



The Central and East European Coalition

**July 25, 2012 policy forum,
Susan Corke, Director for Eurasia Programs, Freedom House
“Russian Power, How Soft?”**

The title of today’s event “Russian Soft Power” is necessary for consideration and debate in Russia, the U.S., Europe, and the neighborhood of the former Soviet Union. In the past 120 days we have seen clearly what the Putin administration plans to do, and it poses a direct challenge to the international community and those who support the protection of democratic rights. One central issue we need to discuss today is whether what Putin is doing now is “soft power.

After hundreds of thousands of people came peacefully to the streets in Russia, fed up with the “party of swindlers and thieves” and the Putin model which enabled/enforced it, there was an ominous sense of foreboding. The people of Russia may have changed, but Putin had not. Action by the Russian government against the nongovernmental organizations and citizen protestors was feared. Putin may be using softer tools in his current campaign to rein in opposition, but the KGB instincts remain – to find and extinguish dissent and civil society influence. Thus, President Putin is deliberately and systematically trying to silence groups whose criticism of his human rights record exposed weakness and helped fuel seven months of protests against his rule. People had dared to dream of a better future for Russia. Dreaming is dangerous in Putin’s Russia.

Putin needed an enemy - a threat beyond Russia’s borders to rally the nation behind him. Putin was bent on the past, unable to understand his people and so he relied on stoking old fears. It was not a surprise that he decided to blame the United States as the main sponsor of such anti-Putin measures.

The Russian ruling elite has clearly been paranoid since Ukraine's Orange Revolution in 2004. The demonstrators were seen by the Kremlin as tools of foreign sponsors seeking regime change. The Kremlin understood on some level the soft power of democratic values and thus identified it

as a threat. A Russian law imposed restrictive new requirements on foreign groups in the country in 2006. Following the Arab Spring and the downfall of Egyptian President Hosni Mubarak and Libyan leader Moammar Gadhafi, Putin is feeling vulnerable and panicked. He knows that he has lost the trust of a large portion of his population. Thus, the Kremlin rules the only way it believes it can – restrict the avenues that allowed people to dissent and come together. Russia lies at a dangerous crossroads between soft and hard power.

Is the Putin model “soft power?”

In Putin’s Russia, laws are either subject to Kremlin interpretation or are being swiftly changed to thwart different ideas and movements that he – personally - perceives as a threat. As David Kramer of Freedom House phrased it, the government of Russia is launching an “anti-democratic coup.”

This Putin model is exerting some soft power pull and regional influence; we can already see that these despotic and quasi-despotic regimes are emulating Russia’s use of draconian laws and “parliamentary methods” to marginalize the opposition and squash civil society.

Thus, is the implied threat Putin model “soft power?” Maybe for now. But Putin does not distinguish between types of power—he does what is necessary to suppress the adversaries of the hour. When it was Mikhail Khodorovsky or other oligarchs, he used political prosecutions and intimidation. Basically, he is now using the threat of prosecution to scare off the growing opposition. Jail time is not soft power, nor is the possibility of massive, institution crippling fines. We are now witnessing Putinism’s latest phase. Perhaps the argument could be made that Putin’s use of anti-Americanism and spy mania as Soviet values mean he is employing a soft-power appeal to Soviet nostalgia, but that seems like a stretch given the more obvious role of threats and punishments. But pessimistically once legislative restrictions are in place it enables the use of hard power as authorities will operate in a more permissive environment for use of force and coercion. And countries in the region will be paying attention.

What are the new restrictive measures?

Taking the Kremlin direction, the Russian Duma came up with a slew of new/old repressive, Soviet-like measures to help an anti-democratic regime desperately cling to power including:

- raids on the homes of opposition figures;
- recriminalization of libel and slander;
- creating a blacklist of "harmful sites" to control the Internet, which until recently has remained largely free of government censorship;
- a sharp increase in penalties for participating in "illegal" protests;
- legislation that would force nongovernmental organizations to call themselves "foreign agents" if they receive funding from outside of Russia; and
- a bill mandating "foreign agent" labeling for all registered media outlets.

The last two enable the Kremlin's favorite tactics to work in combination: increase the anti-American rhetoric while ratcheting up the spectre of Cold War espionage. And this seems to be just the beginning. The Duma, which had been criticized for lack of action in the past, seems to be busy doing the Kremlin's business. A number of members of the Public Chamber plan to introduce a bill in the fall 2012 that would impose severe restrictions on any volunteer activity in Russia. The initiative is a direct response to the recent tendency of Russian citizens to spontaneously organize missions to provide help in disaster sites - such as to the victims of flooding.

For today's discussion, I think that the "foreign agent" designations, which are essentially actions to isolate Russia and Russians from external cooperation, are worth a closer look.

After being rushed through the Duma with breakneck speed and unusual vigor, President Putin on July 21 signed this KGB-era foreign agent bill into law. The bill was introduced by the same United Russia folks in the Duma who rushed through controversial amendments on the law against public events. (That bill dramatically increases fines for protests and protest organizers who participate in "unsanctioned" public demonstrations.)

The foreign agent law affects organizations that receive foreign funding and are thought to be engaged in political activities, forcing them to re-register within 90 days or face suspension. "Foreign funding" is a broad definition that will include any type of funding that comes from abroad, including charitable donations, loans, and grants. The law will enforce frequent and heavy-handed financial disclosure requirements. Failure to comply could result in heavy fines,

forced community work and prison sentences of up to four years.

Lyudmila Alexeeva, head of leading human rights organization, the Moscow Helsinki Group, strongly opposed the bill, and asked Congress and the European Parliament to include the authors of the bill on the list of human rights offenders to be sanctioned with visa bans and asset freezes under the Magnitsky Rule of Law Accountability Act. A public petition was also launched in early July by 44 NGO's against the bill, and has received about 5,000 signatures to date.

What is the impact on civil society in Russia?

Thousands of nongovernmental organizations (NGOs) will be labeled "foreign agents" if they receive financial support from abroad. While this bill could be applied to many NGOs, the Putin regime is targeting a handful of organizations focused on human rights and democracy, particularly GOLOS, the country's only independent election monitor. It had the gumption to do its job, and thereby exposed Putin and United Russia's declining popularity in the elections.

For Russian civil society organizations, the choices they face are stark – civil disobedience, accommodation, or closure.

The head of the advocacy group For Human Rights Lev Ponomaryov announced this weekend that it would refuse to comply with the new foreign agents law. "We are declaring a campaign of civil disobedience to laws that have been passed in violation of the Russian Constitution, the European Convention on Human Rights, and other conventions that Russia has signed," Ponomaryov stated. "We will never be [foreign] agents and will not obey this law. We are agents of Russian citizens. We will continue to receive foreign grants and will speak about this openly."

What will this mean for Russia?

On the eve of Russia's accession to the WTO, it seems impossible that Russia can return to a model of isolation from the world.

Russia is vulnerable to economic volatility and falling energy prices. If it is going to modernize and attract investors, it needs to be part of the networked world – which means it has to embrace

the free flow of information and ideas. Russia's Internet blacklist has produced critics from new corners – Wikipedia and the Federal Communications Commission. I share the FCC's concern that this takes Russia in "a troubling and dangerous direction...and that restricting the free flow of information is bad for consumers, businesses, and societies."

The citizens of Russia demonstrated their empowerment by taking to the street. They seek peaceful ways to advocate for their fundamental rights. They are less afraid of a police crackdown. Although it is likely that a more violent crackdown could be around the corner, the fight for dignity and a voice, and the ability to be connected to ideas, are not concepts the people of Russia are likely to abandon. These new laws target Russian citizens seeking to help other Russians.

What will this mean for the international community?

These new measures are not just repressive within Russia; they pose a belligerent challenge to the international community.

Russia has shown in Syria that no matter how brutal the regime, it will back it to the end. At stake here, as Russia sees it in Syria and beyond, is the restoration of Russian power in its relations with the West. As Zaiki Laidi argued in the *Financial Times* a few days ago, Russia's position on Syria demonstrates that "it does not seek to adapt to a changing world but to return to the old world by preserving what is left of it. Russia is fighting national decline not with renewal or development but with systematic political obstruction."

It is dangerous for the international community to view Russia's swift passage of domestic legislation, which seeks to demonize Russian human rights organizations, as soft power. The U.S. government has been slow to act and has not been speaking out forcefully at high levels. The administration should accept that while the U.S.-Russia reset may have led to progress in particular areas, it has not been going that well recently, and has not led to the hoped for space to discuss these difficult issues.

The U.S. government, in solidarity with international government and NGOs must stand up for the beleaguered organizations in Russia who seek a more democratic future. If we don't do so, we are giving tacit approval to Russia to assert that the Universal Declaration and the Helsinki

Final Act don't apply. Those are the models Russia should be looking to, and the ones we should be holding them to.

The U.S. and the West must not lose their nerve now. Putin knows that support for those who seek fundamental freedoms is a powerful form of soft power. Let's prove him right.

- Pass the Magnitsky Act – demonstrate that when the Russian government violates the rights of its citizens, there are international consequences.
- Speak up, speak together, and speak loudly.
- Continue to support Russian pro-democracy organizations. Let them decide their level of civil disobedience.