

Estonia, 2007



Case description:

Unveiled by the Soviet authorities in 1947, this statue of a bronze soldier was initially called "Monument to the Liberators of Tallinn". For Russian speakers in Estonia, it represents the USSR's victory over Nazism, but for ethnic Estonians, Red Army soldiers were occupiers, and the statue was a painful symbol of half a century of Soviet oppression.

In 2007, the Estonian government decided to move the Bronze Soldier from the center of Tallinn (its capital) to a military cemetery on the city's outskirts. The decision sparked outrage in Russian-language media, and Russian speakers took to the streets. Protests turned into riots and looting, exacerbated by false Russian news reports claiming that the statue, and nearby Soviet war graves, were being destroyed.



The next day (April 27, 2007), Estonians awoke to discover that their country, among the most wired in Europe, was suffering from a massive computer network outage. Colossal waves of spam were sent by botnets, and vast amounts of automated online requests swamped servers. The results were not late to come: Cash machines and online banking services were sporadically out of action, government employees, including the minister of defense, were unable to communicate with each other on email, and newspapers suddenly found they couldn't deliver the news (journalists were unable to upload articles to be printed on time). Online access to domestic and foreign media outlets was blocked.

Machines used in the attack were traced to Russian Internet addresses and claims that the attack was of Russian origin (and was coordinated by the Russian government) appeared in online chat rooms and message boards. The sophistication of the attack suggested that a state might have played a role, as did the common knowledge among Internet experts that law enforcement within Russia was notoriously lenient at prosecuting online criminals capable of facilitating such an attack.

The intentional disruption of Estonia's networks was unprecedented in its coordination and effectiveness.

Please discuss the following questions:

1. Do the events described constitute a prohibited use of force/armed attack by Russia?
(think of at least one **supportive** argument and one **counter argument**)
2. How should the Estonian government respond to the events (short + long term)?
3. Estonia is a NATO member state. Should the events trigger the collective defense arrangement under Article 5¹? If so, what measures should be taken?

¹ “The Parties agree that an armed attack against one or more of them in Europe or North America shall be considered an attack against them all and consequently they agree that, if such an armed attack occurs, each of them, in exercise of the right of individual or collective self-defence ... will assist the Party or Parties so attacked by taking forthwith, individually and in concert with the other Parties, such action as it deems necessary, including the use of armed force, to restore and maintain the security of the North Atlantic area”.