

Anomalies in the activities of counterintelligence services. The case of the Republic of Latvia

Abstract The article is devoted to examining the causes of qualitative and quantitative anomalies in the activity of penetration agents within the security system of the Republic of Latvia and other NATO countries in the period after the collapse of the Soviet Union. The author presents selected cases of espionage within the Republic of Latvia and proposes explanations for the discrepancies between this Baltic country and other NATO countries in the number of detected agents.

Keywords intelligence, counterintelligence, espionage, agent, Latvia.

Theoretical and methodological background

A fundamental problem for researchers on the subject of secret services is access to verifiable source knowledge. In many of the cases under investigation, especially those that are distant in time, we have a data set that allows a relatively accurate assessment. However, it would be a mistake to assume that we have full knowledge in any case. Moreover, many known espionage cases are controversial in the research community, and the mere analysis of the available information

generates more questions than it provides answers¹. These cases often involve important historical events. One example is the Cuban Missile Crisis and the figure of Oleg Penkovsky associated with it². From the interpretation of the course of his cooperation with the British services and whether he was controlled by the State Security Committee (Russian: Комитет государственной безопасности, KGB), may depend on the assessment of the effectiveness of the Soviet Union's actions during this period.

The problem of the disproportion in the number of detected and convicted spies between Latvia and other countries (such as Estonia, Germany, the United Kingdom), to which this article is devoted, is even more complicated. For it must be assumed that the Russian side has the knowledge to fully assess the issue in question, but that this knowledge is unavailable to researchers, while researchers and analysts, whether drawing on open or classified sources, are trying to get closer to the truth. We are therefore dealing with a variant of the so-called 'dark number' crime issue³.

In this regard, the author emphasises that:

1. **The theses presented are in no way an assessment of the work of the Latvian State Security Service** (Latvian: Valsts drošības dienests, VDD), but an attempt to reflect on the effectiveness of the Latvian counter-intelligence system since the decision to withdraw from the USSR on 21 August 1991. The counter-intelligence system is understood much more broadly in this article, encompassing many other elements in addition to institutional counter-intelligence, such as the prosecutor's office, the state of the law and the practice of law application by the courts,

¹ Widely reported, for example, is the case of Ashraf Marwan, a Mossad agent who, according to Aman (Israel's military intelligence service), was a double agent. The conflict surrounding this figure has led to the disclosure of the agent's identity, public debates in Israel and lawsuits. Among others, two high-ranking Israeli intelligence officials were involved in discussions regarding Marwan: Zvi Zamir regarded Ashraf Marwan as one of Israel's top agents, while Eli Zeira, who headed military intelligence, assessed that he was a double agent. In doing so, Zamir accused Zeira of contributing to Marwan's death by revealing his name. In Israel, the version presented by Zamir is widely considered to be the correct one. This has to do with the mediation between the two by Israeli Supreme Court Judge Theodore Ora. See: U. Bar-Joseph, *A Question of Loyalty: Ashraf Marwan and Israel's Intelligence Fiasco in the Yom Kippur War*, "Intelligence and National Security" 2015, vol. 30, no. 5, pp. 667–685. <https://doi.org/10.1080/02684527.2014.887632>; I. Ginor, G. Remez, *Israel's Best Spy – or a Master Double Agent? New light from the Soviet angle on the mystery of Ashraf Marwan*, "The Journal of the Middle East and Africa" 2018, vol. 8, no. 4, pp. 383–396. <https://doi.org/10.1080/21520844.2017.1409025>.

² L. Scott, *Espionage and the cold war: Oleg Penkovsky and the Cuban missile crisis*, "Intelligence and National Security" 1999, vol. 14, no. 3, pp. 23–47; O. Penkovsky, *The Penkovsky papers*, New York 1965.

³ See in more detail: J. Błachut, *Czy „ciemna liczba przestępstw” istnieje?* (Eng. Does a "dark crime figure" exist?), "Archiwum Kryminologii" 2007–2008, vol. 29–30, pp. 75–80.

the functioning of parliamentary oversight bodies or even socio-political awareness.

2. **The analysis is based only on data and information available in open sources of information**, which is an obvious research limitation. Convictions for espionage are open, but naturally they cannot be the only measure for assessing counter-espionage effectiveness. Examples from other countries show that (apart from exceptional cases in a specific time period, i.e. Cuba in 1970-1987 and East Germany in the 1980s) an increase in the number of operational counterintelligence games and their high level lead to an increase in the number of arrests, which are usually correlated with successes in the strictly operational field.
3. There is an extensive body of cases in which we have operational certainty about the commission of an act of espionage, but turning this into procedural certainty and the ability to prove it in court remains impossible for counterintelligence and prosecution for various reasons. It is worth noting that this is a common phenomenon in the democratic world. In the case of Latvia, a factor in the construction of the law may be of particular importance, as was highlighted by the deputy head of the Latvian counterintelligence⁴. This is developed more extensively later in the article.

This paper uses an instrumental case study with a comparative element⁵. The case study, despite the limited range of data considered, remains a useful way of describing phenomena⁶. The paper is also based on the thought experiment of assuming that it is the absence of certain symptoms (indicators) that is the anomaly. What are the anomalies of counterespionage in the case of the Republic of Latvia?

During the 30 years of the Republic of Latvia's existence, many known agents of foreign secret services were unmasked. In the first decades after Latvia's independence, however, there were no court convictions in these cases. The situation changed around 2016, when there was an increase in arrests for working for the Russian secret services. It must be assumed that even more such cases remain undisclosed and lying in the archives, e.g. due to the a forementioned difficulty of converting operational knowledge into evidence, which is influenced by legal

⁴ M. Jonsson, *Espionage by Europeans: treason and counterintelligence in post-Cold war Europe*, "Intelligence and National Security". <https://www.tandfonline.com/doi/full/10.1080/02684527.2023.2254020>. <https://doi.org/10.1080/02684527.2023.2254020>.

⁵ R.E. Stake, *Jakościowe studium przypadku* (Eng. Qualitative case study), in: *Metody badań jakościowych*, vol. 1, N.K. Denzim, Y.S. Lincoln (eds.), Warszawa 2009, pp. 627–629.

⁶ B. Flyvbjerg, *Pięć mitów o badaniach typu studium przypadku* (Eng. Five myths about case study research), "Studia Socjologiczne" 2005, no. 2, pp. 41–69.

conditions. By no means does this have to mean the cessation of any activity in these cases, as counterintelligence has many methods at its disposal that are not related to bringing the offender to justice. It should be noted that, despite the increasing number of arrests of penetration agents since 1989, **no such agent of hostile intelligence operating in sensitive parts of the state security system has been convicted in Latvia.** By this, the author does not intend to say that such a one has not been found or that the successes recorded, whether in the operational or procedural fields, are not commendable. However, it should be borne in mind that decades of functioning within the structures of the Soviet Union's secret services, as well as the existence of a relatively large (according to various sources, amounting to 25% to 30%) Russian minority in the country, were factors that, after independence, made it very difficult for Latvian counterintelligence to defend itself effectively against Russian agents. It can be argued that the KGB of the Latvian Soviet Socialist Republic was fully dependent on KGB headquarters in Moscow. Many studies on other Warsaw Pact countries also point to a systemic and extensive network of dependencies, which in the area of covert operations was probably even greater⁷. This is fully in line with the Soviet model of a counter-intelligence state, as well as the historical experience of the Warsaw Pact states. An example is the GDR, which, while having a very effective intelligence service, remained under the full control of the Russian KGB⁸. The same was true in the military sphere. There, even the most effective special services of the Eastern Bloc, such as Hungarian military intelligence, were also under the close supervision of the Main Intelligence Directorate (Russian: Главное разведывательное управление Генерального штаба Вооружённых сил Российской Федерации, GRU) and on more than one occasion it was he who actually took operational control of particularly promising cases. On this basis, it must be considered that Latvia's resurgent security system was largely transparent to the Soviet and Russian services. It is worth adding that the most important security institutions, including the Information Department of the Ministry of the Interior, created in 1991 and responsible for counterintelligence, were built up by relying on - well known to the Soviet services - personnel originating from the Latvian KGB. The transition of its former officers into the country's secret service system, including the system formed in 1994 with the entry into force of the Law

⁷ See: D.E. Murphy, *KGB and MfS: Friendly enemies*, "Intelligence and National Security" 1999, vol. 14, no. 3, pp. 228–234; *Współpraca SB MSW PRL z KGB ZSRR w latach 1970–1990. Próba bilansu* (Eng. Cooperation of the SB of the Ministry of the Interior of the People's Republic of Poland with the KGB of the USSR in 1970-1990. An attempt at a review), Z. Nawrocki (ed.), Warszawa 2013.

⁸ R.J. Popplewell, *The KGB and the control of the Soviet bloc: The case of East Germany*, "Intelligence and National Security" 1998, vol. 13, no. 1, pp. 254–285.

on State Security Institutions, involved not only technical staff, but also operational personnel who had carried out KGB activities in Western Europe⁹.

An important element affecting Latvia's counterintelligence security is the national-ethnic structure. As mentioned, about 30 per cent of the population is a Russian minority, which remains a natural typing and recruitment base for Russian special services. Social surveys indicate that there is still a strong bond between a large part of the minority and the Russian Federation (RF)¹⁰. In 2022, only 9% of the Russian-speaking population supported the dismantling of the Riga monument to the Soldiers of the Soviet Army - liberators of Soviet Latvia and Riga from the German-fascist occupiers, symbolising Soviet domination. The community's attitude to the National Victory and Freedom Day celebrated on 9 May also varies. Only 3% of the Latvian-speaking population and 62% of the Russian-speaking population declare positive associations with this holiday. The differences are evident not only in the answers to questions on historical themes, but also on the actions of the Russian Federation in the second decade of the 21st century. Only 40% of Russian speakers condemned Russia's aggression against Ukraine in 2022, 12% supported it, 28% declared a neutral attitude and 19% refused to answer. In conclusion, the historical past and the national structure of the Latvian population are important factors shaping Latvia's counterintelligence security.

The early 1990s were not the best of times for the Soviet and then Russian services either. They struggled with centrifugal tendencies, corruption, had to fight to maintain the status quo in the country and faced many other challenges. However, this should not be considered as a mitigating factor for the risks to other countries, as it is well known that even at a time when the marble was literally falling off at the main entrance to the intelligence headquarters in Yasenevo, residents in the West were able to run valuable agents in the Central Intelligence Agency (CIA) and the Federal Bureau of Investigation (FBI). During the same period, the intelligence activities of the 'S' Directorate and the residencies on the 'N' lines of the Foreign Intelligence Service of the Russian Federation also continued. This means that, despite the internal turmoil, Russia was able to maintain key agents in the West. Given these factors, one can ask whether it is possible for the security system of the Republic of Latvia to defend itself against agent penetration in the most important parts of the system.

⁹ L. Michálek, L. Pokorný, *Transformation of the security and intelligence services in the Czech Republic*, "Connections: The Quarterly Journal" 2019, vol. 18, no. 3–4, pp. 65–86. <https://doi.org/10.11610/Connections.18.3-4.04>.

¹⁰ All statistics are quoted from: *Less than half of Russians in Latvia condemn Russia's war in Ukraine: survey*, Eng.LSM.lv, 7 VII 2022, <https://eng.lsm.lv/article/society/society/less-than-half-of-russians-in-latvia-condemn-russias-war-in-ukraine-survey.a464423/> [accessed: 27 XI 2023].

A comparative study

James Angleton, former head of CIA counterintelligence and an experienced operations officer, used to say that the activity of penetration agents is natural. What is unnatural is its absence. This should be a primordial assumption for any counterintelligence. As mentioned at the beginning of the article, it would be unfair to say that Latvia's counterintelligence has not had any successes. At the time of writing, there are a number of court cases pending, including the case of Andris Strautmanis, a former Latvian KGB and, after independence, counterintelligence officer. The widespread belief that the apprehension of an enemy intelligence agent is a failure of counterintelligence should be rejected. It is based on ill-conceived, purely theoretical assumptions that do not correspond to the realities of counterintelligence work. Obviously, it is optimal to turn the agent away (or otherwise take control) and use him to influence the adversary's activities and indirectly obtain information about his interests, equipment, procedures, methods, means and perhaps even personal sources of information. In order for this to happen, a number of criteria must be met in order to undertake a complex operational game with an adversary of at least similar capability. These criteria relate to the agent itself, the operational situation, the resources at hand and the practicalities. Ignoring these criteria is a very risky action. The consequences of an approach that assumes that success can only be achieved by turning the agent around is well illustrated by the case of Katrina Leung working as a triple agent against the FBI for the Ministry of State Security of the People's Republic of China¹¹.

A very important development for increasing the efficiency, at least with regard to investigative activities, of the Latvian counterintelligence was a change in the law that came into force on 11 May 2016. In addition to detailing and expanding Article 80 of the Criminal Code (offences against the Republic of Latvia) or Article 85 (espionage), separate articles were added criminalising incitement to acts against the Republic of Latvia or organising groups to act against the Republic of Latvia. Since then, one can observe, as already mentioned, a significant increase in the number of espionage cases. The official annual report of the VDD published in 2022 cites two examples: Andris B. and Valentīns F.¹² Both worked for Russia's military intelligence service, the Main Directorate of the General Staff of the Russian Armed Forces (Russian: Главное управление Генерального штаба Вооруженных

¹¹ See in more detail: D. Wise, *Tiger trap: America's secret spy war with China*, Boston 2011, pp. 32–41.

¹² *Annual Report on the Activities of Latvian State Security Service (VDD) in 2022*, Latvian State Security Service, <https://vdd.gov.lv/uploads/materials/33/en/annual-report-2022.pdf>, p. 11 [accessed: 27 XI 2023].

Сил Российской Федерации, GU), and both had served in the Soviet military in the past. Neither of them had significant functions in the security system at the time of their arrest, like the detained taxi driver working for the Russian secret services or Aleksandr Krasnopjorovs, an employee of the Latvian railways, detained in December 2017. Some press sources erroneously reported that he was the first person officially charged with espionage since 1991¹³. Such an accusation is not the same as counterintelligence suspecting individuals of having contacts with Russian special services or acting as agents on their behalf. Since 2016, more significant detentions have also been made, such as the aforementioned Janis Adamsons, a former parliamentarian and interior minister from 1994 to 1995, who was accused by the prosecution of cooperating with the Federal Security Service of the Russian Federation (FSB)¹⁴. Significantly, alongside him on the defendant's bench was Gennadijs Silonovs, a former Latvian KGB officer. They both were convicted in November 2023¹⁵.

Practice indicates the existence of highly placed Russian agents and other sources of information in NATO countries, including former Warsaw Pact states. These sources were taken over from the First General Directorate of the KGB by the Foreign Intelligence Service of the Russian Federation. The same was the case with the GRU and GU. Table 1 presents selected detected Russian agents spying in Western countries. The activities of these agents should be considered particularly dangerous in the security area. The table does not include unconfirmed, although highly probable, penetrations in French intelligence or at high levels of British counterintelligence.

Table 1. Selected espionage successes of the Russian secret services.

Name and surname	Country (place of employment)	Justification
Carsten L.	Germany (Bundesnachrichtendienst, BND)	One of the most important people in German intelligence in the technical area.

¹³ I. Springe, *How Latvia is (not) catching Russian spies*, re:baltica, 17 V 2018, <https://en.rebaltica.lv/2018/05/how-latvia-is-not-catching-russian-spies/> [accessed: 27 XI 2023].

¹⁴ *In the espionage case, Adamson is questioned about payments to his daughter and trips to the sauna in Moscow*, Baltic News, 30 IV 2023, <https://baltics.news/2023/04/30/in-the-espionage-case-adamson-is-questioned-about-payments-to-his-daughter-and-trips-to-the-sauna-in-moscow/> [accessed: 27 XI 2023].

¹⁵ See: *Były minister spraw wewnętrznych Łotwy skazany za szpiegostwo na rzecz Rosji*, Belsat, 10 XI 2023, <https://belsat.eu/pl/news/10-11-2023-byly-minister-spraw-wewnetrznych-lotwy-skazany-za-szpiegostwo-na-rzecz-rosji> [accessed: 27 XI 2023].

Herman Simm	Estonia (Ministry of Defence)	Key Ministry of Defence official in charge of the classified information protection system. His signatures were on the security clearances.
Peyman Kia	Sweden (Säkerhetspolisen, SAPO)	He worked at the interface between SAPO and other Swedish special services. He informed the Russians about their activities, including foreign intelligence.
Aldrich Ames	USA (Central Intelligence Agency, CIA)	Employee of the CIA's Eastern Division. Had knowledge of the activities of the US and UK personal intelligence programme on the Soviet Union.
Heinz Felfe	Germany (Bundesnachrichtendienst, BND)	BND counterintelligence supervisor on the Soviet direction.
Aleksiej Dressen	Estonia (Kaitsepolitseiamet, KaPO)	Key agent of Russia in Estonian services. Provided insight into the intelligence work of other NATO countries. His importance is confirmed by the exchange for kidnapped KaPO officer Eston Kohver.
Kim Philby	Great Britain (Secret Intelligence Service, SIS)	For many years one of the most important people in British intelligence, a liaison officer in Washington. He was under consideration for appointment as head of the service.
Klaus Kuron	Germany (Bundesamt für Verfassungsschutz, BfV)	Person in charge of offensive counterintelligence against the GDR.

Source: own elaboration.

Even a superficial comparative analysis reveals significant disparities between the examples indicated in the table and the known history of counterespionage in Latvia. This is particularly evident when compared to Sweden or Latvia's neighbour, Estonia, which has managed to detect many dangerous foreign agents. It should be emphasised that after 2016, a number of agents were detained and convicted in Latvia, but none of them can be considered equivalent to the mentioned penetrations. Indeed, these penetrations were detected outside the Latvian state security system. The case of Adamsons, according to the Prosecutor's Office providing information related to this system, can be considered an exception. In view of the fact that, as indicated, Russian services have repeatedly successfully placed their agents

in the most important places in the security system of infiltrated states, the failure to detect such a highly placed agent in Latvia can be considered another anomaly.

One explanation for this anomaly could be that there were no such agents in Latvia. However, against the background of NATO countries, including those in the Baltic region, this would be an exception. Russian special services primarily seek to actually take over an opponent's service by placing their penetration agents in it - this is their primary *modus operandi*. There are numerous examples of such operations being carried out over several decades, accompanied by a number of complex, related deception and cover operations, as in the case of Heinz Felfe¹⁶. They allowed the agent to be guided, assisted in the development of his or her career within the organisation and protected in the event of a search for 'leaks'. The case for detecting a Russian agent is made more difficult by the typical tactic of guiding the source within a broader operational context, which allows true information to be given to the agent, leading to tactical successes in the Russian direction (and sometimes the agent's promotion) and pushing back possible suspicions in relation to them. By sacrificing further, often valuable, agent sources in this way, the Russians invested in the career and protection of their most promising and important source, often leading to them taking up high positions.

Another related and potentially very important factor characterising Russian penetration operations is their counterintelligence nature. Counterintelligence in Russia occupies a fundamental place in the security system and cannot be compared to the concept of a counterintelligence service in Western countries, where it is a less important element of the security sector. This is also demonstrated by the role played by Russian counterintelligence in relation to intelligence or military counterintelligence with respect to the armed forces. The counterintelligence nature of these penetrations manifests itself both in terms of acquiring information that enables the offensive mission of Russian counterintelligence and in the area of influence operations. The penetration agents of the Russian intelligence service carry out these activities intensively within their own organisation, so as to hinder the opponent's intelligence services from carrying out the primary task conducive to success, in this case the reconnaissance of Russian intelligence. It is noteworthy that, surprisingly, Russian agents have often spent years of work trying to reach the state's counterintelligence system in a functional rather than a purely institutional sense. This is a typical Russian approach, according to which counterintelligence is considered to be the core of the security system, and its mastery allows the destruction

¹⁶ *KGB Exploitation of Heinz Felfe. Successful KGB Penetration of Western Intelligence Service*, Central Intelligence Agency, 12 IV 1978, https://www.cia.gov/readingroom/docs/FELFE%2C%20HEINZ%20%20KGB%20EXPLOITATION%20OF%20HEINZ%20FELFE_0001.pdf [accessed: 27 XI 2023].

of intelligence. From history, many examples can be given of the effectiveness of this mechanism, explaining the impotence of the counterintelligence of various states.

One could make the assumption that the KGB legacy agents naturally left with the change of generations. However, it is incompatible with the knowledge we have of the peculiarities of the Eastern secret services. The Soviet and then Russian secret services were able to build multi-generational penetration operations into which successive agents introduced their successors¹⁷. Moreover, even when it is not of such a direct nature, the continuity of penetration operations can be maintained with the use of existing agents while maintaining the principle of essential knowledge. This is because agents may not know about each other, but in fact, through tasks assigned by the lead officers, support each other's operations.

In conclusion, it should be stated that there is a significant disproportion, above all qualitative, between the history of Latvian counterespionage and that of most NATO countries, especially those that were not members of the Warsaw Pact. It turns out to be all the more glaring when one juxtaposes the potential, approach, experience and determination of the Russian secret services in penetrating the most important NATO countries with the vast knowledge of the Russian services about the institutional structure and personnel background of the Latvian security system.

In attempting to explain the quantitative and qualitative anomalies identified from the analysis of the functioning of Latvian counterespionage since 1991, three explanations can be offered. Firstly, perhaps Latvia, despite its numerous vulnerabilities due to historical circumstances and despite being a significant target of the Russian Federation, is an exception in the history of espionage and has defended itself against high-level Russian penetration operations in the security sector. It would therefore be reasonable to assume that the cases of suspected espionage suspects detained since 1991 are representative of the way Russian services operate in Latvia. Given the experience of NATO countries, this would be welcome news for it. It could be assumed that Russia did not consider Latvia an important target and therefore did not place a high-profile agent in Latvia, moving its main activities to, for example, a reunified Germany. However, this explanation is unlikely due to the accession processes of the Baltic states to NATO and the EU, Russia's attitude towards the Baltic states and its repeated questioning of the legitimacy of their existence, as well as the direct territorial proximity and examples of agent detection at the highest levels of the security system within, for example, Estonia. The strategic factor related to the Suwałki gap and the ability

¹⁷ A key example is the case of Zoltan Szabo and Conrad Clyde and the John Walker network. See: S. Herrington, *Traitors Among Us: Inside the Spy Catcher's World*, San Diego 2000; R.W. Hunter, L.D. Hunter, *Spy Hunter: Inside the FBI Investigation of the Walker Espionage Case*, Annapolis 1999.

of the allied forces of the Baltic states to assist them if Article 5 of the North Atlantic Treaty needs to be triggered is also important.

Secondly, it is possible that the Latvian counterintelligence detected and neutralised an intelligence threat from the Russian secret services. The fact that the public, despite the passage of years, has no knowledge of this would mean that these cases did not result in charges under Article 85 of the Criminal Code. In the context of counterintelligence, this is of secondary importance. Of course, it is important in terms of elementary justice and prevention, but the most important things are the fulfilment of the counterintelligence mission and the protection of the state from the intelligence threat, which does not necessarily involve the conviction of the guilty.

Thirdly, perhaps Latvia is not an exception and there were agentic activities in its security system, but they went undetected. Russia protected these penetrations in deception operations and may have managed to continue them after Latvia's independence, thus destroying Latvia's secret service system.

These explanations are not mutually exclusive, as even the best theory does not fully explain reality. It is certain, however, that the anomalies indicated are puzzling and worth investigating.

It is also worth noting the least optimistic scenario that has become the reality for many countries, such as the UK, Germany, France, the US and perhaps Latvia. This scenario assumes that the ineffectiveness of counterintelligence is not simply due to its weak institutional position or the quality of operations conducted by the adversary. These are effects, not causes. Nor is it due to a lack of commitment or professionalism on the part of the services themselves. Counterintelligence institutions have been ineffective for years in these countries due to their infiltration at a high level by the Russian services. This creates a vicious circle in which counterintelligence is ineffective because the adversary knows its way of thinking and acting and its creative abilities, and the adversary can act because counterintelligence is unable to fulfil its tasks. The history of espionage struggles proves that this mechanism has been used many times. Its foundation is a long-term and strategic operational game assuming not a one-off success, but a multi-year process of deception. Its aim is first and foremost to work out the enemy and change his mentality, and then to exploit this operationally. This is how the Russian special services have operated for more than 100 years. The realisation of this should lead to in-depth reflection and decisions that allow a solid investigation into the causes of this phenomenon and the development of a *modus operandi* to increase the effectiveness of counterintelligence at every level.

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