Prisoner Exchanges, Putin-Style: From Cold War-Era Spy Swaps to the Kidnapping and Criminality of Today

PONARS Eurasia Policy Memo No. 907 August 2024

Mark Kramer¹ Harvard University

The East-West prisoner exchange that was carried out last week—with eight Russian citizens transferred from Western countries to Russia and sixteen individuals released from Russia to Germany and the United States—bore a few similarities to prisoner exchanges during the Cold War but also had some striking differences. During the Cold War, swaps of accused spies tended to be the norm, whereas the exchange last week included a much more complex assortment of people, especially those released to the West. The Russian side of the deal was shaped by the thuggish criminality and disregard of international norms that have been hallmarks of the Russian state under Vladimir Putin. Whether the benefits for Western countries will outweigh the drawbacks is at best uncertain.

Cold War-Era Precedents

Most prisoner exchanges during the Cold War were small in scale, involving one or two people from each side who had been arrested for spying. This was the case, for example, in February 1962 when Francis Gary Powers, a reconnaissance pilot for the U.S. Central Intelligence Agency (CIA) who had been shot down by Soviet air defense forces in 1960 while flying his U-2 spy plane over Soviet territory, was exchanged for a colonel of the Soviet State Security Committee (KGB), William Fisher, who had falsely claimed that his name was Rudolf Abel after he was arrested in the United States on immigration and espionage charges in 1957. The Fisher-Powers exchange took place on Glienicke Bridge, between West Berlin and East Germany, immortalized in the film *Bridge of Spies*.

¹ Mark Kramer is Director of Cold War Studies at Harvard University and a Senior Fellow of Harvard's Davis Center for Russian and Eurasian Studies.

Similarly, in April 1964, a KGB foreign intelligence operative, Konon Molodyi, who had been posing as a Canadian businessman named Gordon Lonsdale in Great Britain until his <u>arrest by British counterintelligence agents</u> in 1961, was traded for Greville Wynne, a British businessman who had served as a courier for the British MI6 foreign intelligence service. Wynne had been the liaison in Moscow for a Soviet military intelligence (GRU) colonel, Oleg Penkovsky, who was secretly aiding MI6 and the CIA. Both Wynne and Penkovsky were arrested in November 1962. Penkovsky was executed in 1963, but Wynne was "merely" sentenced to eight years in prison and was therefore available to be exchanged in April 1964.

Even though numerous Cold War-era prisoner exchanges drew significant media coverage, others were conducted quietly, deliberately avoiding public attention. This was the case, for example, in October 1981 when one of the most damaging Soviet-bloc spies ever discovered, Günter Guillaume, who had been a top aide to West German Chancellor Willy Brandt and had smuggled highly sensitive documents to the East German Ministry for State Security (Stasi) over several years until his arrest in April 1974, was abruptly handed over to the East German authorities along with four other imprisoned Stasi spies in return for eight West German, British, and U.S. intelligence officers who had been charged with spying by the Stasi. The so-called Guillaume Affair in 1974 brought down Brandt's government and caused great controversy in West Germany. As a result, the West German government kept the exchange of Guillaume and his wife (who had abetted the espionage) out of the public limelight until the last moment, presenting him as little more than a common criminal who served almost eight years of his thirteen-year sentence for espionage.

Although most Cold War-era exchanges involved intelligence personnel, a few included human rights activists and political prisoners in the USSR who had been persecuted by the Communist regime. One such case arose in December 1976 when a leading Soviet human rights dissident, Vladimir Bukovsky, was expelled from the Soviet Union in exchange for the release of Luis Corvalán, the leader of the Chilean Communist Party. Corvalán was arrested and imprisoned in September 1973 after General Augusto Pinochet seized power in Chile via a military coup. Bukovsky resisted his expulsion from the USSR, but the KGB forcibly put him on a Soviet transport plane in handcuffs and flew him to Zurich airport, where he was exchanged for Corvalán. The deal involved only two prisoners, but the negotiations were complex because several governments (Swiss, Chilean, Soviet, and U.S.) had to give their consent.

In the mid-1980s, after Mikhail Gorbachev came to power in Moscow, more intricate deals became feasible. The largest ever East-West prisoner exchange was consummated at the Glienicke Bridge in June 1985 after the United States agreed to release four Soviet-bloc

spies (including the notorious Polish foreign intelligence operative <u>Marian Zacharski</u>) from U.S. prisons in return for the freeing of 25 Western personnel (mostly West Germans) who had been imprisoned in East Germany and Poland on charges of spying. The unprecedented scale and complexity of the deal, involving six governments, came about only after three years of intensive negotiations and the ascendance of Gorbachev in Moscow.

Eight months later, another high-profile exchange at the Glienicke Bridge led to the release from prison of one of the best-known Soviet human rights activists, <u>Anatoly Shcharansky</u>, along with three low-level Western intelligence personnel who had been accused of espionage. (By that point, Shcharansky had served more than eight years in harsh Soviet prisons on baseless charges of espionage.) In return, the U.S. and West German governments agreed to exchange five Soviet-bloc spies who had been imprisoned at various points in the 1980s. Upon his release, Shcharansky flew immediately to Israel, where he modified his name to Natan Sharansky and soon became a highly influential politician. By contrast, the spies who were exchanged for him from both sides mostly faded into obscurity.

The Unique Features of the Putin Era

The East-West prisoner exchange last week was similar in scale and complexity to the June 1985 exchange, but in other respects it was unique. With at least eight countries involved in the deal and many sensitive details that had to be worked out in great secrecy, the negotiations could easily have been derailed — and indeed they were at several points. As late as the 21st of July, the same day U.S. President Joe Biden announced that he would be dropping out of the 2024 presidential race, he first called his Slovenian counterpart to arrange for two Russian spies held in a Slovenian prison to be included in the deal. Those two spies, who had been living in Ljubljana since 2017 and pretending to be a married couple of Argentine origin, were imprisoned in December 2022 after being exposed as Russian sleeper agents and arrested by Slovenian counterintelligence personnel.

The long record of prisoner exchanges during the Cold War is illuminating in judging last week's deal, but a central feature of the exchange stands out as unique—the stark contrast between those released by Russia and those who were transferred back to Russia. The sixteen people released from Russia included no genuine intelligence personnel. Instead, they consisted mostly of Russians and Western citizens who had fallen victim to Putin's brutal crackdown in connection with Russia's war against Ukraine. Western journalists who were unjustly incarcerated in Russia over the past two years were included in the deal, as were numerous Russian citizens who had been arrested and imprisoned for their advocacy of democracy and human rights and their condemnation of the destruction and bloodshed inflicted by Russia on Ukraine.

In contrast, the eight Russians transferred from Western prisons to Russia were all spies, cybercriminals, thieves, and a ruthless assassin, Vadim Krasikov, whose inclusion in the deal, by all accounts, was pivotal to Putin's acceptance of it. Earlier efforts by the U.S. and German authorities to exclude Krasikov, a professional hitman for the Russian Federal Security Service (FSB), were rejected by Putin, who sees in Krasikov the type of security agent the Russian government must protect at all costs. Shamefully, the widow of one of Krasikov's victims, a Chechen human rights activist whom Krasikov gunned down in broad daylight in Berlin in 2019, was not informed in advance that her husband's murderer would go free.

No Cold War-era exchange was remotely similar to this in reflecting such a stark dichotomy in the types of individuals valued by the two sides. The deal underscored that Western countries attach greatest value to advocates of democracy, human rights, and a free press, and that Putin's only concern is to safeguard killers, swindlers, and computer hackers as long as they are staunchly loyal and beholden to him.

Until the Russian opposition leader Alexei Navalny <u>died under brutal conditions</u> in a Russian prison near the Arctic Circle in February 2024, Western officials had been <u>insisting on including him</u> in any deal that might be arranged. Although the precise circumstances of Navalny's death have never been revealed, there is little doubt that Putin and his aides sought to drag out the negotiations on the exchange long enough so that Navalny would be either dead or severely incapacitated and thus not suitable for transfer. They got their wish when Navalny died on February 16th, and from then on, the only real obstacle to a deal was the question of whether Krasikov should be included. Ultimately, Russian officials managed to get their way on this key issue.

Putin's Russia as an Abductor State

The exchange would not have happened if Russia, under Putin, had not evolved into an "abductor state" akin to the regimes in North Korea and Xi Jinping's China, which have raised kidnapping to a fine art. Over the past several years, and especially since the start of Russia's invasion of Ukraine in February 2022, the Russian authorities have gone about seizing and imprisoning Western citizens who can be held as hostages to be traded for Russian criminals, spies, and assassins. The targets of these arrests are not real spies; on the contrary, they are accredited journalists and others who had engaged in reporting and research in Russia—the routine types of activities that were tolerated before the drastic tightening of repressive legislation at the start of Russia's invasion of Ukraine.

The only incident during the Cold War that bore any similarity to the state-sponsored kidnapping of the Putin era occurred in late August 1986, when the Moscow bureau chief

for *U.S. News and World Report*, Nicholas Daniloff, was <u>arrested in Moscow</u> and accused of espionage (though he was never formally charged). The KGB arrested him only because Gennadii Zakharov, a Soviet spy posing as a diplomat stationed at the United Nations headquarters in New York, was arrested by U.S. counterintelligence agents a week earlier. The head of the KGB, Viktor Chebrikov, wanted to gain a hostage for his agency to swap for Zakharov, and Daniloff unwittingly became the target of that cynical operation. A month after Daniloff's arrest, he and Zakharov were exchanged by being released to the custodies of their respective embassies.

Under Putin, the type of operation conducted by the KGB in August-September 1986 has become de rigueur. Professional journalists like Evan Gershkovich of *The Wall Street Journal* and Alsu Kurmasheva of *Radio Free Europe/Radio Liberty* were arrested for simply doing their jobs. Their arrests are intended not only to deter and prevent accurate reporting about events in Russia and Ukraine but also to give the FSB hostages for prisoner exchanges. The seizure of these foreign citizens is also a way of keeping foreigners out of Russia except those who are eagerly supportive of Russia's war.

The inclusion of a large number of Russian human rights and pro-democracy activists in the prisoner exchange reflects another key goal of the Putin administration. Over the past decade, and especially since February 2022, Putin has repeatedly indicated that he wants to force "scum and traitors" to leave Russia — by which he means those who want Russia to be a democratic country living in peace with its neighbors. The inclusion of figures like Ilya Yashin, Vladimir Kara-Murza, Andrei Pivovarov, and Oleg Orlov in the deal last week helped Putin to achieve that goal (as Yashin and Kara-Murza explicitly acknowledged when they made clear that they had not wanted to be transferred out of Russia). This does not mean that Western governments were wrong to demand the inclusion of human rights activists and pro-democracy organizers in the exchange—on the contrary, it is heartening to see these individuals freed from the harsh and potentially fatal conditions they were facing in Russian prisons—but there is a clear downside to this sort of approach.

The "Moral Hazard" of Prisoner Exchanges with an Abductor State

More generally, the deal that was just struck, like the <u>earlier trade</u> in December 2022 of the women's basketball star Brittney Griner for a notorious Russian arms smuggler, Viktor Bout, who was a key weapons supplier for terrorists and dictatorships around the world, raises the problem of "moral hazard." The term <u>"moral hazard"</u> originated long ago in the insurance industry as a characterization of incentive structures that encourage risky or undesirable behavior. The concept has come to be used more generally to refer to situations in which a malevolent actor is able to get away with destructive behavior without suffering adverse consequences. If Putin is able to seize hostages and then use

them for his own benefit with impunity, he has every reason to continue such behavior in the future.

The clear risk of "moral hazard" in this case does not mean that Western leaders should have refrained from consummating the deal. Western governments gained far more in this exchange than they did in the earlier Griner-Bout exchange, which invited further hostage-taking. But even though everyone in the West can rejoice in seeing Gershkovich, Kurmasheva, and the fourteen others released from unjust imprisonment, Western governments need to think much more carefully about how to hold Putin accountable for his crimes and prevent him from continuing his malign actions both at home and abroad.