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## The Security Services since 1989: Turning over a New Leaf

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The clearest test of Romania's commitment to break with its Communist past has, arguably, been the introduction of democratic accountability to the Romanian security services, and the "purification" of Ceaușescu-era personnel involved in the crimes of that regime.<sup>1</sup> This chapter examines the extent to which that purification has been carried out; it charts the composition and structure of the security services which have succeeded the Department of State Security (the DSS, better known as the *Securitate*); and it assesses the degree of accountability introduced to those services.

### RESTRUCTURING THE *SECURITATE*

Under Decree no. 4 signed on 26 December 1989 by Ion Iliescu, then de facto head of the Council of the National Salvation Front (CFSN), the DSS was removed from the control of the Ministry of the Interior and placed under the Ministry of National Defense. On 29 December 1989, Iliescu promulgated CFSN Decree no. 33, which abolished the DSS (*Securitate*) and placed its directorate chiefs under arrest or in the reserve. This move has been largely suspected of being "window dressing" rather than substantive reform. Iliescu tasked the deputy prime minister in the provisional government, Gelu Voican Voiculescu, with the responsibility for assembling a new security structure. On the very same evening that the decree disbanding the DSS had been issued, Voiculescu convened an extraordinary meeting of all the heads of *Securitate* units who had not been arrested. He assured them that while the new government planned to dismember the former, Communist police structures, it would not take action against individual *Securitate* officers.<sup>2</sup>

In effect, the *Securitate* was integrated into the system and legitimized, thus enabling its officers to organize the release of all their colleagues held on suspicion of firing on demonstrators during the revolution. The unreliability of witnesses, bureaucratic inertia, and the desire to protect vested interests—such as Iliescu's bodyguard organization, the Presidential Protection and Guard Service (SPP) (which contained officers from the former Fifth Directorate of the *Securitate*, which had protected Ceaușescu) and the antiterrorist brigade of the Romanian Information Service (SRI) (which included members of the *Securitate* antiterrorist unit, USLA)—explains why the investigations into the deaths of the officially recognized 1,000 or so victims of the revolution have not been completed, and why relatively few charges have been brought.

Nevertheless, some senior *Securitate* officers were prosecuted. The first was Iulian Vlad, the last DSS head, who was arrested on 28 December 1989 on the absurd charge of complicity to genocide, which carried a maximum penalty of life imprisonment.<sup>3</sup> The charge was later reduced by a military court to “favouring genocide,” and his sentence was subsequently reduced to nine years, which was to run concurrently with two other lesser terms. The first was for three and a half years, which Vlad received in March 1991 for illegally detaining the number two man in the National Salvation Front (FSN), Dumitru Mazilu, in December 1989. The second was for four years, which he received in May 1991 for the “abusive detention” of more than 1,000 demonstrators in late December 1989. On 4 January 1994, Vlad was released on parole, after having served a three and a half year term.

Other high *Securitate* officers were sentenced in May 1991 to terms of two to five years of imprisonment each for “illegally detaining” and “abusively interrogating” an unspecified number of protesters during the revolution. On 10 May, Major General Gianu Bucurescu received a prison term of four years, while Lieutenant General Gheorghe Dănescu received a term of three and a half years. Colonel Marin Bărbulescu, head of the Bucharest militia, received a term of five years. Lieutenant General Gheorghe Vasile, the military counter-intelligence chief, and Colonel Gheorghe Goran, head of the Bucharest DSS, were both acquitted of these charges.<sup>4</sup> In a separate trial, Major General Marin Neagoe, head of the Fifth Directorate of the *Securitate*, was sentenced on 28 May 1991 to seven years in prison for “abusing his office.”<sup>5</sup> General Aristotel Stamatoiu, head of the Foreign Intelligence Service, and General Morțoiu were also sent to prison, but were released in November 1992. Nicolae Andruța Ceaușescu, the commandant of the Ministry of the Interior military academy, was sentenced in June 1990 to fifteen years imprisonment for leading some 2,000 officer cadets in the shooting of demonstrators in University Square on 21 December 1989. He died in the hospital of cancer on 14 December 2000. The former Minister of the Interior, Tudor Postelnicu, was also tried on the charge of genocide at the end of January

1990, and was sentenced on 2 February to life imprisonment. He was released on medical grounds on 4 February 1994.

Of the abuses committed by the *Securitate* before the revolution, only a handful have been addressed. Postelnicu's most notorious predecessor, Alexandru Drăghici, fled the country with his Hungarian wife Martha shortly after the revolution, and joined his daughter Alexandra in her Budapest flat to which she had moved in 1988. A request for his extradition was made to the Hungarian Ministry of Justice by the Romanian procurator general on 19 August 1992, but was turned down on the grounds that the statute of limitations had expired. However, the Hungarian Ministry of Justice made it clear that this was not their final word on the matter, and requested further information on the case. On 29 December 1992, the Romanian authorities renewed their extradition request, arguing that the statute of limitations had been suspended after the December revolution, a dubious legal move. Again, the Hungarians refused to hand Drăghici over, and, therefore, on 23 May 1993, the trial of Drăghici and other *Securitate* officers for "incitement to murder" began in his absence. Accused alongside the former Minister of the Interior were Colonel General Nicolae Briceag, former head of the Sibiu district of the *Securitate*, Colonel Ilie Munteanu and Colonel Nicolae Luțenco.<sup>6</sup> Drăghici's death, announced on Romanian radio on 13 December 1993, robbed his victims of any remaining chance of justice.

Replying in February 1990 to public disquiet about the position of the former DSS General Victor Stănculescu, the Minister of Defense listed the names of the *Securitate* generals arrested, and reported that 611 of the 1,073 officers in the Fourth Directorate in charge of military counterespionage, and that all 436 officers of the Fifth Directorate had been placed in the reserve. Stănculescu also claimed that the eavesdropping systems used by the *Securitate* had been dismantled on 22 December 1989, and that all listening centers and devices had been sealed off and placed under army guard. Furthermore, he invited public inspection of the former bugging and listening centers. Stănculescu also announced the institutionalization of a new security structure which was to be nonpolitical, with the leading positions in them filled "only with officers of the Romanian army who have shown, through their abilities and deeds, loyalty to the country, the people, and the revolution, and who do not belong to any political party or movement."<sup>7</sup>

However, his assurances that "no telephone conversation will be intercepted or listened to now, or in the future," and that "no citizen, regardless of nationality, political affiliation, or religious convictions" would be the target of this new security structure was received with disbelief by the public, coming as it did from an officer who had been a deputy Minister of Defense under Ceaușescu. That disbelief was justified by the discovery, in late May 1991, of hundreds of files on opposition figures compiled by the newly organized SRI, and by allegations in the Romanian press that Stănculescu had

been directly involved in the sale of Romanian arms through the agency of the Foreign Trade Company Dunărea.<sup>8</sup>

Also, Stănculescu's "frankness" about the elimination of former *Securitate* personnel from the new security structure did not extend to the fate of the 595 officers in the First, Second, Third, and Sixth Directorates, who were passed over in silence: This gave rise to suspicions that they had been integrated into the new security regime, which had been established by decree on 26 March 1990. The director of the new service, Virgil Măgureanu, admitted as much in a report to the joint session of the Romanian parliament on 22 November 1990, which he submitted in response to growing public demands for information about the structure and activities of the newly formed SRI, in an attempt to allay suspicions that the new organization was nothing more than a revamped *Securitate*. The very act of reporting was an indication that the SRI was, unlike its predecessor, at least formally accountable to parliament, and Măgureanu did not hesitate to make this point at the beginning of his report.<sup>9</sup>

#### THE CREATION OF THE NEW SECURITY SERVICES: SRI, UM 0215, AND SPP

Nine Romanian security and intelligence services have been set up since the disbandment of the *Securitate* and may be characterized as follows:

1. *Serviciul Roman de Informații* (SRI), the Romanian Security Service.<sup>10</sup>
2. *Serviciul de Pază și Protecție* (SPP), the Presidential Protection and Guard Service.
3. *Serviciul de Informații Externe* (SIE), the Foreign Intelligence Service.<sup>11</sup>
4. *Direcția Informațiilor Militare* (DIM), the Directorate of Military Intelligence, subordinated to the Ministry of Defense.
5. *Direcția de Contraspionaj a Ministerului Apărării Naționale* (DCS), the Directorate of Counter Espionage of the Ministry of Defense.
6. *Serviciul de Informații al Ministerului de Interne* (UM 0215), the Intelligence and Security Service of the Ministry of the Interior. This was rechristened, in June 1998, as the *Direcția Generală de Informații și de Protecție Internă* (UM 0962), the General Directorate of Information and Internal Protection.
7. *Direcția de Supraveghere Operativă și Investigații a Inspectoratului General al Poliției* (DSOI), the Directorate of Surveillance and Investigation of the Ministry of the Interior. This has been merged with UM 0962.
8. *Serviciul de Informații al Direcției Generale a Penitenciarelor* (UM 0400), also known as *Serviciul Operativ Independent* (SOD), the Intelli-

gence Service of the General Directorate of Prisons, subordinated to the Ministry of Justice. This became *Serviciul Independent de Protecție și Anticorupție* (SIPA), the Independent Service of Protection and Anti-corruption, of the Ministry of Justice.

9. *Serviciul de Telecomunicații Speciale* (STS), the Special Telecommunications Service.

Interestingly, each of these services was formed around the nucleus of a former *Securitate* directorate or unit. The SRI initially drew its personnel from the directorate of internal security; the SPP drew from the directorate responsible for the protection of Ceaușescu (Directorate 5); the SIE took over the activities of the CIE (the Foreign Intelligence Service of the *Securitate*); the DCS inherited the role of Directorate 4; and the UM 0215 recruited from the Bucharest office of the *Securitate*.

This multiplicity of services has done little to allay Romanians' suspicions that they continue to be the subject of close scrutiny by the successor organizations to the *Securitate*; it also raises questions of overlap and even duplication of tasking by these services. Such questions are particularly relevant to the activity of the SRI, which is subject to parliamentary oversight, and to that of UM 0962, which is not. Any chance both services had of gaining the public's confidence was undermined by their involvement in several acts of political violence in the early 1990s.

The most notorious incident involved the miners' invasion of Bucharest in June 1990. The failure of the police to disperse the rioting crowds in University Square—who attacked the police headquarters, the offices of Romanian television, as well as the Foreign Ministry—prompted President Ion Iliescu to appeal to miners from the Jiu valley to defend the government. Special trains brought 10,000 miners, armed with wooden staves and iron bars, to Bucharest at dawn on 14 June. They were joined by vigilantes who were later credibly identified as former officers of the *Securitate*. For two days, the miners (aided and abetted by the former *Securitate* members) terrorized the population of the capital, attacking anyone they suspected of opposition to the government.

Despite the government's presentation of the findings of a parliamentary inquiry, this event raised a number of questions concerning the new security regime to which satisfactory answers have yet to be given. It was not until November 1997 that the police files on the miners' incursion were sent to the prosecutor's office. In the meantime, most of the 760 complaints against the miners and the police had already reached the effective statute of limitations, and, thus, the possibility of prosecution had been obviated.

However, the serious damage which this episode did to Romania's image abroad prompted members of parliament to raise the question of the SRI's accountability. While its powers had been codified in the National Security

Law, passed on 26 July 1991, an effective mechanism to supervise them had not been put into place at the time. The authority to break the law in the interests of national security was given to the SRI in article 13, with certification of this national security interest to be provided by warrants of six months duration issued by “prosecutors especially designated by the Attorney General of Romania.” However, the law did not specify what standing these prosecutors should have, and there was no credible mechanism for the investigation of complaints. Thus, a credible system of judicial or legislative supervision of, and checks on, the exercise of this potentially abusive authority was lacking in the law.

While the safeguards were wanting, authorization to break the law in the interest of national security was not. Articles 6, 8, and 9 of the National Security Law stipulated that the SRI, the SIE, the SPP, the Ministry of National Defense, the Ministry of the Interior, and the Ministry of Justice were *all* empowered to defend national security. This overlapping of functions has caused Romanian security operations to become duplicated, confused, and unaccountable. The only coordinating power rested with the Supreme Defense Council (*Consiliul Suprem de Apărare a Țării*), a collective body of security organizations chaired by the President. It was set up before the promulgation of the first written Constitution under law 39 of March 1990. The Council’s duties are, among others, to analyze reports and information regarding the application of the National Security Law (article 4), and to approve the structure, organizations and administration of the SRI, the SIE, and the SPP (article 5). However, the Council has no constitutional link with Parliament. The pernicious lack of independent supervision of the state security agencies was demonstrated during a second binge of organized violence—the miners’ invasion of Bucharest in September 1991.

In testimony before the parliament, the SRI director, Virgil Măgureanu, revealed that he advised President Iliescu to use the event to force Prime Minister Roman’s resignation. Parliamentary clamor for control over Măgureanu and his agency became pronounced, resulting in the institution, on 23 June 1993, of the Joint Standing Committee of the Chamber of Deputies and Senate for Control and Supervision of the SRI (*Comisia de Control Comună a Senatului și a Camerei Deputaților asupra activității SRI*). The membership consisted of nine members of parliament who were to be nominated by their respective parties and then elected in a joint session of the Chamber of Deputies and Senate. They were then required to take an oath of secrecy before the two chambers. One of the members serves as president, a second as vice president, and a third as secretary. The holders of these three posts must be drawn from different political parties to ensure a nonpartisan supervision of the SRI. While this act did set up what was at least a formal system of supervision for the SRI, parliamentary oversight was not extended to two other security services: UM 0215 and SPP.

**UM 0215**

At the beginning of January 1990, General Nicolae Militaru, minister of defense, gave orders that the entire DSS Directorate for Bucharest (566 officers), and the majority of men in the Fourth Directorate (responsible for counterespionage in the army) be placed on the reserve. Voiculescu, who had been appointed by Iliescu to organize the new state security structure, took this opportunity to obtain Iliescu's agreement to recruit these officers for a new intelligence organization. It was set up on 1 February, given the title UM 0215, and placed under the nominal control of the Ministry of the Interior. Its first head was said to be a former *Securitate* officer, Ion Moldoveanu, a man who had allegedly been in charge of surveillance in the late 1970s of the dissident writer Paul Goma. He held the position for only one week, when he was replaced by Vice-Admiral Cico Dumitrescu. However, real control over the organization remained in the hands of Voiculescu.

After the departure of Admiral Dumitrescu in March 1990, Voiculescu installed two associates to the top positions in 0215: Colonel Florin Calapod (alias Cristescu) and Colonel Harasa. In these initial months, officers of 0215 were given several false identities and acted largely at their own discretion. On 18 February 1990, they were believed to have been responsible for a Watergate-style break-in into a government office in an attempt to compromise the opposition parties. At the same time, officers from 0215 were involved in the printing of anti-Semitic leaflets in Bacau and Bucharest.

On 22 March 1990, Petre Roman approved a request from the Minister of Internal Affairs, General Mihai Chițac, to create 174 new posts in the new state security structure, with the majority of them in UM 0215. During the premiership of Petre Roman (a man with whom Voiculescu, the de facto head of UM 0215, was on close personal terms) was allowed to double its strength to around 1,000 officers. Măgureanu (who headed of the SRI and who had a deep personal dislike for the prime minister) saw this development as a threat to his own service and warned President Iliescu of 0215's potential use as a personal intelligence service by Roman. In December 1990, acting with Iliescu's approval, Măgureanu forced Voiculescu from his position with UM 0215.

It is against the background of this dispute that the allegations made by Măgureanu and the SRI against UM 0125 should be seen. In March 1992, after his removal from the organization Voiculescu addressed these accusations. He dismissed as fabrications SRI claims that UM 0215 had infiltrated the opposition rally of 18 February 1990, that it had selectively released *Securitate* files in the run-up to the May 1990 elections in an effort to compromise opposition leaders, and that it had participated in the attacks by miners on bystanders in Bucharest in June 1990. He did, however, admit that he had supported the use of *Securitate* files in the election campaign. Nevertheless, in February 1994 a Bucharest court found two 0215 officers, Colonel Ion

Nicolae and warrant officer Corneliu Dumitrescu, guilty of ransacking the house of Ion Rațiu, a leading figure in the National Peasant Christian Democratic Party, during the miners' incursion, and stealing \$100,000. They were sentenced to four and three years, respectively.

Immediately after he took over the post of Minister of the Interior in June 1990, Doru Viorel Ursu attempted to put UM 0215 on a more legitimate basis. The use of false identity papers was, at least officially, abandoned. There was also a change in leadership. Colonel Jenic Iosif was appointed director and Colonel Ion Condoiu, formerly of the SRI, his deputy. In the spring of 1991, Colonel Stoian Rusu took over as head of UM 0215. However, in February 1993, the minister of the interior, General Ioan Dănescu, replaced him with Colonel Dan Gheorghe, who had been sacked from his post as head of the SRI anti-terrorist brigade by Măgureanu.<sup>12</sup>

Judging from the details contained in operational manuals of UM 0215—which had somehow found their way into the offices of a Bucharest daily in March 1994—it would seem that the agency had resumed the practices of the former *Securitate* under the new regime. They included the gathering of information about Romanians living, working, or studying abroad, about employees of foreign firms in Romania, and about foreign residents. These manuals also demonstrated that UM 0215 was monitoring the movements of political personalities, journalists, and trade unionists, with all sensitive information to be entered into the SRI's computer system. These revelations led to the summoning of Interior Minister Doru Ioan Tărăcilă and UM 0215 head Dan Gheorghe to explain themselves. While they conceded that some officers might have exceeded their authority in conducting surveillance operations and other activities they contended that, overall, the agency was acting in accordance with the National Security Law, and that those under surveillance were suspected of terrorist or criminal links. Both denied that UM 0215 sought to influence political developments. These arguments were accepted without demur by Roman, to the surprise of many who remembered his previous criticism of the SRI, and its alleged part in facilitating the miners' entry into Bucharest in September 1991 (which prompted Roman's resignation as prime minister). *România liberă* tried to explain Roman's change of mind by reminding its readers of his part in setting up UM 0215, but Roman denied that he was vulnerable to political blackmail.<sup>13</sup> Thus, strong doubts remain about the political accountability of UM 0215, whose members are drawn largely from the ranks of the Bucharest DSS. In March 1994, Major General Ion Pitulescu, chief of the General Police Inspectorate, told the Senate that he was unable to limit the tasks performed by UM 0215, and urged that a new secret service be created that would be fully responsible to the Ministry of the Interior. UM 0215 was widely suspected of trying to take over some of the intelligence gathering activities of the SRI, and Măgureanu complained of interference by the agency in a letter to the Defense Committee of the Senate in December 1995.<sup>14</sup>



Concern expressed by the Romanian media and Western security advisors about the lack of parliamentary control of UM 0215, and its duplication of many of the activities of the SRI, culminated in a decision of the Supreme Defense Council, taken on 22 May 1998, to restructure the organization. Gavril Dejeu, the minister of the Interior, gave the official reason for this decision as, "the image and perception which public opinion has about 0215. It was set up for a specific purpose, which has probably been achieved since 1990."<sup>15</sup> The government approved the restructuring proposals on 4 June 1998. UM 0215 was to be divided into two bodies. One would remain under the direct control of the minister of the Interior and would be charged with the task of rooting out corruption in the Ministry. The other was to be placed under the authority of the head of the General Inspectorate of Police and would have crime prevention responsibilities. Dejeu announced that UM 0215's complement of 1,440 officers would be reduced by roughly 150 personnel. This reduction would be achieved by the compulsory retirement of staff over the age of fifty-two. The remaining staff would be screened by a special commission under the command of Lieutenant General Teodor Zaharia, first deputy minister of the Interior. The commission would examine the past record of every officer and determine which of the two bodies to which they would be assigned. Defending this move in a press statement, Minister Dejeu concluded:

In any case the Ministry of the Interior should not be at a disadvantage in the work that it does because of the disbandment of 0215. What is clear is that the Supreme Defense Council (CSAT in Romanian) discovered that this military unit was formed largely from former *Securitate* officers, a fact confirmed by Gelu Voiculescu Voican.<sup>16</sup>

There was much comment in the press as to whether 0215 had been abolished or simply restructured. The title of a piece in *România liberă* on 5 June, "0215 is dead! Long live 0215!" was indicative of the skepticism with which the CSAT's decision was greeted in some quarters. The reaction in political circles was mixed. Senator Alexandru Nicolae, president of the parliamentary Defense Commission, considered the decision justified, arguing that 0215 had exceeded its mandate and was interfering in the activity of the SRI. Senator Radu Timoftei, vice president of the same committee, held an opposite view. He maintained that the CSAT's action was illegal and represented a danger to the constitutional nature of the Romanian state. He claimed that UM 0215 had been abolished precisely because the CSAT was not in proper control of the relevant activities in the Ministry of the Interior and in the Ministry of Defense. He further contended that under President Constantinescu, the CSAT had become a "superpower," placing itself above parliament, the government, and the law.<sup>17</sup>

It is the contention of this author that UM 0215 does in fact continue to exist, headed by General Virgil Ardelean (since August 1999), under the name of General Directorate of Intelligence and Internal Protection (*Direcția Generală de Informații și de Protecție Internă*), and the number 0962 (it dropped its military call-sign UM on 24 August 2002 as part of the drive to demilitarize the Ministry of the Interior). Like its predecessor the new organization has a confused mandate, which includes internal affairs (taking anti-corruption measures against Ministry of Interior staff) and the gathering of intelligence concerning external threats to the Ministry of the Interior. The nature of this mandate is questionable because the GDIIP has no infrastructure to allow these activities to be pursued with robustness. Ideally, internal affairs should be separated from the other activity of intelligence gathering. That said, the GDIIP has no constitutional mandate to gather intelligence, yet despite this its numbers are believed to have expanded to 2,200 staff. Not only does the GDIIP duplicate the work of the SRI, there is, to complicate matters further, little coordination between the two agencies.

#### SPP

Similar doubts about accountability concern the SPP, the service which is primarily responsible for the protection of the President, Romanian party leaders, and foreign diplomats. The SPP was developed from the *Unitatea Specială de Paza și Control* (USPC), an organization which was set up to protect the President of the Provisional Government on 7 May 1990, under decree No. 204 of the Provisional Council of National Unity. On 15 November 1991, the USPC became the SPP under law No. 51. According to details given by former head Major General Dumitru Iliescu, during the SPP's first-ever press conference on 4 April 1995, the organization has approximately 1,500 personnel, most of whom were recruited from the army. It is divided into three sections, which deal with security of buildings, VIPs, and intelligence.

The intelligence and surveillance role of the SPP came to light in March 1995 over the case of Horia-Roman Patapievici. A thirty-eight-year-old physicist who was one of the anti-Ceaușescu protesters arrested in Bucharest on 21 December 1989, Patapievici had made a name for himself as a political analyst for the weekly 22, the publication of the independent Group for Social Dialogue, where he intensely criticized what he called the "Iliescu regime" as well as the activities of the SPP. While Patapievici was in Germany in February 1995, his wife was told by a neighbor that a man, claiming to be a police officer named Captain Soare, was making inquiries about Patapievici's political beliefs. A GDS press conference exposed this incident, and the case was quickly taken up by opposition newspapers.

The SRI disclaimed any interest in Patapievici's political ideas and argued that the media was trying to "stir unrest by hounding Romania's main intelli-

gence service.”<sup>18</sup> The minister of the Interior, Doru Ioan Tărăcilă declared that “the type of officer like ‘Soare’ disappeared with the revolution. It is amazing that someone can believe that political police methods are still being practiced.”<sup>19</sup> Taracila’s reply revealed just the kind of obtuseness which characterized many who were responsible for security matters in Romania, particularly before 1997. The chairman of the senate Commission for Defense, Public Order, and National Security, Radu Timofte, made the startling suggestion that “Soare” might belong to “an illegal intelligence structure,” thereby giving credence to SRI Director Virgil Măgureanu’s allegations of interference from rival intelligence agencies in Romania. Just a few days after Justice Minister Iosif Chiuzbaian’s declaration of his own ministry’s innocence,<sup>20</sup> “Soare’s” identity was revealed. He was a Captain Marius Lucian of the SPP. The Soare case demonstrated how deeply the old *Securitate* mentality was inculcated in the structures of the security services, how embarrassingly archaic that mentality was, and how incongruous its claims were that the security services had been democratized. Additionally, Soare’s identity was acknowledged only days after another case of harassment, this time perpetrated by an SRI officer, came to light.

Mihai Răzvan Ungureanu, a young history lecturer at the University of Iași, sent a complaint in March to the Parliamentary Commission for Oversight of the SRI, in which he alleged that he had been harassed by an SRI officer, Major Ioan Chirilă, that his friends had been questioned by this officer, and that the officer had tampered with his correspondence. In its defense, the SRI argued that contact had been made with Ungureanu in his own interest, namely to alert him to the fact that he might be drawn into anti-Romanian activities by a foreign power. Yet, the SRI admitted that Chirilă had been overzealous in insisting on additional meetings with Ungureanu when the latter had made it quite clear that he wished to be left in peace.<sup>21</sup> However, in this instance, and in contrast to the Minister of the Interior, the SRI reacted rapidly by announcing on 16 March the dismissal of Chirilă. This was the first time that the SRI had admitted that one of its officers had acted improperly.

### REFORM OF THE SECURITY SERVICES

In a demonstration of his commitment to the Romanian electorate and to the West to make the security services more accountable, newly elected president Constantinescu announced on 13 January 1997 that both the SIE and UM 0215 would come under parliamentary control. (Interestingly, the move to place SIE under parliamentary control was partly driven by accusations from SRI that SIE officers were encroaching upon their territory).<sup>22</sup> The commission of the Senate and Chamber for public order would investigate claims that the telephones of public figures and journalists had been tapped by UM

0215. Furthermore, pressure mounted in the independent press for SRI Director Virgil Măgureanu's dismissal. In an incisive piece in the influential weekly 22, Serban Orescu accused the new government of "cohabitation" with the SRI director for failing to dismiss him:

If the new administration wants to wipe the slate clean of the SRI's director's loaded past, there are doubts among those who elected it, and in foreign governments, that it is willing to do so. The manner in which the post of SRI director is filled has major importance in establishing the internal and international credibility of the new regime.<sup>23</sup>

However, an obvious choice for the successor to Măgureanu did not present itself. Constantinescu refused to act hastily. The first indication of significant change in the leadership of the security services was the removal of General Dan Gheorghe as head of UM 0215, on 28 February, by the Minister of the Interior Gavril Dejeu.<sup>24</sup> This was followed by the announcement, on 14 March, that Mircea Gheordunescu, a former member of the National Peasant Christian Democratic Party, had been appointed first deputy director of the SRI. Măgureanu saw the writing on the wall. Recognizing a lack of confidence in his role from the new government, he tendered his resignation to the President on 25 April 1997, which was immediately accepted.

President Constantinescu nominated Costin Georgescu, a Deputy in the National Liberal Party, as Măgureanu's successor. Georgescu's appointment was approved in a joint session of the two chambers of parliament on 26 May. Despite the clean sweep which the president had brought to the SRI leadership, the public was soon reminded of the continued presence of former *Securitate* officers in the SRI's senior ranks. The announcement, in July 1997, of the appointment of Colonel Gheorghe Atudoroaie as head of the Western command of the SRI met with strong criticism in the pro-government press. Atudoroaie had been deputy head of the *Securitate* in Timișoara at the time of the anti-Ceaușescu protests in mid-December 1989, and had allegedly ordered the cremation of the bodies of demonstrators. He was tried and acquitted of murder after the revolution, but the stigma of his service to Ceaușescu remained and led to President Constantinescu's intervention after Atudoroaie's appointment was announced. After being called to the presidential palace on 21 July 1997, Georgescu's appointment was revoked.

The case of Atudoroaie should not be allowed to obscure the fact that the SRI has put much distance between itself and the former *Securitate* over the course of the last decade. Currently, only 18 percent of SRI staff are former *Securitate* officers. There has also been an emphasis on the professionalization of the service. The SRI now has its own college, Academia SRI, with an annual intake of some 80–100 students, who follow a four-year course of study. While university graduates are also eligible to apply to join the SRI, before being accepted they must undergo a course of eight months training at

the SRI Academy. This training has been modeled on its counterparts in the West and assisted by Western security agencies, such as the FBI.

## FILES AND SCANDALS

The most damaging scandal involving security and intelligence erupted in autumn 1997. On 22 September 1997, the Foreign Minister Adrian Severin claimed in an interview given to the daily *Azi* that he had seen “incontrovertible proof showing that two or three directors of mass circulation newspapers were agents of foreign intelligence services” and that “two famous and respected party leaders are also foreign agents who receive considerable sums from abroad.” President Constantinescu declared, “If the accusations are completely unfounded, the Foreign Minister will have to resign.” Constantinescu ordered the SRI and the SIE to look into Severin’s claims, and their reports were considered by the Supreme Defense Council in a meeting held on 22 December 1997.

The Council’s conclusions were made public in a statement issued immediately after its meeting. While accepting Severin’s complaints that there had been some “actions which had compromised the Romanian parliament and government” the Council found that “in the documents handed over to the SRI and SIE by Mr. Adrian Severin, nothing could be found to support the charge that the public figures mentioned were tools of foreign secret services.” This being the case, the Council asked Severin “to assume political responsibility for the situation which had been created.”<sup>25</sup>

Severin did so by resigning on the following day. In his place, the Democratic Party (PD), which held the foreign ministry portfolio in the government coalition, nominated Andrei Pleșu to take his place. The scandal had made the necessity of a law regulating access to the files of the *Securitate* painfully obvious. The government had announced earlier in the year, on 15 February 1997, that it was to introduce a law allowing every citizen access to his or her own *Securitate* file, and that it intended to publish the files of those in public positions. At the end of the year it adopted a private bill with similar provisions, which had been introduced earlier by Senator Constantin (Ticu) Dumitrescu.

The need for a law regulating the release of, and access to, the *Securitate* files became obvious yet again when two scandals rocked the government of Radu Vasile in June 1998. The first concerned the newly appointed chairman of the parliamentary Commission of Control of the SIE (*Comisia specială pentru controlul activității Serviciului de Informații Externe*), which had been set up on 3 June 1998. The chairman of the commission, PD deputy Vilau, was rung up by an anonymous person on the very day he had submitted the Commission’s rules of procedure to the Parliament. The caller informed Vilau

that he had his *Securitate* file, which showed clearly that he had been an informer, and that it would be a good idea if they met on the following Monday; otherwise, the caller threatened, the file would be published. Vilau told the caller to go ahead and publish the file, in its entirety, in any newspaper he desired. The caller did so, and details of Vilau's undertaking to act as a *Securitate* informer appeared in the press on 15 June.

Vilau spoke to Traian Basescu, the PD Minister of Transport, and PD Leader Petre Roman about the matter. Roman told him that he should have made his association with the *Securitate* public before putting his name forward as chairman of the SIE Commission. In an interview on 15 June, Vilau admitted that he signed an undertaking in February 1984 to become an informer while a member of the law faculty of Cluj University, and provided information about three colleagues who were alleged by the Securitate to be threats to national security. When contacted later, in 1987, with a request for further assistance by a captain Marian Manăila, responsible in the Cluj *Securitate* for the area of culture and the law profession, Vilau refused.<sup>26</sup> Vilau claimed that was the end of his association.

Nevertheless, the PD withdrew its support for Vilau, and on 29 June he resigned as President of the Commission. Vilau claimed that the accusations were politically motivated, and that his file had been removed from the *Securitate* archive in 1992, after he had called for the resignation of Virgil Măgureanu, then director of the SRI. Măgureanu, he alleged, was now using it "in a political war against him."<sup>27</sup>

Another leak of Securitate files, this time of a page from the file of Francisc Baranyi, the minister of Agriculture and a member of the Hungarian UDMR party, was allegedly traced to an SRI officer, Captain Constantin Alexe.<sup>28</sup> The page was a signed undertaking to provide the *Securitate* with information. Baranyi admitted on 17 June that he had signed such a document, but claimed that the agreement was coerced ("They were threatening me with a pistol," he claimed.), and that it was made under false pretenses (the Securitate officers had presented themselves as members of the frontier police). Baranyi contended that he did not consider himself guilty.<sup>29</sup> Nevertheless, he offered his resignation to Prime Minister Radu Vasile.

The UDMR Council accepted Baranyi's resignation, but made clear in a communiqué its opinion that there were extenuating circumstances surrounding his collaboration with the *Securitate*. There was one good thing to emerge from the scandal: For the first time, a minister resigned from office simply because he had not disclosed his relations with the *Securitate*. Baranyi took an honorable course of action, offering a welcome corrective to the widely held view that politicians do not regard a background in the Securitate as a source of shame. Something appeared to be changing in the Romanian political mentality.

Both the Baranyi and Vilau cases highlighted the lack of precision in the use of the term "informer" in the Romanian media. Its indiscriminate appli-

cation to anyone who entered into a written agreement to pass information to the *Securitate*, irrespective of the type of information conveyed, has betrayed a lack of sensitivity in treating the somewhat more nuanced, and morally ambiguous, nature of the former *Securitate's* relationship with the Romanian public. Few Romanians would have considered it wrong to alert the authorities to external threats to the state frontiers or to help monitor the activities of Romanian-based, Middle Eastern citizens who were thought to have links with terrorist groups from outside the country. While it is quite another matter, of course, to have reported on one's friends and colleagues, many would have regarded the former examples as a patriotic duty.

Called to give information in June 1998 during the debate in the Senate on Dumitrescu's bill regarding access to the *Securitate* files, Mircea Gheordunescu, deputy director of the SRI, said that some 270,000 files of deceased informers had been destroyed on Ceaușescu's orders during the 1970s, and that a further 1,870 informers' files had been destroyed between 22 December 1989 and 30 March 1990.<sup>30</sup> Nevertheless, a substantial body of *Securitate* files still exists. The scandal involving Vilau and Baranyi persuaded parliament of the urgent need to codify access to, and the release of, these files. Without such controls, selective leaks of personal dossiers, designed to embarrass the government and to discredit certain politicians, could continue to occur at any time. It did not escape the notice of political commentators that no members of the opposition had been targeted by the recent leaks; it was a pattern which seemed to confirm a political agenda behind them.

The "Ticu bill," Dumitrescu's bill on access to the *Securitate* files, was finally passed in the Senate on 25 June 1998 by an overwhelming margin of 106 votes to 7. The bill gives individuals the right to consult any files held by the former *Securitate* on them. It also allows members of a newly established National Council for the Study of the Archives of the former *Securitate* (*Colegiul Consiliului National pentru Studierea Arhivelor fostei Securitati*, or CNSAS), composed of eleven members of parliament drawn from the various political parties, unfettered access to *Securitate* documents (save those relating to national security). The Council is also empowered to verify, upon request from any Romanian citizen, whether a candidate or incumbent of a public office has been a member or informer of the *Securitate*.

However, in its passage through the Senate the bill suffered a number of amendments, the most controversial of which concerned an article which originally provided for the transfer of the *Securitate* files to the new National Council. The adoption of an amendment rescinded this provision, thereby leaving the files under the control of the SRI. As a consequence, "Ticu" Dumitrescu publicly disowned his own bill, arguing that it had been mutilated and that he had been betrayed and misunderstood by those who ought to have stood beside him. The bill, including the new amendment, was adopted in a joint session of both chambers on 20 October. Whether this new

law will be applied is open to question. Supporting legislation providing the necessary financing for the National Council was eventually enacted. The new Council was in existence during the 2000 elections and provided lists of those candidates who did not voluntarily declare the past associations with the security services, about several dozen in total. The Council, in response to criticism that its lists were incomplete, noted that it did the best it could given its limited resources.

The CNSAS ran into major problems in Autumn 2002. A majority of its Council—six of the eleven members—frustrated at the failure of the SRI to provide them with files detailing the suspected *Securitate* membership or collaboration of dozens of political and business figures, tried to convene a meeting of the Council on 28 October 2002 to force the issue. The other five members, sponsored by the ruling Social Democratic Party (PSD) and the ultra-right Greater Romania Party, failed to attend. And, Gheorghe Onisoru, though delegated by the National Liberal Party, acts as if he is a member of the PSD, which he may well implicitly be. *Inquorate*, the meeting was adjourned. The Council has not met since, for the same reason. It is widely believed that the government would suffer great embarrassment should the requested files be released and has therefore instructed its members on the Council to block proceedings. To remove this impasse the government appears to be considering the passage of a new law which would lead to the election of a Council reflective of the new political complexion of parliament, thereby making it obedient to the Social Democratic party and removing the recalcitrant members—the present Council members were elected for a term of six years in the previous parliament.

In September 2002, a majority of CNSAS members submitted a list to the SRI to verify whether fifty-four individuals had been members of the *Securitate* political police. In October, the SRI responded with the names of three of those on the list who were retired from the *Securitate* in January 1990. No verification had been provided at the time of writing of those who had been political police. By the beginning of November 2002, only 9,300 files had been handed over to CNSAS, even though the *Securitate* archives are an estimated twelve kilometers in length.

The political sensitivity of the CNSAS's activity and of "purification" had been highlighted in February 2001 when the PSD deputy Ristea Priboi swore an oath on his appointment as head of the Parliamentary Control Commission of the SIE (Foreign Intelligence Service), as required to do so by law, that he had "not collaborated with the structures of the former political police." When it was revealed in the press that Priboi had been an officer in the foreign intelligence directorate of the *Securitate*, Priboi offered the specious defence that he had "not collaborated with the *Securitate*" but had been "an employee of the *Securitate*." On 19 April 2001, the rising clamour in the media forced his resignation,<sup>31</sup> but the episode came back to haunt him in De-



cember 2002 when a Romanian poet, Ion Gheorghe, discovered in the file the *Securitate* kept on him—provided legally by the CNSAS—that Priboi had allegedly been involved in “political police activities.” Such activities were a bar to candidacy for parliament and it was on those grounds that the Liberal Party senator, Radu F. Alexandru, alerted the prosecutor-general (attorney general) to Priboi’s alleged infringement of the law.<sup>32</sup>

## CONCLUSION

Ultimately, the most efficient watchdog of the new state security service structure has been the mass media. The tabloid press has been extremely vigilant in highlighting SRI and 0215 abuses. Public interest in the activities of the Romanian intelligence and security services is mirrored by the fact that every major daily has a correspondent devoted to security matters. There are also pressures generated to reform the security services in order to make Romania a fitter member of NATO, to which she received an invitation to join at the Prague summit on 21 November 2002. Additionally, the evolving system of parliamentary controls means that the use of the SRI to the advantage of one political faction over another will become increasingly problematic. Under the leadership of Costin Georgescu and Mircea Gheordunescu, the SRI ostensibly moved away from a secret service driven by domestic political interests and factionalism, and toward becoming a public institution dealing with the “objective” problems of state security. That trend has continued under the directorship of Radu Timofte.

The period of President Constantinescu’s mandate (November 1996–November 2000) witnessed a determined effort on the part of President Constantinescu to complete the revolution and the democratic transition. He promoted to the leadership of the security services figures of a democratic mold, who understood the need for transparency, and who were responsive to the demands of accountability. At the same time, he retired thirty generals from the security services. President Ion Iliescu, returned to office in November 2000, continued the trend, although he also reactivated a number of those retired by his predecessor.<sup>33</sup>

Yet, problems of accountability remain. The constitutionality of the Supreme Defense Council has yet to be addressed. The absence of a constitutional link between the Supreme Defense Council and the parliament has prevented the latter from exercising democratic supervision of the former—a phenomenon which has been exacerbated by the opacity surrounding its deliberations. Until it becomes more accountable, the CSAT lays itself open to the charge that it is above the law and therefore susceptible to abuse. Even more acute is the lack of accountability of the Ministry of the Interior Security Service (0962) which is ultimately responsible to the Prime Minister’s office.

While a case can certainly be made for a counterintelligence security service to monitor the staff of the Ministry of the Interior, the tasks assigned to 0962 extend far beyond such a remit. It is charged with monitoring the activity of politicians, a role for which it has no constitutional authority. As such 0962 acts as a political police, outside the law, and its continued existence in its present form threatens the health of Romanian democracy.

It is now up to the Romanian parliament to use the legislation at its disposal to enforce accountability. The question remains: Will it have the political will to do this effectively? Or, will the skeletons in the closet of many of its members make them wary of monitoring effectively these new state security bodies? The form of the law on access to the *Securitate* files suggests that the answer to the first part of the question is no, and to the second, yes.

## NOTES

1. Research for this chapter was carried out with the help of a grant from The Nuffield Foundation of Great Britain.

2. Dan Ionescu, "UM 0215: A Controversial Intelligence Service in Romania," *RFE/RL Research Report*, vol. 3, no. 30 (29 July 1994), p. 28. Voiculescu was named head of the *ad interim Securitate* in December 1989 by the Council of the National Salvation Front, but held the position for only three days before being dismissed by General Militaru and replaced by a military officer, Colonel Logofatu.

3. Editor's note: The 1948 Genocide Convention defines genocide as the *intent* to destroy part of a people, defined on racial, religious, or ethnic criteria, not cultural or political. Thus, the December events could not be genocide because the motive and targets were political. Intentional genocide is therefore also tautological.

4. BBC Monitoring Service, *Summary of World Broadcasts* (henceforth, *SWB*). EE/1074 (17 May 1991), p. B7.

5. *SWB*. EE/1086 (31 May 1991), p. B/18.

6. *Evenimentul Zilei* (24 May 1993), p. 1.

7. Dennis Deletant, "The *Securitate* and the Police State in Romania, 1964–1989," in *Intelligence and National Security*, vol. 9, no. 1 (January 1994), p. 36.

8. *România liberă* (21 May 1991), p. 1.

9. *SWB*, EE/0932 (27 November 1990), p. B/10.

10. Its current head, appointed in February 2001, is Radu Timofte.

11. Its current head (2002) is Gheorghe Fulga.

12. Dan Ionescu, "UM 0215: A Controversial Intelligence Service in Romania," *RFE/RL Research Report*, vol. 3, no. 30 (29 July 1994), p. 28.

13. *Ibid.*, p. 30.

14. *Ziua* (9 December 1995), p. 1.

15. *România liberă* (26 May 1998), p. 24.

16. *Ibid.*

17. *România liberă* (25 May 1998), p. 2.

18. *Curierul Național* (10 March 1995), p. 2.

19. *România liberă* (16 March 1995), p. 16.

20. *România liberă* (13 March 1995), p. 3.

21. Among those who advised Ungureanu on what course of action to take against Chirilă were Liviu Antonesei, Nicolae Manolescu, Ștefan Augustin Doinaș, Andrei Pleșu, and Gabriel Lițeanu. See *Monitorul* (16 March 1995), p. 1; and *România liberă* (16 March 1995), p. 16. Ungureanu's first meeting with Chirilă was on 5 September 1994. Chirilă summoned him on the pretext that Ungureanu's name had been found in the papers of a foreigner in Bucharest who was suspected of being a spy. Chirilă used this allegation to bring up the subject of "traitors" and advised Ungureanu to stop writing about minority issues in Romania. In an interview given to a Iași newspaper, Ungureanu surmised that he had probably become a target of the SRI because of his actions during the revolution. On 19 December 1989, he left Iași for Cluj, and on the morning of 21 December, was given shelter in the flat of Professor David Prodan. He was wounded in the street protests and taken to the hospital. After the revolution, his telephone was tapped and his mail intercepted. See "Îngerii Securității. De la Soare la Chirilă," *Gaudeamus* (27 March–8 April 1995), p. 4.

22. *România liberă* (13 January 1997), p. 24.

23. Ș. Orescu, "Noul regim și d-l Măgureanu," *22*, no. 50, (11–17 December 1996), p. 3.

24. Colonel Dan Moise, deputy head of 0215, took over from Gheorghe until 31 March when Colonel Constantin Dângă, former head of the Control Commission of the General Inspectorate of Police, was transferred to lead 0215. (*România liberă*, 1 April 1997, p. 1) General Gheorghe was made head of the frontier police but resigned from this position on 19 August 1997. The current (winter 2002) head of 0215 is General Ardelean.

25. *România liberă* (24 December 1997), p. 3.

26. *România liberă* (16 June 1998), p. 3.

27. *Academia Cațavencu* (30 June–6 July, 1998), p. 4.

28. *România liberă* (4 July 1998), p. 2.

29. *România liberă* (18 June 1998), p. 1.

30. Romanian *Acasă* TV report (25 June 1998). If the 1,870 files were simply removed from the *Securitate's* central computer, it would still be possible to reconstitute them from the records held by the resident officer who ran each informer and also from the files of the directorate to whom the resident was attached, assuming that the latter also escaped destruction.

31. *Azi*, 20 April 2001, p. 3.

32. *România liberă*, 11 December 2002, p. 1.

33. Among them was Marian Ureche, appointed head of SIPA, who had been a senior officer in the First Directorate (domestic intelligence) of the *Securitate*, Tudor Tănase, placed in command of STS, who between 1978 and 1989 worked in the communications unit of the *Securitate* charged with intercepting the telephone calls of foreign embassies in Bucharest, and Gioni Popescu, named deputy director of the SRI who had worked in the foreign intelligence directorate of the *Securitate*. For a list of those retired, see *Adevărul*, 5 May 2001, p. 1.

