

# Foreign Affairs Committee

## Oral evidence: The Wagner Group, HC 167

Tuesday 1 November 2022

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Members present: Alicia Kearns (Chair); Stewart Malcolm McDonald; Bob Seely; Henry Smith; Royston Smith; Graham Stringer.

Questions 66-107

### Witnesses

**I:** Professor Jason Blazakis, Executive Director, Center on Terrorism, Extremism, and Counterterrorism, and Jason McCue, Senior Partner, McCue Jury and Partners.

**II:** Mikhail Khodorkovsky, public figure, former political prisoner and pro-democracy activist.

Written evidence from witnesses:

- <https://committees.parliament.uk/writtenevidence/108385/html/>
- <https://committees.parliament.uk/writtenevidence/112217/html/>

## Examination of witnesses

Witnesses: Professor Jason Blazakis and Jason McCue.

Q66 **Chair:** Welcome to this session of the Foreign Affairs Committee, where we are focused on the Wagner Group. We have two excellent individuals before us today to give evidence. Please introduce yourselves.

**Jason McCue:** Thank you very much for having me. If I can just take a minute for the important matter of placing my oral submissions into context. I am not only here on behalf of my law firm, McCue Jury and Partners, but more importantly on behalf of clients: Ukrainian victims of Wagner and Putin's war machine. The latter two are inextricably linked.

There are times when Governments, through domestic or international systems, courts or intergovernmental agencies, simply cannot respond adequately to resolve certain societal issues and provide justice. The current failure of the international community to effectively tackle Putin's use of terrorism through private military companies such as Wagner is a striking example of that. In such instances, the private sector and civil society sometimes need to step up. Some people call this civil society lawfare—litigation around the world on behalf of victims of terrorism, of human rights, of genocide or of environmental abuses, and in the current instance, of Wagner. It is fitting that we are here in this historic cradle of democracy discussing a group such as Wagner, which has no respect for rule of law or humanity. Justice against them is long overdue.

I am pleased to hereby announce that a groundbreaking legal action on behalf of courageous Ukrainian victims has just this second been commenced against Prigozhin, the head of Wagner, and against the Wagner Group, which should be brought to the High Court in London. The claim has been commenced with the formal service of a letter before action on Prigozhin and Wagner. This is the first time in the world that Wagner and its like have been sued by its victims for terrorism used as a weapon of war—Putin's illegal war. It is a historic moment. Further actions in the US and the UK will be commenced shortly as part of this campaign, targeting Wagner, other PMCs in Putin's machine and Putin's war machine itself. With more public support through crowdfunding, larger and further cases will be enabled, more Ukrainian victims will have access to justice and greater culminative value in reparations and compensation can be sought against those responsible. More defendants can be targeted within the illegal war machine—the kleptocrats, the sanction-busters, the financiers, the facilitators and more of Putin's PMCs and those who work within them.

I will end by saying what the claim alleges, so that I am very clear, and the Committee understands what evidence we will be giving to the UK court. One: Wagner engaged in terrorism against the Ukrainian people. Two: Wagner and Putin's war machine engaged in an unlawful means conspiracy to deploy terrorism to facilitate their illegal invasion of Ukraine.



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My clients and the team will gladly produce all such evidence for the Committee, where law tactics and source restrictions allow. We will do that through written submissions, which we will put together. We share the view that Wagner and their like must be stopped and that every option must be pursued to further protect victims of Wagner elsewhere in the world. We believe strongly that the work your Committee is doing in looking at this is invaluable.

Q67 **Chair:** Thank you Mr McCue. Professor Blazakis, will you kindly introduce yourself?

**Professor Blazakis:** Absolutely. Thank you for the opportunity to speak with you today about the activities of the Wagner Group, an organisation that continues to exploit natural resources and engage in human rights abuses across the globe. While the group has become subject to an array of sanctions, the organisation continues to act with impunity. This became clear when, in September, Yevgeny Prigozhin openly discussed his founding of the Wagner Group. The Wagner Group has become instrumental in Putin's ambitions in gaining access to natural resources throughout Africa; whether gold, oil or diamonds, the Russian Federation has acquired fungible assets that keep the war machine churning in Ukraine.

Very simply, now is the time to be creative when thinking about the Wagner Group. The cost of doing business with the group must increase. In that regard, Governments must consider deploying terrorism proscriptions, expand law enforcement investigations against individuals that facilitate activities on behalf of the Wagner Group, and ratchet up diplomatic efforts to tarnish Wagner's reputation overseas. Of course, civil society should pursue legal action against known Wagner Group members who have carried out gross human rights violations. A combination of those activities could still erode Wagner's effectiveness, but time is becoming short. The time for action is now. I am looking forward to your questions.

Q68 **Chair:** Brilliant, thank you ever so much. Mr McCue, you mentioned the mass civil action that you have launched. Given the difficulties in identifying Wagner entities and individuals, how are you going about precisely targeting who you will be mentioning in the lawsuit?

**Jason McCue:** Two things I should mention are that we have a team that has been working on this for a long time, and they involve intelligence experts from around the world and investigators such as Bellingcat—they are part of our team. We will be targeting those who have worked for, are associated with, supported and facilitated Wagner umbrella contracts around the globe. It is much wider than just going for the hierarchy of Prigozhin himself.

Q69 **Chair:** Forgive me, but will that not number in the hundreds of individuals—if not more?

**Jason McCue:** No. We will be targeting individuals and being selective.



- Q70 Chair:** Fine. In terms of Government responses and Government support you might have had, Governments appear to have been quite silent when it comes to Wagner atrocities, despite the fact they are well documented as taking place in multiple theatres around the world. Why have Governments failed to take action? How should national Governments be acting towards Wagner? What action should we have seen that we have not?

**Jason McCue:** My friend's evidence just now actually covered it very well. I would say two things, however, as an overview for you. One is that a sanction designation regime that targets rogue PMCs such as Wagner is necessary. There is a place and a role for PMCs in this world. There is no place for rogue PMCs. If you start designating, what you do is stigmatise. A lot of soldiers who go and work for mercenary groups have spent their whole lives fighting terrorism around the world. They would not want to go to work for a terrorist group. They will also not want restrictions on their movements. What you create is, you start shutting down and weakening the group and its operational activities straight away.

- Q71 Graham Stringer:** Professor Blazakis, you have been very clear in your statements and in previous evidence that you think we should name and sanction people who work with this group. Do you think there are any diplomatic consequences of doing that? If there are, what are they?

**Professor Blazakis:** Sure. For 10 and a half years, I worked in the US Government sanctioning a wide array of terrorists under various US legal authorities. I will say that when the US Government have deployed sanctions against organisations, in some cases they have, from the perspective of our regional bureaux within the State Department, led to some internal thinking in the organisation on whether or not we can engage as robustly diplomatically as we would like. A lot of those decisions are internally held perceptions, as opposed to an impact that they would really have on a diplomatic relationship between the United States and the country in which those organisations were sanctioned.

In my experience, it is those internal perceptions that have to be overcome first, as opposed to the Government in which the group that was designated having significant diplomatic concern and then dialling back diplomatic relations.

I will give you one very quick example. The US designation of Boko Haram in 2012 was very controversial. The Nigerian Government opposed it. The US Government proceeded with it none the less, and it didn't set back diplomatic relations. There are countless examples of where a designation can be pursued, where the Government might oppose it, but still those diplomatic relations remain and actually thrive, and you are able to work together jointly to counter the organisation. That is one thing—this internalised perception that may exist within the foreign Ministry, for instance, that could impact their willingness to pursue a designation in, say, individuals who are augmenting Wagner Group activities in the Central African Republic, for instance.

- Q72 **Graham Stringer:** Thanks; that is really interesting. I don't know if you are able to answer these order of magnitude questions. How big is the Wagner Group? In terms of dollars or pounds, what is your estimate of the natural resources that are being extracted by this group?

**Professor Blazakis:** It is hard to give you precise estimates on this. At the center I run at the Middlebury Institute—the Center on Terrorism, Extremism and Counterterrorism—we are carrying out quantitative research to get a better understanding of the scope of the Wagner Group's activities financially, the scope of how the Wagner Group is perceived among Russian-speaking audiences, and the scope of Russian and Wagner Group activities throughout Africa. The best estimates I have seen in terms of the deployment of the Wagner Group between specific African nations is anywhere between 200 to 2,000 individuals in size, depending on the time, place and context. This varies over time.

In terms of the scope of which the Wagner Group is benefiting from natural resources, I am not able to pinpoint precisely how much they are benefiting from timber in CAR, gold in CAR, or the diamond exploitation in CAR. My sense is that it is significant. It is something we are tracking right now. We are hoping to publish some of our results at the end of this year.

- Q73 **Graham Stringer:** I understand that is difficult. I think you also have a belief that the extraction of the raw materials enables Russia to get round the sanctions on Russia. What is the evidence for that?

**Professor Blazakis:** The natural resources that are being exploited by the Wagner Group are varied. We have some preliminary estimates on the movement of commodities through other parts of the world, to include the Persian Gulf, being routed into Wagner's coffers, so we are seeing this trend. This is difficult to counter vis-à-vis the sanctions that have been deployed. Some sanctions have been deployed against entities, such as those deployed by the Treasury Department of the US Government. We have not seen an impact, however, partly because not all countries have subscribed and signed up for sanctions.

The Russian Federation is making very calculated moves about which countries they are doing business with well at this point. We have seen a shift in terms of the Russian Federation's economic interests in trade with other Governments, such as China or India, that may not be upholding US, UK or EU sanctions. The fact that these assets are assisting—they are fungible, easy to move and do not have to go through a formal financial system—complicates the ability of sanctions to have impact on the Wagner Group's exploitation of resources. That, coupled with the fact that the host nation is supporting this, makes it extremely difficult.

- Q74 **Graham Stringer:** Final question—again, very difficult to answer—can you put a figure on that? Can you quantify it in any way?

**Professor Blazakis:** We are trying to quantify it. We are talking about hundreds of millions of dollars, but we don't yet have precise numbers. That is what we are digging into through our big data research.

**Graham Stringer:** Thank you.

**Professor Blazakis:** You are welcome.

**Q75 Royston Smith:** Mr McCue, in your opinion how strong is the case for proscribing the Wagner Group as a terrorist organisation?

**Jason McCue:** I would say very strong. I think it is technically unchallengeable. If you just take the evidence we have collated in relation to Ukraine, you have the close-targeting IEDs that they have been doing, which is in breach of the Geneva convention, assassination attempts on President Zelensky, threats of chemical and biological weapons on the battlefield, war crimes, promotion of atrocities and terrorism and sanction busting for the war machine. If you need an example to prove anything else, who else but a terrorist would plant explosives around a nuclear facility? It is the exact definition of terrorism, and I have spent 30 years bringing cases against terrorist organisations.

**Q76 Royston Smith:** Professor Blazakis, you have researched possible links between the Wagner Group and the Russian Imperial Movement, which is already designated as a terrorist organisation in the United States. Does the Wagner Group's support for and supposed association with the Russian Imperial Movement make its proscription as a terrorist organisation more likely?

**Professor Blazakis:** I believe so. Association with known designated terrorist activists increases the opportunities to proscribe or designate an organisation as a terrorist entity. In terms of the Terrorism Act 2000, the way the organisation could meet the legal criteria of associations with known terrorist actors would be sufficient.

I would point out that the United Kingdom, as far as I am aware, has not sanctioned the Russian Imperial Movement under the 2000 Act; the US Government have. That might be one difficulty in the case for the British Government to pursue the proscription, because the Russian Imperial Movement remains undesignated pursuant to British law.

That said, I would agree with my co-panellists that the Wagner Group does meet the British legal criteria for proscription. It is an organisation that is engaged in wanton acts of violence against non-combatants, and it is not doing those activities—those acts of extremism—solely for profit. It is pushing a political agenda that is fitting with the Russian Federation's overarching foreign policy objectives.

**Q77 Royston Smith:** Back to you, very briefly, McCue, if I may. You said at the beginning that you felt that there was a failure of the international community to act against the Wagner Group and others like it. Why do you think that the UK is reluctant to designate or proscribe the Wagner Group?

**Jason McCue:** I think the first issue is that there is a lack of organised international hegemony working together to actually achieve this, because in today's world it is not about one state doing it; it is about states getting together. We have seen in this current conflict the strains that have been





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put on those intergovernmental agencies on how to deal with this. Wagner has been notorious now for almost a decade. I am in Africa chasing down evidence right now on it, and if you consider what it has done here in all of the countries, which I am sure you have covered, they are nothing less than atrocities, and it has been let to stand.

I think one of the problems is that Wagner does not quite fit into anything. It does fit into the terrorist definition—that is correct—so it should be designated as that. Whatever the way, there must be some way of stigmatising it and having punishment and restrictions on it. That must start somewhere, and if it started in my country, I would be very proud of it.

- Q78 **Royston Smith:** Professor Blazakis, do you have anything to add to that, or any reasons, beyond what Mr McCue has said, on why neither the UK, nor anyone else, has acted in concert to proscribe it?

**Professor Blazakis:** I would say that Governments have been reticent to use terrorism designations as tools against entities that fit the description of an organisation such as the Wagner Group. For instance—I gave an example in written testimony—the United States has designated only one organisation that you could characterise as a paramilitary or private military company, and that was the AUC in Colombia.

Historically, terrorist proscriptions in the United Kingdom, New Zealand and Australia—the Five Eyes countries, more generally—are focused on transnational groups that, generally, are without links to a nation state. The Wagner Group's links to a nation state, in the Russian Federation, in my view, may lead to a level of reticence to use the terrorism proscription authority that Five Eyes countries may possess.

Notwithstanding the fact that they probably very easily meet the legal criteria, I think it would be a precedent in the UK system to designate a PMC or a PMC-like group, and I think that precedent is a very difficult line for bureaucrats to cross. I know that from my experience in the Executive branch of the US Government. It can lead to a lot of discussion about what the implications could be if we used this tool in a new way.

- Q79 **Stewart Malcolm McDonald:** I realise we are discussing PMCs and particularly the Wagner Group, but one of the things that our Ukrainian counterparts have asked us to pursue—I am always keen to know what people like yourselves would think of this—is the proscription of President Putin's political party, United Russia. Do you have any thoughts on that, at all?

**Professor Blazakis:** I have written openly that the State Department should use its legal authority to sanction the Russian Federation as a state sponsor of terrorism for the activities it has conducted, not only in the context of what we are observing in Ukraine, and its relationship with the Wagner Group, but for the fact that it has provided long-standing sanctuary to the Russian Imperial Movement, which is a US-designated terrorist group. It is perhaps the most significant sanction you can deploy against a Government or country.



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In the context of going after specific political parties, I think looking at the sanction tool of Russia as a state sponsor would be a more significant action, as opposed to going after Putin's specific party. To answer that question more specifically, I would say it would depend on the legal authority that you would want to pursue vis-à-vis that sanction. Would it be something along the lines of being related to the Russian aggression in Ukraine? If so, I think it would very easily meet that litmus test. The challenge there, of course, is what the impact would be on potential diplomatic relations. Obviously, we all want to get to the negotiating table at some point. There is a perception that sometimes broader sanctions could impede those opportunities and those open doors for diplomacy.

- Q80 **Chair:** Are there any examples in history where broader sanctions have not prevented parties coming to the peace table, or, conversely, where they definitely have?

**Professor Blazakis:** Take Iran as an example. Iran has been listed by the State Department as a state sponsor of terrorism since 1983. While there may be different views on the efficacy of the JCPOA deal with Iran, that deal was none the less negotiated while Iran was on the state sponsor of terrorism list. So negotiations can happen, even with ideologically opposed regimes such as the United States and Iran.

- Q81 **Bob Seely:** I have a couple of follow-up questions to what you have both just said. Out of curiosity, why would the Russian Government, which has pretty well-trained Spetsnaz forces and a big secret agency contingent, be using Wagner to assassinate Zelensky? Are you saying that they used Wagner and have never tried to assassinate Zelensky using their own more official channels to do so?

**Jason McCue:** This is the nub of it—the use of the PMC in these circumstances as proxies. It is plausible deniability. That is what is behind it. That is the problem. That is the nub of it. Putin is using Wagner, as we have said, not only to do the illegal side of the war, to push on those fronts with the war crimes, but to do its sanction-busting. It is effectively using it to do its illegal foreign policy—and economic policy where necessary. That is the nub of it.

- Q82 **Bob Seely:** In a similar vein, what is interesting, as far as I can see, is whether—and this is the question—it is due to the power of Prigozhin that Wagner seems to be commanding an awful lot of resources on the battlefield, to the detriment of the Russian state forces and the Russian army. That seems to be pretty incredible, when you have mercenaries being given priority, probably because of the political clout they have within the Kremlin. Is that accurate, do you think?

**Jason McCue:** It is accurate, but they have their own resources and their own resource streams for obtaining their equipment, for instance. This, again, is the heart of it. What Wagner are being used for is to terrorise the Ukrainians, to cause chaos in Ukraine—fear—and to cause evacuees to flee from there. That is the point of what Wagner is doing. The Russian Federation is allowing publicity out that Wagner are recruiting from prisons—category A prisoners in some cases—that they have specialist





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weapons and that they are ruthless and mean, and they have their reputational background of what they have done in Africa. That is the purpose of Putin using them to terrify. It's terrorism.

- Q83 **Bob Seely:** It is a very interesting argument. Can I challenge that? You could argue that that was the case with the Chechens—that the purpose of having the Chechens there is that they scare people because of their reputation. How much fighting they have actually done on the frontline is another matter. I thought the purpose of having Wagner there was not necessarily to scare Ukrainian civilians but because, broadly, as ex-soldiers or ex-criminals, they have a greater ability to either do violence or at least to do organised violence than the rest of the Russian army, which seems to be very incompetently manned—very poorly manned—and very badly led.

**Jason McCue:** I totally understand your point but, again, I think it comes down to plausible deniability. There will be a reckoning at the end of this for the war crimes. When you look at those war crimes, the targeting of civilian buildings and civilians themselves, the use of rape and murder and who has been pushing that, Wagner is behind it all. That is where our evidence leads to.

- Q84 **Chair:** On that point about deniability, surely the military chain of command and all the evidence we have proves that there is not meaningful deniability. We know this is an arm of the Russian state and we know that they are carrying out Kremlin prerogatives. Is it that we cannot legally meet the legal basis required to be able to prosecute Putin and the Kremlin for being responsible for Wagner activities? What is the legal line? That point about deniability, I struggle with slightly.

**Jason McCue:** When a war has been going as disastrously as this one is for the Russian Federation so far, at the end of the day, there is going to be a blame game. I think Wagner will become part of that. I think there is an element there.

- Q85 **Bob Seely:** You are saying the war crimes allegations more so than the Russian army as a whole. So you are saying that Wagner are committing, per unit or per person, more potential war crimes than the Russian army overall. The Russian army were active in Bucha and places around the north of Kyiv, and it was they who were doing the illegal killing outside the rules of war and so on. So you are saying that Wagner is noticeably worse, or is just part and parcel of the same.

**Jason McCue:** It is about mapping it out. When you map out where Wagner have been deployed and how they have been deployed, when you see a war crime, you see Wagner. When you see some of the more horrendous activities, you see and have evidence of Wagner. They are very much pushing that side of it and being utilised that way.

As to what the reasoning is for Putin—which you were sort of hinting at—I do not know his reasoning. I can only presume the different options that he might be thinking about.



- Q86 Henry Smith:** Professor Blazakis, what practical reason would there be for proscribing the Wagner Group as a terrorist organisation? What difference would that make in reality?

**Professor Blazakis:** As opposed to the current array of sanctions aligned against the Wagner Group? Of which there are some, absolutely. Those sanctions tend to focus on the organisation's engagement in human rights atrocities, which are extremely important, and the consequences range from asset seizures and freezes to travel bans.

The one thing that my co-panellist has mentioned that I think is very important to emphasise here—just because I am emphasising it up front does not mean that it is the most important element—is the fact that labelling an organisation as a terrorist entity has significant deterrent effects, in my experience. It will make it more difficult for countries in which the group operates to continue that relationship, because it increases the reputational risk that those individuals may face.

If, for instance, the State Department designated the private military group as an FTO, anybody who provided material support to that organisation—even if they are non-US citizens—would be subject to prosecution. There is a prosecutorial element to US designations, just as there is with British proscriptions, that would increase the cost of doing business with the Wagner Group. The possibility of ending up behind bars is another element to that, in addition to exposing their true face, which is a face of terror. In that sense, that could lead to a deterrent effect. It could lead to individuals within, say, the Central African Republic, Sudan, Libya and other places perhaps cautioning themselves and individuals in their coterie from doing business with the Wagner Group. I do think that it could have that effect.

- Q87 Henry Smith:** Mr McCue, if the Wagner Group were to be proscribed as a terrorist organisation, how would that assist in pursuing legal cases against them?

**Jason McCue:** It significantly assists in shortening the time that we need to argue in court and prove that they are a terrorist organisation. I am very confident that we could do that, but you can imagine the cost and the efforts that we have to put together to do that.

I am sorry to be going slightly off here, but there was something that the professor just said—I think that we were both agreeing on the stigmatisation of the designation. There is something else that flows from this, from my experience of dealing with terrorist groups: designations help foster whistleblowers. In the UK, we are far behind some other countries in the world, and particularly America, which has a very good system on whistleblowers. Our only whistleblower legislation that I know of is in '95 employment legislation. I really think that, for terrorists, and Wagner in this case, having a whistleblower regime enshrined in statute will attract people out. People will want to leave Wagner if it is designated, but they need a route out. There should be amnesties built into that, with



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protections and confidentiality—you name it. That regime goes hand in hand with designation.

**Professor Blazakis:** I want to augment that. It is an interesting point. In the context of the news cycle, we saw today in *The New York Times* that the Wagner Group is actively trying to recruit individuals who were trained by the US Government in Afghanistan—members of special forces. If you were to label an organisation like the Wagner Group as a terrorist group, it would potentially affect the recruitment decisions that individuals like the Afghans might be making about the possibility of joining the organisation. So I could see a place where the designation impacts recruitment in a way that perhaps leads to fewer people going down that road towards the Wagner Group.

- Q88 **Chair:** Mr McCue, you made a point about Putin being able to turn on Wagner and blame them if things go wrong. How do you see that playing out in what that might mean for those at the top of the Wagner Group? Obviously, that would result in Putin having to set out in some way what the relationship is. Secondly, will your court case specifically seek to establish the Wagner Group as a terror group, or is that something that you think needs to be dealt with separately?

**Jason McCue:** You will appreciate that I do not have a crystal ball on Putin's mind and all, but in relation to our case, we will certainly be proving what you have just said. That will be central to it.

- Q89 **Chair:** What will be the legal repercussions for the British Government if a British court of law designates them as, or accepts that they are, a terrorist organisation? Can you see any way in which the British Government could legally argue that they could not accept that finding? Surely that would change Government policy, whether the Government wanted so to do or not.

**Jason McCue:** If we prove in a British court of law that they are a terrorist group, I think it becomes very difficult for the British Government then not to designate. It is just another reason. Ultimately, though, it is something for the Executive arms to do. It can only help.

**Chair:** Mr Blazakis, is there anything you want to add?

**Professor Blazakis:** I will just say, from my own personal experience in the Executive branch, working at the State Department—our Foreign Ministry in the US Government—that there is a perception that if courts or lawmakers in the US Congress make a determination to try to pursue a Bill to designate an organisation, the Executive branch tends to be upset by that. The fact that they are upset really gets to the point of what they see as flexibility—having maximum flexibility in the context of using tools at the appropriate time in which they see it affecting the national security challenge. I would only presume that the FCO would probably have some angst about a court determination perhaps usurping authorities that may exist, that the Home Office, for instance, or the FCO could deploy vis-à-vis the Wagner Group.



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**Chair:** Thank you.

Q90 **Bob Seely:** Is that the only risk, do you think, of proscription? Are there other risks?

**Professor Blazakis:** In terms of proscription, the risks would include the inability to select the timing, if it was timing in judgment made by someone outside of the normal decision-making process—so the flexibility. It would potentially box in Governments to perhaps having to listen a little harder to Zelensky's calls to label Russia a state sponsor of terrorism. If you were to, say, proscribe the Wagner Group, then it is only one step—an easier step—to sanctioning the entire Russian Federation as a state sponsor. That could limit diplomatic flexibility from the perspective of the Executive branch as well.

It could lead to the organisation becoming more secretive in the way that it carries out its activities overseas if it were to be labelled a terrorist group, making it more difficult—and it is already difficult—to track the finances of the organisation. If it were to be labelled a terrorist group, it could go underground, like we have seen with other terrorist groups. Once they have been designated, they move to other informal mechanisms to move finance. Those are some of the risks that would be attached to any terrorist designation.

Q91 **Bob Seely:** "Terrorist" has a definition, doesn't it? You can say that what they are doing in Ukraine breaks all sorts of Geneva conventions and all sorts of laws of armed conflict, but that does not necessarily make it a terrorist group. I am wondering if the terrorist group designation is more to do with an emotional response—I am probably going to get pushback from both of you on this—than a factual response to what they are doing. Yes, they bring terror, but you can say that Putin does that every time he drops bombs on electricity supply and water supply in and around Kyiv, Kharkiv and half a dozen other cities. But we are not calling him a terrorist, are we?

**Professor Blazakis:** If I could interject on that. In terms of how I think about terrorism, decisions made by the Home Office or the State Department would have to follow the legal tenets that underline the designation authorities. From my 10 and a half years of working on that portfolio directly, I think the Wagner Group would make, for instance, the US criteria, and looking at the British criteria, I think they would meet that criteria as well. For me, when I think of terrorism—

Q92 **Bob Seely:** Why? Which bits of that criteria have been met?

**Professor Blazakis:** Absolutely. What they are doing is carrying out premediated acts of political violence against non-combatants, with an objective of creating fear in a larger audience, not just the audience they are directing their violence against directly; they are trying to create that atmosphere of fear. That is the quintessential definition of terrorism, academically.

Q93 **Bob Seely:** In Ukraine? Or are we talking about Libya—



**Professor Blazakis:** I am talking about Libya, Mozambique, Sudan and CAR and including Ukraine—particularly the relationship with a terrorist group like the Russian Imperial Movement, which also feeds into that question.

- Q94 **Bob Seely:** This isn't just very sloppy—to put it in a very sloppy way—or soldiering with stupid, random violence and ill-discipline. It is something more systematically geared to terror. You are convinced of that.

**Professor Blazakis:** Yes, I am convinced of that.

- Q95 **Bob Seely:** And are you also convinced of that, Mr McCue?

**Jason McCue:** We are. Our evidence shows that they are utilising violence and illegality for political gain. That is the definition of terrorism.

**Bob Seely:** Thank you.

**Chair:** We will bring the session to a close. Thank you both for compelling and forensic evidence. I am sure we could not possibly wish you success in your legal endeavours, but we will follow them very closely.

## Examination of witness

Witness: Mikhail Khodorkovsky.

- Q96 **Chair:** Welcome to this session of the Foreign Affairs Committee, in which we are looking at the Wagner Group. We are very grateful to have Mr Mikhail Khodorkovsky giving evidence to us. Will you kindly introduce yourself and make your opening remarks?

**Mikhail Khodorkovsky (Translation):** Good afternoon, and thank you for this invitation. I am Mikhail Khodorkovsky. I am an entrepreneur and former political prisoner. In 2017, I created a non-commercial investigative project called the Dossier Center, which was supposed to deal with somewhat different topics; however, in 2018, three journalists who were working on another investigative project of mine were assassinated in the Central African Republic. To this day, I am confident that Mr Prigozhin had something to do with it, along with his group, widely known as the Wagner group. That is why, since 2018, the Dossier Center has been working on that group.

In 2019, we published a report on the assassination of those journalists, and I feel we demonstrated convincingly that people working for Mr Prigozhin participated in the murders. We continued to investigate activities of the Russian intelligence services and people who have co-operated with the Kremlin on the commission of serious crimes, including murder, corruption and illegal interference in the policies of other countries. We passed on our materials, particularly on the murder of Zelimkhan Khangoshvili in August 2019. We also gave the German authorities our material relating to the director of Wirecard, Jan Marsalek, who, in our opinion, co-operated with Russian intelligence services when he committed his crimes.



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Mr Prigozhin is, in my opinion, an important tool for the Kremlin. His empire includes combat units that, since the start of the military operation in Ukraine, have increased in size several times. Now they have a headcount of over 7,000 people. His empire also includes propaganda vehicles that create fake materials and promote that fake content through social media. Mr Prigozhin is in direct contact with President Putin and receives instructions from him on the operations that he is to conduct. In particular, we believe that Mr Prigozhin, at the beginning of the war, sent special teams to kill President Zelensky of Ukraine and people close to him. That was unsuccessful, luckily. However, these people are directly managed by Prigozhin.

The situation regarding the legal status of Mr Prigozhin's structures is peculiar. Under Russian law, it is a criminal offence to have a private military company. There was an attempt in Russia to legalise, or introduce in law provisions for, the activities of such companies. However, Mr Prigozhin acted against that initiative, first because the current legal situation allows him not to be regulated by the Ministry of Defence or any other state authority. Secondly, people who work for him are criminals, according to Russian law, and are therefore in serious dependence on him. That is why he is quite happy with the current status. Now Mr Prigozhin's groups are taking part not only in military action in Ukraine, but special operations in Africa.

**Q97 Chair:** Thank you so much. First, I would like to express our sadness at the loss of the three journalists—your three friends—who were murdered. I also put on record our sympathies to all those whose loved ones have been murdered, raped or tortured by the Wagner Group across the world.

We in the UK have been surprised by what appears to us to be the domestic support in Russia for the invasion of Ukraine. However, you recently said in *The Guardian* that many Russians do not want to fight, which we have also become aware of, and that domestic anger is growing. How do you think that discontent will manifest itself in the coming weeks and months, particularly as we go into the winter, when, presumably, there will be less movement on the ground but far more use of cruise missiles and terrorisation of the public, particularly in Ukraine?

**Mikhail Khodorkovsky (Translation):** To my great sadness, propaganda—including, but not only, that delivered by Mr Prigozhin—significantly influences the Russian population. After the war of 2008, the Kremlin achieved significant success in that direction. As citizens of a democratic country, it is difficult for you to imagine how much propaganda—in 3D, as one might say, from all sides—changes or alters people's consciousness.

Nevertheless, according to social surveys—I do not know how much you can trust those, taking into account the ongoing war—14% of Russian citizens have said that they are against the war in Ukraine. For the UK, that would be a very small number, but we are talking about conditions in which people believe they are giving an answer to somebody who will inform the FSB, and in the context of an authoritarian regime, so that





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means that that 14% have a very strong belief and are prepared for a sacrifice.

About 10% to 15% of the population are on the opposite side of the spectrum; they subscribe to the opposite point of view. In Russian political terminology, we call them nationalist patriots. They are the closest to the ideology that was present in Nazi Germany. The rest of the population—about 70%—either do not have their own point of view or are hiding it until the situation relates to them.

The situation with mobilisation increased the proportion of people who are concerned about what is going on in Ukraine from about 30% to over 60% over the course of two weeks. Putin had to stop mobilisation in many regions before the official end date. I believe that restarting mobilisation would be a very difficult and politically dangerous decision for him.

**Q98 Chair:** Thank you. Before I turn to my colleague Royston, let me ask this: how do you expect opposition to the illegal invasion to manifest itself to us externally in coming months? It is a common narrative in the western world that Putin has eviscerated all meaningful opposition to him; it is a police state, and it is very difficult for people to rise up or show opposition. What sorts of markers should we be looking for that demonstrate unhappiness or challenge to his authority that we external observers might not otherwise naturally identify?

**Mikhail Khodorkovsky (Translation):** The most obvious marker of discontent would be emigration. After the announcement of mobilisation, if we take the customs figures of the neighbouring countries, about 700,000 people left Russia. You need to understand that this is a serious blow for Putin's defence industry and, generally, for the economy of Russia. It could be a much more significant blow than any sanction.

At the same time, the countries that opened their doors to these people may gain significant economic benefit, because these are not average Russian citizens. These are the most active and most educated people, who have certain financial means. One example is the departure of about 30,000 Russian programmers, who are now mainly based in Cyprus and other countries. This has significantly hit the ability of the Kremlin to continue the cyber-war. A similar situation is taking shape with engineers who are able to resolve the problems of reproducing high-precision weapons.

Those are the most precise criteria, but there are other criteria as well. In the Russian tradition, action against power is expressed in sabotage, and that sabotage can be witnessed today. People refuse to take their children to the mobilisation points. They refuse to take part in producing weapons. They counteract the movements of trains with military equipment. Whether we will see mass demonstrations and mass protests in the streets, I am not so sure.

I point out that the presumption that there is a tendency for open protests is a presumption that exists in democratic societies. A protest in which



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people are not equipped with weapons is a means of influencing elections, but if there are no elections, unarmed opposition means nothing. We saw that in Belarus; a large proportion of Belarus's citizens came out into the streets, but without any weapons. That has led to nothing. The next stage of the opposition fight in Russia will happen if Putin loses the war, and this stage will be connected to violence, or the threat of force, from protesters.

- Q99 **Royston Smith:** In questions to the previous panel, my colleague Bob Seely referred to the abilities of the Russian military and its special forces, which made us think about why the Kremlin would want to use proxy private militaries in Ukraine and elsewhere when it the Russian military has the ability to do the same things.

**Mikhail Khodorkovsky (Translation):** There are several reasons. The simplest is to do with the fact that Putin psychologically has a tendency to favour special operations and an external semblance of legality. You can see that in his public statements. He always lies. You would think, "Why would he lie?". It is because he believes that if he does not say it openly and it cannot be proven, it somehow does not exist. From that point of view, he is very comfortable with having proxy units. The largest among them is Wagner, but there are others as well. He can then state, "It wasn't me."

I will give you an example. There was a well-known incident in Syria in which Wagner attempted to attack an oil refinery that was under the protection of American units. Several dozen to around 300 Wagner fighters were killed; there are various estimates. We know that the Americans contacted the Russian Ministry of Defence through communication channels, and asked whether these were Russian units who were approaching the refinery. Twice they received a negative reply, and Putin has still not acknowledged the participation of essentially his Russian forces in that catastrophic operation. For him, that is very comfortable.

The second point is much more unexpected. As you were able to witness in the example of the attempted murder of Mr Skripal here in the UK, units of the GRU are not highly qualified. Unfortunately, I have to recognise that the units formed by Mr Prigozhin have, until very recently, been more effective. Today, because most of his personnel have been killed in action in Ukraine, he has to hire more people. I am sure that in general the qualifications of those people will be lower, but because he has experience of military operations in third countries, we could say that his people were more highly prepared than people from the Ministry of Defence.

- Q100 **Royston Smith:** I do not think any of us will argue that the Wagner Group is inextricably linked to the regime, but how would you suggest that the military chain of command was linked to the Kremlin, and how would you evidence that?

**Mikhail Khodorkovsky (Translation):** Again, I have to refer to the particular features of dictatorial regimes. The main political currency in regimes such as Putin's is access to the body—in other words, the



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opportunity for one person or another to meet Mr Putin personally. People who have direct access to the dictator are, in terms of their status, irrespective of their formal position, higher than those who are not able to meet the dictator personally. That is why the influence of Mr Prigozhin is approximately equal to the influence of Mr Shoigu, Russian Minister of Defence, or Mr Lavrov, Russian Foreign Minister. That is the only currency—the number of available meetings with the dictator, and Mr Prigozhin has a lot of that currency, because he has a lot of personal meetings with Putin.

In terms of the influence of Mr Prigozhin, what can persuade you is what has been published by the Russian bloggers. Most likely according to Mr Prigozhin's instructions, there were recordings of his meetings in Russian prisons with criminals who are serving their sentences, and there is the possibility to recruit from prisons into his military units, irrespective of the gravity of crimes committed. That possibility to liberate those people means that Mr Prigozhin has signed blank decrees of the President's own pardon of those people, and this is a very high level of interaction with power; this is a very high level of influence.

This has a criminal nature, because what is being done is not in any way in accordance with the letter and spirit of the law—this is just not provided for in Russian law. Nevertheless, he is doing it. He is doing it publicly, and nobody can do anything against it. This is a legally acting gang that acts in violation of the Russian law. The only boss of this gang is President Putin personally.

**Q101 Henry Smith:** That is quite a statement that you have just made—that the power of Wagner is on a par with that of the Foreign Minister or Defence Minister in the Kremlin. What, if anything, do you think would make the Kremlin stop using groups like Wagner?

**Mikhail Khodorkovsky (Translation):** I would like to clarify that. Naturally, the Wagner Group is not equal in terms of its power to the Ministry of Defence or the Foreign Ministry; however, the personal influence of Mr Prigozhin is equal to the personal influence of Mr Shoigu or Mr Lavrov. Mr Putin likes such an instrument as the Wagner Group very much. That is seen through all the possibilities and opportunities that Putin is opening up to it—heavy military equipment, personnel and the money that Mr Prigozhin is receiving from the state budget.

He is using that money to finance these groups. These are large amounts of money—hundreds of millions of dollars—and the criteria is only one, it appears to me: loyalty. The Wagner Group is a very dangerous weapon—as dangerous as Kadyrov's group—however, loyalty here is only important in relation to Putin. Conflict of this group with the Ministry of Defence, and with Mr Shoigu, which we witness all the time, is not something that will force him to stop the activity of the Wagner Group.

**Q102 Henry Smith:** You mentioned earlier the heavy influence of the state in terms of how the Russian public receives information. Despite that opposition, what is the opinion of the Russian public towards the Wagner



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Group? How much awareness is there of what the Wagner Group is doing, and the level of its involvement in terms of Kremlin foreign and military policy?

**Mikhail Khodorkovsky (Translation):** The Wagner Group was created in around 2014 and became known around 2015. The first survey that is known to us in relation to Wagner was done in 2017. In 2017, the majority of the Russian population—around 80%—did not support the existence of the Wagner Group. However, public opinion has changed after the start of the conflict in Ukraine. Mr Prigozhin expressed it through words that have become quite public.

He said, “Either them”—he was talking about his combatants—“or your children,” and this is what is in the mind of the people. Today, according to the surveys being conducted by different social survey companies—they are not that independent—about 90% of the population support the existence of Wagner Group, so the situation has changed, because people believe that the alternative to this would be conscripts.

Q103 **Bob Seely:** Добрый день, Михаил Борисович. Спасибо за ваше время. *(Translation: Good afternoon, Mikhail Borisovich. Thank you for your time.)*

I want to follow up on what you were saying. I was going to ask you how much power Prigozhin has in the Kremlin, but you have talked about that in some detail, comparing him with Lavrov and Shoigu. I just want to put to you a couple of arguments about the future of Prigozhin but also about his power within the Kremlin—just to develop those themes. In many ways, Lavrov is less independent than Prigozhin and does not have the luxury of speaking out against the war. And Shoigu has become increasingly discredited, because the Russian army has so badly underperformed and now comes second to Wagner in matériel, and so on. I would have thought there is an argument that says that Prigozhin potentially has more power than these other actors, provided that he stays within the bounds of supporting the President; he can attack the war effort as long as he does not attack Putin personally. Do you think that his star is still rising and Lavrov and Shoigu are now declining?

**Mikhail Khodorkovsky (Translation):** We have to divide the possibilities of the structure from the influence of personalities. If we talk about the structure and what potential it has, Wagner is a relatively small group; compared with the potential of the Ministry of Defence, it is not even a division. The supply, artillery and air support are done by the Ministry of Defence, so, as a military unit, they are not significant. However, from the point of view of political influence, as expressed in terms of influence on Mr Putin, it is a different situation. A lot of people, me included, are convinced that the appointment of Mr Surovikin, who is the head of all military groups conducting the war in Ukraine, and the appointment of one of his subordinates were lobbied for by this group—Prigozhin, Kadyrov and Zolotov, either directly or through proxies.

This is an important element, because if this is true and if these people are loyal to this group, this is a significant fighting power. They do not have



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significant potential in terms of internal politics while Putin is in power. However, if Putin loses the war or if he loses his position in any other way, this group will be very significant. And the vector of its activity would be clear: they would be moving in the direction of continuing the war, because these people—this is a difference from everyone else—have political influence. They have their influence as long as the war is going on, because if the war stops, their political influence ceases.

**Q104 Bob Seely:** You talk about President Putin winning the war or losing the war. If he loses the war and his role then becomes significantly under threat, is Prigozhin someone who is able to step in, using muscle if need be, to either build himself up as an independent player in Moscow, or, should there be violence in Moscow—his Wagner Group, as you say, is small on the battlefield, but on the streets of Moscow in situations of chaos in future could become a decisive factor. That is going back to 1991 territory. Is that a realistic outcome, or is that still quite a long way away?

**Mikhail Khodorkovsky (Translation):** We—I am talking about the Russian opposition—believe that the Wagner Group, which, of course, is a very nominal kind of name, could play a significant role in any outcome of the war. Putin would consider using this group as a force as an opportunity not to recognise his own participation in the situation. I think that this group will be used not just in Africa but also in Europe.

As far as Moscow is concerned, again, yes, this is indeed one of the dangers to them, especially taking into account the marked interaction with Mr Kadyrov, the head of Chechnya, who has his own military groups. They are formally part of the National Guard, but, in actual fact, they are commanded directly by Mr Kadyrov—several thousand people. The National Guard—Zolotov is also part of this group—also has about 300,000 men. That is a significant force. Of course, they cannot be assembled in one place, but they can be engaged. It is not obvious that that would be a monolith, coherent group. There are two factors to do with this. The first factor is that Wagner Group has increased in its size. The opposite factor is that the Wagner Group today has lost a significant part of its professional men. So, people who are fighting there are not loyal personally to Prigozhin and other commanders, as the case used to be. It is a precarious situation, but it is not a terrible situation.

**Q105 Bob Seely:** I have one more question. What are the prospects of holding Mr Prigozhin himself responsible for his activities in relation to the Wagner Group and what the Wagner Group has been doing, either in Africa or in the Ukraine war?

**Mikhail Khodorkovsky (Translation):** If Mr Putin has any doubts about the loyalty of Mr Prigozhin, prosecuting him according to law would be very likely. There are several criminal laws that are directly violated by Wagner and Mr Prigozhin. Their activity comes under the definition of a criminal organisation or group that is engaged in hiring mercenaries, which is a severe crime under Russian law. They are also engaged in terrorism and killing. That can be proven quite easily, in my opinion. If Putin has no



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doubts over the loyalty of Mr Prigozhin, then bringing him to responsibility would be possible only after the change of the regime.

Q106 **Chair:** In the previous session, one of the individuals giving evidence suggested to us that if and, as I think we would all like to say, when Putin loses his illegal war in Ukraine, he will seek to blame the Wagner Group and use them as a fall guy for why he was not successful in his ambitions in Ukraine. Do you think that is a likely activity, because that would call into question the deniability he uses? And what do you think that would look like?

**Mikhail Khodorkovsky (Translation):** The Wagner Group can be blamed quite easily for committing separate crimes in Ukraine. However, placing responsibility on them for the unsuccessful operation would not be swallowed very easily, even by Russian society. About 150,000 to 200,000 men were involved in the operation, so the Wagner Group of around 7,000 men does not sound serious.

There is a certain public consensus on this that the person to blame is Mr Shoigu. There is one reason why I would also place responsibility on Mr Shoigu—and I have known him for 30 years—and it is because he was one of the two people who put maximum influence on Mr Putin on taking that decision to start the war. I do not know to what degree that influence was required. Maybe Putin had his own conviction.

The two people who influenced Putin most were Shoigu and Kovalchuk. I would like to point out that this is the second such case in recent Russian history. Before that, it was Mr Kryuchkov who said to Mr Yeltsin that he would take Grozny using one group in three days. Shoigu stated that he would take Kyiv in three days, so this is an exact repeat and copy of that situation.

Q107 **Chair:** Thank you. I am aware that we are running out of time, so this is my last question to you. In terms of the British Government's and international Governments' actions on the Wagner Group, where have you felt we have most let down the victims of the Wagner Group? What should we be doing that we are not? Secondly, is there anything that you wish we had asked you and any final points you would like to make to the Committee?

**Mikhail Khodorkovsky (Translation):** First of all, I think that what the Wagner Group was doing in Africa was, in essence, preparing and training combat groups, military reconnaissance and sabotage groups. That should have raised great concern and great response at that time. I do not know how much the Government of the UK, France or the United States were at fault.

We were trying to raise the issue from 2018. I can't say we were very successful, but we managed to achieve a situation where Mr Prigozhin was perceived as a danger in the United States—not from the point of view of the actions of his military groups, but from the point of view of his propaganda people. In my opinion, that was a great underestimation of the enemy.





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There is another nuance that I want to point out. I understand that today the greatest compassion should go to Ukrainians, and Ukrainians who are forced to leave Ukraine. However, in my opinion, we should not forget those Russians who, by refusing to participate in the mobilisation, are leaving Russia. I would like to emphasise that again for two reasons at least, apart from general humanitarian concerns.

First, this is a significant blow against the ability of Mr Putin to support a technological competency. Secondly, it is the opportunity for a number of countries, including the UK, to use the desire of those people and their ability to create new technologies, new businesses and give them the opportunity to do that in freedom.

I would like to remind you that the creation of the Soviet nuclear bomb was done by Mr Kurchatov and others when they were working, effectively, in prison conditions. Let us not repeat that mistake. The UK has got a global talent programme, which is a wonderful programme. We should do the maximum to use that programme to extract maximum benefit, using the situation in Russia.

**Chair:** Thank you for your considered contribution today and for taking the time to share your thoughts with us, which are very welcome. I know you have previously given evidence to the Committee, so thank you for coming before us again.