

Chapter 10

International Intelligence Cooperation against Terrorist Targets – Phase II

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With regard to the international threat posed by global terrorism, the area of International Intelligence Cooperation against terrorist targets represents a viable solution only in cases where both the theoretical and practical approaches are considered and linked. The death of Osama bin Laden has not altered this. This link represents a global requirement for international interdependency at national, regional and international levels, to which the cooperation and integration must be best fitted.

We should be aware that terrorism is bound to be with us for the foreseeable future. The outcome of the measures applied in preventing and combating terrorism is helpful only when a *political will* from all engaged parties exists. A serious engagement in the collaboration process is significant in elaborating a well-defined strategy and fostering a win-win situation in the fight against terrorists' acts.

South-Eastern Europe represents a complex region. Starting in 1990, it was disturbed by different conflicts and political instability, which transformed it into a region that attracts organized crime from Europe, with this illicit activity forming a breeding ground for terrorist activity from outside the region and within. The strategic position of the region, situated between Western Europe and the Middle East, supposes even more active involvement of the terrorism phenomenon and represents a source of financing terrorist crimes. Moldova's participation in the antiterrorist campaign is explained by its location in South Eastern Europe, as part of the so-called "instability train" that stretches from South-Western Asia, through the Caucasus, and on to the Balkans.

One of the main factors that contributed importantly to the escalation of this situation consists in the fact that the focus is only on counteracting already existent threats, rather than on preventing them. According to the criminal legislation currently in force, the responsibility for counteracting actions that affects national security devolves upon the representatives of security service in-

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stitutions. Yet, in case the main efforts in combating existent threats are directed only to counteracting a crime that has already been carried out, these actions will be inefficient, because any criminal manifestation constitutes the consequences of some social-political contradictions that were unsolved adequately, thus evolving towards illegal actions.

Therefore, the countries of South-Eastern Europe are to focus mainly on providing antiterrorism (offensive) measures that could oppose terrorism throughout the entire threat spectrum and reduce the vulnerability of inter-ethnic conflicts that produce a playground for terrorist acts.

Intelligence Cooperation enters a new phase in the collaboration process of the Special Services (generally, the intelligence services). The emphasis is placed on information exchange that considers current cases and actions. In this way, intelligence cooperation appears to be a necessity in identifying the best measures of directing and coordinating human resources, logistics and financial resources that the international community disposes of.

The Republic of Moldova is a young state that at present is in the process of consolidating its main public institutions. The information provided by ISS with regard to the non-presence of terrorist organizations on Moldovan territory is encouraging. In this situation, state efforts specialized in the field are focused more on detecting terrorist plans in a timely manner and on impeding the possible legalization of such international terrorist organizations in Moldova.

As already mentioned, according to article 13 of the Law on the state's security bodies, the system of state security bodies is comprised of: the Information and Security Service, State Protection and Guard Service, Border Guards Service, Customs Service, all of which carry out their activity according to the above mentioned law. Along with the above mentioned bodies in the Republic of Moldova exist also other institutions, that according to special laws have to share counterterrorism responsibilities. These include: the Ministry of Defense of the Republic of Moldova, Ministry of Internal Affairs, The Penitentiary Department of the Ministry of Justice, Ministry of Information Development, Civil Protection and Exceptional Situations Service, General Prosecutor Office, and the Center for Combating Economic Crimes and Corruption.

Thus, the presence of a wide ensemble of authorities with competencies in ensuring national security requires the necessity of coordinating their activity aiming at combating and counteracting the possible threats of an internal or external nature.

As concerns combating terrorism, the state security bodies have the following missions:

- Information and Security Service – performs tasks in combating terrorism, activities of prevention, detection and stopping of terrorist crimes, including those that have political purposes as well as international terrorist activities. At the same time, ISS contributes to ensuring the security of Republic of Moldova's institutions situated on the country's territory, as well as the security of the citizens employed in these institu-

tions and their family members. ISS also collects data concerning international terrorist organizations.

- State Protection and Guard Service – ensures the physical security of persons and objects situated under its guard; accumulates, analyzes and uses information concerning terrorist activity in order to prevent, detect and stop terrorist plans and plots. The Service coordinates its activity with all departments that specialize in combating terrorism, including internationally with similar services of other countries.
- Border Guard Service with its territorial subdivisions – combats terrorism by stopping any terrorists' attempts to cross the border and enter the Republic of Moldova.
- Custom Service – combats terrorism through prevention, detection and disruption of attempts for transporting across the borders of the Republic of Moldova ammunition, explosive and toxic substances, radioactive materials and other objects that can be used for terrorist crimes.
- Ministry of Defense – ensures the protection of ammunition, arms, explosive substances, military objects and air space of the country in the event of antiterrorist operations taking place.
- Ministry of Internal Affairs – combats terrorism by preventing, detecting and stopping terrorist crimes that have material purposes.
- The Department of Penitentiary Institutions of the Ministry of Justice – provides necessary support in stopping terrorist acts by providing the services of its subordinating subdivision to other competent national authorities.
- Ministry of Information Development – ensures informational assistance to the state authorities by performing activities in combating terrorism, providing informational resources, and specialized technical assistance necessary for database enhancement and informational networks.
- Civil Protection and Emergencies Service – performs civil protection actions and rescue operations and undertakes other urgent measures for the combating of terrorist acts.
- Centre for Combating Economic Crimes and Corruption – ensures the prevention and combating of terrorism financing according to the attributions stipulated by the legislation in force.

On 15 September 2003, within the framework of the Centre for Combating Economic Crimes and Corruption, a specialized autonomous unit was created – the Office for Prevention and fight against money laundering and terrorism financing (OPFMLTF). This office has the following duties:

- Collection, analysis and processing of information regarding suspicious financial transactions, information presented by reporting entities, ac-

ording to the legislative provisions of the Law on preventing and combating money laundering of the Republic of Moldova.

- Undertake operative investigation measures, also in accordance to the legislation in force;
- Collaborate and exchange information with administrative public authorities, inform competent bodies on causes and conditions that favor the commission of illicit acts, by undertaking measures stipulated in the legislation;
- Transmit information and documents to the prosecution authorities and other specialized bodies, as soon as the solid proofs are identified concerning money laundering, terrorism financing and other crimes that generate illicit earnings;
- Cooperation and exchange of information with similar services from abroad, as well as with international organizations specialized in preventing and combating money laundering and terrorism financing;
- Elaborate proposals in order to align the national normative acts to the international regulations in the field;
- Participate and elaborate on the National Strategy on preventing and combating money laundering and terrorism financing;
- Develop an informational system in the specialized field and ensure its reliability and functionality;
- Ensure a methodology for the reporting entities in the field of preventing and combating money laundering and terrorism financing;
- Request and receive necessary information and acts, which the reporting entities and authorities of public administration dispose of, regarding the identification of the illegal aspects of terrorist transactions;
- Communicate with the reporting entities (when necessary), concerning the results of the information examination, publish periodical reports with regard to the performed work in the field;
- At the request of the bodies specialized in surveillance of the reporting entities, the Service performs the control and verification of reporting entities regarding violations of the law;
- Collect and analyze statistical data regarding the efficiency of the system for prevention and combating money laundering and terrorism financing, including the number of declarations concerning suspicious transactions, the number of prosecutionary cases and convicted persons, data concerning the combating of suspicious transactions, sequestration and confiscation of the received earnings from money laundering and terrorism financing crimes;
- Perform other tasks as stipulated in the legislation.

Taking into consideration the necessity of promoting a unique policy of the specialized institutions regarding the prevention and combating of money laundering and terrorism financing, as well as in order to make more efficient the relevant mechanisms and considering the importance of this phenomenon, it is necessary to define a clear strategic solution by adopting the National Strategy on preventing and combating money laundering and terrorism financing along with the implementation of the Strategy's Action Plan.

In the wake of the operative measures undertaken by the OPFMLTF during the year 2007, eleven offices, including four money laundering offices, were discovered. As a result of the commercial banks control concerning the non-observance of the provisions of the law on prevention and fight against money laundering and financing of terrorism, funds in the total value of 1 million lei (over 104,000 US Dollars), as well as other material goods were sequestered. Fifteen decisions were adopted for suspending financial transactions in fifteen banking accounts in Moldova, while freezing a total of 1.05 million US Dollars and 2.8 million lei. For example, as the result of productive work with similar Financial Intelligence Units (FIUs) from the Russian Federation and Cyprus, accounts were frozen returning to the Russian Federation an amount of 1million US Dollars, and to Cyprus, a total of 22.6 thousand USA Dollars. It should also be mentioned that the amount of money noted above transited through the national banking system, with destinations in other states, with the goal of hiding the illegal provenance of the funds.

To ensure the effective accomplishment of its legal duties, the Office cooperates with the entire system of institutions and reporting entities including non-governmental organizations involved in preventing and combating money laundering.

Thus, at a national level, the OPFMLTF operates in the framework of the general information system formed by the following institutions:

- I. Institutions of law enforcement in the field of preventing and combating money laundering and financing terrorism: Ministry of Justice, Ministry of Finance, Ministry of Internal Affairs, General Prosecutor's Office, National Bank of Moldova, Information and Security Service, Ministry of External Affairs and European Integration, Customs Service, Ministry of Economy and Trade, Statistic Service, Supreme Court of Justice, Ministry of Informational Technology Development, Licensing Chamber.
- II. Financial control, supervision and regulatory authorities: Licensing Chamber, National Commission for the Securities Market, Main State Tax Inspectorate, National Bank of Moldova, Ministry of Finance, Court of Accounts.

Agreements of interdepartmental cooperation were signed with: the General Prosecutor's Office, National Bank of Moldova, Ministry of Internal Affairs, Informational and Security Service, Court of Accounts, Custom Service and National Commission of Financial Market.

One of the priority activities of the OPFMLTF is the settling and reinforcement of bilateral cooperation with other similar foreign services, as well as with international specialized organizations. Within this framework, considerable efforts for obtaining the Egmont membership have taken place. Ultimately, the Republic of Moldova became a member of this group. During 2007, the memorandum of collaboration on the exchange of information regarding money laundering and terrorism financing was signed within the frame of international cooperation activities with similar units from Georgia, Croatia and Poland. Also at this time, negotiations regarding the signing of the memorandum of collaboration with similar services from Cyprus, Czech Republic and Belgium were initiated. Thus the memorandums signed before with similar Financial Intelligence Units are the following: Albania (Coordination Directorate of Fight against Money Laundering), Belgium (Financial Intelligence Unit), Bulgaria (Financial Intelligence Agency), Belarus (Committee of State Control), Croatia (Anti-money laundering Department), Estonia (Information Bureau of Anti-money Laundering), Georgia (Financial Monitoring Service), Lebanon (Special Investigation Commission), Lithuania (Service of Financial Crime Investigations), Macedonia (FYROM) (Money Laundering Prevention Directorate), South Korea (Financial Intelligence Unit), Romania (National Office for Prevention and Fight against Money Laundering), Russia (Federal Financial Monitoring Service), Ukraine (State Committee for Financial Monitoring). At the same time Republic of Moldova adhere to the Group of States against Corruption, according to the Law no. 297-XV from 22 June 2001.

During the year 2007, around one hundred and thirty requests for information were sent to similar Financial Intelligence Units and ninety-five were received, including ten requests sent to international organizations, and eight requests received from international organizations. The cooperation of the OPFMLTF with relevant international bodies implies, first of all, the adjustment of the normative framework in this field to international standards, as well as an intense information exchange via protected channels. This allows an active evolution of the methods and means used by the Office in the process of prevention and combating of money laundering and terrorism financing.

The Pro Marshall Center is planning to participate within the process of risk evaluation concerning money laundering and terrorism financing within the framework of the Financial Action Task Force (FATF) Strategy, as noted in June, 2008.

There are different typologies of money laundering and financing of terrorism that were identified in 2007. Here is an example of one of the types identified by OPFMLTF in 2007.

A person with a high responsibility position of one supervisory institution who, due to his working position, has access to confidential information, employs fraud and false documentation in judicial court, using dummy persons, to withdraw from different physical and legal persons the financial shares of an important organization.

Subsequently, the mentioned financial shares were sold on the stock exchange market (the assets had a high liquidity) and the obtained financial means were spent for the purchase of luxury goods (including automobiles, real estate property, etc.).

At the same time, in view of attributing a legal aspect to the illegally obtained capital and to the purchased luxury goods, as a result of an agreement signed with two other shareholders, the individual had bought on the over-the-counter market some shares of another organization, and the official price paid was 70% cheaper than the real one, paid in cash to the shareholders.

Later, the shares purchased in this manner were sold on the stock exchange market for the real price. In this manner, a legal aspect was attributed to the illegally obtained capital.

The Office analyzes and verifies information from special forms, which allows for monitoring transactions that could be connected to money laundering, financing terrorism or other serious offences.

When the Office employee identifies the constitutive elements of the crime, the OPFMLTF presents the information to the Criminal Investigation Department of the CCCEC and, if the facts are confirmed, CCCEC initiates the proposal for criminal investigation and presents it to the prosecutor for approval. When the criminal investigation is decided to be started, the prosecutor who leads the criminal investigation process gives instructions to the criminal investigation officer and he, at his turn, establishes various tasks for the OPFMLTF officer.

During the year 2007 OPFMLTF identified 9.5 million of suspicious, limited, and cumulative transactions, that constitute an increase of 35% in comparison with the year 2006. This growth is motivated by the essential increase of business figures of local companies, as a result of the development of the financial market, due to the enlargement of the European Union till the border of the Republic of Moldova, and of redirection of financial flows towards the bank system of the country.

In order to identify and counteract (destroy) terrorists it is necessary to be aware of the Special Services' activities in the field. The contributions of the Information and Security Service are:

- a. elaboration and realization, within its competence, of a system of measures oriented towards discovering, preventing and counteracting the following actions which, according to the legislation, endanger state, public and personal security:
 - actions towards violent change of the constitutional system, undermining or liquidation of sovereignty, independency and territorial integrity of the country (these actions cannot be interpreted against the political pluralism and realization of constitutional rights of a person);

- activity, which contributes directly or indirectly to the deployment of military actions against the country or starting a civil war;
 - military or other violent actions that undermine the state bases;
 - action that aim to subvert violently the public authorities legally appointed;
 - actions that favor the exceptional situations in transport, telecommunications, economic entities and those of vital importance;
 - espionage, or the transmission to other states of information that contains state secrets, as well as getting or keeping illegally the information that contains state secrets in order to be transmitted to foreign states or anti-constitutional structures:
 - betraying by offering assistance to a foreign state that is organizing hostile activities towards the Republic of Moldova;
 - actions that endanger the constitutional rights and freedom of the citizens and threaten the state security;
 - preparing and committing attempts upon life, health and inviolability of the country's officials, of state leaders as well as public representatives from other states being in the Republic of Moldova;
 - stealing arms, ammunition, military equipment, explosive, radioactive, poisoning, drugs, toxic and other kind of substances, smuggling them, producing, using, transporting and keeping them illegally, if by this state security interests are threatened;
 - institute illegal organizations or groups that threaten state security or participate in their activity;
- b. protection of state secrets, wielding control regarding assuring, keeping and preventing the leakage of information that represents state secrets and other important information for the state;
- c. creation and assuring the functionality and security of the governmental systems of telecommunication, elaboration of the strategy and realization of a national policy within creation, administration and assuring the functionality and security of the special systems of telecommunications;
- d. deployment of activities on combating terrorism and financing terrorist acts.

For the accomplishment of the duties connected to the state security assurance, the Service employs:

- informative activities;
- counter-informative activities;

- activities oriented towards tracing, preventing and countering actions, which according to the legislation threaten or could threaten the state security.

Other attributions within combating criminality can be granted to the Service by laws and other normative acts.

The way of informative and counter-informative measures development, as well as the terms of use of secret means and measures in the process of informative and counter-informative activity development are established by the legislation.

For the moment, the ISS activity makes-up a viable structure, able to trace, prevent and counter any action, which, from the legislative point of view represents a specific danger state, society or personal security. Following the objectives and duties established by the country's top leadership, I.S.S. orients its activity towards opportune tracing of any action, accomplished both inside the country and from abroad, which could undermine the state system, the sovereignty and territorial integrity of the Republic of Moldova, could affect its political, economic and defensive interests.

The goal of the Special Services is to annihilate and to deprive the terrorist groups of funds. The main target of the Special Services is funds of the terrorist groups which have to be tracked down and annihilated. The magnitude of the terrorist acts may be reached only with enormous money sources. Thus, the objective of discovering, identification and annihilation of the terrorism financing channels is a priority.

In order to obtain the funds the criminal groups engage in conventional criminal activities, such as human trafficking, drugs traffic, money gouge, kidnappings, recruiting young women for sexual exploitation, labor force trafficking, and illegal migration.

At the beginning of the Independence of the Republic of Moldova, there functioned organized criminal groups typical descendants from the former Soviet Union under the leadership of the so-called, "thieves in law" who later have been annihilated by the Moldovan authorities. Later appeared new types of criminal organizations, under the control of persons who have no criminal records, but hold responsible functions. Usually such groups are involved in activities connected to trafficking of human beings:

- recruiting young women for sexual exploitation – each year are being discovered new groups that are carrying out activities in this field, trafficking women to Turkey, Greece, Kosovo and other countries and regions through Romania, Bulgaria, Albania, etc. Nowadays ISS is cooperating in this field with some special services of other countries.
- trafficking labor forces to the Western countries through South-Eastern Europe – in these cases the criminal groups are working as tourist agencies that prepare the documents for people as for tourists. It is difficult to discover clients who will give evidence or will serve as witnesses against such tourist companies. The clients are instructed even to re-

spect the way of behavior in order not to look suspicious to the offices of the consulates where they get visas or during border crossing;

- illegal migration going on through our country of descendents from the countries of the South-East Asia, Middle East and Africa – certainly this process provides possibility to the terrorist organizations to use these channels for their purposes. The information collected by ISS of [Moldova](#) since 1991 till nowadays proves this fact. During 1992-1996 we identified some cases where the members of the terrorist organization “Tamil Tigers” were transiting the country in small groups, being included in the migration wave to Western countries.

At the beginning of the military operation in Iraq, after the US troops were dislocated in Romania, ISS discovered and annihilated an illegal migration channel, under the leadership of a man called “Doctor Azad” through which people from Iran and Iraq were transited to Western countries. The reason to take such drastic measures in this case was motivated by the fact that apparently this person was a Saddam Hussein’s intelligence service officer, and ISS suspected that this channel could be used for trafficking the “shahids” to Romania where the US troops were dislocated. ISS also took into consideration the fact that at the Southern part of the border between the Republic of Moldova and Romania the alarm engineering systems were destroyed after the collapse of the Soviet Union that made this region vulnerable to the attempts of the traffickers. This situation didn’t last long. Anyway the system existing at that moment was an electronic system technologically obsolete and needed to be replaced by a new generation electronic systems. Nowadays the modern systems are outperforming and have advanced capacity and functionality.

An identical situation happened at the Chisinau Airport recently. During the control of passengers who arrived with the flight from Istanbul, the Border Guard Service Officer revealed a group of citizens, of African origin, who presented themselves as tourists, and travelled to Moldova on the basis of visas. However, during the border control, it became clear that the mentioned visas were falsified. At the same time, in the “tourists” passports there were no stamps confirming the crossing of the state borders during their entire itinerary up to Moldova. The structures involved in the control did not have any information concerning the mentioned group of tourists.

As a result, 10 citizens of Ghana and one from Nigeria were detained for illegal border crossing with false documents. All detained persons were aged between 20 and 46. After taking all the necessary measures the “tourists” were sent back to Istanbul.

The above mentioned situations were identified due to some collaboration between ISS with special services in the region. Certainly it points out a success, but there is a room for more, this requires an efficient cooperation, exchange of information, membership in the international organizations and institutions, etc.

Paradoxically, but the globalization must produce **beneficial** and civilizing effects in all spaces of the planet and offer the necessary tools in order to protect peace, security, liberty and people's life in every corner of the world.

Anyway, we shall hear the redefinition of the global security concepts, war, national security, anti-aerial shield, etc. The new dimension is defined by overcoming any obstacles, imposed in communication in order to serve a much more important goal than defending citizens and their rights within a state.

After the collapse of the Soviet Union, started the adoption of different reforms in security sector but at a slow pace. Certainly the primary steps were to break up the former security services apparatus into several agencies and then to implement legislation to ensure some civilian oversight and control over the Special Services. On paper, everything looked promising, but practically the major changes were disregarded. Comparing to the CIS countries legislation the legal framework of Republic of Moldova is one of the most advanced and corresponds to the European values. The Special Services of the Republic of Moldova are characterized by a significant degree of fragmentation. This fragmentation is a result of the need to tear down the former Security after the collapse of Soviet Union. The current Special Services system, as a consequence, duplicates some of the tasks and activities, and encourages intense rivalry between different agencies for influence and resources, resulting in an inefficient communication, cooperation, collaboration and coordination among them. Referring to the history of the KGB, in the nineties, it didn't really dissolve, but it was reorganized. During the Soviet times, the Special Services were unified in a single body, which included beside its coercive, repressive investigation, and detention functions the Border Services and the Service of Protection and Guard and others, services to prioritize the Special Services in their main function – information, in order to correspond to the requirements of the international community. A special Service can't have detention rights, repressive activities, but only the informative function with the right to inform the proper decision-making authorities. Reorganizations took place later on. The personnel of different institutions and public bodies was affected due to the fact that several high qualified persons retired. The lack of professional staff was felt, at that moment, and it generated a crisis that lasts till nowadays. Preparing of the new personnel requires special training and experience, which are obtained in a long period of time. The recruiting and training process of a qualified specialist is time demanding. The professional formation is conditioned by the existence of the special schools. Speaking about special training, the Antiteror Centre of the Information and Security Service of the Republic of Moldova proposed a collaborative undertaking with the Pro Marshall Center of the Republic of Moldova for a project on "Cyber-Terrorism – a 21st Century Challenge to State Security." After the proposal in question, at the meeting in Tirana on March 5th 2008, as member of the Combating Terrorism Working Group informed the group about of the plan, and together with NATO Headquarter was decided to conduct the advanced training course in consortium: NATO, Center of Excellence on Defense Against Terrorism, Turkey and the Pro

Marshall Center of Republic of Moldova. The proposed aim of the 5 days training is to introduce the international practices describing the ground and effects of cyber-security, economic and social policies, common and informational state security, foreign policy, justice and interior affairs, sharing the international experiences, as well as the impact on the regional security and public order.

The Security and Information Service (SIS) undertakes gigantic measures within this area in order to consolidate and move up the information and security officers' preparedness level. Moldova needs more opinion leaders, real politic actors who will generate changes of values.

Beginning with 1994, State Protection and Guard Services, Border Services were reorganized and became independent. Afterwards a new phase was covered, demilitarization of the Security and Information Service. Nowadays the SIS representatives aren't millenarians but they hold special grades of information and security officers.

A new democratic state is subject to the following pattern that point out to the challenging role of the Special Services' reforms: limited time for the building-up of mature democratic institutions; fewer financial and human resources available for the reforms; the multiple-scope trait of intelligence reforms (democratization and countering new security threats) and their dual task of attaining and sustaining the level of efficiency and democratization of intelligence services; and finally the "cleansing" of the intelligence officers linked to former regimes, which creates personnel problems.

The biggest challenge for Moldova's future is shaping an appropriate mentality of political and societal actors that will help foster the emergence of a truly democratic political culture. This will make possible a genuine reform of the security sector in accordance with European Union norms and principles. Mistakes in the initial stage of democratic reforms have weakened law-enforcement institutions as well as state regulation and monitoring, thus provoking the decline of the role of the state and reduction of its efficiency in addressing the security problems. The development of increased transparency, in line with best practice of the countries with long-term democratic traditions can truly contribute to the democratization of the sector.

Nowadays the Special Services of Moldova hardly constitute an intelligence community in the real sense of the concept described by British scholar Zara Steiner: "harmonious interplay between agencies and government control" aiming at "an end to animosities [among various Special Services], the establishment of friendly, productive relations." Whatever level of cooperation is achieved, it takes place horizontally.

Further problems may arise when the institutional and cultural particularities are constraining. For example, overlapping occurs between law enforcement and Special Services. "Rules governing the collection of intelligence must not be confused with those applicable to the collection of information for law enforcement purposes." While Special Services are mainly about prevention,

law enforcement agencies are about reaction. Their mandate is complicated by an even larger contextual dilemma – that of the liberty versus security.

At the same time, it is worthwhile to mention the advantages related to the fact that national security is ensured not only through the efforts of the Special Services. As mentioned before, there is a common contribution of all force structures and institutions. This objective may and is being realized only within a well balanced mechanism of collaboration between the state institutions. Thus SIS is able to riposte in face of the risks and threats in the address of the Republic of Moldova. The Director of SIS considers that in this area they succeeded to ensure an efficient collaboration with the colleagues from the Ministry of Internal Affairs, CCECC, General Prosecutor Office, Ministry of Defence so that they could react promptly and in time, if necessary. In working sessions, often there are common meetings at different levels, there are carried out, implemented common action plans and mutual operations. As a result the effectiveness of the Special Services increases. Some recent operations of SIS are implemented together with these institutions.

Despite concerns by the media and in academic circles, studies on the issue of intelligence reform are scarce; therefore, the intelligence expertise in the law-enforcement and decision-making authorities is insufficient.

Due to the fact that studies on the issue of the prevention and combating of terrorism are scarce, eventually it leads to a reduced expertise in the field and in the end boosts an inefficient process of identification and implementation of appropriate solutions for concrete situations. This situation requires more practical scientific studies in the field that would make use of an advanced experience of relevant specialists in the field for further establishment of technical-scientific base for prevention and combating of terrorist acts.

Regarding Transnistrian region, there is no cooperation, coordination and collaboration between Moldovan and Transnistrian Special Services. This is an old issue, the result of the political problem in this region.

According to the Law on basic provisions of the special juridical status of the cities situated on the left bank of Nistru (Transnistria), art.5. – The Law Courts, prosecution bodies, The Direction of Information and Security Service and the Direction of the Internal Affairs of Transnistria are component parts of the unique system of judicial institutions and of the unique system of law enforcement bodies of the Republic of Moldova and deploy their activity of making justice, assuring the rule of law and state security according to the Republic of Moldova's legislation.

According to the decision on confirming the main guarantees for the population of Transnistria, the projects and proposals must establish the following guarantees:

- property rights of the physical and juridical persons from Transnistria at the date of coming into force of the Law no.173-XVI of July 22, 2005 on basic provisions of the special juridical status of the cities situated on the left bank of Nistru (Transnistria), and after the coming into force of

the Law on the special juridical status of Transnistria – to conclude the documents that state these rights;

- after coming into force of the Law on the special juridical status of Transnistria – to preserve the existing level of social protection (salaries, pensions, scholarships, social aid, compensations, medical assistance and access to other social services) for all categories of Transnistrian population.

At the same time, the level of social protection in Transnistria cannot be inferior to the one established by the legislation for the whole country;

- after coming into force of the Law on the special juridical status of Transnistria – to keep the staff of the so-called force departments of Transnistria (“militia,” “customs” and “frontier guard service,” except the leaders and employees of the central government of the so-called Ministry of State Security), prosecution, court, Bar, notary employees and other civil servants from Transnistria in their functions, as well as to grant access to similar functions on the entire territory of the Republic of Moldova.

At the same time, these categories of employees preserve their years of service in the mentioned functions.

As already mentioned, at present in the Republic of Moldova are many public authorities with competencies in the field of ensuring national security; each of them has a competency and structure strictly established by the legislation in force. A more efficient interaction would contribute significantly to the process of problem-solving of major importance for the national security. The exchange of information between the responsible structures acting in the field of national security is inefficient. The problem still will persist not only in the Republic of Moldova, but also in other states, where the attributions in ensuring the national security devolves upon a series of ministries, institutions, departments. Thus, the dispersion of the personnel responsible for achieving the national security leads to the extremely irrational use of their experience, which negatively influences the quality of the activity they carry out. The elaboration of the legislative documents directly with the assistance of the representatives of the state security bodies, in cooperation with the special central institutions constitutes, probably, one of the main forms of collaboration. Through the instrumentality of these actions the tasks of the executive power are achieved in two or more sectors of the public administration. The horizontal connection is reflected through certain organizational measures carried out by the bodies of state security concordantly with the representatives of the special central structures.

In accordance with Chapter III, article 10 of the “Law on countering terrorism” of the Republic of Moldova, the management of the specific antiterrorist operations is performed by one leader and on the base of non-interference principle in the activity of that leader: “the leader of the operative group de-

cides upon the activity zone for performing antiterrorist operation and decides on the forces and means that are used in the operation.” According to Article 10 of the above mentioned law:

1. In order to perform the antiterrorist operation, an operative group is created by the representative of the Anti Terror Center of the Information and Security Service of the Republic of Moldova.
2. The activity of the operative group is organized according to a Regulation approved by the Government, in order to carry out the antiterrorist activity.
3. Military, collaborators and specialist involved in the antiterrorist operation are subordinated to the group’s leader.
4. The interference of any other individual, no matter what function he or she has, into the counter-terrorist operation leadership is not allowed.

As concerns communication, cooperation, collaboration and coordination in preventing and combating terrorism we can point out a recent example identified as a result of the monitoring process performed by the Pro Marshall Center of the Republic of Moldova, which currently is responsible for monitoring the Customs System and Police Bodies set forth in Annex 1 of Governmental Decision No.32 which serves the Moldovan Threshold Country Program (TCP) Action Plan, supported by the Millennium Challenge Corporation. The monitoring process implies activities regarding the collection and analysis of the official information.

One of the monitoring activities is the activity II-13 regarding the Creation and maintenance of an information system, ensuring adequate access and security of access to the data base; creation and maintenance of an automated data base; elaboration and procurement of a support software program; consultancy services in implementing and maintenance of this system.

In view of implementing this activity it is proposed, at the initial phase, to assure the legal support of this information system, taking into consideration the international practice, in order to avoid control of information.

According to the external donors and coordinators, the project could develop a mechanism within this information system, where citizens can have the possibility to establish a direct interaction with particular MAI subdivisions in case of detecting any corruption act. This has a role of providing an active reaction in order to identify and apply the required solution on time. It would be useful that corresponding bodies from the left side of Nistru River would be able to join the above mentioned system – this will improve the communication, cooperation, collaboration and coordination among all involved institutions in order to ensure a direct and absolutely necessary improvement of the decision-making process as regards security problems and fostering the access to information on the base of the transparency principle.

In conclusion, we note that in the era of globalization, the states cannot adequate and promptly act without taking into consideration the consequences, as well as respond individually to threats to their security.

Moldovan Special Services are legally allowed to cooperate at the international level. This aspect is highly relevant because, viewed in the broader perspective of Moldova's European and Euro-Atlantic aspiration, it offers more incentives for the alignment of Moldovan Special Services to the democratic values and norms inherent in the European Union and Euro-Atlantic community.

Starting in 1991, the Information and Security Service established bilateral relationships with the Special Services within the Community of Independent States, aimed at concentration of efforts in order to prevent and combat the risks and threats to national security.

On the multilateral level, the Service cooperates within the Council of leaders of security bodies and special services of the CIS member states that work in the field of countering international terrorism, drugs, arms and human trafficking, illegal migration, money laundering and other grave infractions.

By the Law no. 229-XV of June 05, 2003 the Service was appointed as the competent institution of the Republic of Moldova for official relations with the Antiterrorist Center of the CIS member states. In this position, the Service participates in common operational and tactical applications and in scientific-practical conferences on problems linked to preventing and countering international terrorism.

On the regional level, the Service maintains cooperation relationships with the institutions in the field from the GUAM member states, where working sessions are organized on national security issues of the member states.

In the context of the policy of the Republic of Moldova toward integration in the European Union structures, the Service makes efforts to join the informative European and regional communities, establish and promote bilateral and multilateral relationships with the same institutions from European states, dealing with problems of common interest.

During 2003-2006, the Service established bilateral cooperation relationship with special services from Bulgaria, Germany, United Kingdom, Poland, Turkey, Baltic countries, Hungary, USA. These relationships have as basis the sense of reciprocal trust and the steady decision to act on preventing and counteracting risks and threats in the address of the European, regional and national security. Cooperation is made through exchange of information, experience and normative acts within the state security area, as well as through requests to interfere in certain situations in counteracting the asymmetric threats. The support from the European partners accorded to the Special Services to accede to European and regional special services is welcomed, fact which made possible the participation as observer, to the works of the IVth plenary reunion of the South-Eastern Europe Special Services Conference (SEEIC), in June 2005, in Tirana, Albania. Special services, members of (SEEIC) unanimous decided that at the reunion from 2006 Security and Information Services of Republic of Moldova will participate as member with full rights.

Within the context of the actions taken in the area of European Integration, the leadership of the Service paid a number of working visits to Bruxelles, where it had meetings with the leaders of the European Commission Security

Directorate and the Security Office of the General Secretariat of the European Union and the first official contacts with the security structures of the European Community.

The Service participates at the annual multilateral reunions of the Chiefs of the Foreign Information Services of some neighboring countries, where are examined the subjects linked to the necessity to make more dynamic the cooperation in the area of European, regional and national security. The cooperation between SIS and special services of the EU Member States follows to adopt and apply anticipated active measures, destined to impulse and make more efficient the counteracting actions of the national and international terrorism, to discourage the proliferation of weapons of mass destruction, to determine risks which threaten the national and European security.

During April 15-18, 2008 the Antiterrorist Center staff participated in the Meeting of antiterrorist centers' leaders within CIS that took place in Moscow, Russian Federation and was organized and hosted the Antiterrorist Center of the CIS.

The meeting was attended by representatives of national antiterrorist centers, subunits dealing with combating terrorism and those with special antiterrorist destination from: Azerbaijan, Armenia, Belarus, Kazakhstan, Kirgizstan, Moldova, Russian Federation, Ukraine, representatives of the Executive Committee of the CIS, Antiterrorist Center of the CIS member states, National Antiterrorist Committee of the Russian Federation.

During working sessions participants exposed their opinion about raising the level of cooperation efficiency in the field of preventing and combating terrorism, and each country presented its national report. Within the meetings the participants agreed on several aspects that would contribute to the cooperation level increase in future, the most important being:

- intensification of the cooperation between security bodies, law enforcement organizations and special services of the CIS member states within combating terrorism;
- participants referred to the importance of the analytical structure in the activity of the security bodies, law enforcement organizations and special services, concluding about the necessity of acceleration of materials exchange between national centers and Antiterrorist Center of the CIS, regarding the qualitative analysis and adequate prognosis of the state and development tendency of the situation in the field of combating international terrorism and other extremist activities, as well as for the elaboration of the concrete proposals addressed to the Council of Leaders of Special Services, Law Enforcement Organizations and other bodies within the CIS;
- efficiency increase in combating international terrorism and other extremist actions, development of the informational infrastructure of the antiterrorist subunits of the CIS using the possibilities of the Antiterrorist Center of the CIS and of a special data base, intensification of the in-

formation exchange between the Antiterrorist Center of the CIS and international specialized organizations in the field of combating terrorism and extremism;

- taking into account the recent analytical research made by the Antiterrorist Center of the CIS, it was decided to recommend to the security bodies, law enforcement organizations and special services to pay special attention to antiterrorist assuring of transport and its infrastructure, including oil and gas pipes and preventing radiologic terrorist attacks;
- the Antiterrorist Center of the CIS proposal regarding the opportunity for Center's specialist to participate in national antiterrorist trainings that are held on the territory of the CIS member states, in order to get practical coordination of sustained interstate interaction.

As a result of the examination of the reports presented within the meeting and considering the experience of the national antiterrorist centers inside the CIS, the following recommendations were proposed:

- study of the experience of the Antiterrorist Center of Ukrainian Security Service regarding the determination of terrorist threats towards potential objects, adaptation of the situations of counteracting terrorist attacks, working out plans of preventing and liquidation of threats in trainings and operative games;
- extending training programs, introducing modules for specialists in combating terrorism: minimizing the consequences of the terrorist attacks in urban environment, preparing antiterrorist units for actions in mountainous regions, organizing and leading negotiations with terrorists (using the experience of the Antiterrorist Center of the KGB from Belarus);
- in order to use the potential of the National Antiterrorist Committee of the Russian Federation regarding training and preparation of the antiterrorist subunits specialists, it was recommended to organize a number of meetings with experts from antiterrorist centers of the CIS, to discuss the actual models of terrorist attacks and elaborate methods of tracing, preventing and counteracting them;
- use of media possibilities of the Antiterrorist Center of the CIS in order to promote the image of national antiterrorist centers, to increase the efficiency of the antiterrorist actions and to intensify the informational-propagandistic actions in the field of preventing and combating terrorism.

Due to the multitude of particularities that characterize each democracy in its unique context, there is no universally accepted solution on how to manage the intelligence process. However, some traits are considered to be essential in any discussion regarding intelligence reforms in a democracy. A dialectical

style is appropriate when arguing for the balance of these values: freedom vs. security, transparency vs. secrecy, centralization vs. fragmentation of the intelligence community, and legislative vs. executive control over intelligence.

In this context, the aspect of national security first of all takes into consideration the assurance of implementing international democratic standards.