When Will Democrats Control the Former KGB?

Opportunities for Russian-U.S. Cooperation

J. Michael Waller

Introduction

The disintegration of the Soviet Union and the rise of democracy have shifted the terms of debate between Washington and Moscow. With that shift, new opportunities for cooperation have emerged. "Us versus them" no longer applies to the United States versus the Soviet Union, but to the democrats versus the non-democrats. As such, it is the task of democrats in America and the former USSR to work together in alliance against those opposed to democracy. One of the main threats to democracy in the region is the former Committee for State Security (KGB), which remains a force unto itself.

Four years after Mikhail Gorbachev took power, a maverick member of the USSR Supreme Soviet named Boris Yeltsin complained, "In four years there has been no radical restructuring in the work of the KGB."[1] Now as president of Russia, Yeltsin appears to be repeating one of Gorbachev's near-fatal mistakes, which was to build a power base on security forces free of meaningful checks and balances. Instead of appointing a security and intelligence reform team of the nature and quality of his economic team led by Yegor Gaidar, Yeltsin has named members of the Communist old guard to re-shape--but not reform--the *apparat*. A mutual intelligence agreement signed in April by all Commonwealth of Independent States members except Azerbaijan set the groundwork for a coordinated Commonwealth KGB. There is no meaningful civil oversight of any of it.

Reformists in Parliament and outside government must seize the initiative. As long as the instruments of internal repression and external subversion exist, democracy is endangered. Until the special services are brought under strict civil control, democratic governments will be

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held hostage to those who wield the tools of force, not only in Russia, but in all the free republics of the former Soviet Union.

The State of Reforms Since the August 1991 Putsch

An historic opportunity was lost in the weeks immediately following the August 1991 putsch. Initial actions by President Yeltsin, with Gorbachev's acquiescence, were encouraging. It seemed as if, for the first time in Russia's history, that democratically elected leaders would control the secret police. The KGB's top layer of leadership was removed. Reformist former Interior Minister Vadim Bakatin was named as the new KGB chief, announcing to Gorbachev, Yeltsin, and the presidents of seven other republics who approved him, "You are sending me to the department which I have said on more than one occasion should be eliminated. So it turns out that I have come to destroy the Committee for State Security."[2] A State Commission to Investigate the Security Organs was established, headed by reformist Ministry of Internal Affairs (MVD) Lieutenant Colonel Sergei Stepashin, a member of the Russian Parliament who also chaired the Parliament's Committee on Defense and Security. Meanwhile, a separate Parliamentary Commission to Investigate the Causes and Circumstances of the Putsch, chaired by non-Communist Lev Ponomarev, led a separate probe. Both the Stepashin and Ponomarev commissions would issue recommendations for sweeping reform of the KGB.

This was the time to act. Public opinion was highly charged, demanding decisive action. Changes were immediately made by the KGB itself, not for the sake of reform but merely, as one state security spokesman later acknowledged, "To soothe popular unrest and prevent the lynching of KGB people, vandalizing of buildings and plundering of archives."[3] Members of the state and parliamentary commissions demanded that the KGB be dismantled. Disgraced, without direction, stricken with malaise and uncertain of the future, the KGB lay, like the dragon on the city of Moscow's ancient coat of arms, with its back to the ground, about to be impaled by the gallant knight on horseback. But the knight squandered his opportunity. After a few short bursts of decisive decrees, the Russian government's following steps were tentative, and before long the security services managed to assert themselves and control the damage to their positions.

The KGB was dismembered, but not dismantled. Just as it was the

only major component of the Soviet government that escaped glasnost and perestroika, so would its core elements survive de-communization. The First Chief Directorate, which took pains to prove its noninvolvement in the putsch, was spun off into a separate foreign intelligence service--a move supported by professional intelligence officers. Its bureaucracy was left completely intact, while an image-making campaign made the changes seem like the KGB was closing down.[4] Gorbachev named an "outsider," Yevgeny Primakov, as its director. An English-speaking journalist and academic who specialized in the Middle East, Primakov was touted as a reform leader for foreign intelligence. In reality, Primakov represented everything that was wrong with the system. He spent his entire professional life in journalism and academe as a snitch, spying for 35 years on his colleagues as *stukach*, a KGB informant.[5] A holdover from the Brezhnev era, Primakov earned his stripes in the early 1970s as one of the primary Central Committee advocates of total Soviet support for the Palestine Liberation Organization at a time when the PLO was committing its worst terrorist excesses. Two decades later, Primakov proved that glasnost had not purged him of his past when he battled Foreign Minister Eduard Shevardnadze's attempts to join the Western coalition against Iraq, and later tried to save Saddam Hussein's regime from Desert Storm.[6]

Other "reforms" merely preserved entire bureaucracies by making them independent of one another. The relatively harmless KGB Border Guards were made a separate USSR service, and are currently being assumed by each individual republic of the Commonwealth of Independent States. Most of the KGB's internal functions were assumed by the KGB bureaucracies in each of the republics, with the Russian KGB receiving the central archives and facilities. After a series of changes, the Russian state security bureaucracy is presently known as the Ministry of Security (MB), but its old structure and personnel are preserved.[7] Military counterintelligence (Third Directorate), Special Communications (Eighth), and Guards (former Ninth) were taken out of the KGB and placed under direct presidential control, although the Ministry of Security reportedly has re-absorbed military counterintelligence. The dreaded Ideological Directorate (Fifth), after some false announcements of its abolition and a few name changes, was formally abolished again in January 1992, though its personnel remain in the state security *apparat* and the bulk of its archives are off-limits to parliamentary investigators.[8] The former Fifth has been reincarnated in Russia as the MB Department to Combat Terrorism, and has vowed

to retain its immense operational network of secret informers not only in Russia, but throughout the former USSR.[9]

Russians Sought Advice from the United States

In the midst of the restructuring of the KGB mandated by the parliamentary Ponomarev commission and the state Stepashin commission, and carried out under the able and committed direction of KGB Chairman Vadim Bakatin, key reformers turned to the United States for help. Bakatin went into the KGB alone, without a trusted team. In October 1991, he personally asked Secretary of State James Baker for CIA assistance in drafting new laws to control the security and intelligence services.[10] Bakatin apparently failed to understand the dynamics of the democratic process, but his request reflected both sincerity and desperation. Baker's response is not publicly known. That same month, state commission chairman Stepashin, who also chaired the parliamentary Committee on Defense and Security, led a delegation to Washington in search of similar assistance from the FBI and the CIA. Although the Russian lawmakers were pleased with their reception, they reportedly returned to Moscow empty-handed.[11]

Perhaps toward more than any other institution anywhere, Russian lawmakers are looking for help from the U.S. Congress in setting up a parliamentary oversight system. In December 1991, members of both the USSR and Russian parliaments expressed keen interest to the author in working with private American organizations which would act as a liaison between Moscow lawmakers and their U.S. counterparts in Washington, and a program was initiated. A bipartisan congressional delegation that visited Moscow in February 1992 observed that the "key struggle" there "seems to be between those who are reluctant to change and the well-intentioned, reform-minded leaders who champion change but are uncertain as to how to effect it." The congressmen made the following recommendation:[12]

> The United States should intensify efforts to provide specific, operationally useful training and expertise to help devise and implement needed reforms. These efforts should include both immediate and long-term components and come from all three branches of the U.S. Government as well as from citizens' groups assisting in grass-roots political and economic development.

Oversight in the Russian Parliament

One of the key areas of mutual cooperation is legislative oversight of the security and intelligence services. All relevant legislation must pass through the Committee on Defense and Security, which serves as the permanent oversight body in the Russian Parliament. However, the committee, dominated by active and former KGB, MVD, and military officers who were elected to their legislative posts, is anything but a check against the *apparat*.[13] While some of these officers, including Committee Chairman Stepashin, are known reformists, several are not reformers at all. Most find themselves in gross conflicts of interest by holding their active security, military or police ranks in addition to their parliamentary posts. Several committee staffers likewise hold dual positions in the Security Ministry and in Parliament.[14] This leads to the question: Who is overseeing whom?

The question becomes more urgent when considering what has happened to the parliamentary body that was not co-opted by the old KGB. The alternative, independent but temporary commission led by non-Communist lawmaker, Lev Ponomarev, was set up after the putsch to examine the security services and to recommend changes, but not to be compromised by state security. It received little cooperation from the *apparat* and was denied access to most archives.

Themselves in danger of abuse by the security services, democratic Russian members of Parliament find the United States as a natural friend and ally. Civil control over the new services that were carved from the KGB is so tenuous that, even since the August 1991 putsch, lawmakers have not been assured that they are not or will not be co-opted, spied upon, or otherwise molested. Ponomarev and his colleagues discovered that during the years of perestroika and glasnost, politically active citizens--including elected officials in the USSR and republic parliaments--were monitored routinely by the KGB. Targets were anyone in opposition to Gorbachev from any direction, both before and after the putsch. Investigating these abuses, the Ponomarev commission compiled a lengthy list of intellectuals and political leaders monitored during the Gorbachev era.[15] KGB surveillance of members of Parliament also occurred abroad.[16] Wiretap transcripts of Gorbachev's opponents--described as "top secret KGB documents: operational reports of surveillance of the daily life and activities of the Russian leadership and some people's deputies"--were found in the safe of his former chief of staff, V. Boldin. Many of the transcripts

contained Gorbachev's handwritten comments scribbled in the margins, proving that he both knew and approved of political spying.[17]

In addition to spying on opposition political leaders, the First Chief Directorate ran disinformation operations abroad to discredit them internationally. Ponomarev summarized his investigators' findings:[18]

> We have information that the First Main Directorate, from at least December 1990 through August 1991, carried out assignments to discredit political parties and movements opposed to the CPSU and discredit Russian leaders. In particular, a series of suitable articles appeared in the foreign press. We have the testimony of people who were engaged in this work and there are copies of the reports of First Main Directorate agents who shadowed Russian deputies.

However, Ponomarev said, the former First Chief Directorate led by Yevgeny Primakov, in collusion with the hard-line leadership of Parliament Chairman Ruslan Khasbulatov, blocked parliamentary investigators' access to files.[19] Again, the question: Who is overseeing whom?

Even after the dismantling of the KGB and the dissolution of the USSR, no civilian leader could assure by 1992 that the practice of spying on elected officials had stopped. In February 1992, *Komsomolskaya Pravda* reported that Committee on Defense and Security Chairman Sergei Stepashin (who is also a major general in the Security Ministry) "cannot confidently state that the unlawful bugging of telephones and premises in the White House [Russian Parliament Building] has stopped."[20]

One of the factors complicating legislative oversight is the number of members of the Russian Parliament who have been co-opted by the KGB, as well as other members who were careerists in the KGB or other security services. According to one KGB internal officer, "Kryuchkov told us to recruit agents from the democratic faction of the Russian Parliament." Recruitment of Communist legislators, he said, was not needed as they were already co-opted.[21] A ranking state security officer agreed: "There are quite a few of our people among the parliamentarians!" [*sic*].[22] Democratic parties lodged an official complaint in February 1992 that KGB "sleepers" remained in their organizations.[23] Defense and Security Committee Chairman Stepashin concurred, stating that he had information on KGB penetration of democratic organizations and of the Russian Supreme Soviet. He said that it would be "technically impossible" to determine who the agents

were, adding ominously that it was "not politically expedient" to try.[24]

Ponomarev was convinced that the identities could easily be revealed. His investigative team discovered the existence of what he called "an intact file listing the names of all agents throughout the time Soviet organs of repression have existed." He concluded, "It is therefore, for example, no problem identifying which Russian deputies are KGB staffers." He proposed that, rather than exposing them in public, that a law be passed disqualifying former KGB collaborators from holding high office.[25]

Within days of this statement, Supreme Soviet Chairman Khasbulatov, at the urging of foreign intelligence director Primakov and others connected to the special services, shut down the investigative commission.[26] Again, the question: Who is overseeing whom?

Little Change Despite Reorganization

For all the publicity, parliamentary actions, and investigations, very little fundamental change has taken place to reform the former KGB and bring it under democratic control. In the twilight of his brief tenure as the Soviet KGB's final chairman, Vadim Bakatin reflected on the attempt he had made to "destroy" the KGB. Asked to what extent he controlled the security and intelligence *apparat*, he replied, "I am absolutely positive that I will not know anything they do not want me to know." About the state of reforms since the putsch, he said, using the third person:[27]

> Everyone keeps saying that Bakatin has torn down the KGB structure. For goodness' sake, this is not so. If you come to Kazakhstan, not a single hair has fallen from the head of any official in Kazakhstan. Or to Kyrgyzstan--I just got back from there, everything is still as it was. The situation is the same in the Moscow department, and in the Keremovo one. That is, all the capillaries at the bottom and the structures have remained the same....

Parliamentary oversight committee chairman Stepashin agreed with Bakatin, calling reforms nothing more than a "facelift."[28] Significantly, President Yeltsin failed to appoint Bakatin to a Russian security post, and formally dismissed him in January. Instead, the Russian leader opted for the old guard. He briefly tapped KGB General Viktor Ivanenko, who had been appointed chief of the Russian KGB by USSR KGB Chairman Vladimir Kryuchkov; and later USSR MVD Minister

Viktor Barannikov, the current Russian security minister. Both men opposed Bakatin's post-coup attempts at far-reaching security and intelligence reforms.[29] Indeed, Barannikov was the architect of a short-lived plan to merge state security with the MVD to create what critics denounced as a supersecurity agency akin to Stalin's notorious NKVD. To his credit, President Yeltsin heeded a near-unanimous vote of Parliament and a similar ruling by the Constitutional Court and suspended the Barannikov-authored decree. Reforms are currently in limbo.

July 1 is the deadline for Parliament to submit comprehensive proposals to re-shape the special services, define their missions, and bring them under genuine civil control. The debate surrounding this deadline, and upcoming consideration of a new Russian Federation constitution, provide opportunities for democrats outside the government to push for a functioning system of oversight and to convert the *chekist* Sword of Damocles to a popular weapon against arbitrary state power.

Steps Russia Can Take

The question of exerting democratic control over the former KGB was the subject of two conferences sponsored by *Demokratizatsiya* at The American University in Washington. While any formula for reform is complex, Russia would benefit from observing the legislative oversight system of the United States, to which a number of Russian lawmakers have turned for assistance. The U.S. has the most comprehensive oversight system of any country in the world. As it continues to develop, it increasingly protects American citizens from undue government intervention in their personal lives, and checks against illicit executive actions abroad. With a similar system tailored to its own special situation, Russia would be well-protected from future abuses of power.

Congressional oversight specialists, when asked for advice by Russian members of Parliament, offer the following suggestions:[30]

- First, impose strict legislative control over the purse strings and activities of the Ministry of Security (MB), the Foreign Intelligence Service (SVR), and Military Intelligence (GRU).

- "Try to pick key fights where major issues are at stake and challenge

on political if not legal grounds" until the new constitution resolves key questions about the ability of the executive branch to protect state security and foreign intelligence from reform.

- Publish draft laws well before consideration by Parliament, so that journalists, civilian experts, civil libertarians, human rights monitors, and all citizens can analyze and comment upon their provisions. These outside commentators can build public opinion and political pressure on both the Parliament and the presidency to enact meaningful reforms.

- Repeal laws still on the books from the Communist era, especially those concerning state security and infringing on freedom of speech and press, to prevent them from being used to intimidate and repress.

- "Recommit to the principle of decentralization of security and intelligence agencies," taking "proactive action to enforce this legislatively by establishing new agencies and approving top level nominees--not merely reactively opposing misguided attempts at recentralization."

- "Weed out or at least publicly reveal the background of those who have been actively involved in intelligence/security operations, especially those involving domestic control."

- Establish a Freedom of Information Act to permit citizen access to security and intelligence archives.

- Consider a program to help former security officers gain legitimate jobs, so that they will not be disaffected or disrupted.

- "Begin with a clean slate on security clearances, a requirement that they would all have to be reconsidered and reissued over a given time, which would be as short as feasible. Start with a) most sensitive access; and b) highest level positions, which should be identified and processed within the shortest time possible. Work down to all other security positions on a prioritized basis."

- "Establish a 'clean' group of investigators who would do background

work."

- Forcefully oppose indications of the security services' attempts to regain authority over exit visas. The only purpose of an exit visa is to control the population.

- "Pursue creative efforts to acquire information where domestic agencies/leaders are unhelpful. Establish parliamentary access to East European archives and officials. Hire persons with investigative experience. Pursue Russian and Western media leads. Western governments and intelligence agencies should aid this effort."

- Stop operations that would disrupt Russia's relations with Western democracies. The April 1992 discovery of operational KGB technology theft rings in Europe prompted the expulsion of a number of Russian agents. Belgian Foreign Minister Willy Claes angrily summed up official sentiment in Brussels and other capitals when he said that Russian spying would jeopardize Western economic assistance.[31]

- Initiate cooperation with Western services and expect reciprocity. Security and intelligence cooperation between Russia and the U.S. is an area that has yet to materialize, and for good reason: Russia is not forthcoming with detailed information of the unreformed KGB's past role in support for terrorism and drug trafficking, and continues to steal technology and business secrets. Commented a top FBI official recently, "You can't be expected to be invited to dinner if you want to steal the silverware."[32]

- Propose amendments to any unsuitable legislation.

- Hold in-depth parliamentary investigations and hearings, invite the testimony of outside experts, and establish criminal sanctions for government employees and officials who mislead or lie to Parliament.

- Do not accept artificial deadlines.

- Be prepared for a very long and complicated process.

Conclusion

President Boris Yeltsin and much of the Russian Parliament have not learned the lessons of the August putsch. Without a popular mandate of his own, Mikhail Gorbachev relied on the KGB as his power base, which eventually did him in. Yeltsin, in a different situation, is making the same mistake by relying on the security services. His removal of KGB Chairman Vadim Bakatin and ultimate replacement of Bakatin with a more conventional former Communist from the MVD and old-guard underlings show that his security "reform" team is nowhere near as progressive as his economic reform team. By appointing top MVD officers to the state security *apparat*, Yeltsin is in effect merging the two services. He is also disillusioning supporters at home and abroad, and risks setting himself up--if he has not been already--to be co-opted as Gorbachev was by the old security *apparat*.

Many of Yeltsin's democratic allies in Parliament still strongly support his economic reforms, but are publicly or privately opposed to his stance on the former KGB. They seek the cooperation of Americans who can share the experience of the U.S. legislative oversight process, and to provide ideas which the Russians can adapt to fit their own particular situation. And, as former KGB Chairman Bakatin noted, the other republics of the Commonwealth of Independent States are in a similar situation. A great historic window of opportunity is still open. Who is controlling whom? If the democrats unite against the non-democrats, the question will be decided favorably.

Notes

1. Central Television, Moscow, 1629 GMT, 14 July 1989, cited by Alexander Rahr, "Gorbachev and the Post-Chebrikov KGB," RFE/RL *Report on the USSR*, 22 December 1989, p. 16.
2. Russian Television Network, Moscow, 2000 GMT, 28 August 1991. FBIS-SOV-91-168, 29 August 1991, pp. 42-43.
3. Andrei Oligov, Chief of the Public Relations Center of the Russian Federal Security Agency (AFB), to Yevgenia Albats, "KGB-MSB-MBVD: Substantive Changes?" *Moscow News*, No. 12, 13 January 1992, p. 5.
4. The campaign theme, led by the KGB Public Relations Center, was reflected in David Wise's cover story, "Closing Down the KGB," *The New York Times Magazine*, 24 November 1991; and Wise, "House of Cards," *The Times*, London, 30 November 1991.
5. Albats, "KGB-MSB-MBVD: Substantive Changes?" *Op. cit.*
6. J. Michael Waller, "New KGB Spymaster, Same Nasty Tricks," *Wall Street*

Journal Europe, 10 October 1991.

7. For a tracking of the changes, see J. Michael Waller, "Old Guard is Entrenched in New Russian Security Services," *National Security Analysis*, American Security Council Foundation, 27 January 1992; Alexander Rahr, "Old KGB Remains Alive and Well in Post-Soviet Russia," *Post-Soviet/East European Report*, RFE/RL Research Institute, Vol. IX, No. 17, 10 March 1992; and Alexander Rahr, "The KGB Survives Under Yeltsin's Wing," *RFE/RL Research Report*, Vol. 1, No. 13, 27 March 1992, pp. 1-4.
8. Lev Ponomarev and Rev. Gleb Yakunin, a member of the Ponomarev commission, made the statement at a news conference sponsored by the Jamestown Foundation and the Ethics & Public Policy Center, Cannon House Office Building, Washington, D.C., 20 March 1992.
9. RFE/RL *Daily Report*, No. 93, 15 May 1992, p. 2; Mark Trevelyan, "Secret tipsters survive in Russian police field," Reuters dispatch in the *Washington Times*, 15 May 1992, p. 7.
10. George Lardner, Jr., and Gary Lee, "Russian Security Group Meets with U.S. Intelligence to Seek Cooperation," *Washington Post*, 14 October 1991, p. A4.
11. Ibid.
12. "Trip Report from a Congressional Delegation's Visit to Moscow, Russian Federation," 20-24 February 1992, p. 10. The members of the delegation signing the report were Reps. Jon Kyl (R-Arizona), Henry Hyde (R-Illinois), Robert K. Dornan (R-California), Jim Kolbe (R-Arizona), Jim Bilbray (D-Nevada), and John Tanner (D-Tennessee), p. 15. Hereafter referenced as "CoDel report."
13. Alexander Rahr of Radio Liberty reports that the Committee on Defense and Security "largely consists of former KGB officers". Rahr, "Old KGB Remains Alive and Well in Post-Soviet Russia," *Post-Soviet/East European Report*, RFE/RL Research Institute, Vol. IX, No. 17, 10 March 1992.
14. Observations of CoDel, *Op. cit.*, and of Paul M. Joyal, American Security Council Foundation, who met with the committee staff in March 1992.
15. The list was read over the air by Dr. Boris Pugachev, a staff investigator for the Russian Supreme soviet Commission to Investigate Causes and Circumstances of the August Putsch, in Mayak Radio Network, 1420 GMT, 4 February 1992. FBIS-SOV-92-024, 5 February 1992, pp. 61-62.
16. *Izvestiya*, 8 February 1992, morning edition, p. 2. FBIS-SOV-92-031, 14 February 1992, pp. 54-55.
17. *Rabochaya Tribuna*, 7 January 1992, p. 1. FBIS-SOV-92-011, 16 January 1992, pp. 36-37. Remarked former USSR procuracy official Vladimir Kalinichenko, "The most amazing thing is that Gorbachev was doing something no experienced bureaucrat would dream of doing: signing and putting written comments on top secret documents--direct evidence of illegal activities."
18. Ibid.
19. Ibid.
20. *Komsomolskaya Pravda*, 5 February 1992, p. 1. FBIS-SOV-92-024, 5

February 1992, p. 61.

21. Lt. Col. Aleksandr Kichikhin, quoted by Yevgenia Albats, "Subjects of the KGB," *Moscow News*, No. 14, 1 April 1992.
22. Ibid.
23. Radio Rossii Network, Moscow, 0900 GMT, 8 February 1992. FBIS-SOV-92-027, 10 February 1992, pp. 51-52.
24. *Izvestiya*, 5 February 1992, morning edition, p. 3. FBIS-SOV-92-024, 5 February 1992, pp. 60-61.
25. *Izvestiya*, 8 February 1992, morning edition, p. 2. FBIS-SOV-92-031, 14 February 1992, p. 55.
26. Ponomarev and Yakunin, news conference, *Op. cit.*; and Ponomarev, interview with author at the Jamestown Foundation, Washington, D.C., 27 March 1992.
27. Albats, "KGB-MSB-MBVD: Substantive Changes?" *Op. cit.*
28. Ibid.
29. Alexander Rahr, "Old KGB Remains Alive and Well," *Op. cit.*
30. Many of the points in this section were provided by Diane Dornan, professional staff member, Permanent Select Committee on Intelligence, U.S. House of Representatives, for the 7 May 1992 *Demokratizatsiya* conference, and are adapted or quoted from her memorandum for the occasion.
31. "Former KGB Still Targets Western Business & Industry," *Perspectives* (Washington: International Freedom Foundation), 20 May 1992, p. 1.
32. R. Patrick Watson, deputy assistant director, Foreign Counterintelligence Division, Federal Bureau of Investigation, in speech to Economic Espionage Threats and Response Seminar, SecurTech conference, Washington, D.C., 7 April 1992.