RUSSIA'S HYBRID WAR AGAINST THE UK: TIME TO FIGHT BACK AGAINST THE KREMLIN

BY NEIL BARNETT and HELENA IVANOV







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BY NEIL BARNETT and HELENA IVANOV





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About Us



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About The Henry Jackson Society

The Henry Jackson Society is a think-tank and policy-shaping force that fights for the principles and alliances which keep societies free, working across borders and party lines to combat extremism, advance democracy and real human rights, and make a stand in an increasingly uncertain world.



About the Russia & Eurasia Studies Centre

The **Russia and Eurasia Studies Centre** undertakes in-depth, analytically-focussed research into domestic and foreign policy issues in Russia and the other post-Soviet states. Established in 2010 as the Russia Studies Centre, the programme's geographical scope has widened since 2014, mirroring the high level of importance attached to the region.

Executive Summary

This research brief argues that Western governments have been complacent about Russian hybrid warfare in the last 15 years. At the geopolitical level, much has been written lately describing how this has emboldened Russia, culminating in the invasion of Ukraine. Weakness, as ever, is a provocation.

While this is all true, the focus of this research brief is the ongoing threat to the UK and, by extension, to other democracies. In refusing to properly deal with the Russian hybrid warfare threat, Western governments have allowed their political systems to be distorted; espionage operations and personnel to flourish; tainted money to be laundered; and Kremlin opponents to be assassinated with impunity.

The invasion of Ukraine serves as an alarm signal: this situation must be decisively brought to an end. Sanctions, energy policy and defence assistance to Ukraine are all important, and are rightly the focus of attention at this point. But now is also the moment to enact domestic measures to reduce the threat and isolate Russia further. Just as Ukraine's heroic defence has shown that the Russian armed forces are far less of a threat than Kremlin propaganda would have us believe, so in the grey zone of hybrid warfare, a determined defence can cut the adversary down to size; Russia's successes in the last 15 years were in large part a result of the defenders being absent.

Below are a series of recommendations in the fields of intelligence and security, media and law. Taken together, they would rapidly deny access to Russian espionage, subversion and influence operations. Equally, by intelligent targeting, the measures would have only minimal impact on the overall openness of British society, while preserving the rule of law.

Research Brief

On 24 February 2022, the armed forces of the Russian Federation invaded Ukraine from land, sea and air. Although Russian military forces had been building up on Ukraine's borders since Spring 2021, Western governments were taken by surprise, with the exception of the US and British intelligence services which had publicly stated that the invasion was a certainty in early February. Russia's so-called "Special Military Operation" could not be denied, as was also the case with the February 2014 invasion of Crimea, but at the same time, the Kremlin chose not to define it as a full-scale invasion, believing Russia would be quickly victorious.

The shock experienced by many Western governments is remarkable given that Russia's invasion came after 15 years of sustained Russian hybrid warfare, formerly known as Active Measures when pursued by the Soviet Union. Russian President Vladimir Putin had never hidden his view that Russia was *de facto* at war with the West; he had, after all, outlined this in his famous February 2007 speech at the Munich Security Conference. In the run-up to Russia's invasion of Ukraine, the Kremlin's broad range of hybrid warfare activities had included radiological and chemical weapons attacks on British soil in 2006 and 2018; the 2007 cyber-attack against Estonia; the 2008 invasion of Georgia; the 2014 annexation of Crimea and invasions of Ukraine; cyber-attacks against a range of Western targets; assassinations of Kremlin opponents; and the 2014 explosions at ammunition depots in the Czech Republic which destroyed military equipment destined for Ukraine. On top of this were the massive campaigns of interference in democratic states' elections (e.g., US in 2016, France 2017), in the referendums on Scottish and Catalonian independence (2014, 2017) and in the UK Brexit vote (2016).

But it was the invasion of Ukraine and the subsequent Russian war crimes that proved to be the red line that convinced both Western leaders and the public of the true nature of Putin and his regime. This had been evident for many years, but had been denied because of a mixture of cognitive dissonance, myopia, economic self-interest, and Russia's strategic use of corruption to "hire" and influence Western ruling elites.

The aim of this research brief is to set out policy recommendations of mutually supporting measures that would allow the UK to shore up its defences against malign Russian activity. While this is long overdue, the war in Ukraine means there is no doubt the UK is now *de facto* at war with Russia and should act accordingly. The UK has not officially acknowledged this, but it is sending large numbers of Next generation Light Anti-tank Weapons (NLAWs), Starstreak missiles and other equipment to Ukraine, imposing tough sanctions on Russia, and providing security guarantees to Sweden and Finland during their NATO accession period. In such a context, Britain, for good strategic reasons and in the national interest, is putting itself within Russia's crosshairs. In this context, decisive action to strengthen the country's defences is essential.

As pointed out in *The Tripod: Russia's Political Warfare Weapon*, a December 2019 research brief published by the Henry Jackson Society and written by one of the co-authors of this paper, there is a discernible structure to Kremlin policies which is designed to weaken, divide, demoralise and influence the West. Russia uses a "tripod" of instruments – disinformation and cyber-warfare; financial; and human aspects – to support its political warfare campaigns.

The first leg of this tripod - disinformation and cyber-warfare - has been extensively dealt with by academics and analysts. This research brief deals with this, but also with the more difficult and thorny questions of Russia's financial and human hybrid warfare operations against the

James Rasen, "U.S. intelligence says Putin made a last-minute decision to invade Ukraine", The Intercept, 11 March 2022, https://theintercept.com/2022/03/11/russia-putin-ukraine-invasion-us-intelligence/.

West. What has fundamentally changed is that Russia has crossed a red line by invading Ukraine and has made the nature of the threat visible to Western democracies. There is now a window of opportunity whereby these hybrid warfare operations can and should be disrupted or stopped. In other words, what has changed is the level of political will, at the level of both electorates and governments, to address the Russian threat to Western democracies.

The Russian political warfare tripod exploits the openness of Western societies and uses it as a weapon against them. Every form of contact - financial, political, cultural, academic, scientific, and commercial - is used as a vector for hostile Kremlin activity.

This employs the same logic as enshrined in Soviet leader Vladimir Lenin's maxim that the capitalist will sell you the rope you use to hang him. This emphasis on the profit motive is not entirely misplaced today – after all, greed and cupidity among Western ruling elites has been a major enabler of Russian hybrid warfare operations.

Fortunately, a great deal can be done to remedy the situation. There is something in common with the unfolding of the military situation in Ukraine. Russia's armed forces have fared badly against determined resistance from Ukraine. In the post-Soviet era, there has not been a military campaign where Russia's adversary has had both the will and the means to fight back effectively. The same may well be true in terms of the Kremlin's barrage of active measures against the UK and its allies in recent years. In 2018, Dr Andrew Foxall estimated that Russia's security services had a combined strength of between 680,000 and 880,000 people, and that defence and security accounted for 29.1% of Russian state expenditure in 2017. ² Russia's security services have advantages of scale, ambition and amorality. But what if it was taken into account that they have been largely unopposed in the last two decades? Might it be the case that when they face determined opposition, their lustre tarnishes - just as Russia's armed forces have been battered by a far smaller adversary in Ukraine? This research brief argues that this is exactly the case, and that now is the time to close the door to the FSB (Federal Security Service), the GRU (Main intelligence Directorate of the general Staff), and the SVR (Foreign intelligence Service), and to the private-sector players who support them with funds and infrastructure.

Moreover, these countermeasures can be put in place without undermining Western openness and the rule of law that Russia's intelligence services have manipulated to their own ends. Indeed, were the West to curtail that openness and adherence to the rule of law, it would be surrendering the very source of its strength and durability – a strength and durability that has taken the Kremlin by surprise.

The answer lies in taking targeted, surgical measures that draw on knowledge of the *modus* operandi of Russian political warfare and espionage, and working back from that point. There is not a binary choice between an open and an un-open society. Instead, we can shut off access to adversaries in an intelligent and targeted way, without substantially reducing the openness of democracies such as the UK.

Our proposals are broken down into four categories: (1) Intelligence and Security: (2) Media; (3) Law; and (4) Policy Recommendations.

These proposals would of course be one element of a broad set of defensive policies intended to contain and ultimately defeat Russia's hybrid warfare aggression against the UK and other Western democracies. The other means - which are beyond the scope of this research brief - include economic sanctions; overhaul of energy policy; restrictions on the movements of

Dr Andrew Foxall, "Putin Sees and Hears it all: How Russia's Intelligence Agencies Menace the UK", *The Henry Jackson Society*, 2018, https://henryjacksonsociety.org/wp-content/uploads/2018/11/HJS-Putin-Sees-and-Hears-It-All-Report-web.pdf.

Russian citizens; and military support to Ukraine and other allies. The more limited aim of this research brief is make recommendations as to how we can close the door to Russian political warfare and espionage operations, while leaving other doors open for legitimate activities.

While it is now accepted that some modest loss of openness is an acceptable price to pay for national security (as can be seen in the rejection of Huawei technology by the US, UK and other Western democracies), the aim is to minimise any loss of openness, and to ensure that any action is efficiently targeted. If this can be undertaken, the West can finally pursue an asymmetric counterstrategy against Russia. The majority of the points set out below will have minimal negative effects but dramatic positive effects in curtailing hostile activity.

There are two important points to bear in mind.

Firstly, the research brief specifically addresses the UK and its legal, security and institutional frameworks. Nonetheless, many of the recommendations can readily be adapted and applied to other Western democracies.

Secondly, the threat from Russia has become acute, but it is far from the only such adversary the UK faces. Both China and Iran pose similar threats, while other states that are not overtly hostile are nonetheless bent on securing covert influence over the UK. The largest of these threats – China – is a chronic rather than an acute threat for now. However, it should be borne in mind that Chinese malign activities differ in emphasis and methods. China, for example, devotes far more resources to obtaining access to Western technology and intellectual property (IP), through both commercial and academic channels, but is probably less engaged in attempts to influence the thinking of Western populations than Russia. The recommendations outlined below would be useful bulwarks against Russia and other authoritarian adversaries.

Intelligence and Security

Counterintelligence

It is widely accepted in the intelligence community that the formulation of defence policies against hostile states has been neglected for decades. Aside from complacency among policymakers following the fall of the Berlin Wall, the main reason for this was the shift in resources to counterterrorism after 9/11.

The best illustration of this is the Intelligence and Security Committee report on Russia, which was released in July 2020; see below – our bold, redactions are indicated by asterisks.³

67. Twenty years ago, MI5 devoted around 20% of its effort to Hostile State Activity, which includes Russian activity alongside the hostile activity of other states, such as China and Iran. This allocation of effort declined, as the terrorist threat grew. By 2001/02, it had reduced to 16% and by 2003/04 to 10.7%. This fall continued until, by 2008/09, only 3% of effort was allocated by MI5 to all its work against Hostile State Activity (noting that reductions in proportion of overall effort do not translate directly into changes in resource). It was not until 2013/14 that effort began to increase significantly, rising to 14.5% – a level that MI5 says meant that slightly more staff were working on Russia than had been during the Cold War. The past two years have seen ***: currently, ***% is allocated to Hostile State Activity, approximately *** which is dedicated to countering Russian Hostile State Activity.

Hard information on the extent of agent recruitment and handling in the UK is naturally difficult to come by, but Dr Andrew Foxall wrote the following, based on briefings from intelligence sources:

... Russia has as many as 200 case officers in the UK, handling upwards of 500 agents. in addition, the agencies can call upon informants; these are found within the Russian expatriate community, which is estimated to number up to 150,000 people in London alone, as well as within British society as a whole.

Since the threat from terrorism is hardly receding, it is difficult to escape the conclusion that additional budgetary resources are needed to expand the counterintelligence capacity of MI5.

The gap between counterintelligence and forensic investigation

The threat from "political money laundering" ⁴ stems from hostile states such as Russia obscuring the origin of funds that are used to subvert Western democratic governments. Just as drug cartels launder money with the aim of hiding its criminal origins, the goal of political money laundering is to obfuscate its Russian origins. This is challenging to counter. As with routine criminal money laundering, the full range of "layering" through numerous offshore structures and physical goods such as diamonds and gold is employed. In addition to this, the funds typically do not originate with the Russian state, but with oligarchs who operate as Kremlin proxies, and with organised crime groups who have an unwritten agreement with the Kremlin.

The problem in the British system is that countering this threat falls between two structures. The City of London Police and the National Crime Agency (NCA) take the view that counter-

³ "Russia", Intelligence and Security Committee of Parliament, 21 July 2020, https://isc.independent.gov.uk/wp-content/uploads/2021/03/CCS207_CCS0221966010-001_Russia-Report-v02-Web_Accessible.pdf.

Neil Barnett and Alastair Sloan, "Democracy in the Crosshairs: How Political Money Laundering Threatens the Democratic Process", Atlantic Council Eurasia Center, September 2018, https://www.atlanticcouncil.org/wp-content/uploads/2018/10/ Democracy_in_the_Crosshairs_updated101718.pdf.

intelligence is not in their remit. MI5, by the same token, views forensic investigation as a policing task. It is striking that the counter-espionage page on MI5's website states, "Espionage focuses on gathering non-public information through covert means." While this is indeed the case, it ignores the wider application of "active measures" and subversion by an adversary such as Russia. The result is that political money laundering operations can go undisturbed.

One answer to this vexing problem is the US model, where different divisions of the FBI are responsible for money laundering and for counterintelligence, and are thereby able to cooperate under the same roof. Rather than proposing a radical reorganisation of British institutions on US lines, we would suggest that the post 9/11 counterterrorism model be used. This would mean establishing close cooperation between organisations that hitherto operated in silos, including cross-posting and the setting up of joint task forces.

Abandon the "customer" focus

In the UK, the government of the day is treated as a "customer" by the Secret Intelligence Service (SIS [MI6]), whereas MI5 has a broad mandate to defend national security. Downing Street passes down its demands through the Joint Intelligence Committee (JIC) to the intelligence services. MI6 reportedly follows these directions very closely. However, politicians are not necessarily best placed to understand emerging threats to national security, both thematically and geographically. If the heads of the intelligence services were to be given greater autonomy to identify threats holistically and to maintain a 360-degree watch, they would be in a better position to defend the UK and, at the same time, would be less vulnerable to sudden crises. In short, all the intelligence services should establish that their mission is to defend the country. This would mark a departure from the current requirement to please "customers" who change according to the election cycle, and can be subject to conflicts of interest and changing trends.

Declassification

The intelligence services, as is to be expected, are obsessed with secrecy. However, the Anglo-American success in learning of and exposing the Kremlin's intention to invade Ukraine in February 2022 marked an important departure from this traditional approach. ⁶ US intelligence also obtained advance warning of the Russian intention to mount provocations and false flag operations in Russian-occupied Donbas, and again exposed it in advance as early as mid-January 2022, along with kill lists, which were evident in the war crimes committed by Russian occupation forces. ⁷

Such initiatives can counter disinformation, deter specific actions and assist in educating Western public opinion. Traditionally, when intelligence services have wanted to communicate their knowledge to the world, they "surface" (i.e., leak) it through deniable means. The downside of this approach is that it lacks authority, as the information appears to come from elsewhere.

Moreover, there is potential to have greater general influence over public perceptions and to cut through the smoke of public discourse and disinformation. For over two decades, Estonia's security service (KAPO) ⁸ and foreign intelligence service (Valisluureamet) ⁹ have published

 $^{^{5} \ \ \}hbox{``Introduction to Counter-Espionage'', Security Service MI5, https://www.mi5.gov.uk/counter-espionage.}$

⁶ Ed Pilkington, "US intelligence believes Russia has ordered Ukraine invasion – reports", *The Guardian*, 20 February 2022, https://www.theguardian.com/us-news/2022/feb/20/russia-invasion-ukraine-biden-blinken-us-national-security-council.

[&]quot;U.S. Accuses Russia Of Preparing 'False-Flag' Operation In Ukraine", RFERL, 14 January 2022, https://www.rferl.org/a/russia-false-flag-ukraine-accusations-invasion/31654852.html.

⁸ "Annual Reviews", Estonian Internal Security Service, https://kapo.ee/en/content/annual-reviews/.

[&]quot;Estonian Foreign Intelligence Service public report 2022," Estonian Foreign Intelligence Service, https://www.valisluureamet.ee/en.html.

annual reviews. These set out the structure, methods and aims of adversary activity both inside and outside Estonia's borders.

Estonian Foreign Intelligence Service

INTERNATIONAL SECURITY AND ESTONIA 2022

FOREWORD EXECUTIVE SUMMARY

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In some cases, public engagement could take the form of pointing out accurate material that is already in the public domain, such as that published by the investigative group Bellingcat ¹⁰ or the Maxar commercial satellite imagery service.

The obvious caveat is that methods and sources should be protected while disclosures should be vetted for possible political influence. Nonetheless, the successful declassification of pre-invasion intelligence on Russian intentions towards Ukraine suggests that this practice will continue.

Combat the Trade in Passports

"Citizenship by Investment" ¹¹ or "golden visa" schemes have allowed Russian oligarchs and organised crime leaders to buy themselves a bolt hole, often in jurisdictions with financial secrecy. The lesser-known risk of these schemes is that they could have been a pipeline for a new generation of illegals; that is, long-term intelligence assets living under false identities and nationalities. This is a particularly acute threat as illegals installed in the West during the Cold War have reached retirement age and need to be replaced.

The theoretical route for this to happen would be the Russian state issuing an individual with a false native Russian identity or a "legend" from one of the other fourteen Soviet successor states. That individual would then be provided with the financial means to obtain "citizenship by investment" in a state such as Hungary, led by a pro-Russian populist nationalist government, or in Malta or Cyprus, *de facto* Russian offshore tax havens. Thus equipped with a new European passport based on a false original identity, the individual could move to a third country in the

¹⁰ Bellingcat, https://www.bellingcat.com.

[&]quot;Residence/Citizenship by investment schemes", OECD, https://www.oecd.org/tax/automatic-exchange/crs-implementation-and-assistance/residence-citizenship-by-investment/.

Below: A Maxar Image in the Press 12

Satellite images show Russian craft dodging missiles near Snake Island in Ukraine

Posted Fri 13 May 2022 at 7:12am



A Russian boat is seen moving swiftly away from smoke contrails. (Satellite image @2022 Maxar Technologies.)

Schengen zone, their identity having been twice laundered. Similar conditions could apply to British Commonwealth states in the Caribbean, some of which also provide passports in exchange for large sums of money.

On 17 February 2022, as one of the sanctions applied in response to Russia's invasion, the UK scrapped the Tier 1 investor visa which had required an investment of £2.5m. The Government stated, ¹³ "[in] some cases [it] had given rise to security concerns, including people acquiring their wealth illegitimately and being associated with wider corruption." Both the EU and the OECD are now taking action to curtail these schemes.

In addition to its own decision to close the Tier 1 scheme, the UK should use its influence on British Commonwealth states in the Caribbean to end these schemes, using the threat of curtailing their free movement residency privileges.

Law Enforcement

As set out above, the police and the NCA have a role to play in counterintelligence beyond what has traditionally been undertaken by the former Special Branch department of the police.

¹² "Satellite images show Russian craft dodging missiles near Snake Island in Ukraine", *ABC News*, 23 May 2022, https://www.abc.net.au/news/2022-05-13/satellite-images-snake-island-russian-craft-attack/101064408.

¹³ "Tier 1 Investor Visa route closes over security concerns", Gov.uk, 17 February 2022, https://www.gov.uk/government/news/tier-1-investor-visa-route-closes-over-security-concerns.

More generally, the police should actively investigate and prosecute crimes committed on British soil where foreign states are the prime suspects. This has been professionally documented by the journalist Heidi Blake in her book which explored fourteen suspected murders in the UK. ¹⁴ As Blake noted, in 2006 – the year that Russian exile Alexander Litvinenko was poisoned with polonium in London – the Russian State Duma passed a law permitting the killing of enemies of the state abroad. She noted that former UK Prime Minister Theresa May pedalled weakly on the Litvinenko case when Home Secretary, and claimed this was in order to protect relations with Russia. Whatever May's reasoning, there is little doubt that her actions emboldened Russia to undertake hybrid warfare activities against Western democracies and to murder more people on British soil. Appeasement merely fed the appetite of Putin's Russia. A *Buzzfeed* report on Blake's book noted disquiet within the US Intelligence Community over the handling of many of the cases: ¹⁵

The existence of American intelligence linking the 14 deaths in Britain to Russia was confirmed by four current US intelligence officials with direct knowledge of the information the spy agencies had gathered on each case. In certain instances, they said, it was possible to say with high or moderate confidence that assassinations had been carried out on Putin's command. In others, it could not be determined with certainty whether individuals had been targeted by the Kremlin, murdered by Russian mafia figures, or deliberately driven to suicide – and they could not rule out the possibility that some of the deaths could be unconnected to Russia. But in all 14 cases, "based on what we know and intelligence gathered in the field and analysed," one of the officials said, "you can safely say that the strongest conclusion is that circumstances suggest Russian involvement in the deaths of these men and then demand more investigation from UK."

This is a prime example of a situation where no new legislation is needed. The police merely need to actively enforce existing laws dealing with murder, regardless of the perpetrator. The UK Government, meanwhile, must not prevent these laws from being enforced.

Diplomacy

The UK is an outlier among Western democracies in not expelling any Russian diplomats since the invasion of Ukraine. In that period, over 500 Russian diplomats have been expelled from other Western states; Poland, for example, has expelled 45 and Germany has expelled 40. ¹⁶ The three Baltic states have together expelled ten. ¹⁷

In March 2014, Home Secretary Theresa May announced the expulsion of 23 Russian diplomats (out of a total of 58) in response to the nerve agent attack on Russian double agent Sergei Skripal. ¹⁸ By mid-2019, the number of accredited Russian diplomats had already returned to 40, meaning that five replacements have been allowed. ¹⁹ The UK Diplomatic List for May 2022 showed 40 accredited Russian diplomats, suggesting that this number was settled on as being at a sustainable level, one-third lower than in the pre-Skripal era.

¹⁴ Roger Boyes, "From Russia With Blood by Heidi Blake review — hit jobs in the home counties", *The Times*, 13 December 2019, https://www.thetimes.co.uk/article/from-russia-with-blood-by-heidi-blake-review-8wcnzwhvr.

¹⁵ Heidi Blake et al., "From Russia With Blood: 14 Suspected Hits On British Soil That The Government Ignored", *BuzzFeed News*, 15 June 2017, https://www.buzzfeednews.com/article/heidiblake/from-russia-with-blood-14-suspected-hits-on-british-soil.

¹⁶ Gordon Corera, "Ukraine: The spy war within the war", BBC News, 14 May 2022, https://www.bbc.co.uk/news/world-61311026.

[&]quot;Lithuania, Latvia and Estonia expel several Russian diplomats", Interfax, 18 March 2022, https://interfax.com/newsroom/top-stories/76999/.

¹⁸ Adam Taylor, "Britain's expulsion of 23 Russian diplomats marks a return to Cold War ejections", *The Washington Post*, 14 March 2018, https://www.washingtonpost.com/news/worldviews/wp/2018/03/14/britains-expulsion-of-23-russian-diplomats-marks-a-return-to-cold-war-ejections/?utm_term=.5866ee78f03d.

^{19 &}quot;The London Diplomatic List", 1 August 2019, https://p10.secure.hostingprod.com/@spyblog.org.uk/ssl/ldl/London_ Diplomatic_List_-_January_2019.htm.

Russia still maintains five diplomatic properties in London - its embassy, its ambassador's residence, the consular section in Kensington, its Defence Attaché's office and its trade mission in Highgate. This is a sub-optimal situation in the current environment. It is unclear what constructive purpose 40 accredited Russian diplomats and five properties continue to serve. The volume of UK-Russian trade has collapsed, there is no judicial cooperation and cultural relations are very limited. There is certainly no military cooperation, and the Defence Attaché's office is, by definition, a station of the GRU, Russia's military intelligence organisation, that carried out the Skripal assassination attempt. Likewise, it is hard to make a case for the small number of declared SVR intelligence personnel being anything other than a national security threat.

Moreover, practically the entire staff of the Russian Embassy are known to be in some way involved in intelligence. According to a former UK intelligence officer: "One of the issues we are facing is widespread ignorance of the adversary. This ignorance spreads to the highest levels. They do not understand that as far as the Russians are concerned, First Secretary Aid is every bit as much a part of the game as First Secretary Intelligence."

There is a cost to permitting such a large number of intelligence operatives at the Russian Embassy. As every accredited diplomat can potentially be conducting intelligence activity – for example, handling agents – they require surveillance. The MI5 manpower required to keep all 40 Russian diplomats under round-the-clock physical surveillance (as Russia does to Western diplomats in Moscow) is simply not a practical or productive use of resources.

A better alternative would be to reduce embassy numbers to, for example, five, including the ambassador, and to maintain a 24-hour surveillance on them. This would of course invite reciprocal expulsions from Moscow, but this is arguably an acceptable price to pay. Personnel at the British Embassy in Moscow have always been under intensive surveillance and are unable to meet sources. In the bigger picture, isolating Russia should be an aim in itself.

In addition, Government-Organised NGOS (GONGOSs) ²⁰ with a presence in the UK, such as Rossotrudnichestvo (the Federal Agency for the Commonwealth of Independent States Affairs, Compatriots Living Abroad, and International Humanitarian Cooperation) ²¹ and the Russkiy Mir (Russian World) Foundation, ²² should be closed, particularly in cases where there are suspicions of espionage activity. ²³

The case for making radical cuts in the strength of the Russian Embassy is underlined by unusual activities that have taken place during the last decade, pointing to major, long-term intelligence operations. Our research into the Russian Diplomatic List ²⁴ shows a pattern of anomalies in postings by the Russian Embassy in London in 2010–2019. A number of senior Russian diplomats were posted to London for between five and eight years or returned to London for a second posting in the same period (several of these postings were cut short by the Skripal expulsions in 2018). The normal length of postings for both Russian diplomats and intelligence officers is four years. While an individual may occasionally serve longer than that, it is extremely unusual for an entire cohort to be in place for such an extended period.

Vladislava Vojtíšková, Vít Novotný, Hubertus Schmid-Schmidsfelden and Kristina Potapova, "The Bear in Sheep's Clothing: Russia's Government-Funded Organisations in the EU", Wilfried Martens Centre for European Studies, 2016, https://www.martenscentre.eu/wp-content/uploads/2020/06/russia-gongos_0.pdf.

²¹ "Federal Agency for the Commonwealth of Independent States Affairs, Compatriots Living Abroad, and International Humanitarian Cooperation", The Russian Government, http://government.ru/en/department/93/.

²² "Centre strengthens Russian ties", University of Edinburgh, 14 April 2016, https://www.ed.ac.uk/news/all-news/russian-ties-191010.

²³ Massimo Calabresi, "Inside Putin's East European Spy Campaign", *Time*, 7 May 2014, https://time.com/90752/inside-putins-east-european-spy-campaign/.

²⁴ "London Diplomatic List archive", Spy Blog, https://spyblog.org.uk/ssl/ldl/London_Diplomatic_List.pl.

This raises the question of why the Russian foreign ministry, the SVR, the GRU and possibly the FSB (the domestic security service which has small numbers of officers posted in foreign embassies) chose to do this. Breaking the standard posting pattern in this way creates a risk because it brings them to the attention of counterintelligence analysts.

Possibly the most important member of this group was the Assistant Military Attaché Alexander Shevelev, who was posted from February 2010 to 2013, returned in 2017 and was expelled after the Skripal assassination in 2018.

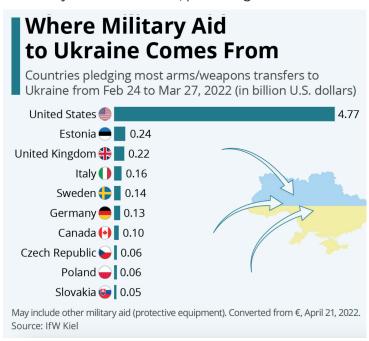
Ambassador Alexander Yakovenko also served for over eight years. The Diplomatic List showed he was appointed on 31 January 2011 and was withdrawn in August 2019. His predecessor, Yury Fedotov, was in the post for five years (2005–2010), as was Fedotov's predecessor Grigoriy Karasin (2000–2005). During the 1990s, no Russian ambassador served in London for more than three years; we can assume, therefore, that these longer postings are a product of the Putin era in which intelligence operations against the West have returned to Cold War levels. ²⁵

Maintaining a rump presence at the Russian Embassy, which can be maintained under full surveillance, would disrupt and largely render impossible both subversion operations and assassination attempts, such as those against Litvinenko and Skripal.

Military

The UK's military response to the war in Ukraine has been mixed. At the level of direct support for Ukraine and for other allies, it has been remarkably swift and active, providing some substance

to the slogan "Global Britain". The UK sent its first batch of 2000 NLAW antitank missiles to Ukraine in mid-January 2022, ²⁶ weeks before the invasion, acting as a trailblazer for other states' military assistance. Subsequently the UK supplied Starstreak anti-aircraft missiles, as well as body armour, helmets and other military equipment, to a value of over £200m.²⁷ In early May 2022, it was announced that a further £1.3bn in military aid would be sent to Ukraine, including counter-battery radar and night vision equipment. 28 In April 2022, the UK was the thirdlargest military donor to Ukraine, behind the US and, remarkably given its size. Estonia: 29



²⁵ "List of ambassadors and charges d'affaires of the Russian Empire to the United Kingdom", The Ministry of Foreign Affairs of Russia, https://www.rusemb.org.uk/ambassadors/ and https://www.newyorker.com/magazine/2017/03/06/trump-putin-and-the-new-cold-war.

Sebastien Roblin, "The NLAW Missiles The U.K. Rushed To Ukraine May Only Be Useful In Desperate Circumstances", Forbes, 25 January 2022, https://www.forbes.com/sites/sebastienroblin/2022/01/25/the-uk-airmailed-2000-nlaw-missiles-to-ukraine-are-they-useful/?sh=17a2a0d54170.

Dan Sabbagh, "UK military aid to Ukraine could rise to £500m, MPs told", The Guardian, 25 April 2022, https://www.theguardian.com/politics/2022/apr/25/uk-military-aid-to-ukraine-could-rise-to-500m-mps-told.

Michael Savage, "UK poised to hand further £1.3bn military package to Ukraine", *The Guardian*, 7 May 2022, https://www.theguardian.com/world/2022/may/07/uk-poised-to-hand-further-13bn-military-package-to-ukraine.

²⁹ Katharina Buchholz, "Where Military Aid to Ukraine Comes From", Statista, 21 April 2022, https://www.statista.com/chart/27278/military-aid-to-ukraine-by-country/.

In late March, the UK announced it would double its commitment to the NATO Enhanced Forward Presence (eFP) in Estonia. ³⁰ This commitment marks an acceptance that it is no longer realistic to imagine that frontline states could be guarded by nominal forces and then liberated by NATO after they have been invaded. The war crimes, rapes and looting committed by Russian occupation forces in Bucha have shown that civilian populations cannot be left to fend for themselves, and that deterrence by denial must now be imposed. In early May 2022, the UK announced that it would give Sweden and Finland a bilateral security guarantee covering the period until their NATO membership is secured. ³¹

All of this is laudable, but on the downside, nothing is being undertaken to address years of military decline which undermines the credibility of Britain's security guarantees to other countries and calls into question the country's defence capabilities. State finances are so stretched that the Government appears unable or unwilling to seek additional funds for defence. The Chief of the General Staff, General Mark Carleton-Smith, has said in public that he was surprised by the Government's decision on the size of the army: "[Ukraine has] certainly highlighted the fact that mass and size are important. I'm not comfortable with an Army of just 73,000. It's too small. That was never part of our proposition going into the review. In fact, I was working to direction that we regrow the Army to 82,000..." ³²

A first step in remedying this deplorable situation would be to accept that, in the light of Russia's invasion of Ukraine, the strategic landscape has changed. This could require yet another "Integrated Review of Security, Defence, Development and Foreign Policy" in which the reality – and not just the possibility – of land war on the European continent is realistically addressed. 33

Export Controls and Protection of IP

Russia's defence industry relies on a network of front companies and individuals whose purpose is to obtain components that are subject to export controls. Often these acquisition efforts rely on relatively simple arm's length transactions whereby a Russian civilian company will acquire components on behalf of a military user, thus receiving export clearance. With Russia directly threatening nuclear attacks on NATO and suffering severe hi-tech component shortages, these leakages can be halted by active and aggressive investigation of export licence applications, as well as by rolling up known networks of intermediaries.

Russian state-connected organisations in the tech sphere should be sanctioned as a precautionary measure. Since the logic of sanctions lists throughout Western states is opaque, it is hard to understand why obvious targets in the Russian hi-tech sector remain unsanctioned. To take one example, Rusnano (the Russian "technology incubator") is a prime candidate for preventive sanctions ³⁴ and yet it has not been sanctioned by the UK, EU or US. Yet despite this failure, in March 2022, the oligarch Viktor Vekselberg was further sanctioned by the US Office of Foreign Assets Control (OFAC). OFAC stated:

[&]quot;UK doubles its presence in NATO EFP Battlegroup Estonia", Multinational Corps Northeast, 3 March 2022, https://mncne.nato.int/newsroom/news/2022/uk-doubles-its-presence-in-nato-efp-battlegroup-estonia.

³¹ "UK goes further than any other Nato country in Sweden and Finland pledge", *The Guardian*, 11 May 2022, https://www.theguardian.com/world/2022/may/11/johnson-security-assurances-sweden-and-finland-not-just-symbolic.

³² George Allison, "Head of the British Army says that it 'is too small'", UK Defence Journal, 10 May 2022, https://ukdefencejournal.org.uk/head-of-the-british-army-says-that-it-is-too-small/.

^{33 &}quot;Global Britain in a Competitive Age: the Integrated Review of Security, Defence, Development and Foreign Policy", Cabinet Office, 16 March 2021, https://www.gov.uk/government/publications/global-britain-in-a-competitive-age-the-integrated-review-of-security-defence-development-and-foreign-policy.

^{34 &}quot;State-owned tech firm Rusnano faces possible default", The Bell, 6 December 2021, https://thebell.io/en/state-owned-tech-firm-rusnano-faces-possible-default/.

"Vekselberg's extensive holdings, predominantly consolidated through his designated Renova Group of companies, span multiple sectors of the Russian Federation economy, and are intertwined with some of the GoR's [Government of the Russian Federation] global initiatives, such as the Rusnano Group, one of the largest technological investors in Russia which provides a revenue source to the GoR". ³⁵

In addition, the UK Government should offer vetting assistance to companies involved in controlled dual use technologies, quantum technology ³⁶ and AI. All of these sectors are prime targets of Russian IP and hardware acquisition efforts where the insertion of personnel on behalf of hostile states is a glaring vulnerability.

^{35 &}quot;Treasury Sanctions Kremlin Elites, Leaders, Oligarchs, and Family for Enabling Putin's War Against Ukraine", U.S. Department of the Treasury, 11 March 2022, https://home.treasury.gov/news/press-releases/jy0650.

³⁶ Quirin Schiermeier, "Russia joins race to make quantum dreams a reality", Nature, 17 December 2019, https://www.nature.com/articles/d41586-019-03855-z.

Media

Media Restrictions and Democracy

Given that the aim of this research brief is to outline policy recommendations that would curtail the Kremlin national security threats while maintaining the openness of British society, media restrictions are among the most controversial measures. The justification for such measures is aptly summarised by EU Commission President Ursula von der Leyen who stated:

In this time of war, words matter. We are witnessing massive propaganda and disinformation over this outrageous attack on a free and independent country. We will not let Kremlin apologists pour their toxic lies justifying Putin's war or sow the seeds of division in our Union. ³⁷

It should come as no surprise that in times of war, both autocratic and democratic states restrict freedom of the press. After all, it is famously argued that the first casualty during a war is the truth. Behind this phrase stands a vast range of expert literature, which argues that propaganda has an impact on people's views and behaviour, and that a long and sustained exposure to such propaganda can, in extreme scenarios (such as in Crimea and the Donbas in Spring 2014), motivate people to engage in violence. Thus, the UK and other Western democracies believe it is in the national interest to restrict access to pro-Russian propaganda. The measures taken so far are laid out below.

Despite a growing consensus in support of this decision, two important questions remain.

Firstly, as social media platforms grow - and subsequently become increasingly difficult to control - how effective are these policies in practice? Is it impractical and repressive to completely restrict access to pro-Russian propaganda - or any other type?

Secondly, at what cost do these restrictions come? If the UK is to continue to be a champion of human rights and freedoms, and a leader of the democratic world, can it really afford to impose severe restrictions on freedom of speech, one of the most important liberties in democratic societies?

Answering these questions is important because it can help us understand how to most effectively counter destabilising propaganda while still remaining an open society. Hence, in the following section, we briefly address these two questions and argue that combating extremist propaganda cannot rest simply on restricting access to such material.

Firstly, it is worth noting that Kremlin propaganda takes many forms. Since the war in Ukraine began, some of the propaganda has sought to convince its audience that Russia is acting righteously and that Ukraine and its supporters espouse or represent a "Nazi" ideology. However, a more insidious form of disinformation operation has the objective of merely sowing doubt and undermining the very concept of objective truth. This can include the dissemination of inaccurate information, including that which reflects badly on Russia.

The goal is not to propel a single narrative but, in a post-modern manner, to persuade its audience that there is no objective truth, only a jumble of "perspectives". As Donald Trump's former presidential campaign manager Steve Bannon reportedly once said, "The real opposition is the media. And the way to deal with them is to flood the zone with shit." ³⁸

³⁷ "Ukraine: Sanctions on Kremlin-backed outlets Russia Today and Sputnik", European Commission, 2 March 2022, https://ec.europa.eu/commission/presscorner/detail/en/IP_22_1490.

³⁸ Sean Illing, "Flood the zone with shit': How misinformation overwhelmed our democracy", *Vox*, 6 February 2020, https://www.vox.com/policy-and-politics/2020/1/16/20991816/impeachment-trial-trump-bannon-misinformation.

The classic example of this approach was the Kremlin disinformation operation following the downing of the civilian airliner MH17 over Ukraine in July 2014. The EU's disinformation unit has done some excellent work mapping this effort in the graphic below. ³⁹ This pattern of disinformation is reflected in the former slogan of the Kremlin propaganda channel RT, "Question More", which sounds like a conventional invitation to intellectual curiosity but which in fact is an attack on the very concept of truth.



Other forms of Russian disinformation operations aim to influence internal politics, promote extremism and conspiracy theories, and sow division or undermine public policy. For example, there is evidence that Russia has mobilised hostility to Covid-19 vaccination programmes in Western states and fanned disinformation that Covid-19 appeared as a consequence of an accident in a US military biological laboratory. ⁴⁰ In many ways, this is reminiscent of the Soviet disinformation campaign in the 1980s linking the US to AIDS.

The fundamental point is that Kremlin information operations are so broad and often so oblique that simply blocking them is not a viable policy. There are a plethora of other sources and channels through which such propaganda can be created and disseminated, from individual accounts and fake online profiles to channels and groups, as well as less mainstream social

³⁹ "MH17: Timeline of Pro-Kremlin disinformation narratives", *EUvsDisinfo*, 13 July 2021, https://euvsdisinfo.eu/mh17-timeline-of-pro-kremlin-disinformation-narratives/.

⁴⁰ Julian E. Barnes, "Russian Disinformation Targets Vaccines and the Biden Administration", New York Times, 5 August 2021, https://www.nytimes.com/2021/08/05/us/politics/covid-vaccines-russian-disinformation.html.

media platforms. The best that can be undertaken is to close the most brazen, such as RT and Sputnik, and to find other means of addressing the broader spectrum of disinformation threats.

Considering confirmation bias - which dictates that people favour "information that confirms [their] previously existing beliefs or biases" ⁴¹ - the efficacy of these restrictions needs to be questioned. In particular:

Confirmation biases impact how people gather information, but they also influence how people interpret and recall information. For example, people who support or oppose a particular issue will not only seek information that supports their beliefs, they will also interpret news stories in a way that upholds their existing ideas and remember things in a way that also reinforces these attitudes. ⁴²

If this holds true, restricting Russian official media will do very little to change the views of those who are the intended beneficiaries of the restrictions in the first place – that is, those initially supportive of, or at the very least not sufficiently critical of, current and past Russian behaviour. In the first instance, these individuals will still be able to access pro-Russian propaganda through the aforementioned channels. Moreover, these people are also likely to interpret pro-Western media and the restrictions on pro-Russian content in the light of their pre-existing pro-Russian beliefs.

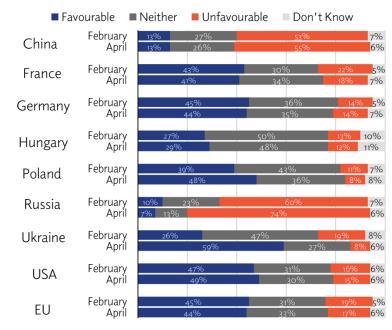
In other words, countermeasures should be viewed realistically in terms of disruption and damage limitation. What they cannot and should not aim to do is to mirror Kremlin goals by attempting to actively coerce the population into supporting Ukraine and opposing the Russian invasion. Since this is a position that most reasonable people would arrive at anyway

by consuming independent media, it is unnecessary as well as ethically dubious. This view is borne out by opinion public sentiment polls on towards Ukraine, Russia and Poland conducted in early 2022 before and after the invasion, which show a marked shift in opinion. The Kremlin is active in information operations, but it cannot overcome the appalling reality of its invasion and its crimes. Acknowledging this shift is important in terms of maintaining media measures that are both effective and proportionate. In February 2022, 60% of respondents already held a negative view of Russia, and by April this had grown to 74%: 43

Following its invasion by Russia, the British public now have a significantly more favourable view of Ukraine

Do you have a favourable or unfavourable view of the following?





Source: Redfield and Wilton Strategies/UK in a Changing Europe. Fieldwork: 20/02/22 & 20/04/22

⁴¹ "Fake news or real? or how to become media savvy: Confirmation bias", Bethel College Library, 26 February 2021, https://bethelks.libguides.com/c.php?g=591268&p=4194631.

⁴² Ibid

⁴³ Sophie Stowers and Dr Alan Wager, "New polling: the British public's view of the global response to the Ukraine crisis", UK in a Changing Europe, 4 May 2022, https://ukandeu.ac.uk/new-polling-the-british-publics-view-of-the-global-response-to-the-ukraine-crisis/.

Onshoring of Russian Information Operations

During the 2016 US presidential election campaign, Russia was systematically attempting to influence US voters. The most well-known of these operations is believed to have been undertaken by the Kremlin-backed Internet Research Agency (IRA), which has now been sanctioned by the British Government. Its troll farm activities ranged from targeted Facebook advertising intended to suppress voters to interventions that made them angry about contentious issues and orchestrating violent incidents on US territory.

During the 2020 presidential election, these efforts were primarily conducted from troll farms in third countries, such as North Macedonia and Kosovo. ^{44, 45} A 2019 internal Facebook report found that Western Balkan troll farms had numerous links to the IRA, but they could not prove who was the original source instigating these activities:

But there are signs they have been in contact with the IRA. The fact that actors with possible ties to the IRA have access to huge audience numbers in the same demographic groups targeted by the IRA poses an enormous risk to the US 2020 election.

In addition, the behaviours and tactics of the Troll Farms are identical to the large broadcast tactics the IRA used in 2016, the IT Cells used in 2019, and misinfo[rmation] posters have used time and again. As long as Troll Farms are able to find success on our platforms, that means that the IRA, IT Cells, and any other foreign government operation will be able to find success in the broadcast distribution space. If the Troll Farms are reaching 30M US users with content targeted to African Americans, we should not at all be surprised if we discover the IRA also currently has large audiences there.

The Facebook report described a relatively simple ruse whereby troll activity was deniably conducted in third countries. A more sophisticated form of onshoring of information operations is the establishment or takeover of media platforms by Western nationals who are consciously operating on the Kremlin's behalf. This is especially difficult to counter because of the nationality of the controlling parties, and because they use their journalistic status as a cover. In the US, for example, the FBI's counterintelligence division requires the written permission of the Director to initiate an investigation into a journalist or media organisation. It is these democratic safeguards that make this model attractive to Russia's intelligence services.

Two traces of Russian involvement can be potentially located. The more circumstantial trace is in the editorial line. While it is unlikely to be crudely pro-Kremlin, it is probably going to spread messages following the Kremlin line in one form or another. In the current war in Ukraine, these might include an emphasis on the rise in household costs resulting from sanctions against Russia, or tropes depicting Ukraine as irredeemably corrupt and run by 'Nazis'. More generally, vaccine disinformation, divisive themes and conspiracy theories have featured, depending on how close to the mainstream media the outlet aims to be.

It is far more difficult to trace financing of the outlet conducting disinformation, which could be genuine financial backing from the owners. As Catherine Belton has explained in her book *Putin's People: How the KGB Took Back Russia and Then Took on the West*, ⁴⁶ there are citizens in Western states who were paid in the 1980s and 1990s to assist the KGB to hide, launder

⁴⁴ Karen Hao, "Troll farms reached 140 million Americans a month on Facebook before 2020 election, internal report shows", MIT Technology Review, 16 September 2021, https://www.technologyreview.com/2021/09/16/1035851/facebook-troll-farms-report-us-2020-election/.

⁴⁵ Jeff Allen, "How Communities Are Exploited On Our Platforms: A Final Look At The 'Troll Farm' Pages", 4 October 2019, https://s3.documentcloud.org/documents/21063547/oct-2019-facebook-troll-farms-report.pdf.

 $^{^{46}\} https://www.waterstones.com/book/putins-people/catherine-belton/9780007578818.$

and transform the Communist Party's foreign currency funds from trade in commodities. Such "trusted custodians", to use Belton's term, remain indebted to the Russian intelligence services for whom they will continue to perform services.

More opportunistically, it is possible that certain Russian oligarchs may be instructed by the Russian state to provide financing to struggling media companies under a *quid pro quo* agreement. In this case, the red flag would be an opaque recovery from financial crisis, possibly coinciding with a change in editorial policy.

Countering this threat is complicated for the reasons set out above, because the primary benefit of onshoring is that the operation is protected by freedom of expression. In news broadcasting, the Office of Communications (OFCOM) uses the "fit and proper person" ⁴⁷ test to decide if an owner should receive a licence. We would propose that MI5 conduct a deep background check as a mandatory component of this process. OFCOM also has the power to revoke broadcast licences, as it has undertaken with RT in response to Russia's invasion of Ukraine.

Newspaper ownership is not subject to the same types of licensing regime and is open to foreign nationals and non-residents, as is currently the case with most of the UK's national titles. Whether this situation is sustainable is unclear; indeed, it may be worth examining whether a regime akin to OFCOM would be practical, again with input from the security services.

What Has Been Undertaken to Date?

Following Russia's invasion of Ukraine in February 2022, the UK (among many other Western democracies) imposed an unprecedented set of sanctions against Russia. The range of these sanctions continues to expand as Russia's war in Ukraine continues.

The most widely reported measure was the revocation in March 2022 of the OFCOM broadcasting licence for the Kremlin propaganda channel RT. ⁴⁸ OFCOM, an independent regulator, took the decision based on RT's coverage of Ukraine. News broadcasters in the UK are obliged to maintain impartiality and accuracy, and at the time of the decision, RT was under investigation for 29 breaches. In addition, the British Government asked social media platforms to block online content from RT and Sputnik, which Meta voluntarily complied with. ⁴⁹

As well as restricting dissemination by Russian state broadcasters, the British Government has adopted extensive sanctions on Russian domestic media outlets and their senior figures, imposing a price for running the Kremlin's propaganda machine. The organisations sanctioned include All-Russia State Television and Radio Broadcasting Company, InfoRos, SouthFront, the Strategic Culture Foundation, Geopolitica and the Oriental Review. On the online side, the notorious IRA troll farm has been also sanctioned. ⁵⁰

Among the many media figures included on the UK sanctions list are Margarita Simonyan, editor in chief of RT, and the news anchor Vladimir Solovyov. In April 2022, both had assured Russian viewers that nuclear war was nothing to worry about because "we all die someday". The sanctions against them include travel bans and asset freezes.

⁴⁷ Note that this 'fit and proper' test is applied in numerous other contexts, such as the issue of banking licences. The addition of national security criteria would be useful in several of them.

⁴⁸ Jim Waterson, "Russia threatens further crackdown on British media after Ofcom bans RT", *The Guardian*, 18 March 2022, https://www.theguardian.com/world/2022/mar/18/rt-uk-broadcasting-licence-kremlin-backed-tv-channel-ofcom.

⁴⁹ Alexander Martin, "Ukraine invasion: Facebook and Instagram to block RT and Sputnik in the UK following government request", *Sky News*, 4 March 2022, https://news.sky.com/story/ukraine-invasion-facebook-and-instagram-to-block-rt-and-sputnik-in-the-uk-following-government-request-12557469.

⁵⁰ "The UK Sanctions List", Foreign, Commonwealth & Development Office, updated 27 May 2022, https://www.gov.uk/government/publications/the-uk-sanctions-list.

Law

Foreign Agents Registration Act (FARA)

The UK should adopt legislation akin to the US FARA, which obliges those representing foreign governments to register their client and the nature of their work; the Act was originally passed to counter Nazi influence activity in the US in the 1930s.

A British FARA should cover not only lobbyists, but also law firms and private investigative and intelligence companies that have the potential to conduct surveillance and information gathering for Russia on behalf of proxy clients.

State Sponsors of Terrorism

On a broader front, a package of measures should be implemented for a UK version of the US legislation relating to State Sponsors of Terrorism. ⁵¹ This could be a template for a set of measures that could be applied to adversaries that have overstepped a line, whether in terms of military aggression, terrorism, organised crime or human rights abuses. The states currently on the US list are Cuba, North Korea, Syria and Iran. The US Department of State is investigating adding Russia to the list.

Once codified, the package of measures - some of which are included in this research brief, as well as sanctions, asset seizures and travel bans - could act as an additional deterrent to rogue states.

Anti-SLAPP Legislation

It is unacceptable that while Russia exploits freedom of speech in democracies, Russian oligarchs are simultaneously using the legal systems of democratic countries to attack genuine free speech. Strategic Litigation Against Public Participation (SLAPP) lawsuits can be used as a mechanism to bring Russian media restrictions to the UK, with the aim of curtailing freedom of speech by bringing expensive legal cases against critics.

A useful case study is the cluster of lawsuits against HarperCollins and (in some cases) Catherine Belton over her book *Putin's People* which investigates the nexus between the Kremlin, oligarchs and grey money. ⁵² Although the book was published in April 2020, there were no legal problems until March 2021 when a number of prominent Russians including Roman Abramovich, Mikhail Fridman, Peter Aven and Shalva Chigrinsky, and the Russian oil company Rosneft, all filed lawsuits. The litigants denied that their cases were in any way coordinated, with a spokesman for Fridman telling the *Financial Times*, "We can confirm that neither Mr Aven nor Mr Fridman had any prior knowledge of the other lawsuits you have referred to." ⁵³

Belton was forced to introduce small changes to her book with respect to Abramovich's claims and a donation was made to a charity in lieu of damages. The other litigants also either settled or withdrew their claims in their separate cases.

Of course, despite their high profile legal action in their *Putin's People* cases, Abramovich, Aven and Fridman were subsequently sanctioned by the UK Government in response to Russia's invasion. The March 2022 sanctions notice against Abramovich, for example, stated:

 $^{^{51} \ \ \}text{``State Sponsors of Terrorism''}, \text{U.S. Department of State, https://www.state.gov/state-sponsors-of-terrorism/}.$

⁵² https://www.theguardian.com/world/2021/dec/22/roman-abramovich-settles-libel-claim-over-putin-biography.

Kadhim Shubber, Alex Barker, Henry Foy and Max Seddon, "Russian billionaires file lawsuits over book on Putin's rise", Financial Times, 1 May 2021, https://www.ft.com/content/a355a200-4b90-4d73-b193-b73650ab8b77.

Roman Abramovich has stakes in steel giant Evraz, Norilsk Nickel and owns Chelsea FC. He sold a 73% stake in Russian oil firm Sibneft to state-owned gas titan Gazprom for £9.87 billion in 2005. His net worth is an estimated £9.4 billion. He is one of the few oligarchs from the 1990s to maintain prominence under Putin. None of our allies have yet sanctioned Abramovich. ⁵⁴

There are further signs that cases that at least appear similar to the *Putin's People* saga are losing traction in the UK. On 2 March 2022, the writer and journalist Tom Burgis won a libel case in the High Court, which had been brought by the Kazakh mining company ENRC over Burgis's book *Kleptopia*. ⁵⁵ ENRC subsequently dropped a parallel case against the *Financial Times*. ⁵⁶ On 18 May 2022, a libel case brought by Yevgeni Prigozhin against Eliot Higgins, the founder of Bellingcat, was struck out by the High Court after Prigozhin's lawyers withdrew and he was unable to find replacements. ⁵⁷

In January 2022, the SLAPP phenomenon was debated in the British Parliament, along with related issues such as libel tourism. ⁵⁸ Numerous remedies have been suggested in order to level the playing field between journalists working in the public interest and oligarchs who have the resources to mount vastly expensive lawsuits with the intention to intimidate. Ultimately, anti-SLAPP legislation that imposes serious penalties on those who bring SLAPP cases is likely to be the most effective measure.

Political Money Laundering

Political money laundering, as discussed earlier in the intelligence and security section of this research brief, can be in part countered by improved legislation and through strict enforcement. But closing loopholes is not necessarily a comfortable prospect for political parties, as set out in the Atlantic Council's *Democracy in the Crosshairs*, co-written by one of the authors of this research brief: ⁵⁹

What sets international political money laundering apart from those other techniques is that it is difficult for domestic politicians and policymakers to come to terms with: hostile states are exploiting exactly the same loopholes those leaders themselves have used for decades. Few democratic leaders will balk at establishing better defences against electronic attacks or filtering out mass disinformation. Campaign donations, however, are different, because stiffening regulation will limit parties' fundraising options.

As outlined in the Atlantic Council research brief, a number of improvements could be quickly made to the 2000 Political Parties, Elections and Referendums Act (PPERA). Currently, PPERA allows any actively trading company to donate to political parties irrespective of its ownership. In theory, therefore, any non-sanctioned Russian citizen could register a company in the UK and immediately be eligible to donate to political parties. David Cameron's government discussed closing this loophole but it remains, as do numerous others.

⁵⁴ "Abramovich and Deripaska among 7 oligarchs targeted in estimated £15 billion sanction hit", Gov.uk, 10 March 2022, https://www.gov.uk/government/news/abramovich-and-deripaska-among-seven-oligarchs-targeted-in-estimated-15bn-sanction-hit

⁵⁵ https://www.bbc.co.uk/news/uk-60595266.

⁵⁶ Charlotte Tobitt, "Kazakh mining giant drops FT libel action after judge dismissed claim against journalist's 'dirty money' book", *Press Gazette*, 14 March 2022, https://pressgazette.co.uk/judge-dismisses-libel-claim-against-tom-burgis-kleptopia/.

^{57 &}quot;Yevgeniy Prigozhin's SLAPP action against Bellingcat founder is struck out", McCue Jury & Partners, 18 May 2022, https://www.bellingcat.com/app/uploads/2022/05/BEL.00548.PRESS_.2022.05.18.Press-Release-Struck-Out-vf.pdf.

Joanna Dawson and Maria Lalic, "Lawfare and the UK Court System", House of Commons Library, 19 January 2022, https://commonslibrary.parliament.uk/research-briefings/cdp-2022-0016/.

⁵⁹ Barnett and Sloan, "Democracy in the Crosshairs".

Once breaches of PPERA are suspected, it would be useful to grant greater investigative powers to the Electoral Commission to enforce the law. Where necessary, this could be undertaken with help from the police and the intelligence services.

Espionage Law

At present in the UK, it is notoriously difficult to prosecute a British national for assisting a hostile foreign power, even when they are signatories to the Official Secrets Act. Treason legislation exists in the UK, but it is even more unwieldy. It is therefore important that a new Conspiracy with Hostile Foreign Power law be enacted, which would apply the same tests as criminal conspiracy within a national security context.

Unexplained Wealth Orders and Unexplained Ownership Orders

There is a requirement to expand the use of Unexplained Wealth Orders (UWOs) and similar instruments to deter Russian money laundering and to amend them to function in two cases where hostile states are involved:

- 1. When an individual who is suspected of kleptocratic activity cannot demonstrate the origin of wealth, it could be subject to a UWO;
- 2. If the ultimate ownership of a major asset, such as a yacht or a house, cannot be satisfactorily established, it could be seized. This would amount to an 'Unexplained Ownership Order' which would require new legislation. Such a law would be a powerful tool in cases where ownership is lost in a web of trusts and offshore structures that have manifestly been set up for the purpose of hiding real ownership.

Such measures should be used pro-actively, rather than at the behest of requests from foreign law enforcement agencies.

Enforcement of Russian Judgements

The enforcement of civil and criminal Russian judgements in the UK should be immediately and completely halted (possibly with exemptions for family cases). This would obviously have some negative effects, such as in family law cases, but these would be outweighed by the benefit of closing an important vehicle for Kremlin abuses.

Policy Recommendations to the UK Government

1. Intelligence and Security

Intelligence Services and Police

There should be an increase in the resources available to MI5 to counter activity by hostile states; this would probably require an increase in the organisation's overall budget. In addition, MI5 should cooperate closely with the NCA and the police to ensure that hybrid warfare operations do not fall into a gap between counter-espionage and criminal policing. As we saw in response to the terrorist threat after 9/11, these institutions need to collaborate closely and form joint task forces.

Furthermore, MI6 in particular needs more autonomy to assess threats to the UK and to allocate resources as its director sees fit - not simply respond to the needs of its "customer", i.e. Downing Street.

The services should continue to selectively declassify and publicise intelligence, following on from the successes in early 2022 when they correctly anticipated the invasion of Ukraine and forestalled several provocations.

One specific security threat - the trade in passports - has been shut down in the UK, but the Government should take measures to shut it down in the EU and in the Caribbean.

The police should enforce the country's laws without fear of antagonising hostile states – either through the timidity of senior officers or the timidity of political leaders. This particularly goes for the crime of murder.

The Russian Embassy in London currently has five properties and 40 accredited staff. This should be cut radically, both to disrupt intelligence activity and to reinforce Russia's isolation.

Defence

While the UK has led the world in providing defence assistance to Ukraine, its own armed forces are increasingly depleted and underfunded. This needs to be reversed, both to ensure the security of the country and to give some substance to the slogan "Global Britain".

Tech and IP

Finally, additional attention should be paid to the protection of IP and prevention of controlled dual use items being obtained by Russia. Russian state tech companies - notably Rusnano - should be sanctioned, and the security services should offer staff vetting assistance to tech companies as required.

2. Media

Content Warnings

Social media platforms should place content warnings on any shared information that could be construed as being pro-Kremlin, similar to the content warnings which pop up when individuals share materials pertaining to Covid-19 and vaccinations.

Such warnings would not completely eliminate the dissemination of pro-Russian propaganda but there are reasons to believe they would be a great improvement on the current situation. In the first instance, such warnings would not restrict openness of the British society. The second important point is that there are plenty of people who are currently uninformed about what is transpiring. Those people would receive explicit warnings that the content they were contemplating sharing or reading is in fact fake news. Thus, they may be deterred from further disseminating the content whilst also receiving an explanation as to why sharing such content or trusting it would be inadvisable.

Rebuttal

In many cases, engaging with disinformation at the official level can be counterproductive. By engaging, something that would have remained a marginal untruth could be unintentionally legitimised if officials begin to rebut it.

However, there are some major lies – especially those directly disseminated by senior political figures – that should not be ignored. One example is the 9 May 2022 Victory Day parade in Moscow, when Putin claimed: "Openly, preparations were under way for another punitive operation in the Donbas, the invasion of our historical lands, including Crimea. In Kyiv, they announced the possible acquisition of nuclear weapons, the NATO bloc began actively taking military control of territories adjacent to ours." ⁶⁰

It is plainly absurd to claim there was a NATO plan to invade Ukrainian territory when this is a country parts of which Russia has occupied since 2014. There is no evidence of Ukraine pursuing nuclear weapons; in fact, Ukraine gave up the world's third largest nuclear weapons stockpile in 1994-1996. NATO had been deferring a membership offer to Ukraine and Georgia for fourteen years prior to Russia's invasion and thus they never had candidate status. Ironically, Russia's invasion of Ukraine spurred Finland and Sweden to drop decades for the former and centuries for the latter of neutrality and apply to join NATO.

UK Government officials should directly engage with disinformation disseminated by the Kremlin. Putin's 9 May brazen lies presented a great opportunity for British and other Western leaders to issue a clear and simple rebuttal. It is important that prominent figures clearly describe the fake information that is being disseminated, explain why that information is inaccurate and provide viewers and audiences with accurate accounts. Such an approach would allow the UK Government to ensure that fewer people spread Russian misinformation.

Create an Agency to Coordinate Defence From Information Warfare

A new agency should be created to organise and execute defence from information warfare. This could follow the model of Sweden's new Psychological Defence Agency (Myndigheten för Psykologiskt Försvar), created in January 2022. ⁶¹ The body should comprise personnel from academia, journalism, the Foreign, Commonwealth & Development Office (FCDO) and the military, with the aim of monitoring information warfare by adversaries, countering this warfare and supporting other private and public sector organisations.

The agency's website should explain the aims and means of information warfare campaigns, which would be linked to the health authorities, schools, media organisations and other institutions. One aspect of the agency's mandate should be engaging with schools to develop critical thinking and argument construction. The agency should maintain a small unit whose task would be to directly engage with those who disseminate online pro-Russian content.

⁶⁰ "Putin speaks at Victory Day parade on Moscow's Red Square", *Reuters*, 9 May 2022, https://www.reuters.com/world/europe/putin-speaks-victory-day-parade-moscows-red-square-2022-05-09/.

Emma Woollacott, "Sweden Launches Psychological Defense Agency To Counter Disinformation", Forbes, 5 January 2022, https://www.forbes.com/sites/emmawoollacott/2022/01/05/sweden-launches-psychological-defense-agency-to-counter-disinformation/?sh=3ed6a8094874.

Strengthen Media Ownership Oversight

There is a known risk of onshoring for Russian media operations which for social media, blogs and websites is difficult to address. However, OFCOM already has the power to determine who is "fit and proper" to broadcast news, and to revoke licences, as was undertaken with RT. The intelligence services should be consulted during the vetting process and some form of "fit and proper" test be extended to newspaper ownership.

3. Law

Legislation

- Introduce British equivalents to two pieces of US legislation: FARA and State Sponsors of Terrorism.
- Prioritise anti-SLAPP legislation in order to prevent hostile states importing censorship through the British courts.
- Bolster PPERA in order to close glaring loopholes for political funding and ensure that the Electoral Commission has the tools it needs to counter sophisticated political money laundering schemes.
- Establish an offence of Conspiracy with Hostile Foreign Power to give wider scope for prosecuting traitors even if they have not broken the Official Secrets Act.
- In addition to being more pro-active in applying Unexplained Wealth Orders to oligarchs, create a parallel Unexplained Ownership Order.
- Immediately and completely halt the enforcement of civil and criminal Russian judgements in the UK.



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