

FCDO Written Submission for FAC Inquiry on the Wagner Group and beyond: proxy Private Military Companies (WGN0025)

1. What is known about the Wagner Group's operations, including its size, recruitment process, countries of operation (past, current and potential) and the nature of its partnerships with 'host States'?

The Wagner Group has variously been characterised as a private military company (PMC), an 'unincorporated private military entity', and a Russian Ministry of Defense (MOD) 'proxy force'. Wagner's first noted deployment was to Ukraine in 2014, where we believe the group played a combat role in the Donbas in support of separatist forces. Since then, it has expanded its operations to Syria and a small number of African states, undertaking a range of security roles abroad, including combat operations, counterinsurgency, site security and training. We believe Wagner has been running deployments to Sudan (2014), Mozambique (2019), Syria (since 2015), the Central African Republic (since 2017), Libya (since 2018), Mali (since late 2021) and redeployed to Ukraine in 2022 after being deployed there in 2014. None of Wagner's overseas deployments have been officially recognised or confirmed by Wagner, the Russian state, or the states where Wagner has deployed. However, some Wagner deployments have been described by Russia and host states as 'Russian instructors'.

Whilst Wagner is nominally a private entity, our understanding is that the group maintains close ties to the Russian state. Reports variously indicate that: Yevgeniy Prigozhin, who plays a central role in the Wagner Group, has significant contacts across the Russian government; the group's training base in Russia is located close to Russian military facilities; some Wagner personnel have received passports from an office that issues passports to the Russian MOD; and some Wagner personnel killed in battle have received a Russian military medal usually given to uniformed service members. Additionally, we believe the group has coordinated operations with, and received significant logistical support from, the Russian military. Wagner's links to the state are consistently denied by the Kremlin, and Prigozhin has denied links to the group.

Wagner's staffing numbers cannot be verified, but reports estimate that the group currently has up to 5,000 personnel deployed outside of Russia. Our understanding is that Wagner has typically recruited personnel with some military or security experience, such as Russian Armed Forces veterans, though the testimony of a former Wagner fighter suggests specific requirements are flexible. Contractors are probably principally Russian, but Wagner units have also allegedly been staffed by individuals from Ukraine, Moldova, Belarus and Serbia. Reports indicate Wagner has also recruited Syrians to fight in Libya.

2. What other Private Military Companies (PMCs) have links to States that may be hostile to the United Kingdom's values and interests (including Russia and China)? What is known about these PMCs' operations and how they are regulated/used by sponsor States?

There are multiple Russian PMCs which offer traditional security services, such as site security, training and consulting services in Russia and internationally. These include, but are not limited to, RSB Group, Redut, Moran Security Group, ENOT Corp, Vegacy Strategic Services and PMC MAR. Whilst the extent of the connections between these groups and the Russian state is unclear, it is highly likely that none are as close to the state as Wagner.

3. How are these companies financed? Where does their support really come from?

Wagner's finances are opaque, and the mechanisms used to fund the group's activities obscure. However, reports suggest Prigozhin has been able to draw on various revenue streams, including direct payments from host states; access to natural resources where the group has deployed; and inflated Russian government contracts given to Prigozhin's other businesses. US sanctions listings

against Prigozhin suggest he has sought to evade sanctions by establishing front and shell companies both in and outside of Russia.

4. How is the UK Government responding to the challenge of PMCs that act as state proxies, including through disincentivising the use of PMCs by States? How effective is this approach?

The UK Government's approach to responding to the challenge of PMCs that act as state proxies is firmly rooted in the 2021 publication *Global Britain in a Competitive Age: The Integrated Review of Security, Defence, Development and Foreign Policy*. The UK Government is not seeking to disincentivise the use of PMCs by States in principle, as this activity is not necessarily illegal or harmful. However, the malign use of PMCs as proxies of States increasingly forms part of an intensified competition over norms and values, where certain States blur and test the boundary between conflict and peace to undermine and coerce others. In addition, the use of proxies by certain States has also led to destabilising activity, human rights abuses and malign practices.

The UK takes the provision of mercenaries and other military support to parties in conflicts such as Libya, Syria, Ukraine and elsewhere very seriously. On 31 December 2020, the UK designated Prigozhin for his involvement in the activities of the Wagner Group which undermine the peace, security, stability of Libya, including by breaching the UN Libya arms embargo. On 24 March 2022, the UK designated Wagner Group as an entity, as part of our package of sanctions in support of Ukraine. We have expressed our concerns at Wagner Group's presence in Mali on a number of occasions, including through statements by Minister for Africa Vicki Ford. We have raised our concerns about the presence of foreign mercenaries in Libya with Russian authorities.

The Ministry of Defence has also condemned destabilising mercenary and proxy military activity. For example, the Secretary of State has consistently spoken out specifically about the destabilising influence of the PMC Wagner Group in Africa and the Middle East and in the context of Russia's invasion of Ukraine. Defence, working with allies and partners, has exposed the deployment of PMCs to the conflict. MOD also works across HMG to enable evidence sharing to support sanctioning of those involved in malign PMC activity. MOD closely monitors all threats to the UK and its allies, including those from private and mercenary forces.

In order to shape Government's response to the challenges posed by PMCs that act as state proxies, MOD has a policy framework to understand where and how the use and activities of PMCs threatens UK interests and values.

We continue to work closely with our international partners to counter any Russian malign activity and respond to actions that undermine the rules based international system. Through our responses to the challenges of PMCs acting as state proxies, we must build consensus around responsible state behaviour and competition and promote understanding globally about the risks that PMCs acting as state proxies pose to international security and stability.

5. What skills and capabilities exist in the FCDO and across Government, when it comes to identifying, tracking and (where relevant) sanctioning members of PMCs? What gaps are there?

The Ministry of Defence regularly monitors the activities of PMCs in order to maintain a robust understanding of where those groups threaten the security and interests of the UK, its partners and its allies.

The FCDO's geographical Directorates also track and respond to the activities of PMCs, in tandem with MOD colleagues. The FCDO has also steadily increased the size of the Sanctions Taskforce which now comprises around 150 members of staff, treble its previous number. This number does not include others across the FCDO in our overseas network, Trade Directorate, geographic and

thematic directorates and others across Government working substantially or partially on sanctions policy and implementation.

6. How effectively do international law and UK national law govern and police the activities of PMCs? Does the existing 'rules-based international order' provide a response? Are updates required?

It is important to note the distinction between mercenaries, a term clearly defined by Article 47 of Additional Protocol I to the Geneva Conventions as those specially recruited locally or abroad in order to fight in an armed conflict and motivated to take part in the hostilities for private gain, and that of properly regulated (based on human rights and international humanitarian law (IHL)) and responsible Private Military and Security Companies. The latter provide an essential service in support of diplomatic, commercial and humanitarian activity in complex environments around the world.

The UK has played a leading role in implementing international initiatives to effectively regulate Private Military and Security Companies. We were a founder signatory to the Montreux Document, an intergovernmental document on pertinent international legal obligations and good practices for States related to the operation of Private Military and Security Companies during armed conflict.

The UK advocates for implementation of the Montreux Document via the International Code of Conduct for Private Security Services (ICoC). The ICoC sets out principles that govern the industry based on IHL and human rights. Compliance is monitored by the multi stakeholder oversight mechanism, the International Code of Conduct Association for Security Providers (ICoCA).

The UK works closely with industry and civil society to promote responsible practice and raise professional standards in the UK and internationally, ensuring compliance with standards of conduct. This also included the introduction of professional standards against which Private Military and Security Companies can be certified by independent third party auditors, the International Organization for Standardization (ISO) management system for private security, ISO 18788 for land based operations and ISO 28007 for maritime based operations.

Since 2011, the Government has worked with the Security in Complex Environments Group (SCEG), a UK-based Special Interests Group for the Private Security Sector, on the transparent regulation of Private Security and Maritime companies. SCEG members are expected to be compliant with applicable legislation, regulations and principles. At the international level, this includes the UN Guiding Principles on Business and Human Rights, the Voluntary Principles on Security and Human Rights, the International Code of Conduct for Private Security Services, and the Montreux Document. Domestically, this includes the UK Bribery Act, the UK Counter Terrorism and Security Act and the Modern Slavery Act. SCEG companies have to show they have achieved internationally accredited certification or intend to within two years of joining SCEG to become certified, against relevant standards.

There are well-established rules of international law that apply to States in their relations with Private Military and Security Companies and their operation during armed conflict. The Government considers that the existing framework of legal and regulatory measures, alongside international voluntary initiatives, provide the necessary safeguards to regulate the activities of Private Military and Private Security Companies. We are not considering any revisions to our current position but continue to monitor efficacy of existing instruments and the evidence base to ensure our overall policy objectives are delivered.

In terms of regulation in the UK domestic context, the UK Security Industry Authority, set up under the [Private Security Industry Act 2001](#), is the organisation responsible for regulating the private security industry by operating a licensing regime for individual security operatives and a voluntary approvals scheme for security businesses.

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The UK is party to the Convention on the Prevention and Punishment of the Crime of Genocide 1948, which requires that we prevent and punish the crime of genocide in our jurisdiction. We are also party to the Convention Against Torture 1948, which requires us to take measures to prevent torture in our jurisdiction, and to prosecute or extradite individuals who are in the UK, and who are alleged to have committed torture anywhere in the world. As a State Party to the International Criminal Court Statute (ICC), the UK has also made it a domestic crime to commit any of the crimes in the ICC Statute, including genocide and crimes against humanity. Where such crimes take place in the UK, or are committed by UK nationals, they can be prosecuted before the UK courts. We are also able to prosecute British citizens for certain crimes such as murder, and sexual abuse of children committed overseas. This legislation would enable us to prosecute a British national accused of committing such crimes overseas while working for a private military and security company.

Multiple UN sanctions regimes contain designation criteria relating to activities that undermine the peace, security, stability and political transition of states.

The UN Security Council mandates groups of experts to monitor and report on the implementation of UN sanctions, including breaches of sanctions measures. In 2019, the UN Libya Panel of Experts reported on the activities of the Wagner Group in Libya and their involvement in activities breaching the UN Libya arms embargo. In 2021, The UN Central African Republic Panel of Experts reported the commission of international humanitarian law violations by “FACA soldiers and Russian instructors” including “cases of excessive use of force” and “indiscriminate killings”.

7. Generally, how do the activities of PMCs challenge the ‘rules-based international order’?

PMCs are used by many countries and there are legitimate reasons for States to employ such companies.

The rules-based international order is challenged when States use PMCs as proxies to pursue security and influence objectives either deniably or with lower levels of accountability, and outside norms set out in the UN and wider international order. This is important because it is more difficult to hold States accountable for their actions or their use of force when they obfuscate their involvement through the use of PMCs as proxies.

Mercenaries operating in pursuit of Russian state objectives have a brutal track record of committing human rights abuses in multiple countries such as Libya, the Central African Republic and Mali. These undermine security and do not offer any kind of credible long-term approach to for example countering terrorism and may contribute to a worsening local security situation. Mercenaries operating with African partners could pose some international missions operating in the same locations. The risks to UN flights in Mali from restrictions on movement backed by the threat of violence is recent example. Wagner has also interfered in African politics by protecting and supporting military regimes and weakening democratic processes.

Further challenges that the activities of PMCs can pose to international security and international humanitarian law are well documented in the public domain. These include, but are not limited to human rights abuses, suppression of a free press, breaches of UN arms embargos and wider smuggling activity. So far in 2022, mercenaries from the Wagner Group PMC have deployed to Ukraine in support of Russia’s illegal invasion, and Wagner Group personnel employed by the Malian transitional authorities following the 2021 military coup were allegedly involved in a reported massacre.

Wagner’s ruthless reputation is prone to failures and the group abandons partners when Russian interests change or it does not make enough benefit and financial profit. African states have found to their cost that this kind of relationship worsens their security; for example, Mozambique where in

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2019, Wagner's failure and early departure after setbacks seem to have exacerbated the country's security.

The deployment of proxy military forces such as Wagner undermines international law and fuels internal conflicts and risks normalising the use of mercenary forces. The Wagner Group is a driver of conflict and capitalises on instability for its own interests, as we have seen in countries affected by conflict such as Libya and the Central African Republic. Wagner has committed human rights abuses, undermined the work of international peacekeepers, and sought control of mineral resources, to the detriment of local citizens and their economy. Wagner does not offer long-term security answers in Africa and elsewhere.

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