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Putin's Cold War – how to fight back

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Putin is fighting a cold war – against his own citizens. It is a war that for small bands of dissidents and opposition activists began long ago, but which only turned into a battle when in December 2011 a sudden protest movement flashed to life in the streets of Moscow.

This is an unequal war. Those trying to expose the criminal anatomy of the Putin system are only using Facebook groups to bring people out onto the streets, have only their laptops to get their message across and just pull together donations to keep themselves going.

Putin's state seems strong – it is funded by the giants of Gazprom and Rosneft, has more than three million military and security personnel at its command and pumps state-of-the-art propaganda out every night on national TV.

But it is actually weak. Putin's state has lost its legitimacy through fraudulent elections and a botched bureaucracy that has become predatory towards Russian business. The polls make dismal reading for the Kremlin autocrat: the majority no longer trusts Vladimir Putin or his near monopoly party of power – United Russia.

This is why Putin is so frightened of such a small Moscow opposition

whose back he has shoved up against the wall. He fears that were they ever able to compete openly on television, either with him or his successors, their grip over the glittering fortunes pumped out by Russia's natural resource giants would falter.

This is why Putin is building new mechanisms of oppression. There is a new political police force – the Investigative Committee – founded in 2011, which has taken the lead in harassing, accusing and now arresting the opposition. Its numbers have ballooned from over 20,000 to more than 60,000 as Putin's need for it has grown.

Putin is resetting his system. The Duma – the Russian parliament, which is now compared in Moscow circles to a “rabid printer” – has rubber stamped a raft of new authoritarian laws. Laws imposing massive fines on “illegal protests” have redefined what is acceptable and unacceptable assembly. Laws on NGOs have forced any such organisation taking money from abroad to register as a “foreign agent”, redefining what are acceptable and unacceptable contacts with the West.

Putin wants to make it clear what is “acceptable” and “unacceptable” society. Even worse – any non-governmental organisation (NGO) that does not switch from Western to Russian (i.e. Putin-controlled funds) faces the threats of being smothered in paperwork, Gogolian inspections and intimidating raids. And just to make sure Putin has the legal course to do whatever he wants – a new treason law has been passed, which has been expanded to include any challenges to the current “constitutional order”.

Hysteria is Putin's weapon. Propaganda warns nightly of mysterious foreign hands, enemy agents and American plants. Scars from Russia's lost Cold War are picked at by the propagandists in the form of obscene laws being passed against so-called “gay propaganda” and bans imposed on Americans adopting Russian children.

The opposition are frightened. They fear a wave of new political prisoners. Already the trial of those involved in the Bolotnaya Square case – when police assaulted a protest on 6 May, 2012 – have seen more than ten defendants held in pre-trial detention. Trials are targeting the rightist opposition leader Alexei

Navalny and the leftist street leader Sergei Udaltsov. Fears of being sent to a Russian prison have already seen the country's most impressive economist and intellectual icon, Sergei Guriev, flee to France.

Putin is not just breaking his citizens' trust. Russia is breaking its international commitments as a member of the Council of Europe, a status which means it has incorporated the European Convention on Human Rights into its legislation. Putin is quick to condemn outside interference – but it is not outside interference to say that the conditions faced by Russia's political prisoners break both European and Russian law.

Why does Putin have to be so aggressive, when he controls the world's largest hydrocarbons complex? The reason is that, for all his macho posturing, he is a bad bureaucrat. His system is corrupt and malfunctioning – quite simply because it was not built to be clean and efficient, but to function only under Putin's control. In destroying all institutions that could challenge him – from independent courts, to independent audit chambers and even elections – all mechanisms to control corruption were removed.

Russian bureaucrats have replaced the mafia as the runners of “protection rackets”. For all his talk of “a dictatorship of law”, Mr Putin – by elevating his bureaucrats' status and encouraging them to think of themselves as loyalists – has encouraged predatory behaviour. As a result, over 100,000 entrepreneurs have been jailed.

To understand what Russian elites think of the house Putin built – follow their money. They refuse to keep it there. The past few years have seen an extraordinary capital flight of over US\$350 billion. This is mostly money that simply does not feel safe in Russia.

Russia is clearly unwell – so what can the West do? The first thing is to understand how the kleptocratic officials around Putin behave. One thing is clear – for all the talk of “foreign agents” and “Russia forever”, they almost universally hide their money, property portfolios, children and wives in the West. The single most important freedom for such men is the freedom to be

able to drive to the airport and enter the EU at a moment's notice.

The freedom to flee – which requires having bank accounts safe in the West and open visas to the UK and the EU at the ready is more important to Putin's henchmen than Putin himself. This is why a pan-European Justice for Magnitsky Act, imposing individual sanctions on those responsible for that heinous murder, is so significant, as it threatens to remove that freedom.

Putin is so frightened of the Magnitsky Act – and ready to challenge it – because it could dim the zeal and undercut the loyalty of his officials. Fearing losing access to their London, Paris, French and Italian Riviera hidden treasures – the Magnitsky list would make such people think twice about truly abhorrent rights violations.

The Magnitsky Act is about giving bad people a nudge. Knowing how the Russian elite works, we can be certain that with show trials against the opposition unfolding, any laws the UK and the EU can enact that would nudge officials out of creating a new generation of Russian political prisoners out of fear of losing their visa and foreign account access is not only morally right – but also the smart response. If we are serious about changing Russia's behaviour, the choice is obvious.

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