

The Use of False Documents and Identities in the former USSR

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Executive Summary

- The false document trade is prevalent in three areas: counterfeiting of passports and identity cards, creation of false documents for vehicle sales, and education certifications.
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- The false document trade facilitates the movements of terrorists from Afghanistan and Somalia through Tajikistan and toward the West via Moldova.
- Destabilization of the situation in Central Asia after the collapse of the USSR was an impulse for the growth of criminality, in particular for the increase of illegal immigration and the related falsification of all kinds of documents.
- Through the use of false documents, Tajikistan has become a major transit route for the Afghan migration toward the West.
- The use of false identity and military cards of different law-enforcement bodies and other internal security organizations is commonplace in the Former USSR.
- With the use of special equipment, including computers, forgers can make and sell international and national passports as well as higher education diplomas.
- Another way of document falsification is changing data on passport holders by introducing changes in passports. Imperfect technologies for producing national documents make this relatively easy to do.
- Ministry of Interior officials help in selling false documents, thus facilitating an increase in the activities of criminal groups in Central Asia. The transport of both narcotics and illicit pharmaceuticals is sustained by false documents.
- False documents are used to facilitate illegal migration, international prostitution, the harboring of criminals, and economic crimes.
- The need for false documents to support terrorist operations has led to closer relations between terrorists and the criminals who can deliver such documents.
- Internal and international passports, military identifications, and education diplomas are routinely bought and sold, usually with the help of state employees.
- The poor coordination of law-enforcement activities of the neighboring Central Asian states also defeats most governmental efforts to curb false document production.
- The measures by state structures against falsification of documents are ineffective in the face of economic adversity, civil conflict and refugee crisis.

False Documents and Identities in the Former USSR

Introduction

With the emergence of international terrorism as a major security concern for the United States, authorities have recognized the key role of false documents and identities in terrorist activities. The falsification of documents in the former Soviet Union (FSU) is a common phenomenon that is approaching epidemic proportions. The increase in counterfeiting is related to the social and economic isolation following the breakdown of the Soviet Union as well as to the widespread poverty. Because the average monthly salary is only about \$30 and employment opportunities are scarce, citizens are breaking the law simply to survive. Under-regulation in the financial-banking sector, as was noted in a study of Ukraine, created opportunities for numerous abuses such as counterfeiting of money, bills of sales, bank guarantees, and other documents.¹ This situation has had a great impact on popular attitudes toward criminal activities. According to police officials in the former Soviet Union, almost any kind of document can be falsified today. Underground false identity producers can create a wide range of identifications including simple identity cards, passports, diplomas, bills, labor contracts, passports, and visas. These forms of identification are used for anything from tax evasion to actions generating serious human rights violations. According to a 2004 Russian television program entitled *Honest Detective*, "The false documents market operates in three main areas: **first**, counterfeiting of passports, registration forms, immigration forms and identity cards. This is the most profitable and lucrative part of the black market business. The **second** area is the sale of false vehicle documents. The **third** is education certificates and diplomas,"²

In January, 2006, a United Nations report on the problem of prostitution in Eastern Europe noted that the false document trade was essential to transferring East European prostitutes into the European Union.³ According to Willy Deridder, the Executive Director of the Interpol General Secretariat, the vigilant security environment associated with the global war on terror has created a greater demand for the stolen or forged identity documents needed to facilitate operational travel and the building of 'sleeper' cells in the West. Deridder maintains that this need will generate closer contacts between terrorist groups and the regular criminals who can deliver false documents.⁴

¹ Todd Foglesong and Peter Solomon, Jr. , *Crime, Criminal Justice, and Criminology in Post-Soviet Ukraine*, Washington, DC: US Department of Justice-Office of Justice Programs, 2001, p. 38

² "Russia TV's "Honest Detective" taps into false document trade", *Financial Times* (London), 12 November, 2004

³ "The Case of Poland", United Nations Office on Drugs and Crime, 26 January 2006, www.unodc.org/unodc/en/trafficking_projects_poland.html

⁴ Interpol: Speech by Willy Deridder at the 17th Asian Regional Conference, 22 February 2002, www.interpol.int/Public/ICPO/speeches/20020218.asp

In the Soviet era, Central Asia and the Soviet southwestern borderlands were recognized as being among the best places to live in the USSR. The pleasant climate and congenial atmosphere made these regions not only the preferred retirement home for many Russians, especially those in the military. Service in these areas also constituted important steps in the political ladder ascended by individuals such as Leonid Brezhnev and Constantin Chernenko, both of whom were at one point first secretary of Moldova's communist party while Brezhnev also served in Kazakhstan as first secretary. Yet, these regions also had, among Soviet circles, a reputation for corruption. Some would say this was a result of its more relaxed atmosphere while others suggest that it was a result of Russian influence. In Central Asia, Uzbekistan emerged as the site of a great controversy involving a Brezhnev family member who was Deputy Minister of Interior while in the southwest borderlands few places reached the level of corruption attributed to Moldova.

Whatever the reasons for the emergence of this reputation, it has endured. Tajikistan, Uzbekistan, and Moldova have been the focus of attention among those who study corruption and crime in the FSU while Central Asia in general is noted for money laundering services provided by hotels and casinos.⁵ One of the most widely discussed features of crime in the former USSR is the creation of false documentation that will support the performance of various illegal actions. This study will focus on both Tajikistan and Moldova as case studies that demonstrate the manner in which this can be accomplished.

Creating and Maintaining False Documents

Post-Soviet violence and lawlessness created an environment in which there was a recognized need for falsified documents. Much of the post-communist world was plagued by ethnic strife, economic adversity, and political dissension. From Moldova in the FSU's southwest borderlands to Tajikistan in Central Asia, conflict became the norm. The Tajik civil war, which began in 1992, resulted in an abrupt increase in crime in Tajikistan with an unprecedented rise in the production and distribution of false documents. Reports by journalists and interviews with representatives of law-enforcement bodies indicate that practically every kind of documents has been falsified during the past decade.

Passports: In recent years, the most important civil document – the passport, has more often been subject to different illegal “operations”. Not only Tajik internal but also Tajik international passports are being falsified.

Numerous reports have exposed ongoing criminal actions associated with the forging of documents in Tajikistan, where individuals or organized criminal groups forge and sell the republic's internal and foreign passports by hand or with the use of computer equipment. Corruption among government officials has facilitated such activities. According to Tajikistan's Security Ministry Public Relations Center, “In October 1999, the law-enforcement bodies prevented activities of a criminal group. For a long period, A.

⁵ Justin Peay, “A Post-Communist Nation Loses Its Way”, *The International Herald Tribune*, 16 June 2000, p. 2

B. Mazganov, a government employee, and his accomplices B. B. Nabiev, G. Khasanov and others were involved in making and selling of Tajik internal and foreign passports, diplomas of different higher education institutions and different types of ID cards, thus facilitating the legalization of many foreigners on the territory of our country".⁶

Law-enforcement bodies in Sogdi Oblast stopped the illegal activities of a prominent criminal group. Criminal proceedings were instituted by the Oblast Prosecutor's Office against the gang headed by S. Olimdzhonov, the Vnesekonombak Khodjent Branch senior economist. Olimdzhonov and his partners forged the stamp and other relevant documentation of the Russian Federation Consulate General in the city of Khodjent. In order to do this, they used with the computer equipment of the bank in which Olimdzhonov worked. Using this stamp, the group made the necessary marks in the passports of citizens of Tajikistan and Kyrgyz Republics, which cost each "client" from 400 to 1000 Russian Rubles.⁷

A more common method of passport forgery is the falsification of data about the passport holders by simply making changes in the passport. Often this involves the replacement of the passport holder's photograph. This can easily be done because of a technological peculiarity of the new Tajik internal passports, where the passports are stamped above a laminated surface which covers the photograph of the owner. When placed in a freezing chamber, the photograph easily comes off in 15 to 20 minutes, and can be replaced. The replacement cannot be visually identified, as the stamp does not have a deep imprint on the photograph. The most common and widespread passport forgery in Tajikistan occurs when Tajik citizens sell their passports to buyers and then report them as lost. They are able to get a new passport from the Ministry of Interior (MOI) when they file a statement claiming a loss. Information about the number of lost passports indicates the scale of this new kind of "business". In 1999, 5,340 Tajik national passports were reported lost in the Sogdi Oblast alone. In 2000, 4,945 residents of this Oblast reported lost passports, and 3,975 persons reported the same within 9 months of 2001. The Sogdi Oblast First Deputy Prosecutor Fozildjon Okhunov has reported that individuals claiming to have lost passports are rarely ever reprimanded. Moreover, most of those who have lost their passports obtained new ones within a short period without any investigation, a practice which is contrary to the Tajik law on passports. Some individuals received new passports the same day they reported the loss. (see Appendix 1 for specific cases) There even are instances in which citizens obtained new passports two and even three times a year. (see Appendix 2 for specific cases) All these facts indicate the level of corruption in the Interior Ministry bodies, particularly in passport services.⁸

Obtaining False Passports The illegal issuance of passports is typically caused by (1) the poor control of MOI bodies over the process, (2) by the corruption of agencies responsible for issuing passports, or (3) by some combination of corruption and inefficiency. The primary method of obtaining false passports is through buying and selling. Sometimes Tajik citizens illegally obtain passports from the Interior Affairs

⁶ "Security Forces Inform...", *Vecherny Dushanbe*, 28 April 2000

⁷ *Tajikistan Newspaper*, Dushanbe, 29 Nov 2001

⁸ *Tajikistan Newspaper*, Dushanbe, November 29, 2001

Departments of city or district Khukumats or simply through outright bribery of relevant officials. The greatest emphasis is on buying or selling of official Tajik internal and foreign passports by ordinary citizens, Passport Services officials on the one hand and consumers on the other hand. The exchange is made directly and through mediators. In the latter case such illegal operations as a rule are made by a group of people, including Passport Services or MOI representatives. (see Appendix 3 for specific cases)

There are instances in which passports are given to citizens residing in other districts and even in other countries. (See Appendix 4 for specific cases) Some former residents of this district, who earlier immigrated to other countries and returned temporarily, have received new passports in the former place of their residence without processing relevant documents. (See Appendix 5 for specific cases) Sometimes Tajik passports are illegally given to CIS citizens. (See Appendix 6 for specific cases) The casual practices with regard to issuance of passports are, in part, a result of the difficulties in identification of Soviet citizens in the Newly Independent States. It is also a consequence of the new states' inability to create border-guard and immigration control procedures in the post-Soviet states. There are also problems with multiple citizenships. These occur when people either legally or illegally obtain citizenship and passports of several post-Soviet states. As a rule, these are states in which they have relatives or business and where they are labor migrants.

A 2004 Europol report noted that a major source of identity modification in the former USSR is tourist agencies. Almost all the former-Soviet republics acknowledge that this is a problem. As Soviet authority collapsed, numerous tourist "ghost-agencies" sprang up to offer so-called tourist services before the police could shut them down. There were cases in which agencies issued visas for citizens and then disappeared immediately after receiving payment from the clients. Later these visas proved to be false. Some victims not only lost their money but were arrested as well. According to the Moldovan Ministry of Internal Affairs, in January 2001 alone there were 1,341 registered enterprises that had international tourist services in their charter. Only 307 of them had licenses to practice such an activity and only 128 economic agents out of the total number of 1,341 registered at the beginning of the year actually presented their documents for registration.⁹

Illegal Migration of Afghans The falsification of Tajik passports, higher education diplomas and identity cards is commonly used in both the legalization of foreigners in Tajikistan as well as in illegal transit migration. The Afghan migration, which began in 1997, causes the biggest influx of illegal migrants into Tajik territory. As a result of the deterioration of the situation in Northern Afghanistan in 1997, the flight of Afghans into Tajikistan became a major problem. Most of them do not register with the refugee organizations but simply move on to third countries. Tajikistan is now a major center for the Afghan transit migration to other CIS countries, Western Europe, the USA and Canada. Most Afghans do not wait for the State Migration Services decision on their refugee petitions; they generally leave Tajikistan for other CIS states, especially Moldova

⁹ "Trafficking in Human Being for Sexual Exploitation in the EU: A Europol Perspective", 23 October 2004, www.europol.eu.int/publications

which is the final stop before entering the West. In the spring of 2002, the State Migration Services reported that about half of asylum-seekers were no longer in Tajikistan and their whereabouts were unknown. Most Afghans travel from Tajikistan to the West by illegal international networks that have agents in all institutions dealing with migrants.¹⁰

Russian journalists have reported that “in Tajikistan, one can buy false passports at \$100, and that Kazakh border-guards detained more than 100 Afghans with false Tajik passports in the Moscow-Bishkek train.” As authorities searched the sources where Afghans obtain false passports they found that passport trading is a thriving business. This practice has existed since the beginning of the Afghan flight into Central Asia began. Some of them took the legal way: via registration of citizenship, obtaining a “propiska”. Others resorted to the easier illegal way.” (See Appendix 7 for specific cases) Russian investigative bodies have identified the procedures for obtaining false passports.¹¹

Some illegal immigrants who have obtained false Tajik passports choose Tajikistan as place of their permanent residence. Others use the illegally obtained documents for further migration. “Depending on the country they wish to move to, the clients pay from \$1,500 to \$5,000 or even \$6,000 to get airplane tickets, false passports and visas. After boarding their flights, the migrants destroy the documents. When they land at the airport they approach relevant officials in order to request asylum.”¹²

Dual Citizenship Dual citizenship is widely sought by many individuals involved in criminal activities and may be illegally obtained in two ways. First, illegal migrants who have bought false passports obtain it. These are mostly Afghans who use false Tajik documents for transit via Tajikistan to further CIS countries, USA, Canada and Western Europe countries. Sometimes they take the advantage of the “Agreement on Double Citizenship” between Russia and Tajikistan and with their Tajik passports they receive Russian Federation passports, sometimes real and sometimes false. They go to Moscow, procure visas and then move to third countries. “It influences the cost of illegal transportation. Thus, the travel from Tajikistan (via Tashkent) to Western European countries costs Tajik citizens some \$1,500 (\$500 for the passport, \$500 for visa, \$300 for a ticket and the rest is honoraria for the senders). For Afghan citizens, the same route would cost \$5,000”.¹³

Second, there are countless attempts to obtain dual (Tajik and Russian) citizenship by Tajik citizens and citizens of other CIS countries (mostly by Uzbekistan and Kyrgyzstan) who intend to move to Russia as labor migrants or “shuttle traders”. Such individuals traveling to the Russian Federation were the main clients of the organized

¹⁰ S. Olimova. “Tajikistan is the first stop on the way of Afghan migration”, *Central Asia and the Caucasus Magazine*, No. 1, 1998

¹¹ “How much costs ...the motherland? Or the new business on passport trading”, *Krim-Infor* (Dushanbe), November 1, 2003

¹² S. Olimova. “Tajikistan is the first stop on the way of Afghan migration”, *Central Asia and the Caucasus Magazine*, 1998, No. 1

¹³ *Ibid.*

group in Khudzhand. With a forged stamp of the Russian Federation Consulate General this group made the necessary marks in the passports of Tajik and Kyrgyz citizens, which cost each “client” from 10 to 1,000 Russian Rubles.¹⁴

The Role of Universities An essential element in the creation of false identities is the counterfeit documentation of academic achievements. In post-communist East Europe, phony academic certificates can be used to accomplish two objectives. The first and least sinister is professional advancement. The second and more ominous objective is the creation of a completely new identity for individuals who are avoiding prosecution for previous criminal activities or are currently engaged in criminal endeavors. Several officials of the Dniester Moldovan Republic have been identified in this connection.

A willing and available university is required for accomplishment of either of the above objectives. Many well-established universities have been mentioned in this connection. Widespread international attention was focused on Moldova’s Free Independent University of Moldova after Romania’s prominent Ecological University, one of the several independent universities to appear in the wake of the collapse of the communist regime in 1989, was implicated in the sale of advanced degrees in dentistry. ULIM’s activities first came to the attention of the Romanian National Council for Academic Evaluation and Accreditation when it was accused of granting doctoral degrees without state authorization¹⁵. As the National Council investigated the activities of the Ecological University it charged that ULIM was also issuing doctoral degrees in return for participation in a four-week “training program” and payment of a generous amount of money.¹⁶ Most widely commented upon was ULIM’s doctorate in economics, a document that, according to Romanian investigators, was being utilized by many individuals hoping to either advance themselves professionally or to establish new identities.¹⁷



Fake graduation documents

The practice of bribing professors to document academic accomplishments is closely related to the outright falsification of academic credentials. In 2002, Moldova’s Prime Minister Vasily Tarlev addressed this concern in a meeting with representatives of the Ministries of Justice and of Education. According to PM Tarlev, the Moldovan government will establish a special body to combat fraud in the university system. In the past, such activities were generally ignored and even in the event of exposure, perpetrators were not subject to criminal prosecution.¹⁸

¹⁴ *Tajikistan Weekly* (Dushanbe), 29 Nov 2001

¹⁵ “Scandallul diplomelor false da in clocot”, *Ziua* (Bucharest), 27 February 2001

¹⁶ ‘Universitatea Ecologica ramane pe tusa : 19 universitati particulare din 20 pot primi acreditarea’ *Ziua* (Bucharest), 31 October 2000.

¹⁷ “Diplome false de doctorat, eliberate de Universitatea Independenta Moldova”, *Evenimentul Zilei* (Bucharest), 27 February 2001

¹⁸ “Premier Warning of University Bride-takers”, *Infotag*, May 30, 2002

Using Documents in Connection with Criminal Activities A well-publicized incident involving false passports occurred in March 2001 when Ukrainian authorities reported that a group of six Moldovan citizens had been detained at the border between Ukraine and Belarus after attempting to cross the frontier using false Ukrainian passports. Police determined that the group's final destination was Poland where they intended to join with a criminal organization. In 1999, several Arab citizens were arrested on a similar charge. A passenger flight from Chisinau to Prague was delayed in the Chisinau airport because several passengers held Moldovan passports but had Arab features and spoke no Romanian or Russian. The case was investigated by Moldova's Security and Information Service, which apparently was embarrassed by the incident and did not wish to publicize details about the holders or producers of the documents. While representatives in charge of the Ministry of Interior claimed that no false passports are made in the Republic of Moldova they limited that assertion to only Moldovan passports.

Following the anti-Communist revolutions in the Eastern Europe, international prostitution grew rapidly. During the Cold War, such trade was difficult and dangerous, but in the last ten years the Western sex market has been increasingly supplied with Eastern European women. Most of the women forced into working as prostitutes for international criminal gangs are between the ages of eighteen and twenty-five. According to the International Migration Organization, a half million women, mainly from Eastern Europe, are brought to the European Union each year. Many of the girls are forced, others know exactly what to expect in the West, but the majority of them are lured with various promises that never materialize. Immediately after the Cold War the majority of these women were from Poland, Czechoslovakia and Hungary, however today they are most often from Russia and the former Soviet Republics. According to a 2001 survey conducted by the International Migration Office mission in Tajikistan, the illegal movement of women in order to force them into sexual or domestic slavery is one of the most important migration problems.

Human traffickers have become increasingly specialized in providing transportation, documents, accommodation, labor contracts and authority liaisons. According to the Global Survival Network in Washington, Russian and other former Soviet Union traffickers request no less than \$1,500 and often as much as \$30,000 for these services, burdening the girls from the very beginning with large debts.

Police officials sometime take part in the international human traffic network. In 1996, the Chief of the Special Commission on the Organized Crime from Germany was accused of facilitating the illegal traffic to Germany through Poland. In Belgium, one of the most frequently used methods is the application for political asylum, a process that lasts almost 8 months, during which the women are forced to practice prostitution, and before a negative response concerning the political asylum is received, they are sent to another place.

Authorities report that it is virtually impossible to stop criminal organizations dealing with human traffic. Reasons for this include the fact that many of the Newly

Independent States have no laws regarding illegal human traffic. This is the case for both Moldova and Tajikistan. The police say that they simply cannot fight such offenses, because they have no authority to investigate or to punish them. Secondly, according to the police, both Western governments and international institutions have no interest in cooperating with the small countries in this matter. According to Lt. Mihai Marian, deputy chief of the Criminal Police Department within the Moldovan Ministry of Internal Affairs (MIA), 60% of the European prostitutes are Moldovan. He reported that it was the Western countries that were trafficking in Moldovan women and enticing them to become prostitutes. Tajik authorities report that their passports are among the most widely falsified for prostitution traffic throughout Europe.¹⁹



Fake IDs
confiscated
by police

Reports by journalists indicate that not only passports but also almost all kinds of documents are being falsified on a large scale. Not surprisingly, fugitive criminals rely heavily on the trade in illegal documents to elude law enforcement. In 2005 accounts from Tajikistan's Gafurovsky District revealed that fugitives were able to apply directly to the Ministry of Interior for new passports while those same officials were involved in a widespread search for them.²⁰

The use of false identity and military cards of different law-enforcement bodies and other internal security organizations has become a routine matter. During the civil war and the long period of instability associated with that conflict, armed men masqueraded in public as soldiers wearing camouflage without any identifying insignia. This prevented the local militia from approaching them for questioning. While committing crimes, Criminals used their false documents in the commission of numerous crimes during this time. (See Appendix 9 for specific cases)

Economic Crimes Documents associated with the import of goods have a distinct value and, like identity documents, are now being falsified throughout the former USSR. Tajik authorities recently reported one such attempt. According to a news report, "The hospitality of Tajik people is often used by foreigners in their selfish ends. Citizens of the Islamic Republic of Afghanistan tried to take out to Kyrgyz Republic 24 tons of scrap-iron and waste aluminum and 100 tons of diesel oil with false documents. And representatives of a company belonging to an Austria citizen attempted to take out 300 tons of cotton fiber. However these illegal actions were prevented by Tajikistan Security Services."²¹ Less well publicized are the many occasions when criminal successfully employed false documents in order to undermine the economies of the post-Soviet states.

Counterfeiting identities also have an economic impact. The indirect damages generated by document counterfeiting have contributed to serious economic and social problems in Moldova. According to various statistics, between 600,000 and 1,000,000

¹⁹ Interview conducted by Viorica Vladeca in Chisinau.

²⁰ Interview with Mumadamin Mumadaminov, Dushanbe, 18 April 2005

²¹ *Vecherny Dushanbe*, April 21, 2001

Moldovan citizens work illegally abroad.²² The legal transfer of Moldovan workers abroad is very difficult. It is virtually impossible for the average Moldovan citizen to legally receive a visa from Western consular offices in the Republic of Moldova. Most Western countries have implemented a policy of strict control of visa issuance. They also have strict frontier control, close observation on mixed marriages, and criminal background checks of third parties that facilitates the entrance. Because this trafficking often involves organized crime, Western European countries have signed international agreements and devoted significant resources to fighting illegal immigration. This “keep out” approach is better at limiting immigration than protecting abused persons. The illegal worker statutes, the absence of legal migration options, and the lack of job opportunities seem to conspire against many citizens in the former USSR. These circumstances force citizens to enter an illegal circuit without any protection against violence or exploitation. The migration methods and the illegal status of the workers in the destination countries make them dependent and vulnerable to various forms of abuse and violence similar to slavery. Alan Hope, a journalist in Brussels who studied this phenomenon, has concluded that there were many similarities between slavery and emigration from Moldova. He argued there are two ways to keep a slave, or emigrant, docile; the first is physical violence, however often this reduces the “owners” value. The second is to threaten the emigrant concerning his or her alien status.

Combating the Falsification of and Trade in Documents

One of the main reasons for passport falsification in this case is the immigration legislation of Middle Eastern countries. “The United Arab Emirate illustrates this problem with its legislation in which women under the age of 31 are not allowed into the country unless accompanied by their husbands or parents. Therefore the organizers of women traffic resort to falsified documents where they change ages and sometimes names. Survey respondents indicated that they were able to obtain falsified documents including visa for as little as \$259.²³ (See Appendix 8 for specific cases)

Both Tajikistan and Moldova have addressed this problem. Moldova, however, faced with an uncontrolled frontier with the Dniester Moldovan Republic, has made less progress. Tajikistan’s existing laws on combating the falsification and trade in documents are divided into two categories: (1) the internationally ratified legal documents and (2) the existing Tajik Criminal Code Articles. The importance of international documents in the creation of a legal basis for the combating of document falsification is underlined in Article 10 of the Tajik Constitution. Apart from stipulating the universal obligation to respect the laws, it also underlines the prevalence of the internationally ratified over the national laws.

²² To describe the facilitation of the illegal immigration of these workers, we have adopted the term of “traffic” instead of “trade.” The use of the word “trade” would be inappropriate because, normally, it refers to legal transactions. The human trade cannot be accepted in any possible way.

²³ “Deceived Migrants from Tajikistan.” Survey of Woman and Children Traffic. International Migration Office, July 2001, p. 21.

In the Tajik Criminal Code there are a number of articles on combating document falsification and trade. These are:

Article 282 – “Making and trading falsified credit cards and other payment documents”

Article 266 – “Illegal issue of licenses for arms carrying and storing”

Article 339 – “Theft and damage of documents and stamps”

Article 340 – “On documents, state awards and forms falsification and trade”

Article 341 – “Obtaining and trading official documents and state awards”

However it should be noted that the penalties for crimes connected with the falsification of documents are rather lenient. (See Appendix 11 for specific cases)

Activities of Central and Local Tajik Authorities The increase of crimes related to the falsification and trade in documents in recent years resulted in the adoption of a number of measures on identification and prevention of such crimes. As a result of “The Foreigner” Operation by the Ministry of Interior in 2000, documents were checked and those involved in the falsification and trade of documents as well as illegal migrants were apprehended. In 2000-2001, the Tajik Security Council repeatedly examined the situation with falsified documents. The work of passport services in Sogdi Oblast was evaluated in 2000. As a result, numerous criminal proceedings were instituted and the MOI staff was fired. As a result of the 2001 inspection, a number of high-ranking officials were punished at the Tajik State Border Guards Committee.

When Tajik authorities seize false documents, this usually takes place during border and customs checks at the frontier. The Tajik State Border Guard Committee (RT SBC), and by the Russian Federation Federal Border Guard Services Group in Tajikistan (the RF FBS BG) guard the Tajik border. For communication with other countries, the list of four airport, 3 river and 2 road international border crossing checkpoints was approved in Tajikistan by the Resolution of the Tajik Government. Apart from these, 17 temporary simplified crossing points were opened on the territory of the MBAO for the delivery of humanitarian assistance to Afghanistan. In line with the Protocol “On the order of carrying out border control at the checkpoints opened on the territory of Tajik Republic for international communication” signed between Tajikistan and the Russian Federation on 26 April 1997, the Russian Federation FBS border guard units are serving at these points.

The Tajik SBC conducts border control activities in the two international airports (Dushanbe and Khodzhent). In 2000, the Tajik SBC staff detained 61 trespassers at these points. Another 265 individuals with false documents were detained the same year and 198 of them were not permitted to cross the border (information provided by the Tajik SBC). In general, according to the information by the Tajik SBC, in 1998, Tajik airport border guards detained many individuals who violated visa laws, 17 of them were Afghan citizens. And in 1999 Tajik border guards detained 4 Irish citizens whom they suspected

of having IRA ties. In 2000, 48 individuals were detained, among them 10 more Irish citizens, 8 citizens of the Uzbek Republic and citizens of Iraq, Yemen and other countries.

Deputy Head of Russian FBS group in Tajikistan Alexander Nikolaevich Aksenkin said that “48 violators were detained within the seven months of the current year (2000), 31 individuals were found with false and some with other people’s documents, 203 with incorrect documents, and 159 of them were prohibited to cross the border.” A. N. Aksenkin said that the number of attempts of illegal crossings of the state border with false documents is increasing. There were no Consulate institutions of foreign states, including the Russian Federation and Tajikistan in the IRA territory. Therefore, the IRA citizens obtain documents permitting entrance into the Tajikistan or Russian Federation or permissions for transit crossing of the Tajikistan border for further travel to the Russian Federation and other countries such as Iran, Pakistan and Saudi Arabia. For example, according to the Russian Federation SBC BG Press Center, on 15 February 2001, 3 IRA citizens who had arrived from Meshead (Iran) with false visas were detained in Dushanbe airport. (See Appendix 12 for specific cases)

In connection with the increase of illegal migration, on 2 April 2001, the Tajik President issued Decree No. 544 “On encouraging illegal migration combat in Tajikistan”. This Decree envisages the introduction of migration control by the Tajik SBC. A number of documents were worked out to become the legislative basis for the implementation of immigration control at the Tajik borders. These include Supplement to the Law “On the Republic of Tajikistan State Border” and “Statute of Immigration Control”. Apart from criminal and legal measures, preventative measures are being taken. Law-enforcement officials meet and talk to the general population. In addition, printed materials are used for educational purposes.

Crimes related to the falsification of documents have flourished in this environment due to the following factors: existing economic difficulties, a weakening of the state as a result of the civil conflict, large number of refugees (1 million) and internally displaced persons, high level of illegal migration, inadequate border crossing and migration controls, passport system reform and poor control over the implementation of laws related to the issue of documents, and the registration of citizens. The poor coordination of law-enforcement activities of the neighboring Central Asian states also defeats most governmental efforts to curb false document production.

Prospects for the Future

A 2003 study produced by Bulgaria’s Center for the Study of Democracy observed that the inability to trust official documents constituted a threat to the development of post-Communist East Europe.²⁴ Official statements, journalistic reports, and the accounts of private citizens demonstrate that the illegal use of false documents is widespread throughout this region. In every state institution it is possible to find someone

²⁴ “Corruption, Contraband and Organized Crime in Southeastern Europe”, Sofia: Center for the Study of Democracy, 2003, p. 3, <http://upan1.un.org>

who will sell documents for personal profit. Everything is being sold: from false higher education diplomas to school-leaving certificates and military cards. This sad fact is reflected in the criminal activities throughout the region. (See Appendix 10 for specific cases)

The legal environment in Central Asia or FSU borderland regions such as Moldova, twenty years after the remote outposts of Soviet power won their reputations for genial corruption during the Brezhnev era, has changed little. A report issued by the Berlin-based Transparency International, an independent group that attempts to measure public perceptions about corruption, indicated that Moldova and Tajikistan now enjoys the distinction of being among the most corrupt of the ninety-five nations studied.²⁵ While there are calls to combat the corruption that sustains the production of false documents, little has been done to accomplish this ambitious goal. Suggestions to change passport production technology in Tajikistan have yet to bring results.

Police officials and other public officials now acknowledge these nations reputations for corruption. Following his re-election as President in 2005, Vladimir Voronin declared his intention of reversing perceptions of Moldova's legal environment.²⁶ When Voronin became President, not one case of corruption had reached a courtroom in the ten years of Moldova's independence. During a one-month period in 2000, three high ranking officials in tax services as well as a public prosecutor were arrested on charges of bribe taking and embezzlement of public funds but none of the accused went on trial. Perhaps in recognition of this situation, a public telephone hotline was established to report incidents of perceived corruption on the part of public officials.²⁷

The situations of Moldova and Tajikistan, however, are not unique problems. There are many connections between the newly independent states that were forged during the Soviet era. Consequently, criminal elements here generally have criminal partners in Moscow and elsewhere. Moreover, those same connections now extend into Western Europe and North America. These illegal activities have an impact far beyond the boundaries of these relatively obscure states. In 1999, Moldovan Minister of Interior Victor Catan noted that his nation had become a transit point for criminals from Somalia, Afghanistan, and other regions regarded as havens for violent gangs. The starting point for this traffic was Central Asian states such as Tajikistan. Their final destinations, Catan explained, are those Western cities that offer the promise of quick financial gain for individuals willing to resort to violence and the growing market for recruits in terrorist organizations.²⁸ The false documents produced in Chisinau and Dushanbe continue to facilitate the movement of members of organizations determined to exploit the freedom and wealth of Western society and undermine the stability of the democratic states.

²⁵ *Basa Press* (Chisinau), 14 October 2000

²⁶ "Voronin Re-Elected President by Moldova's New Parliament", *The Moscow Times*, 5 April 2005. P. 3

²⁷ *Basa Press* (Chisinau), 17 June 2000.

²⁸ Interview by Stephen Bowers with Victor Catan, Chisinau, October 5, 1999

Appendix

1. Kh. Rakhimshekhov from Undji Village Council in Gafurovsky District reported the loss of his passport on 27 July 2000, and received a new one the same day. The case was the same with Nasim Khodjiboev, resident of Usmonova kishlak Council in Gafurovsky District, who reported the loss of his passport on 5 May 2000 and obtained a new one the same day, even without approval from the Head of the District Interior Ministry Department.

2. For example, on 30 August 1999, Z. Kurbanov, Kistakuz Kishlak (Gafurovsky District in Sogdi Oblast) resident obtained a new passport and less than 5 months later, on January 5, 2000, he again reported the loss of his passport to the same Militia Department and received a new one on the following day. And Yu Yergashev, resident of Isfisor Kishlak in the same district lost and got new passports three times within a year.

3. For example, a resident of Usmonov Kishlak Council in Gafurovsky District (Sogdi Oblast) Nazokat Sanginova who lost her passport in Tashkent obtained a new passport in 1999 without even processing new documents or visiting the IMD, via an acquaintance by paying 250 Russian Rubles. And another resident of this district, Zarrina Khudoidova obtained a new passport in the same way but a bit more expensive – paying 400 Russian Rubles.

4. Gafurovsky District MOI Department issued passports to citizens S. Zarembo, N. Akhmedova, A. Toshev and M. Umarova who reside in other districts.

5. For example, resident of Ovchi Kalacha Kishlak in Gafurovsky District Maruf Khodzhiyev moved for permanent residence to Novokuznetsk City in Russian Federation in 1998. Therefore he was registered out. However on 27 October 2000, he was given a new passport without any verification. (“Tajikistan” Newspaper, 29 Nov 2001.)

6. For example, Khodzhen City MOI Department employee Sh. Yusufova abused her position and issued Tajik passports to Republic of Uzbekistan citizen Sh. Khamrokulova and Russian Federation citizen F. Malakhovsky on the grounds of false documents. (“Tajikistan” Newspaper, 29 Nov 2001.)

7. The article brings several examples. Saidalishoh valadi Saidalishoh obtained a new passport with the name of Tajik citizen Odin Ibragimov, 1956, issued by the Tajik Gazimaliksky District Khukumat. There is an enterprising Afghan Muhammadkoid valadi Muhammadsoleh, residing in Dushanbe as a refugee. He assists his countrymen in obtaining false passports. For example, he was approached by Afghan Ahmad Chovid valadi Hussain Ali, and he acquainted him with Anvar Kondakov, a pensioner who lives in District No. 82. Anvar Kondakov took them to the market in the same district to meet some “unidentified” persons who readily promised them to make Tajik passports for \$100. They only had to bring photographs. The skilled man handed them Tajik passports at the same place and time a week later. This is the way Afghan Ahmad Chovid valadi Hussain Ali received a passport with the name of Zaidov Siroyatullo Ismatulloevich,

1976, issued by the Dushanbe Frunzensky Khukumat MOI Department. Father of four children, Azizullo valadi Abdullo, 1970, obtained an old Soviet passport with the name of Saidmuradov Dilovar Radjabovich, issued by Central District Executive Committee MOI Department in 1993. They also falsified for a father of four children, Afghan Saidalishoh, four birth certificates for his children and a passport for his wife Farizone Muhammadaziz with the name of Urunova Malokhat, 1977, who died in 1999. At the trial her brother Urunov Kobil said that her passport was handed to Oktyabrsky District Registry Office. But it remains unclear how the passport of a dead woman had been taken from the registry Office. Investigative bodies still have to find this out.

8. A specific case of obtaining and using falsified documents in women traffic was described in the article "To Emirates in Search of Living" by Khamzali Muzaffarov, the Tajik Prosecutor-General Office Senior Investigator for Particularly Important Cases, published in the newspaper "Asia Plus" of 18 August 2000. The article tells about the detention of three girls who were going to Dubai (Arab Emirates). They were detained in Dushanbe airport on 19 January 2000 by law-enforcement bodies. Their age caused suspicion: according to their documents, all of them were older than 30, but looked very young. The check showed that the documents were false, and the three of them were Khudzhanda City residents who had already repeatedly been prostituting in UAE. When one of them had decided to go to the UAE to earn money she approached a mediator woman who referred then to a woman in Dushanbe called Sevaroy. Sevaroy obtained for them falsified documents at \$250 and gave them the address of an underground brothel owner in Dubai.

9. The article "Punish, Not to Forgive", in the Vecherny Dushanbe Weekly of 29 September 2000 states that: "On 20 September, Dushanbe City Court examined the case of Tajikistan citizen Rustam Ubaidulloev, 1958, who was charged with three Articles of the Tajik Criminal Code. In 1998 he had committed a number of crimes using false Tajik MOI documents and uniforms. This time he was convicted of criminal assault on a member of the UN mission in Tajikistan".

10. Here are several examples: "In a short while, Z. Shoev, 1978, residing in Ispechak Street in Dushanbe obtained a military card. In the process of checking up it was found out that in preliminary agreement, in August 2000 the Tajik Defense Ministry Unit staff Kh. Ali and the Frunzensky District Registration and Enlistment Office employee S. Rustam accepted from R. Shoev, 1953, a bribe of 400 Somoni. In return they made and gave a falsified military card for his son. The investigation was carried out by Frunzensky Khukumat MOI Department". ("Krim-Infor" Weekly, 15 June 2001.) "Dushanbe school No. 36 head of studies A. Boronov was detained on 30 May 2001. According to the preliminary agreement with L. Dzumaeva, Director of the Kindergarten No. 125 in Zheleznodorozhny District, for 50 Somoni he made false school-leaving certificate for her daughter N. Shakirova, 1986, so that this "schoolgirl" could enter a higher education institution. The investigation was carried out by Zheleznodorozhny Khukumat MOI Department". ("Krim-Info", 03 June 2001.) "As a result of investigation by the Tajik MOI Economic Crimes Combat Department, on 27 Feb 2001, it was found out that in 1997, D. Lyudmila, assistant in Tajik State Medical

University made for N. Isroilov a false university graduation diploma with qualification in "Radio Physics and Electronics". He was illegally appointed Deputy Director of Tajik Communications Ministry Radio Center No. 1. The investigation was carried out by Zheleznodorozhny District MOI Department". ("Krim-Info", 03 June 2001.)

11. For example, foreigners Ahmad Dzhovid valadi Hussain Ali, Azizullo valadi Abdullo, Muhammad Koid valadi Muhammadsoleh, Saidalishoh valadi Saidalishoh and Farzona Muhammadaziz and Tajik citizen Anvar Kondakov were sentenced to different years of imprisonment according to Article 340, Part 2, Point "b"/ considering that Saidalishoh and Farzona have under age children, they were released from imprisonment and paid the fine of 300 and 800 Somoni respectively. ("Krim-Info", 01 Jan 2001.) The girls who had obtained falsified documents were sentenced from 2.5 to 3 years of imprisonment under Article 335 of the Tajik Criminal Code (Illegal crossing of the state border), i.e. for the falsification of documents." ("Asia Plus", 18 Aug 2000.)

12. On 30 June 2000, while checking documents, the Russian Federation border guards detained 6 trespassers who arrived at Dushanbe from Meshead. They tried to enter with passports issued by Central Passport Department of the Islamic Republic of Afghanistan Ministry of Foreign Affairs, of the unrecognized "Taliban" government. The detained individuals also had highly professional falsified visas of the Russian Federation for the route Tehran-Turkmenistan-Kazakhstan-Moscow. The visas were stamped with the falsified stamp of the Russian Embassy Consulate Department in the Islamic Republic of Iran. All the detained IRA citizens aged from 25 to 30. The Russian FBS BG in Tajikistan noted the high quality of the falsified documents. In the process of work with the detained individuals, Tajik Security Ministry staff identified a criminal group involved in the transfer of people to the West via CIS countries." ("Vecherny Dushanbe", 18 Aug 2000.)

"Asia-Plus" Weekly of 5 May 2000 wrote that "According to the information provided by Russian Border guards Press service, as a result of border control of the passengers of Dushanbe-Chorly-Munich international flight on 2 May 2000, there were detained 8 people who headed to Germany. All of them had Kyrgyz Republic passports, where some inaccuracies were noticed. As a result of questioning it became evident that the detained individuals did not know Kyrgyz language, and all of them were IRA citizens. The detained were passed to the Tajik Security Ministry for further investigation".

About the Contributors



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