars of the fight against corruption, such as the democratic system, free press, independent judiciary, effective legal protection and civil society are able to carry an increasingly larger weight. It goes without saying that Estonia has made remarkable progress over the past 25 years. On the international scale, Estonia is perceived as one of the least corrupt states in Eastern and Central Europe, but we are avoiding the conclusion that corruption has been eliminated in Estonia and all problems have been solved. Estonia has the space for development in improving systematic anti-corruption activities, as a number of studies have highlighted shortcomings in various sectors and a need for capacity-building.

The corruption awareness of Estonian inhabitants has increased constantly. Society as a whole has not changed so rapidly. The Internal Security Service estimates that corruption at the highest level is a national security risk of potentially extensive impact and is more than merely a dangerous form of crime. Corruption as a security threat emerges when important national decisions and actions are not made or carried out in the public interest, but rather for the benefit of a narrow circle of influence

or a foreign state. In the fight against corruption at the strategic level, the Internal Security Service has the duty to investigate corruption cases that involve higher officials and threaten national security. The preconditions for preventing threat of corruption are the systematic and long-term gathering of security information in the area, monitoring corruption-sensitive processes and timely and proportionate intervention, which differ from the detection of individual crimes.

Naturally, the level of corruption can towards never be satisfactory – it is always our goal to strive toward a society that is freer from corruption. The most important aspect is to promote ethical governance and organisational culture rather than to fight against corruption in a non-systematic and non-continuous manner. Due to the concealed nature of corruption, it is quite difficult to assess the essence of the whole phenomenon. We have clearly seen in our work that solved corruption offences and their disclosure have helped understand the dangers of corruption. These cases have also had a major impact on corruption awareness and the disapproval of corruption in society, or led to major organisational changes toward preventing corruption. Unfortunately, there have also been opposite experiences. We saw how the city government of Kohtla-Järve, which should have stood for the interests of its inhabitants, failed to claim damages for property stolen from the local people in a corruption case, and the city has serious financial difficulties today. The Internal Security Service detected a massive criminal offence, and in judicial proceedings the Prosecutor's Office proved the damage caused to the local people, but the known and concealed connections and financial dependence of the local authorities prevent them from representing and protecting public interests.

There have been earlier cases in the criminal investigations conducted by the Internal Security Police, and the Corruption Offences Office of the Central Criminal Police, where a local government as the injured party had not exercised its right to claim compensation in criminal proceedings. A selective and partial approach is evident, as local governments usually claim compensation if the damage was caused by an ordinary official who is not connected to a political party and the offence was motivated by the individual's personal gain. However, civil actions are not filed in cases where the local council is under the influence of the city or rural municipality mayor suspected of a criminal offence. The Internal Security Service believes that not claiming compensation for damage is dangerous in many ways, because the property damage caused by criminal offences is covered by taxpayers and

the criminal proceeds remain in the hands of a corruptive network. The circuit court decision on the former Tallinn Central District elder, which definitively entered into force on 20 September 2016,¹⁹ proved that law enforcement authorities can sometimes stand for the interests of the local people even if the local government avoids doing so.

The Estonian anti-corruption legal regulation can be considered to be relevant: corruption can be detected and investigated. However, some cases raise questions as to the adequacy of the regulation. The overall ethical development is slower and cannot be regulated by law.

Economic security and corruption in government-invested enterprises and foundations

Threats to economic security have caught the interest of many security services around the world in recent years. The highest security risks arise from the energy, transport (including transit) and IT sectors. The Internal Security Service combats corruption threatening national security at the earliest stage in order to prevent negative consequences that may become prolonged and spread to various areas. Because of the link between Russian power structures, criminal circles and corruption, we especially focus on corruption that may strengthen Russia's hold on our state. We have noted attempts by the Kremlin to use business contacts and business influence in shaping Estonia's policy. Relevant in this context is the business continuity and supply security of energy, where the role of corruption can secretly and considerably influence the country's energy independence. Estonia has made great progress toward energy independence, security of supply and energy security and is trying to combat any corruptive activities that could increase its energy dependence on Russia.

The administration of state assets entrusted to government-invested enterprises and the abuse of such trust and corruptive activities may easily lead to a situation where an unfriendly foreign state can manipulate or influence corrupt officials and entrepreneurs. The detection of corruption is obviously important and necessary, but we have to shift from uprooting corruption in government-invested enterprises to preventing it. Government-invested enterprises themselves have either made smaller or greater efforts to this end. Some enterprises have intentionally not made such efforts or have only made them ostensibly, as the supervisory and management boards of such enterprises have not prioritised good governance and the prevention of corruption. The Internal Security Service considers it important that the solutions to the challenges outlined in the White Paper on State Business Participation Policy drawn up by

the Ministry of Finance should be urgently and effectively implemented in government-invested companies and foundations. These solutions make up a systematic framework for the fight against corruption. In line with the recommendations of the OECD (Organisation for Economic Cooperation and Development), the state mainly participates in the leadership of companies and foundations by exercising its rights as a shareholder and founder according to the State Assets Act, and it must not interfere at other management levels but respect the independence of supervisory board and allow the supervisory and management boards to act independently in their daily affairs. Independence always involves responsibility. The degree of this responsibility is heightened by the fact that the joint property of taxpayers is being administered. The business competence of company managers must go hand in hand with ethics. The Internal Security Service has recommended that leaders of companies and foundations, who are required to be highly reliable, be given personnel security clearance subject to security vetting. Many such company leaders have indeed now been given security clearance. This is an obvious advantage: the risks relating to the leaders are managed better and senior managers can be trusted with information that helps them avoid risks.

Fifteen years ago we were far from our current position. Our annual review for 2002 noted that the cases of the Estonian Traffic Insurance Fund and the Cultural Endowment of Estonia clearly demonstrated the fact that the supervisory role of the state over the financial activities of legal persons in public law was weak and sooner formal than principal. It was also pointed out that the supervisory board's supervisory functions had not been explicitly defined. By 2015–2016 the state achieved effective and principal rather than formal control – the legislative and executive powers have paid great attention to it in the light of the corruption case in AS Tallinna Sadam (Tallinn Harbour).

The Internal Security Service has completed the investigation of corruption cases concerning the leaders of AS Eesti Energia Tehnoloogiatööstus (the technology division of the Estonian energy company). We are investigating the activities of managers of AS Tallinna Sadam and the manager of a structural unit of AS Eesti Raudtee (Estonian Railways). These are large companies, the large-scale transactions and procurements of which are of strategic importance in the use and provision of public resources and services, and in earning income for the state. Corruption offences have a paralysing effect on the entire economy, as each strategic business or branch of the economy influences the economic security of the state. We consider it extremely dangerous if corruption may partly or fully stop the provision of a vital service.

¹⁹ A summary of the judgement on Alar Nääme is published at the end of this Chapter.

Below are some of the milestones in combating and investigating corruption since Estonia's regaining of independence:

- 1995** The adoption of the Anti-corruption Act and Public Procurement Act
- 1995** An ad hoc committee was set up by the Riigikogu to implement the Anti-corruption Act
- 1995** The staging of a criminal offence was provided for in surveillance procedures as an important method for detecting and combating criminal offences in the fight against corruption
- 1998** Amendments to the Code of Criminal Procedure setting out the investigative jurisdiction of the Internal Security Service, and the investigative competence concerning criminal official misconduct by senior officials
- 1999** The fight against corruption became one of the priorities for the Internal Security Service
- 1999** The adoption of the public service code of ethics
- 1999** Estonia joined the GRECO (groupe d'États contre la corruption – the Group of States against Corruption)
- 2000** Amendment to the Government of the Republic Act setting out the requirements for the establishment of internal control mechanisms in ministries, their sub-offices and county governments.
- 2000** The establishment in Estonia of a sub-office of Transparency International – the Corruption Analysis Centre at the Jaan Tõnisson Institute
- 2004** The Government of the Republic anti-corruption strategy “Honest State”
- 2004** The Government Office started coordinating the ethics procedures of civil service; 2013 The Independent Council of Ethics for Officials was set up at the Ministry of Finance
- 2004** The corruption hotline introduced at the Internal Security Service; 2012 The corruption hotline introduced at the Police and Border Guard Board
- 2004** The Prosecutor's Office appointed prosecutors specialising in corruption offences
- 2006** The criminalisation of influence peddling
- 2007** The Internal Security Service was authorised and obliged to investigate corruption offences committed by senior officials of major local governments
- 2010** Corruption was listed as a security risk in the National Security Concept of the Republic of Estonia
- 2010** Corruption offences by Defence Force officers were included in the investigative competence of the Internal Security Office
- 2011** An electronic environment for public procurements was launched
- 2011** Corruption offences committed by a member of the management board or supervisory board of a legal person in public law or a government-invested or government-founded legal person, if the activities of such person may threaten national security, were placed in the investigative competence of the Internal Security Service
- 2011** A political party funding supervision committee is set up under the Political Parties Act
- 2012** The Corruption Offences Office was established by the Central Criminal Police
- 2013** Under the Security Authorities Act, the Internal Security Service was tasked with the prevention and combating of corruption endangering national security, and the collection and processing of information necessary for such purpose

Historically important events and judicial decisions

- 1994 –** A ministry advisor from the Soviet Union annexation period offered an Internal Security Service officer a bribe of 30,000 kroons (1,900 euros) for returning three unlawfully obtained Estonian citizens' passports to his businessman friend. The case necessitated amendments to the Surveillance Act, the Code of Criminal Procedure and the Penal Code.
- 1995 –** The first criminal case in which the Internal Security Service used the staging of a criminal offence in Estonia. The offence was staged by an honest state official who was offered a bribe of 8,000 kroons (500 euros) for returning an illegal passport.
- 1998 –** By misusing his official position and violating the requirements of the Anti-corruption Act, the city mayor of Narva signed an unlawful agreement with Inko Balti Pank, which caused material damage to the city of Narva.
- 1999 –** The chairman of the management board of Eesti Maapank, who was also a member of the supervisory board of the Agricultural American Foreign Aid Fund, secured a decision of the supervisory board by which the Fund effectively transferred 29,705,000 kroons (1,900,000 euros) to the bank she was managing.
- 1999–2002** By the misuse of his official position and embezzlement, the executive director of the Cultural Endowment stole nearly 8,500,000 kroons (543,000 euros) of the Cultural Endowment funds. He spent most of the money in Estonia's largest casinos to support his gambling habit.
- 2001–2010** Corruption offences conducted by judges. The removal of corrupt judges from the judicial system has helped strengthen the legal certainty of people.
- 2002–2015** Bribery schemes developed in the Car Register Centre and the Road Administration over several years, which were also arranged by state officials, including employees of law enforcement agencies. This is an area where a large number of citizens have immediately perceived corruption and have been able to directly contribute to preventing it and therefore changing the corruptive mentality. Proceedings were conducted at different times by the Internal Security Service and the Police and Border Guard Board.
- 2003–2006** The Minister of the Environment and Director General of the Land Board repeatedly accepted gratuities and agreed to accept gratuities in the future from representatives of a number of companies promising to use, and using, their official positions in the implementation of the Nature Conservation Act to exchange immovable property subject to nature conservation restrictions owned by persons related to these companies against immovable property owned by the state. The Minister of Agriculture Ester Tuiksoo accepted gratuity from a representative of a real estate company and misused her official position to sign a lease contract for premises between her ministry and that particular company.
- 2004–2006** A total of 39 customs officials and three border guard officials of border customs points in north-east and south-east Estonia were convicted of bribery and gratuity offences. In 2006 nine more customs officials of a north-eastern border customs point were accused of bribery and gratuity offences. Smuggling-related systemic border and customs corruption decreased significantly after the investigation of these cases.
- 2005 –** The Police Board started to investigate an extensive case of bribery, of which 21 traffic policemen were later convicted. Systemic corruption among policemen carrying out traffic supervision decreased considerably.
- 2006 –** The Minister of the Environment, mediated by a sworn advocate, first asked an entrepreneur for money to reject the bid of OÜ R, which was declared as the best bidder in the tender for the immovable property at Rävala pst 8, Tallinn, and to accept the bid of AS W, which was declared as the next best. He then asked for money in order to accept the lower-priced bid of AS W in the same tender, and eventually to ensure that AS W and OÜ R received their deposits back.
- 2009 –** The largest-scale corruption case involving a senior police officer. A criminal case against Aivar Otsalt, the former police prefect of the East and South Police Prefectures and eleven police officers of these prefectures, in which the police officers were convicted of embezzlement of the property of the prefecture, illegal surveillance, the illegal handling of essential parts of explosive devices, firearms and ammunition, and illegal hunting and fishing.

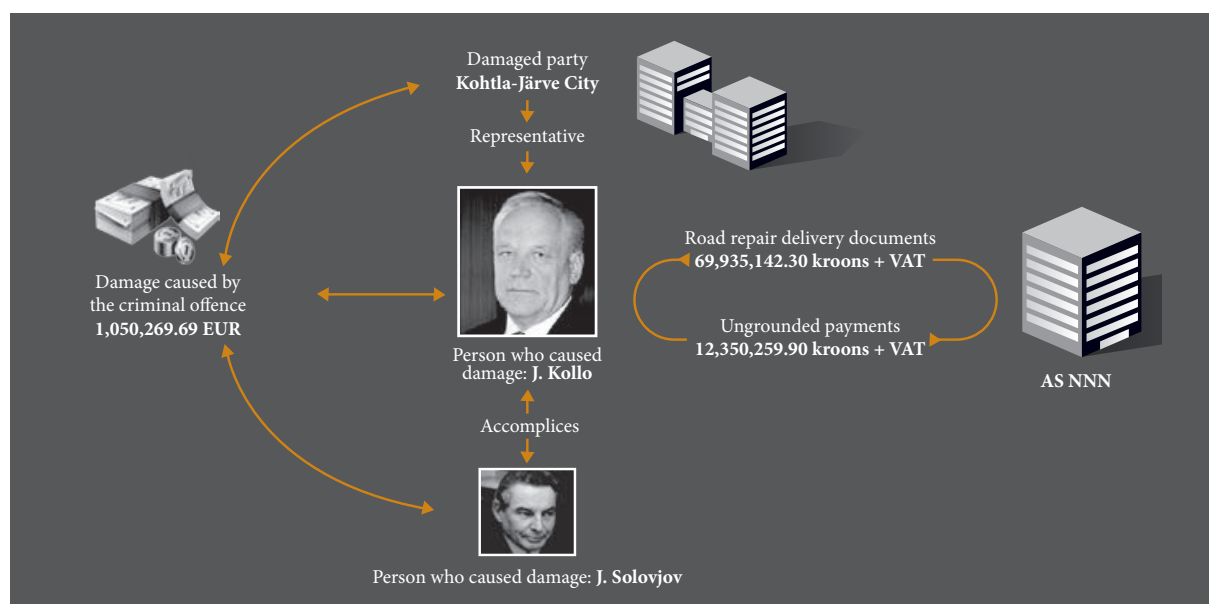
Corruption-related judicial decisions and local government corruption in 2016

1. The Tartu Circuit Court convicted Yevgeny Solovyov, the former mayor of Kohtla-Järve of competition offences, embezzlement, abuse of trust, accepting bribes, the falsification of documents, and the use of a falsified document. The former deputy mayor of Kohtla-Järve Jüri Kollo was convicted by the same judgement of embezzlement and the falsification of documents. Solovyov repeatedly misused his official position by unfoundedly creating favourable conditions to entrepreneurs known to him, and helped them to enter the circle of the recipients of invitations to tenders and to win tenders. Solovyov and Kollo violated their duty to act in the proprietary interests of the city. Solovyov was convicted to 5 years of imprisonment with 5 years of probation and Kollo was convicted to 4 years and 3 months of imprisonment with 5 years of probation. As an additional punishment, Solovyov and Kollo were prohibited to work in a state or local government entity or institution for three years.

It was proved in the criminal proceedings that Solovyov and Kollo committed various offences against property and in relation to their official position. These offences are characterised by extreme negligence on the part of Solovyov and Kollo, which was reflected by the fact that in the documents presented to the city government, works on specific streets were reported on a scale larger than the actual size of the street or than stipulated in the contract. They also reported works on streets that did not exist or were not located in the Ahtme and Järve city districts. The volumes of road repair works were also falsified with the involvement and interference of Solovyov in addition to the removal of traces of the violation.

By virtue of the entry into force of the judgement of conviction, Solovyov lost his job as the mayor of Kohtla-Järve at the end of August 2016, but became the managing director of AS Uikala landfill as soon as early October 2016. The Uikala landfill is owned by Nikolay Ossipenko, in whose interests Solovyov committed offences against property and in relation to his official position as the mayor. According to the Civil Service Act and Anti-corruption Act, an official who is released from office may not become within one year from the day of release, connected with a legal person within private law over which he or she has exercised direct or constant supervision during the last year. By taking up a job immediately after the entry into force of the judicial decision, in a company owned by a person in whose interests the mayor committed offences against property and in relation to his official position, he did not violate the restriction on acting as an official, unless he had exercised supervision over that company. However, this raises the ethical issue of an official's trustworthiness and impartiality in the context of the revolving door effect, i.e. leaving the public sector for the private or vice versa. The new job of the former mayor suggests corruptive all-round defence and the reaping of benefits of former conflicts of interests. Corruptive all-round defence may influence the protection of constitutional order in the Ida-Virumaa region and reduce the trust of citizens in the functioning of state authority.

The combined damage done by Solovyov and Kollo to the city of Kohtla-Järve amounted to 210,200.51 euros, and the damage caused individually by Kollo was 840,069.18 euros. In the criminal proceedings, damages were not claimed from Solovyov and Kollo because the city government of Kohtla-Järve did not exercise its right as the damaged party to file a claim for civil damages.



2. Viru County Court convicted Märt Marits, a former member of the Jõhvi rural municipality government for economic affairs, of accepting a bribe and violating the requirements for public procurements. The entrepreneurs Allan Mänd and Vladimir Graf were convicted, respectively, of giving a bribe and of contributing and inciting the violation of the requirements for public procurements. In return for misusing his official position in the interests of Mänd and the companies related to him, Marits was to be employed as a project manager in the shopping and recreational centre to be established by Mänd after leaving the position of a member of the rural municipality government. Also, before being officially employed as a project manager, Marits

carried out various daily assignments for Mänd, which effectively are the equivalent to the work of a project manager in a shopping and recreational centre.

Mänd in turn bought a laptop computer for Marits in return for misusing his official position in the interests of Mänd and the six companies related to him. As the chairman of a public procurement committee, Marits made amendments in the qualification conditions for the procurement at the request and with the help of and in agreement with Graf, which enabled Graf's company to participate in the public procurement. Marits and Mänd were convicted to 7 months and 20 days of imprisonment. Graf was punished by a fine of 66 daily rates.

3. Tallinn Circuit Court convicted Alar Nääme, the former district elder of the Tallinn Central District Government, of the illegal conversion to his use of other assets belonging to another person to which they had been entrusted, by a person who has previously committed embezzlement. At the 13th Riigikogu elections in 2015, Nääme was a candidate in election list No. 11 of the Estonian Centre Party in the Võru, Valga and Põlva County regions and, in the course of his personal election campaign, organised two free concerts to win the votes of electors at the Valga Cultural and Hobby Centre on the pretext of a cooperation agreement between the Tallinn Central District Government and the Valga City Government. A sum of 2,846.50 euros was paid for these concerts from the Tallinn city budget funds. The paid invoices were for the rental of premises, sound and light equipment, the performance fees for a band, and two cakes. One-sided activity, i.e. the organising of concerts by the Tallinn Central District Government and thereafter providing information on the concerts, cannot be interpreted as cooperation between cities and therefore, as an activity covered by a cooperation agreement. Cooperation requires the joint activity of both parties to fulfil an objective. The method of inviting the audience with election flyers only, the structure of the concert where Nääme was at the centre of attention, the timing of the concerts immediately before the elections, and the election attributes distributed at one of the concerts suggested that the actual purpose of the concert was to support Nääme at the Riigikogu elections in the Valga region.

The Tallinn Deputy Mayor, on behalf of Mayor Taavi Aas, sent a letter to the Office of the Prosecutor General confirming that the City of Tallinn did not consider itself to be a damaged party and would not file a civil action. For legal persons in public law, the legislation contains strict regulations on how and for whose benefit assets should be used, meaning that a

legal person in public law does not have the right to dispose of assets at their own discretion in any manner or for any purpose, but assets must be used within the limits prescribed by the legislation. Neither is an official of a local government unit the owner of the assets of that unit, but only a person authorised to dispose of the assets in the cases and to the extent prescribed by the legislation. We cannot agree that the detection of a criminal offence (in this case, embezzlement) only depends on the opinion of a representative of the legal person in public law. Otherwise, corruptive all-round defence would be allowed, and corruption would be effectively legalised. This especially concerns cases where a person who has the right to represent a legal person in public law is himself/herself being accused of a criminal offence. Nääme was punished with a fine of 200 daily rates.





*The Museum of Occupations in Tallinn holds a steaming device once used by the KGB to open without being detected and re-seal letters sent by people, including scholars.
Photograph: Museum of Occupations.*

HISTORY: THE KGB PERSECUTION OF THE ESTONIAN INTELLIGENTSIA

The analysis of today's threats to national security shows that the Kremlin continues to use the repressive methods and tactics inherited from the Soviet Union, all the while becoming less and less inconspicuous in doing so. In this annual review, we give an account of one remarkable investigation, which provides yet another factual confirmation of the nature of the legacy of the occupation period. It is the task of the Internal Security Service to accumulate information on the methods and activities of the security services of the regimes that had occupied Estonia, among other things, for the purpose of avoiding similar threats now and in the future.

The Soviet occupation regime attempted to maintain control over the entire society. In Estonia, an extensive Stalinist policy of terror was implemented for this purpose from 1940, which was supposed to destroy any hope for the restoration of sovereignty and establish a common totalitarian communist ideology. The first to fall victim to the repressions were politicians, government officials, police officers and military personnel, but Estonian cultural and academic life was severely harmed as well. In addition to the losses resulting from the arrest and deportation of creative minds, irreparable damage was sustained due to the systematic destruction of reference publications, fiction books and periodicals accompanied by the introduction of political censor-

ship. In the autumn of 1944, when the Red Army once again occupied Estonia with a view to its re-annexation, tens of thousands of Estonians fled abroad in fear of new repressions. Among them, there were numerous intellectuals, who formed the spiritual core of expatriate Estonian communities in the following years.

The Soviet regime considered the emergence of the anti-communist refugee community and its ties with cultural figures remaining in Estonia to be a serious threat. The KGB was ordered by the communist party and by the government of the USSR to immediately commence surveillance over the refugees in order to identify and, where necessary, block their channels of communication with Estonia. According to KGB logic, all Estonian expats were regarded as the tools of western intelligence services to obtain information about the situation in the Soviet Union and to implement ideological sabotage. The second link of the chain consisted of Estonian cultural figures, whose initiatives to communicate with the West were to be strongly discouraged. While imprisonment and sending people off to Gulag camps were still rather common punishments in the 1940s and 1950s, later these were replaced by a policy of intimidation in the form of KGB interrogations, dismissals from employment and confiscation of works and correspondence.

A number of various structural units within the KGB specialised in “working on” Estonian intellectuals (“intelligentsia” in KGB vernacular) and their mentality. Following the reforms, the above area of expertise was transferred in 1967 to the jurisdiction of Department 5 of the KGB of the Estonian SSR formed on the example of USSR KGB 5. Chief Directorate. None of the dossiers from Department 5 could be found in the Estonian archives, but the activity of this unit is more or less represented in materials from other types of sources. For example, KGB “exit dossiers” often contain resolutions and summaries by KGB Department 5 officials, which would be decisive votes for allowing or forbidding people to go abroad. In addition to public archival sources, the Internal Security Service has been continuously enhancing its overview of the repressive activities of the KGB agencies by means of the “Procedure for the Registration and Disclosure of Persons Who Have Served in or Co-operated with Security Organisations or Intelligence or Counterintelligence Organisations of Armed Forces of States Which Have Occupied Estonia Act” and other legal acts. In 1994, the Riigikogu passed the “Procedure for the Collection, Registration, Preservation and Use of Materials of Security and Intelligence Organisations of Other Countries Which Have Operated in Estonia Act”, section 3 of which establishes that all such materials are the property of the Republic of Estonia.

Although cases where massive quantities of KGB documents become privately owned have not been and are still not common, there are some exceptions. For instance, the case of August Kuuseoks (1928–2014), former Estonian SSR KGB officer, which was disclosed in 1999. August Kuuseoks served in the KGB between 1949 and 1981, retiring from division 1 of Department 5 as a senior intelligence agent. Last time August Kuuseoks came under the media spotlight was in 2013, when a number of old weapons, ammunition and detonators were found at his home, and the court sentenced him to a six-month conditional sentence for illegal possession of firearms. During the proceedings, it was discovered that in addition to the assortment of weapons, over the years August Kuuseoks had amassed an impressive collection of documents pertaining to the KGB’s field work. Naturally, he would not have been allowed to take a single sheet of paper from the KGB building, and even the destruction of documents was to be performed strictly under a specific procedure and registered in the relevant record.

One of the duties of August Kuuseoks, who worked in Department 5 from 1967, was handling the intelligentsia, and therefore, over the years, correspondence between the refugee community and creative minds remaining in Estonia closely monitored by the KGB ended up on his table. Postal censorship; that is, opening, reading and making copies of correspondence, was a routine method for the KGB implemented in the control and surveillance of almost all spheres of life.

The KGB fearfully followed and checked the correspondence that is now part of Estonia’s cultural history. The book “Vaimusõdurid viletsuse ajal” (Soldiers of the spirit in times of misery) by Uku Masing and Vello Salo.



Postal censorship or, in the KGB terminology, “per-lustration” (abbreviated as PK in Russian): random secret inspection of postal items and telegrams with a view to obtaining intelligence on the persons and facts within the scope of interest of the KGB and ensuring that counterintelligence and other operations pertaining to the use of post and telegraph are performed by operational units (USSR KGB Counterintelligence Glossary, 1972, p 212). Such work was performed by division 6 of the Technical Operations Department of the ESSR KGB in the post processing centre building next to the Baltic Station until the ESSR KGB was liquidated.

Of course, the “secret monitoring” occupied a special position in the case of refugees because it was often traditional correspondence by post that was the

only conceivable channel of communication between Estonians in the republic and abroad. Letters and post cards primarily found their way to senior intelligence agent August Kuuseoks in the form of photographic reproductions made by the KGB technical personnel but, in some cases, when the confiscation of the correspondence was considered necessary, also in the form of originals. All letters and copies were registered by the KGB and assigned numbers. August Kuuseoks handled thousands of letters and post cards sent by Estonian cultural figures to one another, some of which he decided to add to his private collection. Among other materials, the search at his home revealed around 700 copies and originals of private correspondence of Estonian cultural professionals between 1967 and 1973.

The materials found at August Kuuseoks’ home show that the KGB took special interest in Estonian poet and writer Bernard Kangro as well as Vello Salo, Hel-lar Grabb, Ivar Ivask, Kalju Lepik, Aleksis Rannit, Otto Alexander Webermann and many more well-known Estonian cultural figures living in exile. The correspondence of intellectuals living in Estonia was also carefully monitored, considered to be a potential threat and often used as a pretext for not allowing people to travel abroad. August Kuuseoks’ collection contains letters and post cards from Uku Masing, Valmar Adams, Ain Kaalep, Viivi Luik, Jaan Kaplin-ski and others.

Naturally, the private letters and their copies that August Kuuseoks took home from the KGB are just a tiny part of the amount of correspondence secretly monitored and copied by the ESSR KGB in the 1960s and 1970s, and they are, above all, an expression of the former intelligence agent’s interest in literature and a peculiar collector’s passion. At the same time, the discovered materials are conclusive evidence of the spirit-less tenacity with which the Soviet occupation regime tried to sever Estonian cultural life from the western world and to restrict contacts between creative minds.

In addition to correspondence, the KGB regularly confiscated fiction and periodicals published by Estonian communities abroad that expats were trying to send as private gifts to their friends, acquaintances and relatives and also to libraries. Soviet unrestricted postal censorship was a violation of the privacy of correspondence as one of the most important human rights. What is more, the destruction of letters or their removal from circulation should be considered as ideological censorship and a grave violation of the freedom of speech and expression.

In accordance with the “Procedure for the Collection, Registration, Preservation and Use of Materials of Security and Intelligence Organisations of Other Countries Which Have Operated in Estonia Act”, any discovered materials are to be transferred to the National Archives. At the same time, we call on our readers to notify the Internal Security Service in case you happen to be in possession of materials (dossiers, documents, card systems, plans, photographs, etc.) gathered or compiled by security or intelligence organisations of states that have occupied Estonia, which can be helpful in the investigation of repressions by foreign regimes.



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Harrys Puusepp

Design:
Smile Group

Photos:
**Annika Haas, Rössing, Roger & Rössing, Renate, Priit Simson, Sven Začek, Ekspress Meedia,
Kaitsepolitseiameti arhiiv, SLUB / Deutsche Fotothek, Scanpix, Siseministeerium**

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