

GAMES, EXERCISES AND SIMULATIONS

NATIONAL SECURITY AND CONTEMPORARY CHALLENGES – A LEGAL CRISIS EXERCISE

Andrei-Alexandru STOICA*

Purpose. The purpose of the simulated exercise is to provide a starting point for the various aspects of legal issues regarding a crisis. The exercise focuses on problem and information analysis, legal conformance, decision-makers' actions, and tertiary parties that can be involved in the process.

Format, role and assignment. The exercise requires at least seven participants who will each act according to their role assigned by the coordinator, respectively they will present their statements and facts regarding the situation at hand. The focus of the exercise is for the participants to identify and understand the legislation that applies to the case, and the identification of conflicts of interest between national security and human rights while developing the participant's capacities for researching and writing documents, debating.

The roles that can be attributed to the participants are the following:

1. Prosecutor, with the role of examining the cases of breaches of security and whether or not the issue can represent a criminal offence;
2. Judge, with the role of analysing the requests for surveillance measures or other interventions;
3. Ministry of Justice representative, whose role is to offer legal counselling regarding measures that can be taken towards protecting national security;

* PhD, "Mihai Viteazul" National Intelligence Academy, email: stoica.andrei@animv.eu. The material reflects the authors' opinions and beliefs and does not represent the opinions, policies or the views of the Romanian Intelligence Service or the National Intelligence Academy "Mihai Viteazul".

4. Representative of the national intelligence agency, who has the role of presenting information that can be used and can request specific measures to be proposed against threats;
5. Legal representative (lawyer) of persons accused or affected by measures that could be taken by state authorities;
6. A journalist who will share insight on the transparency of measures discussed and how the public will be informed;
7. An NGO (with human rights focus) representative who will propose alternative measures or contest said measures if they limit liberties.

The roles must be handled in such a way that each participant will share their opinion on the issue at hand. All the participants will receive the same information; however, useful data will be scarce during the first round of discussions.

The exercise will require at least one hour of discussions between participants, the format having 20 minutes of debates between the seven people who will play their assigned roles. As participants, there is a responsibility to maintain a national perspective when developing the answers, since there are specific functions.

Each role has access to any piece of open-source information; however, the exercise requires that each participant will identify and present the legal documents that allow them to propose and enforce a certain measure.

The exercise has the following objectives:

- understanding legislation regarding national security and fundamental rights;
- identifying potential conflicts of interest between national security and upholding citizen rights;
- developing abilities in understanding legal documents and developing debate skills.

Background. In the exercise, a fictional state called Mofatan is confronted by a complex situation because of geopolitical implications in Eastern Europe. In this context, public authorities have discovered several risks to national security, such as:

- data and information leaks from the Ministry of National Defence;

- massive social unrest that can lead to political violence and damage to public and private property;
- cyber activities that can undermine critical infrastructure;
- groups that promote hate speech, with the aim of destabilizing public order.

The shadow groups at work are unknown to the participants of the exercise, but early information outlines that they are funded by both internal and external non-state actors. Furthermore, they conduct their operations mostly on the internet through social media apps, use artificial intelligence to generate messages and utilize different bot software to promote their agenda.

The main hacktivist group is known as the *Mofatan Free Citizens*, a group that is speculated as being comprised of both national and foreign citizens, whose main objective is to create chaos. They act mostly on the orders of the highest bidders, as digital mercenaries, but some members have a political agenda of their own. The hackers could not be identified as data found showcased they have multiple bases of operations, with some in remote areas of Mofatan, in the mountainous region, while others in unfriendly states to Mofatan.

One such situation **arose** after the Ministry of National Defence urgently convened the Supreme Council for the Defence of the Country following the appearance of several classified documents on an international whistle-blowing platform. Among them were military strategies and sensitive contracts. It is believed that an employee with top-level **clearance** became a tipster and leaked the data online.

An internal investigation was conducted, and the press speculate about a possible espionage or a sabotage act. As public opinion demands transparency, the country's strategic allies express concern over the leaks. Officials must now manage an emerging diplomatic crisis.

After days of investigation, the cybersecurity team discovers that the documents were accessed from an unsecured personal device. Suspicion falls on an advisor with connections to foreign business circles. Under pressure from the media and the international community, the Prime Minister promises drastic measures to protect sensitive information. The ministry considers new regulations on how people can be allowed access to state secrets, even adopting legislation that is also

secret in this regard. The case takes a dramatic turn when an investigative journalist claims that the leaks were facilitated by a high-ranking government official to influence strategic negotiations.

The NGOs consider this scandalous as it is not considered transparent and the information is part of the public domain. They have voiced that they will take all legal actions, including going to court.

Amid the scandal, opposition political parties demand a swift response from the Ministry of National Defence, even the resignation of the minister, however, a former employee is detained in order to reduce the chances of a governmental crisis.

Other issues in the state of Mofatan can be found after the government announces austerity measures. Thousands gather in the capital's centre, demanding the government's resignation.

Law enforcement is deployed in key areas, and authorities try to maintain order. However, within the crowd, a group of masked individuals begins attacking police officers with blunt objects, pebbles and smoke pellets. Live broadcasts show scenes of chaos: shattered shop windows, cars set on fire, and police responding with tear gas. The government accuses opposition forces of orchestrating a destabilization attempt.

Protest leaders try to distance the peaceful demonstration from acts of vandalism, but the situation spirals out of control. Some opposition politicians claim the government has planted provocateurs to discredit the movement. A presidential statement calls for the restoration of public order, but the crowd refuses to disperse. In some cities, protests spread, paralyzing transportation and economic activity.

Behind closed doors, government advisors weigh their options: continue repression or negotiate with protest representatives. A wrong decision could escalate the conflict further. As protests continue, a split emerges among demonstrators – some advocate for political solutions, while others demand radical action. Extremist groups exploit the chaos to push their agenda.

As tensions diminish, technicians at a national energy control centre notice unusual activity in the system. Automated commands begin displaying inexplicable errors, showcasing extreme levels of power usage, followed by long periods of grid shutdowns.

Cybersecurity specialists detect an attack on the power distribution stations. If not stopped quickly, it could lead to a nationwide shutdown. The government activates its crisis cell and contacts international partners for assistance. Authorities suspect the involvement of a foreign state or a hacker group backed by external interests.

The cyber-attack coincides with a major political debate on the future of the energy industry. Some experts suggest it may be an attempt at intimidation. Online, an anonymous group claims responsibility, demanding the withdrawal of certain government regulations in the energy sector. As the debate and crisis develops, experts outline that a power outage would mean chaos: hospitals without electricity, disrupted communications, and massive economic losses. As the attack is being repelled and neutralized, some governmental voices consider this was just a test for a larger attack.

As power is restored to Mofatan, a series of violent incidents across the country raises alarm as extremist groups begin to proliferate, using social media and underground networks to spread hateful ideologies. These groups, often organized in secret online forums, call for violent action against marginalized communities.

In response, the government issues warnings about these groups and the threat they pose. Furthermore, law enforcement agencies conduct surveillance operations and public demonstrations.

However, one of the most prominent groups organizes a rally in a major city, attracting hundreds of followers. Despite calls from local authorities to cancel the event, the rally proceeds, and tensions rise as counter-protesters gather. Violence erupts during the demonstration, leading to injuries and several arrests, including the leader. National media outlets broadcast the chaos live, heightening fears of an impending civil conflict.

Meanwhile, extremist groups begin coordinating online attacks against key public figures, sending threatening messages and encouraging further violence. Public figures from various political backgrounds are forced to increase their security.

Behind the scenes, intelligence agencies work tirelessly to dismantle the networks behind the hate groups, but the challenge is monumental. The ease of radicalization online makes it harder to trace

and prevent future attacks and, as such, the national intelligence agency of Mofatan requests that it conduct mass surveillance of the population, especially journalists, lawyers, crypto coin investors and their families.

As rampant hate speech messages are promoted online, voices in the government call for actions regarding limiting free speech and regulating social media platforms, while also introducing stricter means of online connectivity options. This sparks new tensions as citizens consider that such measures could limit constitutional rights or abolish already existing rights altogether.

The national intelligence agency conducts wiretaps and surveillance measures on law enforcement and military branches and plans to expand their actions on all the citizens who have a computer science background. These operations spark new divides in the general populace who demand that their leaders adopt only legal actions.

The government considers that the right to public assembly should be limited so as not to allow hate speech to be easily promoted near large masses and to reduce the chances of violence. Citizens outline that such a measure is unconstitutional and demand public consultations.

As tensions rise, the parties within the exercise must meet and discuss the best plan to defend against future unrest, while also trying to maintain the entire operation in pre-existing legal framework.

Examples of the messages used by the groups:

The messages are usually displayed in the form of short video content on social media platforms, accompanied by the national anthem in the background. Some messages are read by a person who wears a mask and wolf ears, with the voice being hidden with a voice changer software.

As a disclaimer, the following messages were generated with ChatGPT version GPT-4.0 (created by Open AI), prompting the software to create them with the intent of using such information in a simulation for academia purposes. The materials were generated with the sole intent of exposing messages generally found on social platforms or social messaging applications. The prompts used on ChatGPT were used as to showcase how easy it is to create and distribute information aimed at weakening or discrediting democratic institutions. The data outlines

how artificial intelligence software learns from pre-existing messages found in the public domain and how it can help unlawfully intended groups promote hate speech and anti-governmental movements with just a few prompts using an open-source text generator.

a. IT'S TIME TO TAKE BACK OUR COUNTRY!

*For too long, the corrupt elites and career politicians have ignored the real people – working families, small business owners, farmers, and the backbone of our nation. While they enrich themselves, **you struggle to make ends meet**. They've sold us out to special interests, corporations, and foreign powers.*

*But no more. **A new era is coming!***

◆ **PUT THE PEOPLE FIRST** – *No more handouts for the rich and powerful while everyday citizens suffer. It's time for **fair wages, lower taxes, and a booming economy that benefits YOU!***

◆ **MAKE FOOD AFFORDABLE AGAIN** – *The cost of groceries is skyrocketing while big corporations and politicians do nothing. We will **break up monopolies, end price gouging, and support local farmers** to put real food back on your table –at prices you can afford!*

◆ **END THE CORRUPTION** – *We will clean house in Mofatan, expose the lies, and **hold the corrupt accountable!** No more sweetheart deals, no more backroom politics – just real leadership for the people.*

◆ **FIRE INEFFICIENT JUDGES** – *Our justice system is broken. Activist judges **let criminals walk free** while hardworking citizens suffer. It's time to **replace weak, incompetent judges with real enforcers of the law** who will put criminals behind bars and protect our communities!*

◆ **SECURE OUR NATION** – *Protect our borders, our industries, and our way of life from those who seek to weaken us.*

◆ **FIGHT FOR OUR FREEDOMS** – *They want to control what you say, think, and do. We will stand up for your rights, your values, and your voice!*

*The establishment fears this movement because it's powered by **YOU, the people** – not billionaires, not lobbyists, not the political class. They can't stop us when we stand together! **us This is our moment. This is our fight. Let's take back our country! us***

b. Rise Up Against Injustice – Defend Our Future!

The government has failed us once again – cutting essential budgets while ignoring the needs of the people. We refuse to stand by as vital services are stripped away, leaving our communities to suffer.

*They want us to stay silent. We say **NO**. It's time to **defy their orders** and take to the streets. Social justice cannot wait. We will not allow them to put profits over people, corruption over accountability, and power over our rights.*

Mobilize. Resist. Demand justice. *Together, we will make them listen!*

c. Emergency Declaration: The People Must Act!

For too long, the so-called “democratic” system has failed us – governments prioritize their own interests over the people they claim to serve. Corruption runs deep, and justice is nothing more than a tool for the powerful. The time for waiting is over.

*We call on all citizens to **mobilize and take back control** of the institutions that have been weaponized against us. The old system has crumbled under its own weight – **it's time to forge a new way forward.***

*Justice under this government is a farce. **We reject their laws, their courts, and their rule.** The people must decide their own fate, free from the influence of corrupt elites.*

Disrupt. Resist. Rebuild. *The future is in our hands.*

d. *The logo of the main hacker group, the Mofatan Free Citizens¹*



¹ Image generated with Deep AI software, for more check its creators, Deep AI Inc.

- e. Image of an Mofatan Free Citizen who appears in the videos²:



The requirements. Participants are required to complete a series of tasks, but not limited to:

- a. Drafting a legal response for authorizations of interceptions and other national security measures, while also understanding how these actions can be legally challenged by affected parties. Furthermore, participants must draft a legal report for analysing the conflict between national security legislation and fundamental rights.
- b. Debating, based on their roles, on how the consequences of their actions could affect Mofatan, while also trying to maintain national integrity.
- c. Proposing legislative amendments to improve existing framework.

The scenario can be extended to other on the moment crisis scenarios to help the group of participants or to hinder them, based on their momentum. The exercise aims to force participants into adopting measures in a stressful environment, while realizing that their actions have consequences that can impact society on a short or long-time frame.

Evaluation. The exercise allows an evaluation of the quality of arguments promoted by each participant, based on the assigned role, while also allowing observers and the scenario conductor to understand if the participants comprehend the legal framework that governs the

² Image generated with Deep AI software, for more check its creators, Deep AI Inc.

assigned roles. Participants must engage in collaboration and negotiate a resolution. Participants must showcase that they understand the legislation that regulates criminal actions, data protection, fundamental rights and national security measures.

References³:

1. David Salvo, Jamie Fly, Laura Rosenberger, *The ASD Policy blueprint for countering authoritarian interference in democracies*, The German Marshall Fund of the United States, 2018, report;
2. Office of the Director of National Intelligence, *Background to 'Assessing Russian activities and intentions in recent US elections': the analytic process and cyber incident attribution*, Office of the Director of National Intelligence, report, 2017;
3. Nad'a Kovalčíková, Giuseppe Spatafora, *The future of democracy: lessons from the US fight against foreign electoral interference in 2024*, Brief, European Union Institute for Security Studies, 17.12.2024;
4. Christopher A. Mouton, *ChatGPT is creating new risks for national security*, RAND, commentary, 20.07.2023;
5. Nicholas De Rosa, *How the new version of ChatGPT generates hate and disinformation on command*, CBC, 31.05.2024;
6. Lingyao Li, Lizhou Fan and others, *"HOT" ChatGPT: The Promise of ChatGPT in Detecting and Discriminating Hateful, Offensive, and Toxic Comments on Social Media*, ACM Transactions on the Web, Vol. 18, No. 2, 12.03.2024, pp. 1-36.

³ The exercise has been influenced by general events that have happened in democratic states. The exercise requires participants to understand, at a minimum, law enforcement legislation, cybersecurity provisions and human rights. In this regard, the author proposes the mentioned reading materials.