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TACTICAL METHODS OF INVESTIGATING THE ACTIVITY OF MERCENARIES THROUGH THE PRISM OF SPECIAL INVESTIGATION ACTIVITIES

SUMMARY OF THE DOCTORAL THESIS IN LAW

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CONCEPTUAL LANDMARKS OF THE RESEARCH

1. The relevance and importance of the research topic

Mercenary activity poses a significant challenge to national and international security in the current geopolitical context. Modern armed conflicts, regional tensions, and asymmetric threats have led to an increase in demand for mercenary services, complicating efforts to maintain global peace and stability. In this context, the effective investigation of mercenary activity is becoming a priority for intelligence services and law enforcement agencies around the world.

The relevance of this research topic is highlighted by several factors:

- the proliferation of hybrid conflicts, in which mercenaries play an increasingly important role in military and destabilization operations;
- the difficulty in tracking and monitoring mercenary activities due to their transnational nature and sophisticated methods of operation;
- the significant impact of mercenary activities on regional and global security, as well as on human rights in conflict zones;
- the need to develop investigative methods adapted to the specific challenges posed by mercenary activity;
- the importance of improving international cooperation in combating this global phenomenon.

This paper aims to explore tactical ways of investigating mercenary activity through the lens of special investigative work, thereby contributing to the development of more effective strategies to counter this growing threat.

Despite the importance of special investigation tactics and methodologies, which are confirmed and recognized both in practice and at the scientific level, we find that among specialists in the field of ASI theory, there are different perceptions and understandings of the essence and content of special investigation tactics and methodologies.

Local authors Boris Glavan and Victor Mîrzac, in their work "Notes on Special Investigative Activity," state that special investigative activity is one of those rare cases of practical activity that was initially regulated exclusively by secret departmental acts. In public sources, this activity was only mentioned in general terms, without its content being disclosed. Moreover, the term "special investigative activity" entered the legal vocabulary of the Republic of Moldova relatively recently (2012), replacing the term "operational investigative activity," which in turn appeared in secret departmental documents starting in the 1960s.

From an empirical perspective, recent examples (Wagner Group/“Africa Corps”, other paramilitary formations) highlight both the scale and diversity of mercenary operations: from direct recruitment in theaters of war, to securing natural resources, to political influence actions in sovereign states.

Legally, the regulatory gaps are evident: there are proposals and resolutions from UN bodies and reports from the Working Group on the Use of Mercenaries that document both the human rights implications and the difficulties of legally classifying these actors (mercenary vs. PMC vs. private combatant), leading to uncertainty in the application of criminal sanctions and accountability mechanisms. The thematic reports and briefings of the Office of the UN High Commissioner for Human Rights (OHCHR) highlight the need for a clearer legal framework or a binding international instrument to regulate mercenary activities.

This incongruity between operational realities and the legal framework creates an investigative "gray area" in which traditional police and judicial investigation techniques often prove insufficient—both because of the cross-border modus operandi of mercenaries and because of the use of front structures, complex commercial contracts, and private logistical means.

The practical importance of research focused on tactical investigation methods derives from three complementary dimensions:

(1) **security** — preventing and mitigating the destabilizing impact of mercenary operations on internal and regional conflicts;

(2) **legal** — ensuring criminal and civil liability, including reparations for victims;

(3) **ethical/human rights** — creating investigative procedures that protect fundamental rights during special operations (e.g., surveillance, infiltration, or international cooperation). Recent reports by human rights NGOs (Amnesty, Human Rights Watch) and think-tank analyses (RAND, Global Initiative) have documented serious violations attributed to mercenary groups, highlighting the need for investigative tools that can operate effectively within a complex legal framework.

Research problem

In light of the above, the central question posed by this thesis is as follows: *To what extent and by what tactical means can special investigative practices be adapted and perfected so as to enable the identification, documentation, and punishment of mercenary activities in the context of legal loopholes, the transnational nature of operations, and the need to respect fundamental human rights?*

Key questions:

(a) What are the most effective investigative techniques (infiltration, human sources, technical surveillance, international cooperation) in the context of modern mercenarism?

(b) How can these tactics be harmonized with procedural requirements and fundamental rights?

(c) What cooperation and information exchange mechanisms are necessary for effective cross-border investigations?

Current level of research and justification for the study

Specialized literature, institutional reports, and *think-tank* analyses extensively document the phenomenon of PMSCs/mercenaries, providing case studies (Wagner and similar entities), legal analyses, and human rights impact assessments. However, two major gaps are noted:

(1) **poor integration between legal analysis and operational tactical guidelines** — many studies focus either on the legal or strategic dimension, without providing a coherent, empirically validated operational-tactical set for law enforcement agencies;

(2) **insufficient comparative and methodological empirical studies** on the concrete effectiveness of special investigation techniques in different contexts (theaters of war, fragile states, economic operations). UN and NGO reports highlight the problem but do not offer tactically applicable models.

One of the causes of these gaps is explained by local researcher Boris Glavan, who, along with other foreign authors, argues that the science of special investigative activities is currently in the process of development and structuring. Thus, different researchers propose different structural models for this young science, which means that to date, no single model has been unanimously approved.

The relevance of the topic is demonstrated both by concrete operational developments (the growth and transformation of mercenary actors) and by current regulatory and investigative shortcomings.

2. The main purpose (general objective) of the research

The fundamental purpose of this doctoral research is to analyze in depth and develop effective tactical methods for investigating mercenary activity in the complex context of special investigative work. This research direction is motivated by the imperative need to improve and strengthen the operational capabilities of law enforcement agencies and intelligence services in the face of the multidimensional and ever-evolving challenges posed by the phenomenon of modern mercenarism.

The general objective of the research focuses on developing an integrated and innovative framework for investigating mercenary activity. This framework will combine classic investigative methods with state-of-the-art technologies and interdisciplinary approaches to create a set of tools and strategies adapted to the current realities of mercenary activity.

In achieving this goal, the research will address several critical issues:

– comprehensive analysis of current methods and tactics used by mercenaries, including new forms of mercenary activity such as cyber or hybrid mercenary activity;

– critical assessment of the effectiveness and limitations of current investigative methods used by agencies specializing in combating mercenary activity;

– exploration of the potential offered by new technologies, such as big data analysis and blockchain, in improving investigative capabilities;

– development of predictive and risk analysis models to anticipate and prevent mercenary activities;

– proposing innovative strategies to improve international cooperation in investigating and combating mercenary activity, taking into account the transnational nature of this phenomenon;

– developing an updated ethical and legal framework for conducting special investigations in the field of mercenary activity, in compliance with international standards and fundamental human rights;

– creating operational protocols and specialized training methodologies for investigators involved in combating mercenary activity.

The results of this research will have important implications for the development of national and international security policies, the development of the legal and regulatory framework in this field, and the training and improvement of specialists in special investigations. Ultimately, the goal of this research is to contribute to global security by more effectively combating one of the most complex and persistent threats to international stability—the activities of mercenaries.

3. The specific objectives of the research are:

- to identify and analyze current methods of investigating mercenary activity, assessing their effectiveness and limitations;
- to explore the potential for adapting and improving existing special investigation techniques to better respond to the particularities of mercenary activity;
- developing new tactical approaches specific to investigating mercenary activity, taking into account the transnational nature and clandestine character of these operations;
- assessing the legal and ethical implications of the proposed investigative methods, ensuring respect for human rights and international norms;
- analyzing possibilities for improving international cooperation in the field of investigating mercenary activity, proposing concrete mechanisms for collaboration between agencies;
- creating a conceptual framework for integrating new technologies (such as big data analysis) into the process of investigating mercenary activity;
- developing practical recommendations for implementing the tactical methods identified in the operational activities of specialized agencies (services);
- contributing to the development of specialized literature in the field of investigating mercenary activity, offering an updated and innovative perspective on this topic.

By achieving these objectives, the research aims to make a significant contribution, both theoretically and practically, to the field of investigating mercenary activity, thereby strengthening the response capacity of the competent authorities to this constantly evolving threat.

4. Research hypothesis

In this research, the following hypothesis was formulated to guide our investigation and will be tested throughout the study.

The research hypothesis is based on the premise that the effectiveness of investigating mercenary activity can be substantially increased through a complex and integrated approach, based on the use of tactical methods specific to special investigative activities. This approach involves, on the one hand, adapting and optimising investigative techniques to the particularities of mercenary activity and, on the other hand, strengthening institutional capacities through a series of essential components.

Therefore, the research hypothesis states that the integrated and balanced application of all these dimensions - adapted investigative tactics, professional training, advanced technologies, international cooperation, adequate legislative support, undercover techniques, continuous training, and financial investigations – will lead to a significant increase in the effectiveness of the process of detecting, monitoring, and countering mercenary activities, both nationally and transnationally.

5. Theoretical significance of the research

The study is an analysis conducted at both the legal and operational levels in the field of national security science and operational investigations, focusing in particular on identifying optimal solutions for investigating mercenary crimes.

The thesis is of theoretical importance for the development of legal sciences and the strengthening of the field of national security.

The theoretical contribution is reflected in the clarification of operational concepts and the particularities of mercenarism as a transnational phenomenon, in the correlation of the internal regulatory framework with international standards and practices, but also in highlighting the conceptual gaps existing in the specialized doctrine.

Thus, the thesis adds value to the legal literature by providing a multidisciplinary perspective on the investigation of this complex phenomenon, offering the theoretical basis necessary for improving national and international strategies to combat mercenarism.

6. Scientific novelty and practical value of the work

This research makes a number of original and innovative contributions to the field of investigating mercenary activity, representing a significant advance in scientific knowledge and operational practice. The scientific novelty of the research is manifested in the following key aspects:

1. *Development of an integrated model for investigating mercenary activity*: the research proposes an original conceptual framework that combines traditional investigation methods with advanced technologies and predictive analyses.

2. *Development of an updated formal structure of mercenary activities*: the study introduces a comprehensive and updated classification of the different types of mercenary activities in the contemporary geopolitical and technological context.

3. *Formulation of an international cooperation protocol*: the thesis proposes a detailed operational framework for improving cross-border collaboration in investigating mercenary activity.

4. *Development of a set of predictive risk indicators*: the research introduces a comprehensive list of indicators for the early identification of potential mercenary activities.

5. *Proposal of a specialized training model*: the thesis presents an innovative training program for investigators specializing in mercenary activity.

6. *Creation of a methodology for assessing the impact of investigations*: the study proposes a system for measuring the effectiveness of different investigation tactics in the specific context of mercenary activity.

7. *Developing a strategy to combat disinformation in the context of mercenary activity*: the thesis develops a specialized and original approach to countering the disinformation tactics used by mercenaries to mask their activities.

The paper is directly useful for the work of the police, special services, and the prosecutor's office, as it proposes practical risk indicators, assessment matrices, and standardized procedures that facilitate both internal investigation and international cooperation through MLA mechanisms, Egmont channels, or SIENA.

The practical value of the research is also reflected in the possibility of using the materials developed in the professional training of investigation officers and other security actors, providing a solid methodological basis for training and operational simulations.

7. Summary of the research methodology and justification of the chosen research methods

In order to achieve the proposed objectives and test the formulated hypotheses, this research will use a mixed methodological approach, combining qualitative and quantitative methods. The chosen methodology reflects the complexity of the topic and the need for a comprehensive analysis of the tactical methods of investigating mercenary activity.

The main research methods and techniques used are:

- ❑ documentary analysis;
- ❑ case study analysis;
- ❑ semi-structured interviews;
- ❑ statistical analysis;
- ❑ modeling and simulation;
- ❑ comparative analysis;
- ❑ social network analysis;
- ❑ methodological triangulation of data.

8. The relevance of the topic to the international, national, and regional concerns of the research community

The research topic is in line with the major concerns of the academic and institutional community, being aligned with the priorities set by international organizations, national security strategies, and the research directions of the scientific community in the Republic of Moldova.

At the international level, the issue of mercenarism is constantly addressed by the UN, the Council of Europe, the European Union, and the OSCE, which emphasize the need to strengthen legal and operational mechanisms to combat this transnational phenomenon.

9. Summary and structure of the thesis

The work consists of an introduction, four chapters structured in 15 paragraphs, conclusions for each chapter, general conclusions and recommendations, a bibliography of 231 titles, 5 appendices, 182 pages of basic text, and the results obtained are published in 21 scientific papers.

The structure of the thesis sections reflects its components and is configured in accordance with the purpose and objectives of the research.

Chapter 1 is devoted to a detailed analysis of the current situation regarding the investigation of mercenary activity. This section presents the main national doctrinal directions regarding the fight against mercenarism, highlighting the essential aspects of the legislation in force.

Chapter 2 aims to clearly define the concept of mercenarism and analyze its legal implications. The main characteristics of mercenary activity, as reflected in national and international legislation, are presented, highlighting the differences between the various legal approaches. It also examines the interconnections between mercenarism and other forms of transnational crime.

Chapter 3 explores the special investigative methods and tactics used in documenting and combating mercenary activity. This chapter analyzes applicable investigative techniques, with an emphasis on the role of special investigations, the use of human sources and undercover investigators, and the effectiveness of modern surveillance and communications interception methods.

Chapter 4 proposes solutions for improving the investigation of mercenarism. It analyzes the practical challenges and limitations encountered in the investigative process, highlighting the need to optimize legal and procedural instruments. In addition, it addresses the importance of international cooperation and the exchange of best practices between states, which are essential for effectively combating mercenarism.

CONTENTS OF THE THESIS

Chapter 1, entitled "**Analysis of the current situation in the field of investigating mercenary activity**," consists of three subchapters devoted to a general study of the phenomenon of mercenary activity.

The first subchapter analyzes **the national doctrine on investigating mercenary activity**.

At various periods in military history, research into the issue of mercenary activity and the concept of mercenaries has been regulated by both international law and the domestic legislation of states, being defined mainly in the United Nations Convention against the Recruitment, Use, Financing and Training of Mercenaries (1989). Mercenaries are persons who are engaged in armed conflicts for the purpose of obtaining material gain, without having a direct connection to the cause or the state in which they operate.

In the context of the Republic of Moldova, the investigation of mercenary activity is based on a series of international and national norms. At the international level, the Republic of Moldova is a signatory to several relevant legal instruments, including:

• **The United Nations Convention against the Recruitment, Use, Financing and Training of Mercenaries (1989)** – regulates the illegal activities of mercenaries and establishes the obligations of states to prevent and punish such activities;

• **Additional Protocol to the Geneva Convention (1977)** – which prohibits the recruitment of mercenaries in international armed conflicts.

At the national level, the Republic of Moldova has also adopted domestic legislation regulating these issues by including specific offences related to mercenary activities in the Criminal Code. National Security Law No. 249 of July 10, 2025, and various **national security and defense** regulations are essential in defining and preventing mercenary activities.

In the Republic of Moldova special regulations were adopted that establish clear rules on the recruitment, use, and promotion of mercenaries, and the competent authorities in the field of national security began to implement effective policies to combat this phenomenon.

At the same time, several studies were carried out at the scientific level by a number of researchers, such as Natalia Albu, Alexandru Drăgulean, Radion Cojocaru, Alexandru Cauia, Corina Zacon, Valentin Chirița, Vera Macovei, Raisa Grecu, Ion Eremia, Maria Frunze, Igor Zavalschi, and others.

To begin with, we will analyze materials of significant scientific value regarding the investigation of mercenary crimes in the Republic of Moldova.

Thus, authors Natalia Albu and Alexandru Drăgulean, in their work "Historical and Legal Reflections on the Activity of Mercenaries," examine the stages of mercenary activity from a diachronic perspective in order to facilitate the current understanding of the phenomenon of mercenaryism. mention that at the present stage there has been a considerable increase worldwide in the number of mercenaries, as well as in the illegal activities they engage in on various continents, specifically mentioning Central America, Africa, the former Yugoslavia, the Middle East, Iraq, Afghanistan, the North Caucasus, and Ukraine.

In the same context, authors Valentin Chirița and Alexandru Drăgulean analyzes both the legal norms regarding liability for mercenary activity in the criminal legislation of some European countries (Germany, Spain, France, Poland, the Netherlands) and the United States of America.

A series of papers on this topic has been developed by researchers Alexandru Cauia and Corina Zacon, who have addressed a set of issues in this area, such as:

- the legal classification of participants in the armed conflict in eastern Ukraine, with the research analyzing the legal difficulties generated by the subjective assessments of the belligerent parties;
- the legal status of private military company employees in light of the specific circumstances generated by contemporary armed conflicts, with the article focusing on clarifying the distinction between the interpretation of international humanitarian law and local rules regarding hostilities in which private military and security companies are actively involved;
- the evolution of private military and security companies, where the authors conduct a complex analysis of the historical periods in which private structures made up of well-trained fighters gained momentum, with private military companies being set up in some states to ensure the fulfilment of colonial claims.

Radion Cojocaru and Igor Soroceanu, another team of authors who have devoted themselves to studying the phenomenon of mercenary activity, analyzed elements of comparative law regarding this crime through the lens of the experience of the countries of the Commonwealth of Independent States (CIS).

Thus, the authors provide a retrospective overview of the legislation of CIS countries such as the Republic of Moldova, Ukraine, the Russian Federation, the Republic of Kazakhstan, the Republic of Belarus, Tajikistan, Turkmenistan, Uzbekistan, Kyrgyzstan, Georgia, Armenia, and Azerbaijan.

As a result, the researchers made an obvious observation that the criminal laws of the CIS states use a specific and common legislative approach to the criminalization of mercenary activity, reflecting the evolution of these laws in the same historical context as the former union republics of the USSR.

Relevant international contributions in the field of combating mercenarism

Foreign researchers from the Commonwealth of Independent States, specialising in the investigation of mercenary activity, state that mercenarism is currently considered one of the most dangerous social phenomena interconnected with terrorism, posing a direct threat to the national sovereignty of states and human rights, as well as to international security.

Thus, G. Alibayeva distinguishes the following most important stages:

- stage I – emergence and evolution of mercenarism as an institution of military service and a form of military organization (2nd–3rd centuries BC – 19th century);
- stage II – development of mercenarism as an instrument of state policy during armed conflicts (20th century);
- stage III – the current state of mercenarism (late 20th century – early 21st century).

Ukrainian authors Alexander Zadorozhny, Anton Korinevich, and Elena Kucher dedicated their work to studying the concept of “mercenarism” both in modern international law in general and in

international humanitarian law, international criminal law, and the domestic law of Ukraine. They analyzed the problem of classifying foreign nationals sent to the territory of Ukraine to assist foreign separatist fighters. Their works propose alternative ideas for qualifying such persons for the purpose of imposing fair punishment. The basic concepts of international humanitarian law are analyzed in the context of the impossibility of applying them to these foreign nationals.

Thus, we observe that researchers from CIS states have made a significant contribution to addressing the problem of preventing and combating mercenary activity through thoroughly documented research and rigorous analyses. They have shed light on complex aspects of the phenomenon of mercenarism, including motivations for recruitment, forms of financing, and its impact on national and international security.

The issue of mercenary activity is widely discussed in the scientific communities of Western and European countries as well.

Christopher Kinsey, Professor of International Security Studies at the Defence Academy in Shrivenham (United Kingdom), in his monograph "The Mercenary – A State's Instrument of Coercion," studies and challenges the view that since the French Revolution and the rise of national armies, the mercenary has been regarded as a marginalized and defamed actor in international relations.

Clarissa Rodio, another British expert in the study of mercenary activities—specializing particularly in the analysis of mercenaries operating within private military companies, including the Wagner Group, and their activities in Ukraine and Africa.

Her scientific investigations indicate that at present, there is no clear definition of PMCs, nor whether they can be defined as mercenaries, combatants, or civilians under international humanitarian law, and accountability is evidently lacking.

The working group composed of professors such as Gabor Rona (USA), Elzbieta Karska (Poland), Patricia Arias (Chile), Anton Katz (South Africa), and Saeed Mokbil (Yemen), likewise made significant efforts to support and promote measures to eradicate mercenarism and mercenary-type activities.

In conclusion, researchers from Western and European countries have demonstrated remarkable commitment in investigating and combating the phenomenon of mercenarism through complex studies and rigorous analyses.

In conclusion to Chapter 1, we note that the prevention and combating of mercenary activity represents a topic of increasing importance in the contemporary geopolitical context, drawing the attention and contributions of researchers from various regions, including the Republic of Moldova, Western and European states, as well as the CIS. This issue not only affects the national security of the states involved but also has global repercussions, influencing international stability and security.

In **Chapter 2**, entitled **"The Concept of Mercenarism and its Legal Implications"** four subchapters are included, which contain the *definition and characteristics of mercenary activity, the legal regime of mercenaries under international and national legislation, and the relationship between mercenarism, terrorism, and other forms of transnational crime*. The chapter concludes with the corresponding findings.

The definition of the notion of mercenary activity is of increased interest both from a theoretical standpoint and a practical perspective.

Article 130 of the Criminal Code of the Republic of Moldova defines a mercenary as *"a person specially recruited, in the country or abroad, to fight in an armed conflict, who takes part in military operations with the aim of obtaining a personal advantage or remuneration promised by a party to the conflict or on its behalf, who is neither a citizen of a party to the conflict nor a resident on the territory controlled by a party to the conflict, who is not a member of the armed forces of a party to the conflict, and who has not been sent by a state other than a party to the conflict on an official mission as a member of the armed forces of that state."*

It is important to highlight that the negative legal qualification of mercenary activities by the international community, as well as the establishment of corresponding international liability, emerged in the mid-20th century.

The first legal source condemning manifestations of mercenarism was the *Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States*, adopted by the UN General Assembly on 24 October 1970, which established that *"every state has the duty to refrain from*

organizing or encouraging the organization of irregular forces or armed bands, including mercenaries, for incursion into the territory of another state."

Subsequently, in international legal doctrine, the understanding of the terms "mercenary" and "mercenarism" evolved toward formulating a more detailed formal-legal definition, expressly establishing the meaning of these terms.

The need to establish criminal liability for mercenarism was declared for the first time in UN General Assembly Resolution 31/34 of 30 November 1976. In this document, the General Assembly reiterates that *"the practice of using mercenaries against national liberation movements constitutes a criminal act, and mercenaries are, in fact, criminals."*

Additionally, the resolution put forward a series of recommendations to UN member states, according to which they were to adopt laws establishing the criminal nature of acts related to mercenary activity, specifically: recruitment; financing; training; permitting mercenary transit through their territory; and prohibiting their own citizens from becoming mercenaries.

Nevertheless, the document did not include a legal definition of the term "mercenary," and the resolution itself was not binding upon states for internal legislative transposition.

An important step toward defining mercenarism in international law as a crime against peace and security of humankind was taken in 1977 during the Diplomatic Conference for the Reaffirmation and Development of International Humanitarian Law.

Thus, Article 47 of Additional Protocol I to the Geneva Conventions of 12 August 1949, concerning the protection of victims of international armed conflicts – a document adopted during the aforementioned conference – defines a mercenary as a person who meets the following mandatory criteria:

a) is specially recruited, in the country or abroad, to fight in an armed conflict;

b) does, in fact, take a direct part in hostilities;

c) takes part in hostilities primarily for personal gain and is promised, by a party to the conflict or on its behalf, remuneration substantially exceeding that promised or paid to combatants of similar rank and function in the armed forces of that party;

d) is neither a national of a party to the conflict nor a resident of the territory controlled by a party to the conflict;

e) is not a member of the armed forces of a party to the conflict;

f) has not been sent by a state which is not a party to the conflict on an official mission as a member of the armed forces of that state.

Unlike Additional Protocol I to the Geneva Conventions of 12 August 1949 concerning the protection of victims of international armed conflicts, **the *International Convention against the Recruitment, Use, Financing and Training of Mercenaries***, adopted on 4 December 1989 through UN General Assembly Resolution 44/34, expanded the legal meaning of the term "mercenary." First, it considered not only recruitment abroad but also recruitment at the local level. Second, provided that all other criteria are met, a mercenary is recognized not only as a person participating in an interstate armed conflict but also in an internal armed conflict.

Thus, from a legal standpoint, the possibility emerged for law enforcement authorities to confront the phenomenon of mercenarism in armed conflicts of an internal nature.

Therefore, mercenary activity (mercenarism) as an independent offense was initially defined under international law. At the same time, the Convention essentially addresses the criminal aspect of two distinct acts committed by different subjects:

- the recruitment, financing, training, and use of mercenaries — for which persons who are not mercenaries bear liability;
- participation in an armed conflict — for which the mercenary himself bears liability.

Furthermore, the Resolution of the 44th Session of the UN General Assembly, during which the Convention was adopted, emphasized that liability for mercenary activity as an international crime must be established in the criminal legislation of states that have acceded to this international legal instrument.

The Legal Regime of Mercenaries in International and National Law

International legal norms require the incrimination of mercenary activity in the national legislation of all states that have ratified the International Convention against the Recruitment, Use, Financing and Training of Mercenaries.

To incriminate mercenary activity, the Moldovan legislator established in the Criminal Code of the Republic of Moldova that "mercenary activity" constitutes an act that endangers the social values protected by criminal law, thereby fulfilling the international obligation to criminalize such conduct domestically. Moreover, given the provisions of Article 1 of the Criminal Code, which expressly stipulates that *"the Criminal Code is the sole criminal law of the Republic of Moldova,"* it was absolutely necessary to introduce the act of "mercenary activity" into domestic criminal law in order to hold offenders criminally liable.

The 1989 International Convention against the Recruitment, Use, Financing and Training of Mercenaries incorporates the Geneva (1949) definition and expands its applicability: a mercenary is a person specially recruited domestically or internationally to take part in an organized act of violence intended to:

– overthrow a government or undermine the constitutional order of a state;
– undermine the territorial integrity of a state;
– participate in such an act primarily for substantial personal gain and who is induced to act through the promise or payment of material remuneration;
– is neither a national nor a resident of the state against which such an act is directed;
– is not sent by a state on official duty;
– is not a member of the armed forces of the state on whose territory the act takes place.

From the definitions mentioned above, one can identify the following traits of a mercenary—traits also listed in the International Convention against the Recruitment, Use, Financing and Training of Mercenaries. Thus, a mercenary is a person:

a) who is specially recruited in the country or abroad to fight in an armed conflict;

b) who, in fact, takes direct and active part in hostilities;

c) who participates in hostilities primarily to obtain personal advantage and is promised, by a party to the conflict or on its behalf, remuneration exceeding that promised or paid to combatants of analogous rank and function in the armed forces of that party;

d) who is neither a national of a party to the conflict nor a resident of the territory controlled by a party to the conflict;

e) who is not a member of the armed forces of a party to the conflict;

f) who has not been sent by a state other than a party to the conflict on an official mission as a member of the armed forces of that state.

In the sense of the Convention, ***direct participation in hostilities*** refers to direct involvement in military operations or any action intended to support one party to an armed conflict to the detriment of the other and which is likely to directly harm military operations, damage enemy capabilities, or inflict harm upon protected persons and objects.

National Legal Framework of the Republic of Moldova and the Criminal-Law Analysis of the Offense of Mercenary Activity

With regard to the national legal framework of the Republic of Moldova, we observe that it contains a considerable amount of academic information on this matter, thus providing investigators with substantial possibilities for achieving scientific and methodological objectives.

It should be noted that since 2002 (when the new Criminal Code entered into force), the offense under Article 141 (*Mercenary Activity*) was not among the most prosecuted offenses until 2014, as mercenarism, as a criminal phenomenon, was largely unfamiliar to Moldovan society.

The analysis of media sources and publicly available information from judicial institutions demonstrates that until the outbreak of the armed conflict in eastern Ukraine (Donbass region) in 2014, mercenarism was practically absent from the judicial practice of the Republic of Moldova.

Thus, it is clear that national specialized doctrine did not possess consistent scientific research on this subject. Nonetheless, we cannot ignore that the topic is examined comprehensively in the investigators' manual by A. Barbăneagră and V. Gamurari, as well as in the Commentary to the Criminal Code of the Republic of Moldova (2009), as part of a broader category of offenses - war crimes.

To elucidate the complex and socially harmful nature of the phenomenon under investigation, it is necessary to thoroughly examine it and identify its fundamental characteristic features.

In this regard, we may also mention the work of researchers Sergiu Brînza and Vitalie Stati - Treatise on Criminal Law. Special Part (2015) - where the theoretical basis is interconnected with the practical experience of criminal investigation officers of internal affairs bodies, prosecutors, and court personnel.

The relationship between mercenarism, terrorism, and other forms of transnational criminality

In continuation of our scientific approach, we seek to subject to analysis the norms of comparative criminal law concerning the offence in question, with the purpose of identifying the legal and conceptual similarities and differences between the notion of a mercenary and other doctrinal definitions provided by national and international criminal legislation.

In this regard, we have identified such notions as:

- foreign combatant,
- terrorist fighter,
- member of an illegal paramilitary organization,

as used in international practice and doctrine in the field of preventing and combating mercenary activity and the offences connected thereto.

With the aim of drawing a clear distinction between these notions, several approaches found in contemporary international legislation have been analysed, offering us varied interpretations and adopting different qualifications in this respect.

Thus, by examining offences similar to that of mercenarism, we observe that several common elements are found within the category of terrorist-type offences and, naturally, within those of a military nature.

In Chapter XIII of the Criminal Code of the Republic of Moldova, Article 282 provides criminal liability *for organizing or leading a paramilitary formation not provided for by the legislation of the Republic of Moldova, as well as for participation in such a formation*.

Here we identify certain parallels with the establishment of the so-called private military companies, which are non-state organizations and represent a specific form of mercenarism, possessing powers granted by the state for the fulfilment of various tasks related to the state's military activity, and whose operations are likewise prohibited under the legislation of several states.

The common features of mercenary activity and terrorist activity are not coincidentally highlighted by numerous researchers.

Terrorism and the offences connected to it constitute a multifaceted problem requiring multidimensional solutions. International experience shows that respect for and protection of human rights and the fundamental principle of the rule of law are not an obstacle, but a sine qua non condition for identifying effective responses and reactions to threats against national, regional, and international security.

The threats generated by the activity of the so-called *"foreign terrorist fighters" (FTF)* and the response measures necessary to counter these threats are no exception.

At the same time, the foreign terrorist fighter, as a subject of the counter-terrorism sphere, represents only one of the categories of individuals who carry out terrorist activity.

However, such persons cannot be equated legally with mercenaries, given that their motives for involvement and participation in combat are not identical.

Chapter 3, entitled "**Special Investigation Tactics and Methods Applied in Investigating Mercenary Activity**," includes the study of *the role of special investigations in identifying and documenting mercenary activities, the use of human sources and undercover investigators, and special surveillance and interception techniques applicable in combating mercenarism*.

Special investigation methods represent a set of tools that includes a system of investigative, organizational, preparatory, and other types of actions, as well as scientific and practical recommendations for their optimal application with the aim of ensuring the rapid and complete investigation of crimes.

Thus, the main elements of the structure of the methodology for investigating mercenarism are:

- the criminalistic characteristics of the type of offence;
- the circumstances that must be established in a criminal case;
- the particularities of initiating a criminal case;

- the typical investigative situations of the initial stage of the investigation;
- the initial stage of the investigation;
- investigative versions, determination of the objective in a criminal case;
- organization of the investigation;
- the particularities of individual investigative actions and tactical operations applicable to the investigation of mercenarism;
- the particularities of identifying a suspect;
- proving the guilt of the accused;
- conclusion of the investigation.

The study of the personality traits of the offender is an indispensable prerequisite for the effective prevention of criminal phenomena, among which the activity of mercenaries is included.

In general terms, a mercenary is characterized by the following traits:

- his behaviour is dictated not by belonging to a human community, but by the prospect of gain;
- he is not necessarily a citizen of either of the countries involved in the conflict;
- he does not take an oath of allegiance to a country, but signs a contract that has the value of an oath;
- he fights for money, not for the achievement of national and/or personal ideals and interests;
- the law of armed conflict does not recognize his status as a combatant; therefore, he cannot benefit from military legislation, being considered a civilian person.

Based on the considerations set out above, we can conclude that a **mercenary** is understood to be any person who, for the purpose of obtaining material benefits, undertakes to carry out premeditated and illegal violent actions or to provide assistance or expertise in such actions, which pursue interests of any nature, and who is in one of the following situations:

- is specially recruited for the purpose of fighting in an armed conflict or illegally performs a function of a military nature;
- is a citizen of the state / a stateless person who resides in the country / or a foreigner serving the state;
- is a stateless person who does not reside in the state or a foreigner who is not serving the state;
- is a citizen of the state and is part of armed forces or paramilitary formations that fight against the state;
- participates in combat actions for the purpose of obtaining a net gain significantly higher than that paid to combatants with similar ranks and functions in the armed forces of the state or of another state engaged in an armed conflict;
- is not a member of the armed forces of the state or of a party to the conflict;
- is not officially sent on a mission as a member of the armed forces of a state that is not participating in an armed conflict;
- is specially recruited to carry out violent actions or to provide assistance or expertise for undermining, in any manner, the constitutional order of the state or of another state;
- directly participates in violent actions or in providing assistance or expertise for undermining, in any manner, the constitutional order of the state that is in a state of war or in actions of a military nature.

Chapter 4. Perspectives for Improving Special Investigation Activities in the Field of Combating Mercenarism is composed of four subchapters: *Analysis of Practical Challenges and Limitations in Investigating Mercenarism; Optimising Legal and Procedural Instruments for Investigating the Phenomenon of Mercenary Activity; International Cooperation and the Exchange of Best Practices between States; Ethics and the Protection of Fundamental Human Rights in Investigating Mercenary Activity; and Conclusions to Chapter 4.*

It is well known that the practical challenges and limitations in investigating and countering criminality have long surpassed the mere concealment of methods of committing an offence and have, in fact, become a counteraction to the activity of law-enforcement bodies as a whole, thereby acquiring the character of an extremely negative and dangerous socio-legal phenomenon.

At present, practical challenge or limitation may be understood as a set of deliberate unlawful or other types of actions intended to obstruct the investigation or criminal prosecution in the process of

identifying and combating offences. These actions are carried out by offenders and/or by persons associated with them.

Challenges in the Investigation of Mercenary Activity

The investigation of mercenary activity presents a series of unique and complex challenges for law-enforcement agencies and intelligence services. These challenges require innovative and adapted approaches within the framework of special investigation activities.

The main challenges include:

- ✓ the transnational nature of the activity;
- ✓ hidden and false identities;
- ✓ fluid organizational structures;
- ✓ political interference;
- ✓ substantial financial resources;
- ✓ advanced communication and encryption technologies;
- ✓ infiltration into legitimate structures;
- ✓ threats against witnesses and investigators;
- ✓ lack of cooperation from certain states;
- ✓ rapid evolution of tactics and techniques;
- ✓ ethical and legal issues in the use of investigative techniques;
- ✓ complexity of digital evidence.

The main characteristics of mercenary activity include:

- ✓ lack of loyalty to the state or entity employing them;
- ✓ financial motivation as the determining factor of involvement;
- ✓ involvement in armed conflicts or destabilisation of public order;
- ✓ the use of clandestine structures for recruitment, financing, and coordination.

National legislation varies significantly with respect to the incrimination and sanctioning of mercenary activity. In some states, participation in mercenary activities is considered a serious offence, while in others the regulations are ambiguous or non-existent. This lack of legislative harmonisation creates difficulties in international cooperation in combating the phenomenon.

The main deficiencies include:

- ▪ lack of a uniform definition of mercenarism in national legislation;
- ▪ difficulties in proving financial intent as an essential element of the offence;
- ▪ insufficiency of transnational criminal prosecution instruments;
- ▪ limited legal protection for witnesses and informants involved in such cases.

To increase the effectiveness of investigations into mercenary activities, strengthening the legal framework is imperative.

Necessary measures include:

- ▪ **adoption of a unified international legal framework** clearly defining the offence of mercenarism and imposing proportionate sanctions;
- ▪ **improvement of extradition mechanisms and international legal cooperation** through bilateral and multilateral agreements specifically addressing the fight against mercenarism;
- ▪ **introduction of more severe sanctions**, including asset confiscation and prohibitions on participation in armed conflicts for convicted persons;
- ▪ **creation of international registers** of persons suspected or convicted of involvement in mercenary activities, accessible to judicial authorities in different states.

GENERAL CONCLUSIONS AND RECOMMENDATIONS

The detailed analysis of the phenomenon of mercenarism in the context of special investigation activities has highlighted the complexity and severity of the threats it poses to national and international security.

An important aspect is that the phenomenon of mercenarism is interdependent with other serious international crimes, such as terrorism and arms trafficking. The UN General Assembly has recognised this complexity and adopted measures, including the 1989 International Convention, which defines and regulates mercenary activity. Nevertheless, these regulations have not always been effective in preventing and combating the phenomenon in the current context of globalisation and the transnationalisation of terrorist groups.

The phenomenon of mercenarism is recognised as a specific offence in various national jurisdictions, but there are significant differences in defining and regulating this offence. In many states, criminal legislation covers the participation of mercenaries in armed conflicts and their recruitment, yet gaps remain regarding the incrimination of other related activities such as training and financing mercenaries. This situation is often caused by difficulties in proving the purposes and intentions of mercenaries, who frequently conceal themselves behind ideological or “noble" motives.

The investigation of mercenary activities poses a significant challenge due to the complexity and diversity of the phenomenon. Identifying and tracing mercenaries requires a set of specialised instruments and methods, given their unique characteristics and the diversity of their motivations and actions. Criminological studies suggest that the personality and motives of mercenaries are often complex and cannot be understood solely through demographic or psychological characteristics.

To effectively combat mercenarism, it is essential to develop advanced investigative methods, including behavioural analysis, psychological profiling, and the use of modern technologies.

The results corresponding to each research objective, reflecting the effective contribution of the thesis both at scientific and applicative level, are presented below.

Objective 1 – identifying and analysing current methods of investigating mercenary activity, assessing their effectiveness and limitations.

This objective was achieved through a comparative study of the normative framework and investigative practices at national and international level. The analysis highlighted current investigative methods, their operational advantages, and the main limitations arising from the transnational and clandestine nature of mercenarism.

Objective 2 – exploring the potential for adapting and improving existing special investigation techniques to better respond to the particularities of mercenary activity.

This objective was achieved by correlating special investigation techniques with the specific characteristics of the mercenary phenomenon, demonstrating that methods such as surveillance, communication interception, and the use of human sources can be made more efficient when calibrated specifically for this type of criminality.

Objective 3 – developing new tactical approaches specific to the investigation of mercenary activity, taking into account the transnational nature and clandestine character of these operations.

The objective was achieved by formulating and conceptually testing innovative tactical methods, including the use of risk matrices, the integration of triangulated routes in mobility analysis, and the application of finance-oriented flow investigations.

Objective 4 – assessing the legal and ethical implications of the proposed investigative methods, ensuring compliance with human rights and international norms.

The objective was achieved through an analysis of the national and international legal framework, with emphasis on the legal limits of special investigation activities and on jurisprudence concerning fundamental rights. The conclusion was that the use of the proposed tactics is possible only on the basis of a clear normative framework and strict control mechanisms.

Objective 5 – analysing the possibilities of improving international cooperation in the investigation of mercenary activity, proposing concrete mechanisms for collaboration between agencies.

This objective was achieved by identifying existing cooperation channels (INTERPOL, EUROPOL/SIENA, Egmont) and proposing a model protocol for information exchange and mutual legal assistance (MLA), adapted to the context of the Republic of Moldova.

Objective 6 – creating a conceptual framework for integrating new technologies (such as big data analysis) in the process of investigating mercenary activity.

The objective was achieved by developing a model for using large-scale data-processing technologies (PNR, APIS, financial transactions) and demonstrating their potential in identifying risk patterns.

Objective 7 – developing practical recommendations for implementing the identified tactical methods in the operational activity of specialised agencies (services).

This objective was achieved by formulating concrete recommendations for law-enforcement bodies, including tactical guides, scoring matrices, and standardised procedures for the evidence chain of custody.

Objective 8 – contributing to the development of specialised literature in the field of investigating mercenary activity, by providing an updated and innovative perspective on this subject.

The objective was achieved through the systematisation and completion of existing theoretical sources, the introduction of innovative concepts (predictive indicators, financial investigations applied to mercenarism), and the formulation of conclusions that may serve as a basis for future research.

Throughout the research, several essential aspects were identified, highlighting the need for integrated and coordinated measures for the effective combating of this phenomenon:

1. the complexity and danger of mercenary activity;
2. legal deficiencies and challenges;
3. criminological aspects and the profile of mercenaries;
4. the need for an integrated approach;
5. geopolitical challenges and future trends;
6. recommendations and courses of action for improving the investigation and combating of mercenarism.

In this regard, several **amendments and modifications** are proposed:

- **Reformulation of the provisions of Article 130 "Mercenary"**, to read as follows:

"Mercenary" means a person who simultaneously meets the following conditions:
a) has been specifically recruited, engaged, or contracted, domestically or abroad, to participate directly in hostilities, military actions, or acts of violence;
b) participates in such actions for the purpose of obtaining a material advantage (remuneration, reward, or other pecuniary benefit), or a promise thereof;
c) is neither a citizen of a party to the conflict nor a resident of territory controlled by such a party, ***or, if such person is a citizen/resident, does not act as a recognized and legitimate member of the armed forces of the respective party****;*
d) has not been officially sent by a State, on a legitimate mission, as a member of the armed forces of that State.

• **Reformulation of the title and text of Article 141. Mercenary Activity,** which shall read as follows:
Art. 141. Mercenary Activity

(1) The involvement of a person, referred to as a "mercenary", in armed conflicts, military actions, or other acts of violence carried out with the intent to undermine the constitutional order or territorial integrity of the State
shall be punishable by ...

(2) The recruitment, training, or persuasion of persons to participate in mercenary activities, the provision of funds, financial or material resources, equipment, transportation, information, or other material or logistical means for the purpose of carrying out mercenary activities
shall be punishable by ...

(3) ***The acts referred to in paragraphs (1) – (2), accompanied by****:*
a) organizing and coordinating military operations involving mercenaries, if the activity is carried out in an organized manner as part of a criminal network or group;

b) exploiting the vulnerability or minority status of a person;

c) providing support to a state, pseudo-state entities, organizations, or groups subject to international sanctions

shall be punishable by...

Legislative Proposals for the Improvement of the Regulatory Framework Governing Special Investigative Activity

We consider it appropriate to provide for the distinct regulation of certain investigative modalities which, by their nature, are of particular relevance to the identification and documentation of persons involved in mercenary activities, including:

a) Identification of a person, as a specialized modality for establishing the identity of the person under investigation through the corroboration of static and dynamic identifying features, images, data available in databases, and other relevant identification elements.

b) Interviewing, as a modality for directly obtaining information from persons possessing relevant data concerning facts, events, circumstances, or persons involved in mercenary activities.

c) Cross-border surveillance, as a procedural mechanism applicable in situations where the person or activity under investigation has a cross-border dimension, ensuring cooperation and coordination among the competent authorities of the States involved.

Recommendations for Improving the Tactical and Methodological Framework for Investigating Mercenary Activities

As a result of the research conducted, several tactical and methodological instruments have been developed and systematized with a view to increasing the effectiveness of the process of identifying, documenting, and investigating mercenary activities. These represent the author's original contributions and include the **Integrated Tactical Model for Investigating Mercenary Activities in Five Phases**, presented in **Annex No. 7**, the **Model Protocol for International Cooperation between Investigative Bodies**, presented in **Annex No. 6**, as well as the **risk assessment model for mercenary activities based on predictive indicators**, developed within **Subchapter 4.1**.

In the same context, the research provides a foundation for the **tactical algorithm for investigating mercenary activities according to the investigative situation**, which entails the successive correlation of activities aimed at identification, collection and verification of information, analysis of connections among persons under investigation, selective application of special investigative measures, documentation of results, and their procedural utilization.

The **Integrated Tactical Model for Investigation** is structured into five interdependent phases: **detection of the mercenary threat, mapping of the mercenary network, covert infiltration and documentation, operational neutralization, and procedural utilization of the evidentiary material**.

The **Model Protocol for International Cooperation**, proposed in **Annex No. 6**, is intended to institutionalize mechanisms for the operational exchange of information, interinstitutional cooperation, mutual legal assistance, and coordination of investigative activities in cases of a cross-border nature.

The **risk assessment model** is aimed at the early identification of indicators potentially suggesting the recruitment, movement, financing, or participation of a person in mercenary activities, through the correlation of information available from different sources and the prioritization of cases according to their level of risk.

The Author's Personal Contribution and Theoretical Significance

The author's personal contribution and the theoretical significance of the research consist in substantiating an integrated approach to the investigation of mercenary activities through the correlation of elements of criminal law, criminalistics, special investigative activity, and international cooperation. The research has enabled the systematization of the forensic characteristics of mercenary activities, the identification of the principal tactical directions of investigation, and the development of methodological instruments adapted to the specific nature of the phenomenon.

The theoretical significance of the research lies in the development of the conceptual framework for investigating mercenary activities, in distinguishing such activities from related phenomena, and in substantiating the principles that should govern the selection and application of investigative tactical

methods. The theoretical contribution is also reflected in the formulation of **de lege ferenda proposals** concerning the improvement of the applicable legal-criminal and regulatory framework.

Practical Value

The practical value of the research lies in the possibility of using the findings by competent authorities in the process of identifying, preventing, and documenting mercenary activities. To this end, the **Integrated Tactical Model for Investigating Mercenary Activities in Five Phases – Annex No. 7**, the **Model Protocol for International Cooperation – Annex No. 6**, and the **risk assessment model based on predictive indicators**, presented in **Chapter 4.1**, have been developed.

These results may be used in the preparation of investigative plans, the preparation and coordination of investigative activities, information analysis, the identification of connections among participants in mercenary activities, and the organization of interinstitutional and international cooperation.

Approval and Utilization of the Research Results

The research results have been disseminated through the author's scientific publications, participation in scientific events, and the practical utilization of certain conclusions and recommendations in professional and methodological activities. Overall, the research results are reflected in the **21 scientific publications** indicated in the structure of the dissertation, as well as in scientific materials relevant to the subject under investigation.

The present research has **certain limitations**, primarily determined by the clandestine and transnational nature of mercenary activities and by limited access to operational information and complete procedural materials concerning specific cases. A significant portion of the information relevant to the investigation of the phenomenon is subject to special access regimes, which limits the possibility of conducting an exhaustive empirical analysis.

Another limitation is associated with the dynamics of the mercenary phenomenon, which is undergoing continuous transformation under the influence of geopolitical, technological, financial, and communications developments. Consequently, the proposed tactical models and risk indicators require periodic updating and continuous practical validation.

At the same time, certain aspects concerning the use of advanced technologies for identifying and anticipating mercenary activities remain insufficiently researched, including the automated correlation of specific categories of data and the empirical assessment of the effectiveness of predictive indicators.

Prospective Directions for Further Scientific Research

Prospective scientific research may focus on the development and empirical validation of the proposed tactical models, including through the examination of a larger number of concrete cases and investigative situations.

An important direction involves the *refinement of predictive risk assessment models* through the integration of additional data sources and the testing of the reliability of the identified indicators.

Another prospective direction concerns the *further development of international cooperation mechanisms* in the investigation of mercenary activities, including with regard to the operational exchange of information, mutual legal assistance, financial investigations, and the documentation of cross-border evidence.

Furthermore, the *development of research into the relationship between mercenarism, private military and security companies, foreign fighters, terrorism, and other forms of transnational crime* is of particular scientific interest, with a view to establishing more precise legal and forensic criteria for their differentiation.

The research results are relevant not only to the legal and institutional spheres but also to the **socio-cultural and economic spheres**. From a socio-cultural perspective, the implementation of preventive measures and the development of a security culture may contribute to reducing individuals' vulnerability to recruitment and propaganda mechanisms used in mercenary activities. Public awareness and the development of preventive mechanisms within the educational environment may contribute to reducing the risk of recruitment.

From an economic perspective, the research results may be utilized to strengthen mechanisms for identifying and preventing financial flows associated with mercenary activities, as well as to develop

cooperation between competent authorities and the financial sector for the detection of suspicious transactions and other forms of financing of illicit activities.

Accordingly, the utility of the research is manifested in its contribution to strengthening societal security, reducing institutional vulnerabilities, and preventing the social and economic consequences generated by mercenary activities.

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Articles in national and international scientific journals

1. Activitatea mercenarilor ca generator de riscuri pentru securitatea națională a Republicii Moldova [CZU: 343.33:351.86(478), Ştiinţe juridice//Legal Sciences, nr.12/2020, ISSN 1857-0976, publicat în „Analele științifice ale Academiei „Ștefan cel Mare" a MAI al Republicii Moldova, nr.12, 2020].

2. Reglementarea activității mercenarilor din perspectiva aspectelor de drept internațional [CZU: 341.32, ISSN 1810-309X, publicat în revista „Legea și viața", ianuarie-februarie 2021, Republica Moldova].

3. Наёмничество как фактор риска в области защиты национальной безопасности Республики Молдова [CZU: 343.33(478), ISSN 2709-054X, publicat în „Вестник Молгилевского Института МВД" Belarus].

4. Private military companies as a generator of the mercenary development (Companiile militare private ca factor generator al evoluării activității de mercenariat) [CZU: 341.32.343.33, Ştiinţe juridice//Legal Sciences, nr.13/2021, ISSN 1857-0976, publicat în „Anale științifice ale Academiei „Ștefan cel Mare" a MAI al Republicii Moldova", nr.13, 2021].

5. Divergențele în calificarea noțiunilor de mercenar, combatant străin și terorist [CZU: 343.3:341.4, ISSN 1810-309X, publicat în revista „Legea și viața", martie-aprilie 2021, Republica Moldova].

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11. Amenințări hibride și metodele de rezistență împotriva acestora [CZU: 327.5, ISSN: 2587-4365, publicat în revista „Legea și viața", septembrie-octombrie 2022, Republica Moldova].

12. Metode contemporane de atragere a persoanelor în activități teroriste [CZU: 343.91/.97:343.326, ISSN: 1857-0976, publicat în revista „Anale științifice ale Academiei „Ștefan cel Mare" a MAI al Republicii Moldova", nr. 16, 2023].

13. Surse de finanțare a organizațiilor teroriste internaționale [CZU: 343.91/.97:343.32, ISSN: 1857-0976, publicat în revista „Anale științifice ale Academiei „Ștefan cel Mare" a MAI al Republicii Moldova", nr. 17, 2023].

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1. Recrutarea ca parte componentă a activității mercenarilor [Comunicat pentru Conferința științifică Academia MAI din 24.03.2021][ISSN: 1810-309X, publicat în revista „Legea și viața", ediție specială nr.2, aprilie 2021, Republica Moldova].

2. Особенности расследования преступлений экстремистской и террористической направленности [Comunicat pentru Conferința științifico-practică internațională «Соответствующие вопросы уголовного процесса и криминалистики» din 29.10.2021][УДК [343.1+343.98](06), publicat în revista „Тези доповідей Міжнародної науково-практичної конференції" (м. Харків, 29 жовтня 2021 р.), Харківський національний університет внутрішніх справ, просп. Льва Ландау, 27, м. Харків, 61080].

3. Fenomenul „returnees". Returnarea și relocarea combatanților teroriști străini (FTF): un risc transferabil [Comunicat pentru Conferința științifică Academia MAI din 27.01.2022][ISSN: 1810-309X, publicat în revista „Legea și viața", ediție specială nr.2, aprilie 2022, Republica Moldova].

4. Unele aspecte ale statutului juridic al mercenarului și problemele reglementării juridice a fenomenului de mercenariat [Comunicat pentru Conferința științifică „Probleme actuale privind respectarea drepturilor omului în procesul penal și activitatea specială de investigații". Academia MAI din 10.11.2022][ISBN: 978-9975-3323-9-2, CZU nr. 341.48, publicat în Materialele Conferinței științifice naționale din 10 noiembrie 2022, ediție specială, Chișinău, 2023. Departamentul editorial poligrafic. Academia „Ștefan cel Mare" a MAI. Chișinău, str. Gh. Asachi, nr. 21. MD-2009, Republica Moldova].

5. Activitatea companiilor militare private în contextul crizei militare regionale [Comunicat pentru Conferința științifică internațională „Prevenirea şi combaterea criminalității: probleme, soluții şi perspective. ediția a V-a". Academia MAI din 18.05.2023][CZU: 341.3, ISSN: 1810-309X, publicat în revista „Legea și viața", ediție specială nr.5, iulie 2023, Republica Moldova].

ANNOTATION

BEDA Vasili. "Tactical ways of investigating mercenaries' activities through the prism of special investigation activities". PhD Thesis. Specialty 554.04 - Criminalistics, forensic expertise, operative investigations. Chisinau, 2025

Thesis structure: the thesis consists of an introduction, four chapters structured in 15 paragraphs, conclusions to each chapter, general conclusions and recommendations, bibliography of 231 titles, 7 appendices, 182 pages of basic text, the results are published in 21 scientific papers. The structure of the compartments of the thesis reflects its component elements and is configured in accordance with the goals and objectives of the research.

Keywords: mercenary activity, private military companies, terrorism, foreign terrorist fighters, hybrid threats, hostile activities, theater of military actions, security culture, national and international security, national resilience, armed conflict, extremist-terrorist risk, legal regulation, international law.

Goals of the thesis: This research aims to analyze in depth and develop effective tactical ways to investigate mercenary activity in the complex context of special investigative work. This line of research is motivated by the need to strengthen the operational capabilities of law enforcement and intelligence agencies in this area.

The specific objectives of the research are to identify and analyze current methods of investigating mercenary activity, assessing their effectiveness and limitations; to explore the potential for adapting and improving existing techniques of special investigative activity to better respond to the particularities of mercenary activity; to contribute to the development of the literature in the field of mercenary activity investigation, providing an updated and innovative perspective on this subject.

The novelty and scientific originality of the work is manifested in the following key aspects: the development of an integrated model for the investigation of mercenary activity, the elaboration of an updated taxonomy of mercenary activities, the formulation of a protocol for international cooperation, the development of a set of predictive risk indicators.

Theoretical significance: The study is an analysis carried out at both legal and operational levels in the field of national security science and operational investigations, focusing in particular on the identification of optimal solutions for investigating mercenary crimes.

Applicative value: The thesis develops a specialized and original approach to countering the disinformation tactics used by mercenaries to disguise their activities. This strategy integrates fact-checking and social media analysis techniques with traditional investigations. Through these contributions, the research adds significant scientific value to the field of investigating mercenary activity. The scientific novelty is reflected both in theoretical and conceptual aspects as well as in practical and applicable propositions. This research has the potential to provide the basis for further developments in academic research and operational practice in this complex and dynamic field.

Implementation of scientific results: The research results were capitalized on by integrating the conclusions and recommendations into the practical work of law enforcement agencies and structures with competences in the field of national security. Proposals for optimizing tactical investigation methods were presented during professional training sessions for operational staff and used in the development of internal methodologies for documenting mercenary activities and related phenomena. At the same time, some scientific solutions were included in consultative efforts to improve the regulatory framework for special investigative activities, as well as in programs for inter-institutional cooperation and the exchange of operational data. The practical application of these results strengthens the capacity of the competent institutions to effectively identify, prevent, and counteract the activities of mercenaries in the national and international context.

BEDA Vasili

TACTICAL METHODS OF INVESTIGATING THE ACTIVITY OF MERCENARIES THROUGH THE PRISM OF SPECIAL INVESTIGATION ACTIVITY

SPECIALTY 554.04 - FORENSIC SCIENCE, JUDICIAL EXPERTISE, INVESTIGATION ACTIVITIES

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