

More of the Same? Russian Intelligence during the Post-Soviet Era

Written by Frederick Strachan

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FREDERICK STRACHAN, DEC 10 2011

'You cannot make a white dog by washing a black one'

Russian Proverb

Despite the euphoria that accompanied the toppling of Felix Dzerzhinsky's statue in Lubyanka Square in August 1991, the power of the KGB, now the FSB and the SVR, has not declined. Amy Knight has remarked that the celebrations that day, and the symbolic desecration of the stature itself amounted to nothing but an 'empty gesture'[1]. True reform of Russia's security services, despite some early intent, has not happened. Some dissidents including the late Alexander Litvinenko, Ion Mihai Pacepa and Yulia Latynina, as well as many western historians, go so far as to argue that the FSB and the SVR are more powerful now than the KGB ever was in the Soviet era. This is because the attempts at reform of the former KGB have resulted in a broader role for the organisation, rather than a narrowing of functions that should have been the intention of reform. Furthermore, former KGB and FSB men, people Yevgenia Albats chastises as 'Checkists'[2], now hold offices at every level and in every department of government, from the municipal and regional organisation, right up to the President of the nation- after all, Vladimir Putin is a former KGB officer and a former Director of the FSB. Ion Mihai Pacepa has argued that in the USSR, 'the KGB was a state within a state. Now former KGB officers are running the state'[3]. The result is that the 'Checkists' and the FSB is now more powerful than anything before, and they are not operating under the control of the Communist Party (as the KGB did) nor any other governing body. Instead, they are the ruling elite, they are the ruling body and as such, they have the power to do as they please.

There are, therefore, many continuities between the Soviet and post Soviet intelligence services. Indeed, the modern secret services are perhaps more powerful than their Soviet predecessors. However, this does not mean that the post-Soviet agencies simply developed and advanced the Soviet KGB model, or operate in the same way. Whilst there are many striking and often painful similarities, the modern agencies and its predecessors are in some respects very different. This is true especially on an organisational level; the structure of the FSB and SVR and the other Russian intelligence agencies is different to that of the old KGB, although there are some critics who argue that over time the modern agencies are becoming increasingly similar to those of the former Soviet state. In 1991 the post Soviet Russian intelligence services were broken into different organisations to distinguish them from the powerful and all encompassing KGB. The KGB was dismantled and formally ceased to exist from November 1991; in its place was created the FSK (later the FSB) as well as the SVR (foreign intelligence), FAPSI (Signals Intelligence) and the Border Guard Service of Russia. The Russian intelligence services in by 1992/ 1993 therefore almost directly mirrored those in the West.

Furthermore, the advent of democracy, or at least the veneer of democracy, means that the modern FSB cannot, like the NKVD and the KGB were known to do, arrest potential opposition and hold them indefinitely without trial. The disappearance of people in the night has become a thing of the past. In modern Russia dissent is not officially a crime, and whilst the FSB has perhaps been ruthless in dealing with individuals who displease the leadership, they have not done so in the same manner as the NKVD and the KGB was known to do. In modern Russia there are no gulags or slave labour camps, nor are there people locked permanently in the dreaded cells of the Lubyanka. Though

More of the Same? Russian Intelligence during the Post-Soviet Era

Written by Frederick Strachan

there are those critics who argue that democracy in Russia is a fallacy, and that in reality the present regime has too many striking similarities to its Soviet predecessors. However, we must still remember that the modern FSB cannot act in the same way as the NKVD and the KGB used to do. This is because even if democracy is only a veneer, it remains important, and it is imperative from a Russian perspective, that Russia is seen by the world to be a dynamic and perhaps even a progressive country that has abandoned its totalitarian past. It is in its interests to do so. The FSB cannot therefore afford to ruin Russia's reputation as well as trade and the investment in it by foreigners, by liquidating anyone whom it suspects of subversion.

However, whilst KGB was initially broken up into various different agencies in 1991, the Presidency of Vladimir Putin since 1999 has seen a growth in power of the FSB as it has merged once again with the other agencies that were split from it. Before that however, under Yeltsin, 'in its new function as the FSK, the KGB had lost virtually nothing of its former functions'[4]. The FSK/ FSB began to ignore Yeltsin, for example by not moving KGB files to new, more accessible archives as Yeltsin had asked. Indeed, this then went further when in January 1992 Yeltsin was persuaded to sign a decree returning the role of preserver of state secrets back to the security services, with secrets defined according to old regulations. This enabled the FSK/ FSB to regain control of the facts that were to be made available to the public and to government. In a climate of concealment, the KGB could dole out information as it pleased, distorting its meaning when necessary and being able to punish those attempting to resist their manipulation of public opinion. The FSB had now become the de jure keeper of state secrets, whereas previously they were only the de facto holders. It had become clear that society had not 'matured'[5] to the point where the political police could become eliminated.

The powers of the security services continued to increase under Putin. Significantly, a decree in March 2003 brought the Border Guard Service and all its powers back to the FSB whilst FAPSI, the agency of government communications, was abolished, with a major part of its functions given to the FSB. Furthermore, legislation under Putin has granted the FSB a gradual increase in its own power and limits. In 1998 for example, the SORM law allowed the FSB to monitor any telephone and internet which it pleased, without being required to provide telecommunications and Internet companies documentation on targets of interest prior to accessing information. In February 2000 this went further, when Putin signed Edict 316 giving the FSB more powers to better control foreign journalists and investigate the finances of companies and NGOs. This went a step further still in September 2000 with the introduction of the Information Security Doctrine, allowing the government to intervene in the media. It must be remembered that in Russia the concept of information security is much wider than that of the West, and includes Media, misinformation and disinformation. However, the new rules, despite the claim that they were there to protect scientific, technical and intelligence resources allowed the security services a very wide interpretation of what a 'threat' might be[6]. Such laws have enabled the FSB to arrest individuals such as Alexandr Nikitin on 6 February 1996 for writing two chapters in a report for Norwegian environmental group Bellona Foundation on the risks of radioactive contamination from accidents in nuclear submarines of the Northern Fleet. In his initial trial the judge in his summing up remarked that 'we are still sure that Nikitin gave away state secrets; it is just that they were not classed as such at the time'[7]. Amnesty International declared that Nikitin was a prisoner of conscience; the charges against him were only finally dropped in September 2000.

In 2006, in an even more controversial ruling, the FSB was given legal power to engage in target killing, to hunt down and kill terrorism suspects (and it is up to the FSB to define what a 'terrorism suspect' is) overseas if ordered to do so by Russia's president. This followed Putin's call in 2005 for the FSB to increase the fight against international terrorism and 'destroy terrorists like rats'[8]. This power has been used on numerous occasions, for example the FSB admitted that it was responsible for killing Chechen militant Islamist Shamil Salmanovich Basayev in July 2006 (Basayev was responsible for the 2002 Moscow theatre hostage crisis and the Beslan siege that together led to over 500 deaths). It is also alleged that the FSB has killed all the 'Presidents' of the self proclaimed Chechen Republic, including Aslan Maskhadov; in his case the now also dead Khalim Saidullaev (also a former 'President') alleged that the FSB treacherously killed after inviting him to talks after promising his security at the 'highest level'. Equally controversially, some writers such as Albats claim that the FSB used this power to dispense of Kremlin critic Alexander Litvinenko in London November 2006, this has been given some legitimacy by the fact that Moscow refuses to hand over the principle suspect (Andrey Lugovoy) as well as the 'professional' nature of the murder- it was established by British physicians that Litvinenko was poisoned by polonium-210.

More of the Same? Russian Intelligence during the Post-Soviet Era

Written by Frederick Strachan

However, it is possible to argue that the FSB are not the only intelligence agency engaged in such activities, other intelligence agencies around the world are also involved in targeted killings. The CIA has for example, by its own estimates killed over 600 militants in Pakistan using armed drones since May 2010[9]. The Bureau of Investigative Journalism however estimates that at least 385 civilians have been killed as well[10]. Many Russians argue that, like the USA, Russia has the right to pursue and kill its enemies in Chechnya and elsewhere. After all, a drone was also used in the killing of Basayev in 2006. State Department lawyer Harold Koh has successfully demonstrated that US drone strikes are legal, despite being over Pakistan, as they are an act of self defence- the USA is in an armed conflict with the Taliban and Al-Qaeda, they have the right to use force to protect its citizens. This contrasts with the alleged activities of the FSB, for if they were involved in the murders of individuals such as Litvinenko it was not in self defence, but rather to protect secrets as well as to avoid the world finding out the extent of some of its activities.

This is seen by observers in the West, including Russians who have fled Russia and sought asylum claiming that their lives are at risk, as an extremely worrying development. Many believe that the assassinations of opposition politicians and journalists in Russia were because of their investigations into crimes and corruption conducted by the FSB and the state authorities. The Russian government however, blames such murders on organised crime and on terrorism. KGB defector Oleg Gordievsky on the other hand, believes that the murders of Yuri Shchekochikhin (author of *Slaves of the KGB*) and investigative journalist Anna Politkovskaya (author of *Putin's Russia: Life in a Failing Democracy*) in Russia as well as Litvinenko (author of *Blowing up Russia, Terror from Within* and *Lubyanka Criminal Group*) in London shows that the FSB is returning to the practice of political murders which were formerly conducted by the notorious thirteenth department of the KGB. If this is the case, it shows that there are numerous continuities between the FSB and the KGB, and that the FSB has adopted the role of the secret police, protecting those in power.

We must of course recognise that the dissidents and exiles, such as Gordievsky, Berezovsky and Litvinenko each have their own agendas and reasons for discrediting the Russian government, including no doubt financial motivations, through book endorsements and public engagements in the West. However, we must also remember the fact that the existence of dissidents and exiles in the first place is a symptom of the corruption, the failings and the power of the Russian intelligence services and the Russian democratic system. After all, political opposition in the West works through the system- mature and transparent democracies do not have exiles, or government critics dying in foreign capitals in mysterious circumstances. The fact that Russia does is an indication of the problems within the regime, as well as the continuities between the old Soviet security services and the new ones that took their place. Both have the role of protecting power by whatever means necessary.

However, perhaps more worrying for the future of Russia is the fact that the FSB now *is* the regime. Former KGB and FSB officers now operate at every level of government right up to Putin in the President's Office. The émigré writer Vassily Aksyonov was one of the first to realise that those who had held powerful posts in the KGB remained at the top of society in the New Russia, and were there exclusively so after chasing out 'oligarchs', such as Boris Berezovsky. Aksyonov argues that:

'Without de-nazification, Germany would not have reached its glamorous democracy and prosperity so quickly. But de-bolshevisation is inconceivable in Russia. The Soviet Union was not defeated on the battlefield, it was not occupied by the forces of democracy. Nor was it ruined as a result of popular uprising. Even the expected storming of the KGB headquarters in 1991 did not take place as the crowd were talked out of it... this strange version of mass upheaval... has helped Russia avoid another horrid Stalinist bloodletting. But it has created another ambiguity. The breakup of one leviathan of a totalitarian mafia has given birth to numerous smaller gangs running the gamut of politics'[11].

To this, Vladamir Bukovsky adds that 'in reality there has been no change of elites... The former communist 'nomenklatura' has remained in the position of power in all branches of government, albeit under a different name'[12]. As Joel Francis Dumont put it: 'Much in the same way that nobody seriously considered in 1945 assigning the Gestapo to the task of de-nazification, likewise, one cannot reasonably expect the present day KGB to carry out de-sovietisation'[13].

More of the Same? Russian Intelligence during the Post-Soviet Era

Written by Frederick Strachan

The fact that the old apparatchiks are still the rulers of Russia is perhaps the principle reason why Russia has not reformed its intelligence services. The loyal KGB/ FSB hard men were needed as much in the 1990s as they were in the 1980s, if not more so. In post Soviet Russia, and the hard times that came with the fall of Communism, Yeltsin needed his Kovalyov and Putin his Patrushev and Bortnikov just as much as Brezhnev needed Andropov in the 1970s. The power of the FSB was in the 1990s still relevant and still necessary for both personal and political protection. Indeed, by 1993 Yeltsin had lost all political and popular support and relied on the Army, the Interior Ministry and the FSB to support him and keep him in power. Furthermore, Yeltsin realised that he needed and heir that would give both him and hi family immunity from prosecution. Hence all the candidates put forward for the position of Prime minister, such as Primakov and Putin, were former members of the security services.

Yeltsin must ultimately bear some responsibility for the growth in power of the security services. Yeltsin still had the mentality of a party bureaucrat and simply could not imagine a government structure in which the KGB was absent. He mistakenly believed that they would work for him, and that under him the KGB would be 'good', that he would be able to keep them in line. However, it was soon clear that this would not be the case. For example in 1993 when the President of the tiny autonomous republic of Kalmykia announced that he was abolishing the secret police the Moscow authorities were incensed and leaned on the novice politician, forcing a compromise whereby a department of State Security was formed within the security ministry[14]. In the lawlessness of the Russian 1990s, the Security Services managed to preserve their vertical management structure; they were thus one of the only government institutions able to give clear directions and to get people to follow orders in the chaos. Thus they were successful at advancing their own position and popularity in Russian society.

It was not long before the strongmen themselves soon started to come to the fore, realising that they could promote their own interests through doing their jobs in the FSB successfully. Key players in the FSB found that they were able, due to their influence, power and connections, to move relatively easily into new roles in government and business that were becoming open and available as the 1990s progressed.

The most famous of the KGB's sons is of course Vladamir Putin. He was himself was a former FSB Director, and used his position to secure power for himself in the late 1990s. As a man who had worked in the KGB/ FSB most of his adult life since graduating from Leningrad State University, his political career in Moscow was not long enough to build up a political powerbase before Yeltsin nominated him for the presidency in 1999. It is hardly a surprise therefore that Putin used the powerful intelligence agencies to strengthen his position in many of the federal agencies of state. Within the FSB were the people he relied upon and trusted most, he therefore brought a number of both former and current FSB/ KGB officers right into the heart of his new government, many of whom were previously political outsiders and barely known to most Russian voters. Most significantly, Putin made Sergey Ivanov Minister of Defence (later he became Prime Minister), the first intelligence officer to hold the position, with another ex-KGB man, Dmitryev as his deputy. Other posts were given to loyal servants too; the head of the Criminal Police Service was given to ex-KGB agent Nikolay Bobrovsky, the deputy minister of Internal Affairs was ex-FSB Colonel-General Yevgeniy Solovev, whilst three former intelligence officers were planted into the Foreign Ministry including Trubinkov as deputy Foreign Minister, he was previously head of the SVR. The head of the Federal Tax Police is again ex-KGB, as is the deputy Minister of Information. Furthermore, Putin even filled the board of Russia's largest foreign currency earner, Gazprom, with three ex KGB/FSB officers. *The LA Times* even reported in 1999 soon after his election as President, Putin joked that 'A group of FSB colleagues dispatched to work undercover in government has successfully completed its first mission', whilst independent Duma member Konstantin Borovoi complained to the same paper that 'Putin's appointment is the culmination of the KGB's crusade for power... Now the KGB runs the country'[15]. The result is that, unlike the KGB, the FSB is no longer behind the scenes and behind the government. Unlike the KGB, the FSB *is* the government.

However, we must ask ourselves whether this is unusual, or whether there is anything wrong with former KGB/ FSB or SVR officers entering politics. After all, in America it is also fairly common. Mirroring Putin, George Bush went from DCI to President, whilst Robert Gates, the former Secretary of Defence was also a former DCI. Leon Panetta went from Congressman to D/CIA to Secretary of Defence. Furthermore, for many talented and ambitious citizens of the Soviet Union, the KGB was the most prestigious and rewarding career option available. After all, unlike in the West, there were no businessmen and few important lawyers, it was in the KGB where an intelligent young Soviet's

More of the Same? Russian Intelligence during the Post-Soviet Era

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prospects were possibly greatest, and it was the KGB therefore where a large amount of Russian talent was concentrated. These were the people who would then move out of the KGB in the 1990s and into other areas of government. However, unlike in the USA, it is the sheer number of former Security Service officers in powerful posts that is worrying. Furthermore, as the career of Dimity Medvedev has shown, not all talent congregated within the KGB. Added to this is the fact that even twenty years after the fall of Communism, former security officers still dominate many of the most important positions in government.

This disparaging and worrying view that the Russian government is run by former KGB/FSB agents, and is becoming a something of a 'mafia state', is not exclusively the view of Russian émigrés and dissidents. The recent leaking of US embassy cables by the website WikiLeaks alleges that the US government has come to the same conclusion, giving this thesis credence. The US ambassador to Russia, John Beyrle submitted a damning report on corruption in Moscow in late 2009, saying that 'criminal elements enjoy a krysha (protection racket) that runs through the police, the federal security service, ministry of internal affairs and the prosecutor's office, as well as throughout the Moscow city government bureaucracy'. Beyrle concludes by saying that Putin has created an inefficient system of cronyism that has become no more democratic or reliable.

This is damning, but does not fully implicate the security services. However, in a cable dated February 2010, it is alleged by WikiLeaks that the US Defence Secretary, Robert Gates, wrote that 'Russian democracy has disappeared' adding that the Russian government is 'an oligarchy run by the secret services'. Furthermore, the UK's Foreign Office Russia director, Michael Davenport, told the US embassy that Russia is a 'corrupt autocracy', run by former KGB/FSB men. Added to this, an earlier US cable from 2005 notes that the Russian defence ministry 'has not changed its modus operandi for information exchange nor routine dialoguing since the end of the Cold War'. After all, in 2005 the Russian Defence Secretary was Sergey Ivanov, a former KGB agent.

Equally worrying- and perhaps confirming the claims made in the Embassy Cables- is the fact that after the fallout of the publication of the cables by WikiLeaks in November 2010, the Russian media was highly selective about what it reported regarding the allegations[16]. On Russian television at least, there was no mention of a 'mafia state' in the main news bulletins or in the current affairs programmes on the Russian networks. For some, this confirms the view that Russia is becoming increasingly authoritarian, and that there is genuine fear of the intelligence agencies, or at least fear that the intelligence agencies and the government are in control of national institutions, such as the media, even if unofficially. That is to say fear of repercussions is resulting in private media to exercise a degree of self censorship.

However, despite the vast powers of the present FSB and their dominance in government, they both, unlike the KGB and the Communist Party, became remarkably popular. In March 2000 a poll conducted by ROMIR showed that 72% of those polled placed trust in the FSB and the Army, 58% in the Church and 34% in the Judiciary. This is perhaps because in the lawless 1990s many Russians saw the FSB as the only organization capable of rescuing them from a real or perceived criminal tide. The security services were seen as strong, patriotic and efficient, and took the place of other power structures that collapsed around them. Many have speculated that Russians seem to enjoy being led by the firm, guiding hand of the FSB, that they like knowing that there is something there.

Amy Knight has argued that, unlike other former Soviet States who had communism forced upon them after WWII, such as Poland or Czechoslovakia, Russia does not have a tradition of legality and democracy from which the 'nation builders' of the 1990s could build upon; it is a country that has never experienced democratic rule or the rule of law. This is unlike many of the other former Soviet bloc countries, such as Poland, Hungary and the Czech Republic/Slovakia which had experienced Western style legal systems and democracy before Communism was imposed on them. These countries therefore found the transition to democracy relatively easy. For example Poland (which has come the farthest due to less brutal communism and a highly developed dissident movement in the 1980s which was widespread and grass root) has grappled with the issue openly and has disbanded its secret services through an elected parliament, dividing their functions among four new agencies, each with effective legal constraints on their activities. Czechoslovakia under Václav Havel had slightly more problems. Although there was an independent court system and judiciary quickly established to defend human rights, and although the StB was disbanded in February 1990, the Lustration law of October 1991, which aimed to prevent former secret police agents from entering

More of the Same? Russian Intelligence during the Post-Soviet Era

Written by Frederick Strachan

government service, actually had the effect of introducing the idea of collective guilt and punishment for prior status rather than actions. That this could happen in a country whose priority was democracy and the rule of law shows that the legacy of the StB- fear- was still very much alive; the worry that former StB officers were manipulating behind the scenes remained a strong and pervasive one.

Russia however has no legal, political or activist tradition from which to build on, and does not have the legal infrastructure- criminal codes, procedural laws, an effective judiciary or lawyers to restrain the security services and the police. So long as there is a judicial community with no power or motivation, or is not skilled or independent enough to fight for democratic reforms in the Russian judicial system, the FSB will have few incentives to clean up its act. However, this is also a catch-22 situation, as the democratic institutions will remain fragile until the security services are reformed. Real, lasting democracy is incompatible with a security apparatus wielding power and influence. This is because unlike former military regimes, the transition to democracy for state security regimes is difficult; because unlike the military, the security services have no role to play within a stable democracy beyond counter intelligence and fighting organised crime. Yet this is not enough for those in power under the security state, thus they have a vested interest in preserving the old totalitarian system.

Knight argues that seventy years of communist dictatorship has not only created economic and political problems for Russia, but also massive moral and psychological harm. Russians are used to having their decisions made for them, and have not developed a sense of public responsibility, citizenship, or an inclination towards political activism. The breakdown of law and order, the emergence of the mafia and huge corruption has led to what Knight refers to as 'authoritarian nostalgia'[17]. Russia, she believes, would rather have a crime free society than one with human and civil rights and is willing to trade transparency and true democracy, to some extent, for authoritarianism that might restore prestige, pride and great-power status. The difference between former Soviet bloc countries and Russia is not just the existence of old Western legal traditions, but also the idea of a breakdown of 'empire' compared to a breakdown of 'occupation'. Yeltsin and Putin have taken advantage of this with harsh new laws and a powerful FSB to support 'law and order'. Reading Knight's argument, one comes to the conclusion that Russians demanded democracy without knowing fully what it really was, or even believing in it.

The post-Soviet intelligence services in Russia in many ways operate in a similar fashion to their Soviet counterparts, if anything they are more powerful. This is a view even espoused by the US government according to the leaked cables published by WikiLeaks. Like the KGB, the FSB has the power to snoop and spy on whom it likes, to arrest people on the smallest of suspicions, and to bend the judiciary to its will. However, unlike the KGB, the FSB has its men in all areas of government, rather than just behind the scenes. Furthermore, unlike the KGB, the FSB is not universally detested. The Russian experiment with 'democracy' in the 1990s has perhaps led the majority of Russians to believe that theirs is a country that needs a strong ruler, a firm hand, and a powerful secret service. The result is that democracy has been subdued, and the FSB controls more than the KGB ever realised. There are continuities between the KGB and the post Soviet intelligence services therefore, however, in post Soviet Russia, unlike what was hoped for by the West and by Russian dissidents and rights campaigners, the present day intelligence services have entrenched the KGB, not retreated from it.

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More of the Same? Russian Intelligence during the Post-Soviet Era

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