

I. The role of the Wagner Group and other Russian private military and security companies in armed conflicts in 2023

MARINA CAPARINI

The last 20 years have witnessed the rapid global growth of private military and security companies (PMSCs).¹ While there is no universal or legally binding definition of PMSCs, they are generally understood to be private entities that provide a range of military and security services for financial gain.²

Private security companies that guard infrastructure and provide personal protection services domestically or abroad have been legal in the Russian Federation since 1992.³ The legal situation of PMSCs that provide armed combat services is less clear. On the one hand, the Russian constitution explicitly reserves the security and defence domain to the state and prohibits the creation of armed units by entities other than the state, and Russia's 1996 Criminal Code prohibits individuals serving as mercenaries.⁴ On the other hand, legal loopholes exist, such as the ability of state-run enterprises to have private armed forces and security groups, or the registration of such companies outside Russia.⁵ Thus while PMSCs that provide armed combat services are ostensibly illegal in Russia, a number of 'semi-state security forces' have emerged, most notably the Wagner Group, which works in close cooperation with military and intelligence arms of the state in operations abroad.⁶

The full-scale invasion of Ukraine in February 2022 spurred the rapid proliferation of PMSCs, some of which are associated with senior Russian state officials and major corporations.⁷ By mid 2023 the Wagner Group, established by Yevgeny Prigozhin in 2014, was Russia's largest, most successful and most controversial PMSC. In its earlier years Wagner numbered about 5000 former special forces personnel; by June 2023 it was estimated to have

¹ For an overview of this trend, including the key legal and definitional complexities, and efforts to date to map the proliferation of PMSCs, see Swed, O., 'The global growth of private military and security companies: Trends, actors and issues of concern', *SIPRI Yearbook 2023*, pp. 107–25.

² International Committee of the Red Cross (ICRC), 'Private military and security companies (PMSCs)', *How Does Law Protect in War? The Online Casebook* (ICRC: Geneva, [n.d.]).

³ Bukkvoll, T. and Østensen, Å. G., *Russian Use of Private Military and Security Companies: The Implications for European and Norwegian Security*, Chr. Michelsens Institute, Norwegian Defence Research Establishment (FFI) Report no. 18/01300, 1 Sep. 2018.

⁴ Marten, K., 'Russia's use of semi-state security forces: The case of the Wagner Group', *Post-Soviet Affairs*, vol. 35, no. 3 (2019).

⁵ Rácz, A., 'Band of brothers: The Wagner Group and the Russian state', Center for Strategic and International Studies (CSIS) Blog, 21 Sep. 2020.

⁶ Marten (note 4).

⁷ Bauer, R. and Mueller, E. E., 'Ukraine is a breeding ground for Russian PMCs', *Moscow Times*, 14 June 2023, reprinted on The RAND Blog, 14 June 2023.

as many as 50,000 members because of intensive recruiting of Russian convicts and foreigners for the war in Ukraine.⁸

Despite being technically illegal in Russia under Article 357 of the Russian Criminal Code, which prohibits mercenary activity, the Wagner Group has provided military services for Russia in Ukraine and promoted Russian foreign interests in an array of states, notably the Central African Republic (CAR), Libya, Mali, Sudan and Syria. The Wagner Group is the most high-profile entity in a network of interconnected corporate structures, subsidiaries and front companies established by Prigozhin which include media and information platforms, mining companies and trading companies. The network's military and regime security services and influence operations in these countries are enmeshed with its commercial activities—primarily those connected to extraction, processing and trade in high-value natural resources of gold, diamonds, oil and timber. Wagner's access to these resources in exchange for protection of military and authoritarian regimes advances Russia's political and economic interests, by helping it to evade Western sanctions imposed following its 2014 annexation of Crimea and more recently for its 2022 full-scale invasion of Ukraine. The Wagner Group is alleged to have committed war crimes, severe human rights abuses and violations of international humanitarian law (IHL); its disinformation platforms have smeared anti-government protestors and undermined democratic processes, and its commercial entities have engaged in exploitative contracts.⁹

This section reviews key developments in the Russian PMSC sector in 2023, focusing on the role of the Wagner Group in the Russia–Ukraine war, and in armed conflicts in CAR, Mali and Sudan. It concludes by discussing efforts by the Russian state to regulate the activities of the Wagner Group, and, in the absence of international regulatory responses, unilateral coercive measures in the form of sanctions undertaken by Western states.¹⁰

Wagner and the Russia–Ukraine war

After Russia's invasion of Ukraine in February 2022 and its failure to defeat Ukraine quickly, Wagner forces became more actively engaged in the war from October 2022. According to the Armed Conflict Location & Event Data Project (ACLED), conflict incidents involving Wagner around the world had by April 2023 surpassed the total amount recorded for the previous year,

⁸ Ghaedi, M., 'Who are Russia's mercenary Wagner Group?', Deutsche Welle, 27 June 2023.

⁹ Swed (note 1), pp. 121–22; and Caparini, M., 'Private military and security companies in sub-Saharan Africa', *SIPRI Yearbook 2023*, pp. 126–42. See also Pares, R., 'The Wagner Group's playbook in Africa: Mali', Foreign Policy Research Institute, 18 Mar. 2022; and Harding, L. and Burke, J., 'Leaked documents reveal Russian effort to exert influence in Africa', *The Guardian*, 11 June 2019.

¹⁰ On the international efforts and norms to regulate the PMSC sector see MacLeod, S., 'The current regulatory landscape for private military and security companies', *SIPRI Yearbook 2023*, pp. 143–53.

with the greatest intensity of political violence events involving Wagner having shifted from Africa to Ukraine.¹¹ The Wagner Group's engagement in political violence in Ukraine spiked dramatically in the first half of 2023. The Group's most notable battlefield success occurred in mid May 2023 with the capture of the city of Bakhmut following a fiercely fought battle that lasted for months.¹²

Recruitment of prison inmates

Prigozhin's initiative to recruit prison inmates to fight at the front lines in Ukraine provided manpower in a growing war of attrition in the 'meat grinder' of Bakhmut.¹³ Prigozhin was filmed informing male prisoners that he needed their 'criminal talents', and that desirable recruits were those with more than one murder conviction or offenders who had assaulted a military or police officer.¹⁴ Prison inmates were offered a monthly payment of between 100 000 and 200 000 Russian roubles (about US\$1170–2339) that would be paid to their relatives, and a presidential pardon or amnesty for serving six months at the front and registration as a war veteran.¹⁵ (In comparison, the 300 000 regular recruits who were mobilized in September 2022 must serve indefinitely or until the end of the war.¹⁶) Some recruiters offered compensation of up to 5 million roubles (\$58 480) to be paid to relatives of a prison inmate who was killed in action, and 300 000 roubles (\$3508) for injury.¹⁷ According to inmates with whom Prigozhin met during a recruitment session, Prigozhin told them that, during military operations, they could 'do

¹¹ Armed Conflict Location & Event Data Project (ACLED), *Moving Out of the Shadows: Shifts in Wagner Group Operations Around the World* (ACLED, 2 Aug. 2023).

¹² Trevelyan, M., 'Russia's Prigozhin claims capture of Bakhmut, Ukraine says fighting goes on', Reuters, 20 May 2023. On the Russia–Ukraine war see also chapter 1, chapter 2, section I, and chapter 10, sections II and III, in this volume.

¹³ Eckel, M., "The Bakhmut meat-grinder": Russian troops are pummeling this Donbas city. It's unclear why', Radio Free Europe/Radio Liberty, 13 Dec. 2022; and Banco, E., 'US officials: Russia is increasingly relying on Wagner in Ukraine', Politico, 22 Dec. 2022.

¹⁴ 'The head of the Russian mercenaries to the detainees: "We need your criminal talents"—video', Nova News, 22 Feb. 2023.

¹⁵ Daza, F. et al., *Wagner Group Unchained in Ukraine: Military, Political and Human Rights Impact of the Wagner Group since the Large-Scale Invasion in 2022* (Novact Institute for Nonviolence: Barcelona, 2023). Currency conversions of Russian roubles to US dollars in this section are based on the average exchange rate for 2023: 1 USD for 85.5 roubles.

¹⁶ Ivanova, P., 'Families ask Putin to bring Russian soldiers home from Ukraine', *Financial Times*, 12 Feb. 2023.

¹⁷ United Nations, Working Group on the Use of Mercenaries as a Means of Violating Human Rights and Impeding the Exercise of the Right of Peoples to Self-Determination; Working Group on Enforced or Involuntary Disappearances; Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions; Special Rapporteur on Contemporary Forms of Slavery, Including its Causes and Consequences; and Special Rapporteur on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Joint communication to the Ambassador of Russia, AL RUS 17/2022, 20 Jan. 2023, p. 1.

anything they want with the Ukrainians', but those who sought to defect or escape would be shot as deserters.¹⁸

Independent human rights experts from the United Nations Human Rights Council reported evidence of pressure tactics and intimidation of convicts to enlist with the Wagner Group, and regular threats, exploitation and ill-treatment of prisoners by Wagner during their deployment to Ukraine, including serious harm to and execution of those attempting to escape.¹⁹ Reported issues of concern included the involvement of the Wagner Group in 'alleged war crimes' and 'gross human rights violations' in military operations in Ukraine.²⁰

Convict recruits were reportedly deployed at the front line ahead of conscripts and professional soldiers, and sent on dangerous reconnaissance missions and into head-on assaults into Ukrainian positions.²¹ Estimates of battlefield deaths of Wagner personnel and recruited convicts at Bakhmut vary. While Prigozhin warned prospective recruits from the prisons that 10–15 per cent of them would not survive the war, the actual fatality rate appeared to be much higher. Prigozhin stated in May 2023 that the battle for Bakhmut killed an estimated 20 000 Wagner personnel, including about 10 000 (20 per cent) of some 50 000 convicts recruited for the war.²² In June Prigozhin claimed that 32 000 former inmates (out of the 50 000 recruited) had returned from battle (assuming the 18 000 non-returnees were fatalities, this is a 36 per cent fatality rate).²³ However, Western intelligence estimates suggest the actual number of prisoner recruits who survived the Bakhmut battle was around 20 000 (30 000 fatalities for a 60 per cent fatality rate).²⁴

Media reports of cases of former prison inmates returning from the war and committing extremely serious offences provoked social outrage and debate on whether pardons should be offered to inmates for military service.²⁵ In the absence of any demobilization and reintegration programmes,

¹⁸ 'Putin associate Prigozhin reportedly recruiting hundreds of inmates to fight in Ukraine', Radio Free Europe/Radio Liberty, 2 Sep. 2022.

¹⁹ United Nations, 'Rights experts "deeply disturbed" by Russian Wagner Group recruitment of prisoners', UN News, 10 Mar. 2023.

²⁰ United Nations, AL RUS 17/2022 (note 17), p. 3.

²¹ Elliott, B., 'Thousands of Russian convicts join the front line in Ukraine', UnHerd, 23 Jan. 2023.

²² 'Wagner chief says 20,000 of its troops killed in Bakhmut battle', Al Jazeera, 25 May 2023.

²³ '32K Russian ex-convicts return home after fighting—Wagner', *Moscow Times*, 19 June 2023, citing a statement by Yevgeni Prigozhin on Concord Group, Telegram, 18 June 2023.

²⁴ Sokolov, A., Whewell, T. and Nazarova, N., 'Russian convicts released to fight with Wagner accused of new crimes', BBC, 10 Aug. 2023; and 'UK intelligence estimates up to 20,000 convicts recruited by Wagner were killed in a few months', Radio Free Europe/Radio Liberty, 21 July 2023.

²⁵ Sokolov et al. (note 24); Tenisheva, A., 'Murders, drugs and brawls: Russia's pardoned ex-convicts return home after fighting in Ukraine', *Moscow Times*, 19 Aug. 2023; and Ivanova, P., 'The Russian murderers sent home as free men after fighting in Ukraine', *Financial Times*, 2 Jan. 2024.

the return of violent criminals into local communities is likely to have social repercussions.²⁶

Wagner's practice of recruiting convicts was subsequently revealed to have been taken over by the Russian Ministry of Defence in early 2023.²⁷ Russia created 'Storm Z' penal units that were poorly trained, equipped and supported, and whose personnel were paid around \$2500 per month and deployed to the frontlines.²⁸ By early June 2023, inmates had become the highest category of Russian casualties.²⁹ Some inmates maintained that they were stopped from collecting their dead comrades from the battlefield to prevent families from claiming compensation and that they were 'heavily pressured' to remain serving at the end of their six-month contracts.³⁰

The order to integrate Wagner

Following his victory in Bakhmut, Prigozhin became increasingly vocal in his complaints about poor military leadership and the failure to provide his troops with adequate ammunition, aimed particularly at Russian defence minister Sergei Shoigu and chief of the general staff Valery Gerasimov.³¹ On 10 June 2023 Shoigu ordered all 'volunteer detachments' (i.e. PMSCs) 'or their fighters' deployed to fight on Russia's behalf in Ukraine to sign contracts with the ministry by 1 July, in an attempt to subordinate these forces to the Russian command structure. Shoigu justified the order on the grounds of increasing Russian military effectiveness and 'the importance of guaranteeing' these volunteer fighters would receive the same benefits and protections as regular armed forces personnel, including compensation in the event of injury or death.³²

Various private military and 'volunteer' units complied and signed contracts with the defence ministry, including the Akhmat special forces group linked to Ramzan Kadyrov, leader of the Chechnya region, which had allegedly sent

²⁶ See e.g. Luxmoore, M., 'The violent homecoming of Russian convicts freed to fight in Ukraine', *Wall Street Journal*, 5 Dec. 2023; Kurmanaev, A., Libzina, A. and Bodyagina, E., 'Russia freed prisoners to fight its war. Here's how some fared', *New York Times*, 30 Jan. 2023; and Walker, S., 'Russian women fear return of murderers freed to fight for Wagner', *The Guardian*, 19 Aug. 2023. Recidivism of former inmate soldiers is a very emotive and contentious issue, more problematic to assess by the absence of systematic and reliable sources of Russian data.

²⁷ Prothero, M., 'Wagner ends convict recruitment, days after fighters filmed beating officer with shovel', *Vice News*, 10 Feb. 2023.

²⁸ Lewis, K., 'Ukrainian reserve officer says Russia is forming special "Storm Z" units', *Newsweek*, 7 Apr. 2023.

²⁹ Ivshina, O., Dale, B. and Lee, J., 'Counting Russia's dead in Ukraine—and what it says about the changing face of war', *BBC*, 16 June 2023.

³⁰ Kurmanaev, A. and Bodyagina, E., "'We are not human to them": Life for convicts in Russia's army', *New York Times*, 14 Aug. 2023.

³¹ Faulconbridge, G., 'Mercenary Prigozhin lays bare the strains of Putin's war', *Reuters*, 23 May 2023.

³² Vitkine, B., 'Russian Army attempts to bring Wagner Group to heel', *Le Monde*, 13 June 2023.

thousands of volunteers to fight in Ukraine.³³ Prigozhin rebuffed the order the next day, claiming it did not apply to the Wagner Group, which he said was already ‘organically’ integrated into Russian military efforts and coordinating closely with the Russian general staff.³⁴ Days later Putin publicly backed the defence ministry, responding that all PMSCs would be required to sign the contracts and that the law would be changed as quickly as possible to create the legal status for their activities.³⁵

Armed rebellion and the death of Prigozhin

On 23 June 2023 Prigozhin claimed that Wagner field camps in Ukraine had been struck by Russian rockets, helicopter gunships and artillery fire on Shoigu’s order, killing ‘a huge number’ of Wagner fighters.³⁶ Prigozhin denounced the military leadership and threatened to oust Shoigu by ‘armed rebellion’, declaring the action would not be a military coup but ‘a march of justice’.³⁷ The Russian defence ministry and state media denied that the Russian Army had attacked Wagner bases, and the Federal Security Service (FSB) opened a criminal investigation into Prigozhin for his ‘call for insurrection’.³⁸ On 24 June Wagner troops and tanks advanced into Russia from the battlefield in Ukraine: one column towards the city of Rostov-on-Don and another column towards Moscow. Rostov, population 1.1 million, has military and symbolic significance as the largest city in southern Russia, the home of the Russian Southern Military District command headquarters, and the logistical hub for Russia’s war against Ukraine.³⁹ Prigozhin claimed that Wagner forces had taken control of the command headquarters and all military sites in Rostov, having encountered no military resistance along the way.⁴⁰

A deal brokered by President Alexander Lukashenko of Belarus involved stopping the column of Wagner fighters advancing on Moscow in exchange

³³ ‘Chechen force signs contract with Russia’s defence ministry that Prigozhin refused’, Reuters, 12 June 2023.

³⁴ Faulconbridge, G., ‘Prigozhin says Wagner will not sign contracts with Russia defence minister’, Reuters, 11 June 2023; and Sonne, P., ‘Wagner founder rebuffs order over fighter contracts with Russian military’, *New York Times*, 11 June 2023.

³⁵ Osborn, A., ‘Putin backs push for mercenary groups to sign contracts despite Wagner’s refusal’, Reuters, 13 June 2023.

³⁶ ‘Russian mercenary chief says his forces are rebelling to oust the defense minister’, AP, 23 June 2023.

³⁷ AP, ‘Leader of Wagner mercenaries says forces entered Russian city of Rostov facing no resistance’, PBS News Hour, 23 June 2023.

³⁸ Sauer, P., ‘Russia investigates Wagner chief for “armed mutiny” after call for attack on military’, *The Guardian*, 23 June 2023; and Sorokin, O., ‘Prigozhin accuses Russian Army of attacking Wagner, threatens to respond’, *Kyiv Independent*, 23 June 2023.

³⁹ International New York Times, ‘Why did the Wagner Group capture Rostov-on-Don? It’s the logistical hub for the war in Ukraine’, *Deccan Herald*, 24 June 2023.

⁴⁰ ‘Prigozhin: Wagner fighters control Russian Army HQ in Rostov-on-Don’, Voice of America, 23 June 2023.

for the insurgency charges against Prigozhin being dropped.⁴¹ In addition, Wagner fighters who participated in the rebellion would not be charged, and those who did not take part would be offered contracts with the Russian defence ministry. President Lukashenko also offered Prigozhin and those Wagner personnel not willing to sign contracts with the Russian state the opportunity to move to Belarus.⁴² The short-lived rebellion ended on 24 June.

On 27 June, after long denying links between the Russian state and the Wagner Group, President Putin confirmed for the first time that the group was fully financed by the Russian state, having received over 86 billion roubles (\$1 billion) in state funding between May 2022 and May 2023.⁴³ Although the statement was interpreted as aiming to reinforce Putin's authority and discredit Prigozhin, it also raised questions about Russian state responsibility for violations of the law of armed conflict committed by the Wagner Group in numerous contexts.⁴⁴ In the immediate wake of the brief rebellion, some Wagner personnel temporarily deployed to Belarus, leading neighbouring Poland to warn of a destabilizing threat to NATO's eastern flank and the reinforcement of its eastern border with 10 000 soldiers.⁴⁵

In July and August 2023 Prigozhin shuttled between Belarus, Moscow and St Petersburg, where he appeared in the margins of the second summit of the Russia–Africa Economic and Humanitarian Forum.⁴⁶ On 23 August, following a refuelling at a Moscow airport and bound for St Petersburg, the private jet in which Prigozhin, Wagner commander Dmitry Utkin and head of logistics Valery Chekalov were travelling exploded northwest of Moscow, killing all 10 people on board. Although the Russian government repeatedly denied involvement in the crash, Western intelligence officials identified Nikolai Patrushev, former head of the FSB, as being complicit in the planting of a small bomb in the aircraft.⁴⁷

Following the aborted rebellion and Prigozhin's death, the process of increasing Russian state control over volunteer units linked to the defence ministry appeared to gather pace. By the end of 2023, reports also claimed that Russia had consolidated state control over Wagner's operations in Burkina

⁴¹ Dixon, R. and Ilyushina, M., 'Lukashenko claims he persuaded Putin not to kill Wagner boss Prigozhin', *Washington Post*, 27 June 2023.

⁴² 'Wagner chief takes deal that drops charges and sends him to Belarus', *Voice of America*, 24 June 2023.

⁴³ Fornusek, M., 'Putin claims Wagner militants were fully funded by state', *Kyiv Independent*, 27 June 2023.

⁴⁴ Maddocks, J., 'Putin admits to funding the Wagner Group: Implications for Russia's state responsibility', *Articles of War*, 30 June 2023.

⁴⁵ Radio Free Europe/Radio Liberty's Russian Service, 'Poland warns of Wagner buildup in Belarus', *Radio Free Europe/Radio Liberty*, 3 Aug. 2023; and Minder, R. and Erling, B., 'Poland to station 10,000 troops on Belarus border', *Financial Times*, 10 Aug. 2023.

⁴⁶ Prigozhin: Wagner boss spotted in Russia during Africa summit', *BBC*, 28 July 2023.

⁴⁷ Grove, T., Cullison, A. and Pancevski, B., 'How Putin's right-hand man took out Prigozhin', *Wall Street Journal*, 22 Dec. 2023.

Faso, CAR and Mali, and had replaced Wagner leaders with individuals from the Russian Ministry of Defence or the Foreign Intelligence Service (SVR).⁴⁸

The Wagner Group continued to have a significant impact on the Russia–Ukraine war throughout 2023. As in Bakhmut earlier in the year, Russia deployed Wagner fighters and convict units to Avdiivka in infantry-led frontal assaults, with high rates of losses.⁴⁹ In the short term, this recruitment of prison inmates has enabled Russia to forgo another highly unpopular mobilization of reservists. In contrast to Wagner’s approach, according to the head of the Russian parliament’s defence committee, Andrey Kartapolov, recruited convicts are not released by the defence ministry after six months but are required to keep renewing their contracts until the war ends.⁵⁰

Developments in the Central African Republic, Mali and Sudan

By early 2023, Wagner reportedly had an estimated 5000 personnel deployed in various African states; for comparison, some 6000 United States military and support personnel were stationed in Africa.⁵¹ Through the first half of 2023 the Wagner Group expanded its footprint in Africa, particularly to areas rich in high-value natural resources. The year also saw France continue to withdraw its forces from across the Sahel, the spreading of military coups and the installation of pro-Russia military juntas in Niger, following earlier installations in Mali (2020, 2021) and Burkina Faso (2022).⁵²

Disinformation and deteriorating conditions for independent journalism have played an important role in creating a conducive environment for Russian influence and the Wagner Group in Sahelian and central Africa. Reporters Without Borders described the Sahel as a ‘no-news zone’ that features heightened risks of kidnapping by armed groups, restrictions imposed by military regimes and the negative influence of the Wagner Group on press freedom.⁵³ The French foreign ministry linked Russia and the Wagner Group to a disinformation campaign that amplified ‘anti-French sentiment’ across central and west Africa, a pattern it had identified earlier

⁴⁸ Jégo, M., ‘Comment les services de renseignement russes ont repris en main les opérations de Wagner en Afrique’ [How the Russian intelligence services took over Wagner’s operations in Africa], *Le Monde*, 11 Dec. 2023.

⁴⁹ Psaropoulos, J., ‘Russia pursues Avdiivka with “meat assaults” in a replay of Bakhmut’, Al Jazeera, 1 Nov. 2023; and Gilchrist, K. and Ellyatt, H., ‘Russian troops punished for drink and drugs; frontline attacks on Ukraine rising, Zelenskyy says’, CNBC, 15 Nov. 2023.

⁵⁰ Luxmoore (note 26).

⁵¹ Faucon, B. and Parkinson, J., ‘Russia’s Wagner deepens influence in Africa, helping Putin project power’, *Wall Street Journal*, 13 Feb. 2023.

⁵² AFP, ‘Last set of French troops exit Niger as Sahel sheds Parisian influence’, Al Jazeera, 22 Dec. 2023.

⁵³ Reporters Without Borders, ‘“What it’s like to be a journalist in the Sahel”: RSF report on threats to journalism in this African region’, 3 Apr. 2023.

in CAR.⁵⁴ Investigative journalists examining Wagner Group activities experienced harassment and intimidation by both state security forces and Wagner personnel, while pro-Russian media articles and social media messages proliferated.⁵⁵

Following the short Wagner rebellion, Russia sought to reassure the Wagner Group's African partners of the continuity of established relationships.⁵⁶ Several other Russian PMSCs with close ties to the Russian state, including Convoy and Redut, were reported to be recruiting Wagner fighters and seeking to take over Wagner operations in Libya, CAR and Mali.⁵⁷

By the end of 2023, Russian officials appeared to be asserting greater control over Wagner operations in Africa and reconfiguring certain aspects, such as the creation of the 'Africa Corps', a new Russian military formation aiming to recruit former Wagner soldiers for deployment in Burkina Faso and possibly Niger.⁵⁸ At the same time, the post-Prigozhin Wagner Group's influence on certain host governments appeared to have weakened, especially in CAR. Nonetheless, Russia was able to partly circumvent Western sanctions (discussed below in this section) through the revenues generated by the Wagner Group's access to African natural resources, especially gold from CAR, Mali and Sudan.⁵⁹

The Central African Republic

The Wagner Group has been present in CAR since December 2017, training military, gendarmerie and police forces. From late 2020 the Wagner Group has led and directly participated in operations with the CAR armed forces against rebel groups and has provided personal security for President Faustin-Archange Touadéra.⁶⁰ In 2021 the Wagner Group played a decisive role, along with Rwandan troops, in successfully defending the Touadéra

⁵⁴ Irish, J., Pineau, E. and Felix, B., 'France targets Russian and Wagner disinformation in Africa', Reuters, 21 June 2023. See also Elzas, S., 'France accuses CAR of complicity in disinformation campaign, suspends support', RFI, 8 June 2021.

⁵⁵ Kane, C., 'In West Africa, investigative journalists are under pressure', *Le Monde*, 14 Jan. 2023; United Nations, Office of the High Commissioner on Human Rights (OHCHR), 'CAR: Russian Wagner Group harassing and intimidating civilians—UN experts', Press release, 27 Oct. 2021; and Obaji, P., 'How Russian disinformation protects violent Wagner Group mercenaries in Africa', *Daily Beast*, 29 Nov. 2020, updated 1 Dec. 2020.

⁵⁶ Armstrong, M. and AFP, 'Russian FM Sergei Lavrov says Wagner mercenaries will continue to operate in Africa', Euronews, 26 June 2023.

⁵⁷ Luxmoore, M. and Faucon, B., 'Russian private military companies move to take over Wagner fighters; security groups loyal to the Kremlin are beginning to commandeer Yevgeny Prigozhin's military units', *Wall Street Journal*, 5 Sep. 2023.

⁵⁸ Epstein, J., 'A new Russian military formation in Africa with the same name as a Nazi unit is trying to recruit former Wagner fighters and Ukraine war vets', *Business Insider*, 22 Dec. 2023; and Naranjo, J., 'Russia expands into the Sahel with its new brand: Africa Corps', *El País*, 23 Dec. 2023.

⁵⁹ Berlin, J. et al., *The Blood Gold Report: How the Kremlin Is Using Wagner to Launder Billions in African Gold* (21 Democracy: Washington, DC, Dec. 2023).

⁶⁰ ACLED, 'Wagner Group operations in Africa: Civilian targeting trends in the Central African Republic and Mali', 30 Aug. 2022, section 4 (The Wagner Group in the Central African Republic).

regime against successive attacks by rebel groups on the capital Bangui and assisting government forces to regain control of the majority of rebel-held territory.⁶¹ In its May report, the UN panel of experts on CAR described military successes of CAR armed forces and ‘Russian instructors’ in pushing armed groups back to border positions, although counterattacks by the groups continued.⁶² By the end of 2023, Touadéra claimed that the state had regained control over 80 per cent of its territory in cooperation with Wagner forces.⁶³

Wagner helped to organize the ballot for a controversial constitutional referendum called by President Touadéra for 30 July 2023. The referendum would introduce changes to the 2016 constitution that included (a) removal of the presidential two-term limit and extension of the presidential mandate from five to seven years; (b) transformation of the Constitutional Court (which had previously opposed the referendum and whose previous head was forced to step down) into a council largely appointed by the government; (c) removal of the National Assembly’s right to oversee mining contracts; and (d) the creation of the post of vice-president, further strengthening the presidential regime vis-à-vis other institutions.⁶⁴ Opponents denounced the referendum as unlawful and called for a boycott of the poll.⁶⁵ The poll took place amid the presence of a heavy military and police contingent, soldiers from the United Nations Multidimensional Integrated Stabilization Mission in CAR (MINUSCA) Rwanda Contingent, and Wagner personnel.⁶⁶ The referendum saw a turnout of 57 per cent, with 95 per cent of voters approving the proposed changes, a result that the Constitutional Court subsequently endorsed.⁶⁷

Armed conflict and natural resource extraction are intertwined in CAR, where armed groups, foreign militaries and mercenaries jostle for access to mining resources. In exchange for training and operational services in CAR, Wagner-affiliated natural resource companies have gained highly advantageous terms of access to CAR’s natural resources sector, specifically dia-

⁶¹ Lechner, J. and Ingasso, V., ‘Wagner woes and a rebel crackdown: A briefing on the Central African Republic’s shifting conflict’, *New Humanitarian*, 7 Sep. 2023.

⁶² United Nations, Security Council, Final report of the Panel of Experts on the Central African Republic extended pursuant to Security Council resolution 2648 (2022), S/2023/360, 18 May 2023.

⁶³ Adegoke, Y., ‘Why Wagner is winning hearts in the Central African Republic’, BCC, 11 Dec. 2023.

⁶⁴ Valade, C., ‘Central African Republic: Tight security, low turnout during vote on new constitution’, *Le Monde*, 31 July 2023; and Valade, C., ‘Central African Republic’s new constitution makes permanent Touadéra presidency possible’, *Le Monde*, 9 Aug. 2023.

⁶⁵ Yongo, J., ‘Wagner troops arrive in Central African Republic ahead of referendum’, Reuters, 17 July 2023; Kaledzi, I., ‘Wagner forces return to CAR before divisive referendum’, DW, 19 July 2023; ‘Central African Republic gears up for Sunday referendum’, Africanews, 27 July 2023; and Hoijs, K., ‘Wagner-backed Central African leader wins right to third term’, BNN Bloomberg, 8 Aug. 2023.

⁶⁶ Valade, C., ‘Central African Republic: Tight security, low turnout during vote on new constitution’ (note 64).

⁶⁷ ‘CAR top court approves referendum allowing president to seek third term’, France 24, 21 Aug. 2023.

monds, gold and timber. For example, Wood International Group (formerly Bois Rouge) has flouted national regulations on logging and is exempt from numerous taxes, customs duties and rents. It has also not published a sustainability and community management plan, which is a transparency and accountability condition required of other companies in the sector.⁶⁸ By the beginning of 2023, Wagner and associated entities in Prigozhin's network, notably Lobaye Invest, Midas Resources and Diamville, had consolidated control over CAR's diamond trade, including in the 'red zones' that produce so-called conflict diamonds.⁶⁹

According to ACLED, the Wagner group was involved in 37 per cent of all political violence in CAR between December 2020 and May 2023.⁷⁰ The rise in political violence from July 2022 followed Wagner's killing of Zakaria Damane—a leader in the rebel Patriotic Rally for the Renewal of CAR (Rassemblement Patriotique pour le Renouveau de la Centrafrique, RPRC) and a key figure in the disarmament and demobilization of local rebel forces—which was allegedly the result of a struggle to control local diamond mining sites. Damane's death led to the reorganization in July of rebel groups aligned with the Coalition of Patriots for Change (Coalition des patriotes pour le changement, CPC), and their resumption of political violence from November 2022.⁷¹ At the peak of political violence in January 2023, Wagner forces led CAR troops in a counter-offensive against rebels near the border with Cameroon and Chad, a conflict also linked to struggles with armed groups over control of gold mines in the region. Wagner sustained heavy casualties in the fighting.⁷² While civilian targeting by Wagner reportedly declined and remained at relatively low levels in 2023, its practice of dropping indiscriminate explosives by helicopter on a wide range of targets, including CPC bases, mining sites and civilian settlements, frequently resulted in civilian casualties.⁷³

Following the death of Prigozhin in August 2023, Dmitry Sytii, head of Russia House in Bangui, emerged to take over leadership of the Wagner Group operations in CAR. Sytii had previously managed Prigozhin's extensive corporate activities, including gold and diamond mining, involving a network of front companies. Aligning himself with Prigozhin during the latter's aborted rebellion, Sytii and other Wagner operatives subsequently received the endorsement of President Touadéra, who sought their continued presence to

⁶⁸ All Eyes on Wagner, 'Wood for mercenaries: On the road to international markets', May 2023, p. 6.

⁶⁹ All Eyes on Wagner, 'CAR: Prigozhin's blood diamonds', Dec. 2022, pp. 18, 20.

⁷⁰ ACLED (note 11), p. 25.

⁷¹ 'Le chef rebelle Zakaria Damane, allié du pouvoir, et une vingtaine de ses hommes abattus par les hommes de Wagner' [Rebel leader Zakaria Damane, ally of the government, and around 20 of his men killed by Wagner's men], Corbeaunews, 13 Feb. 2022; and ACLED (note 11), pp. 26–27.

⁷² Salih, Z. M., 'Wagner mercenaries sustain losses in fight for Central African Republic gold', *The Guardian*, 2 Feb. 2023.

⁷³ ACLED (note 11), p. 28.

counter rebel forces.⁷⁴ However, other reports suggest that the Russian state began to assert greater control over Wagner operations. For example, Denis Pavlov, an SVR officer, was reportedly appointed in September to the Russian Embassy in Bangui to oversee security cooperation with the CAR police.⁷⁵

The Wagner Group and Russia also appeared to face growing competition from Western security actors as the Touadéra regime reportedly sought to diversify its security assistance providers. For example, the US government and US-based PMSC Bancroft Global Development were involved in negotiations to supply military training and other forms of security assistance.⁷⁶ Similarly, in late 2023 France was reported to be seeking to re-engage with the Touadéra regime through planned cooperation in civilian affairs.⁷⁷ This was a turnaround following France's gradual military disengagement from the country during 2017–22—a period of tense France–CAR relations, fuelled in part by accusations that CAR was complicit in a Russia-led anti-France campaign.⁷⁸

Mali

Since arriving in Mali in 2021, Wagner has undertaken joint operations with the Malian armed forces against non-state and jihadist armed groups. An extensive fact-finding investigation commissioned by the UN Council on Human Rights into such a joint military operation in March 2022 in Moura, a village in the Mopti region in central Mali, confirmed the unlawful execution of at least 500 individuals, mostly unarmed civilians, by Malian troops and 'foreign military personnel', as well as rape and sexual violence, torture and ill-treatment of detainees.⁷⁹ Human Rights Watch and news reports cited numerous survivors who identified the foreign military personnel involved in the operation as Russian speakers, widely assumed to belong to the Wagner Group.⁸⁰

Wagner's growing visibility and operations in Mali contrasted with the departure in 2022 of French forces belonging to France's counterterrorism Barkhane operation. France's growing tensions with the military government

⁷⁴ Faucon, B. and Steinhauser, G., 'The elusive figure running Wagner's embattled empire of gold and diamonds', *Wall Street Journal*, 21 Sep. 2023.

⁷⁵ All Eyes on Wagner and Radio Free Europe/Radio Liberty, 'Denis Pavlov, the man in Bangui', *All Eyes on Wagner*, 7 Dec. 2023.

⁷⁶ Koena, J. F., 'US firm Bancroft eyes Wagner Group's influence in CAR', *DW*, 4 Jan. 2023.

⁷⁷ Peltier, E., 'Battle for influence rages in heart of Wagner's operations in Africa', *New York Times*, 26 Nov. 2023.

⁷⁸ Erturk, N., 'France withdraws last troop from Central African Republic', *Andalou Agency*, 15 Dec. 2022; and 'Last French troops leave Central African Republic amid closer Bangui–Moscow ties', *France 24*, 15 Dec. 2022.

⁷⁹ United Nations, OHCHR, *Rapport sur les événements de Moura du 27 au 31 mars 2022* [Report on the events of Moura from 27 to 31 March 2022], May 2023.

⁸⁰ Human Rights Watch, 'Mali: Massacre by army, foreign soldiers', 5 Apr. 2022; and Lorgerie, P., 'Mali massacre survivors say white mercenaries involved in killings', *Reuters*, 14 Apr. 2022.

which took power in 2020 centred on the junta's delays in restoring civilian rule and its developing cooperation with the Wagner Group.⁸¹ In 2023 the junta requested that the UN peacekeeping mission, the United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA), withdraw 'without delay', with the mission's departure subsequently negotiated to take place by the end of 2023.⁸² Wagner and Malian armed forces took over bases in northern Mali left by departing UN peacekeepers, and carried out operations against separatist and jihadi groups, many resulting in human rights violations.⁸³ In September ACLED reported that violence targeting civilians had increased by 38 per cent in 2023, with 'Malian armed forces and/or the Wagner Group' involved in 29 per cent of incidents.⁸⁴ There continued to be reports of human rights violations resulting from joint operations between Malian Army and Wagner Group personnel late in the year, including the killing of 17 shepherds in Ersane village, Gao region, on 5 October, and the execution of 9 traders and another 3 shepherds in Anefif, Kidal region, on 9 October.⁸⁵

Malian relations with Wagner and Russia expanded in both military and non-military domains during 2023. Satellite imagery confirmed the continued expansion of the Wagner base close to Modibo Keita International Airport in Bamako.⁸⁶ The Wagner Group was reportedly paid \$10.8 million per month in exchange for training the Malian military and other services.⁸⁷

The funding for payments to the Wagner Group has been linked to tax revenues paid by a small number of international gold mining companies operating in Mali, which is one of Africa's leading gold producers.⁸⁸ On 28 August 2023 President Assimi Goita signed into law a new mining code that enables government and local investors to attain as much as a 35 per cent stake (up from 20 per cent) in industrial mining projects. The law aims to address shortfalls in mining revenues by increasing government ownership of industrial gold concessions, increasing transparency of the issuance of mining titles and cracking down on tax evasion by gold mining companies.⁸⁹

⁸¹ *Le Monde* with AFP, 'France completes military pullout from Mali', *Le Monde*, 15 Aug. 2022.

⁸² On the dissolution of MINUSMA see chapter 3, section I, in this volume. On the armed conflict in Mali see chapter 2, section I, in this volume.

⁸³ Bussoletti, F., 'Mali, Wagner occupies the former MINUSMA base in Ber', *Difesa & Sicurezza*, 5 Sep. 2023; and Karr, L., 'Mali', B. Carter et al., 'Salafi-Jihadi movement weekly update', Institute for the Study of War, 13 Oct. 2023.

⁸⁴ ACLED, 'Attacks on civilians spike in Mali as security deteriorates across the Sahel', Fact sheet, 21 Sep. 2023.

⁸⁵ Karr (note 83).

⁸⁶ Doxsee, C., Bermudez Jr, J. S. and Jun, J., 'Base expansion in Mali indicates growing Wagner Group investment', CSIS Commentary, 15 Aug. 2023.

⁸⁷ Irish, J. and Lewis, D., 'Deal allowing Russian mercenaries into Mali is close—sources', Reuters, 13 Sep. 2021; and Bensimon, C. and Le Cam, M., 'Malian state security suspected of financing Russian Wagner mercenaries', *Le Monde*, 4 Feb. 2023.

⁸⁸ Berlin et al. (note 59), p. 30.

⁸⁹ Jones, F., 'Mali's president signs new mining code into law', *Mining Technology*, 30 Aug. 2023.

Mali's industrial gold mining is dominated by major Western-headquartered gold producers, including Barrick Gold, B2Gold, Resolute Mining, Allied Gold, Endeavour Mining and Hummingbird Resources. In November Mali signed an agreement with Russia to build the country's largest gold refinery in Bamako.⁹⁰ Mali has also signed deals with Russia's state nuclear energy company, Rosatom, to conduct minerals exploration and produce nuclear energy.⁹¹

Sudan

Sudan is Africa's third largest producer of gold after South Africa and Ghana, and an estimated 80 per cent of the country's gold production is smuggled abroad.⁹² The Wagner Group has been engaged in Sudan since 2017, providing military assistance and support for former president Omar Hassan al-Bashir, who had sought Russian support as his hold on power was increasingly challenged. While Wagner was initially involved in guarding gold mines and providing regime security, it subsequently became involved in suppressing pro-democracy protests in the final year of al-Bashir's reign. In exchange the Wagner Group and linked corporate entities M Invest and Meroe Gold became important actors in gold mining, processing and export.⁹³

Russia and the Wagner Group supported the October 2021 military coup in Sudan and provided military training, weapons and intelligence support to the Sudanese Army and Rapid Support Forces (RSF)—paramilitary forces formerly operated by the government of Sudan and primarily composed of the Janjaweed militias. In exchange state authorities turned a blind eye to Wagner's extensive involvement through Sudanese front companies in the mining, processing and export of Sudanese gold.⁹⁴ M Invest contracted the Sudanese firm Aswar, run by military intelligence, to provide security services. M Invest's subsidiary, Meroe Gold, extracted gold on favourable terms from several gold-mining operations in which the Sudanese government declined to claim its 30 per cent stake. US scrutiny of Meroe Gold led Russia to seek a more arms-length relationship through the establishment of another front company, the Sudanese-owned Al-Solag company, to which Meroe Gold sought to transfer its assets. Although the transfer was initially blocked by Sudan's anti-corruption committee, following the military coup the anti-

⁹⁰ Diallo, T., 'Mali signs agreement with Russia to build gold refinery', Reuters, 22 Nov. 2023.

⁹¹ Howard, M., 'Russia offers Mali nuclear pledge', *African Energy*, no. 494, 5 Nov. 2023.

⁹² US Department of Commerce, International Trade Administration, 'Extractive industries', Sudan—Country Commercial Guide, 30 July 2022.

⁹³ 'Russian mercenaries in Sudan: What is the Wagner Group's role?' Al Jazeera, 17 Apr. 2023.

⁹⁴ Elbagir, N. et al., 'Russia is plundering gold in Sudan to boost Putin's war effort in Ukraine', CNN, 29 July 2022.

corruption committee was dismantled and the transfer was completed by mid 2022.⁹⁵

In February 2023 the Council of the European Union (EU) sanctioned eight persons and seven entities linked to the Wagner Group, including, in Sudan, the companies M Invest and Meroe Gold and their two directors, Andrei Mandel and Mikhail Potepkin, both closely linked to Prigozhin. According to the Council of the EU, through their close affiliation with the Sudanese military they ‘secured the exploiting and exporting of Sudanese gold to Russia’, while their association with the Wagner Group linked them to ‘serious human rights abuses, which include torture and extrajudicial, summary or arbitrary executions and killings, in several countries, including Sudan’.⁹⁶

On 15 April 2023 armed conflict erupted in Khartoum between units loyal to former political allies General Abdel Fattah Burhan, leader of the Sudanese Armed Forces (SAF), and Lieutenant-General Mohamed Hamdan Dagalo (also known as Hemedti), leader of the state-sponsored RSF.⁹⁷ Burhan led Sudan’s ruling junta with Dagalo as his deputy. Wagner reportedly offered to transport AK-47 rifles and man-portable air defence systems (MANPADS) from CAR to Sudan on behalf of the RSF.⁹⁸ In May the US Department of the Treasury accused Wagner of supplying surface-to-air missiles to the RSF.⁹⁹

Since the outbreak of armed conflict in Sudan in April, Ukrainian special services personnel were reported to be operating in the country, engaging in attacks against the Wagner-backed RSF.¹⁰⁰ The Ukrainian security services were allegedly responsible for a series of drone strikes and a ground operation against the RSF in September. The strikes took place two days after a major arms convoy, which included weapons supplied by Wagner, travelled to Sudan via an RSF garrison in al-Zurug, near the border with Chad.¹⁰¹ In November Ukrainian special forces were reportedly involved in a conflict in Omdourman, a city on the periphery of Khartoum, which the RSF have sought to control. However, a Bellingcat investigation into the strikes on

⁹⁵ Sharife, K. et al., ‘Documents reveal Wagner’s golden ties to Sudanese military companies’, Organized Crime and Corruption Reporting Project, 2 Nov. 2022.

⁹⁶ Council Implementing Regulation (EU) 2023/430 of 25 February 2023 implementing Regulation (EU) 2020/1998 concerning restrictive measures against serious human rights violations and abuses, *Official Journal of the European Union*, L1 59/423, 25 Feb. 2023.

⁹⁷ Walsh, D., ‘Rival generals unleash fighting in Sudan, dashing dreams of democracy’, Reportwire, 15 Apr. 2023. On the armed conflict in Sudan see also chapter 2, section I, in this volume.

⁹⁸ Malsin, J. and Faucon, B., ‘Russia’s Wagner offered arms to Sudanese general battling army’, *Wall Street Journal*, 21 Apr. 2023.

⁹⁹ US Department of the Treasury, ‘Treasury sanctions the head of the Wagner Group in Mali’, Press release, 25 May 2023.

¹⁰⁰ Eydoux, T. and Savoye, L., ‘Quand les forces spéciales ukrainiennes combattent des mercenaires russes de Wagner au Soudan’ [When Ukrainian special forces fight Russian mercenaries from Wagner in Sudan], *Le Monde*, 19 Nov. 2023.

¹⁰¹ Butenko, V. et al., ‘Exclusive: Ukraine’s special services “likely” behind strikes on Wagner-backed forces in Sudan, a Ukrainian military source says’, CNN, 20 Sep. 2023.

Omdourman was unable to confirm the engagement of Ukrainian special forces or military operatives.¹⁰²

Regulatory approaches

The relationships between state actors and PMSCs include ‘contracting states’ that engage the services of PMSCs, ‘home states’ in which PMSCs are headquartered or based, and ‘territorial states’ on whose territory PMSCs have operations.¹⁰³ The primary regulatory development during 2023 was Russia’s assertion of home state control over a patchwork of ‘volunteer battalions’ and PMSCs that emerged during the Russia–Ukraine war. Many of these were linked to wealthy individuals, large corporate entities or members of the Russian security services.¹⁰⁴ While the Wagner Group was the most internationally visible and its founder the most outspoken, numerous other PMSCs emerged to bolster the Russian war effort in Ukraine without resorting to another deeply unpopular forced mobilization of conscripts, as occurred in 2022.¹⁰⁵ As noted above, following the aborted Wagner rebellion and death of Prigozhin, the Russian state has asserted more explicit control over the domestic PMSC sector. By the end of 2023, there was scant evidence of efforts by territorial states hosting Wagner Group operations to regulate Wagner or its activities. Earlier efforts of Sudanese civilian officials on an anti-corruption committee to curtail Wagner’s gold mining activities through proxy companies were terminated by the military coup in October 2021.¹⁰⁶

There was also little progress in advancing international or regional legal frameworks to regulate PMSCs.¹⁰⁷ As the UN working group on mercenaries reported after a review of legal, human rights and IHL frameworks, ‘many states are failing to effectively engage with and implement the regulatory frameworks applicable to mercenaries, mercenary-related actors, and private military and security companies to the severe detriment of human rights

¹⁰² van der Weide, Y. and Dreger, G., ‘Examining videos of suspected Ukrainian riflemen in Sudan’, Bellingcat, 7 Oct. 2023.

¹⁰³ This typology is used by the Montreux Document. See ICRC and Swiss Federal Department of Foreign Affairs (FDFA), *The Montreux Document on Pertinent International Legal Obligations and Good Practices for States Related to Operations of PMSCs during Armed Conflict* (ICRC/FDFA: Aug. 2009).

¹⁰⁴ Ivanova, P., Miller, C. and Seddon, M., ‘“Stream” and “Torch”: The Gazprom-backed militias fighting in Ukraine’, *Financial Times*, 1 June 2023.

¹⁰⁵ Krebs, K. et al., ‘Protests, drafting mistakes and an exodus: Putin’s mobilization off to a chaotic start’, CNN, 25 Sep. 2022.

¹⁰⁶ Knight, T. and Trad, R., ‘Sudan’s gold: The precious metal used to fund conflicts’, *New Arab*, 9 May 2023.

¹⁰⁷ For an overview of the regulatory landscape for PMSCs see Macleod, S., ‘The current regulatory landscape for private military and security companies’, *SIPRI Yearbook 2023*, pp. 143–53.

and international humanitarian law'.¹⁰⁸ Similarly, insufficient numbers of states have committed to relevant multi-stakeholder 'soft law' regulatory initiatives. These include the Montreux Document, the International Code of Conduct for Private Security Providers, the Voluntary Principles on Security and Human Rights, and efforts within the UN to create a binding treaty on business and human rights.¹⁰⁹ The UN working group on mercenaries concluded that many of these initiatives have not sufficiently differentiated the specific challenges posed by the PMSC industry compared with other business sectors.¹¹⁰

The use of sanctions

In the face of weak international regulation of PMSCs, states have sometimes turned to sanctions as a means to curb activities within the sector, especially in relation to the Wagner Group. In 2023, for example, the USA imposed a series of new bilateral sanctions, adding to those already implemented. On 26 January the US Treasury designated the Wagner Group as a 'transnational criminal organization' on the grounds of its combat operations in Ukraine, as well as for its serious human rights violations in CAR and Mali. The sanctions identified 8 individuals, 16 entities and 4 aircraft across four countries, including those primarily based in Russia, but also including entities or persons in CAR, China and United Arab Emirates (UAE).¹¹¹

In February 2023 the *Financial Times* reported that Prigozhin had generated revenues of over a quarter of a billion dollars from his business empire, with 'hundreds of millions' coming from extraction of oil, gas, diamonds and gold, in the four years preceding Russia's invasion of Ukraine, illustrating the failure of sanctions applied since December 2016 both to him and to companies closely linked to the Wagner Group.¹¹² Nonetheless, the USA and its Group of Seven (G7) partners progressively widened their sanctions regime throughout 2023.

First, in May the US Treasury announced it was sanctioning Ivan Maslov, Wagner's head of operations in Mali, to oppose the Wagner Group's support

¹⁰⁸ United Nations, General Assembly, 'The regulatory environment for mercenaries, mercenary-related actors, and PMSC: A call to action', Report of the working group on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination, A/78/535, 9 Oct. 2023, para. 1.

¹⁰⁹ On these initiatives see, respectively, Montreux Document (note 103); International Code of Conduct Association, International Code of Conduct for Private Security Providers, as amended 10 Dec. 2021; Voluntary Principles Initiative, The Voluntary Principles on Security and Human Rights; and United Nations, OHCHR, 'BHR treaty process', [n.d.].

¹¹⁰ United Nations, General Assembly (note 108), para. 77.

¹¹¹ US Department of the Treasury, 'Treasury sanctions Russian proxy Wagner Group as a transnational criminal organization', Press release, 26 Jan. 2023. On Western sanctions on Russia more generally see chapter 12, section II.

¹¹² Johnson, M., 'Wagner leader generated \$250 mn from sanctioned empire', *Financial Times*, 20 Feb. 2023.

for Russia's war against Ukraine by 'attempting to purchase military systems from foreign suppliers and to route these weapons through Mali as a third party'.¹¹³ Second, on 27 June the US Treasury sanctioned four more companies and one individual, all linked to the Wagner Group and Prigozhin. The four companies—two from CAR, one from Russia and one from the UAE—were accused of engaging in illicit gold mining and trading to fund the Wagner Group's activities in Ukraine and Africa, while the individual was linked to weapons deals, mining and other activities for Wagner in Mali.¹¹⁴ Third, on 24 July three Malian government and military officials were sanctioned for 'facilitating the deployment and expansion' of Wagner's activities in Mali.¹¹⁵ Fourth, in September the US Treasury imposed 'nearly 100 sanctions on Russian elites and Russia's industrial base, financial institutions and technology suppliers' who were accused of benefiting from, supporting or sustaining the war in Ukraine.¹¹⁶ Those sanctioned included JSC AGD Diamonds, a Russian diamond mining and processing company; Grib Diamonds, its Belgium-based subsidiary; and Vitalij Viktorovic Perfilev, a Wagner group official serving as the national security advisor to the CAR president. Finally, in December the US Treasury and the US Department of State imposed sanctions on over 150 entities and individuals accused of materially supporting the Russian war in Ukraine or engaging in 'sanctions evasion in numerous third countries', enabling Russia to continue its war against Ukraine. Designated entities included two Chinese companies that had supplied satellite imagery and services to Wagner.¹¹⁷

Similarly, the EU, which placed the Wagner Group under sanctions in 2021, imposed additional sanctions throughout 2023. In February 11 individuals and 7 entities, including gold and diamond companies in CAR and Sudan, all linked to Wagner, were listed for asset freezes and a travel ban, on account of human rights abuses in CAR, Mali, Sudan and Ukraine.¹¹⁸

Further, in September the United Kingdom proscribed the Wagner Group as a terrorist organization, a designation that would make belonging to the group or actively supporting it a criminal offence in the UK, with a potential sentence of 14 years' imprisonment.¹¹⁹ The measure followed a parliamentary

¹¹³ US Department of the Treasury, 'Treasury sanctions the head of the Wagner Group in Mali', Press release, 25 May 2023.

¹¹⁴ US Department of the Treasury, 'Treasury sanctions illicit gold companies funding Wagner forces and Wagner Group facilitator', Press release, 27 June 2023.

¹¹⁵ US Department of the Treasury, 'Treasury targets Malian officials facilitating Wagner Group', Press release, 24 July 2023.

¹¹⁶ US Department of the Treasury, 'With wide-ranging new sanctions, Treasury targets Russian military-linked elites and industrial base', Press release, 14 Sep. 2023.

¹¹⁷ US Department of the Treasury, 'Treasury imposes sanctions on more than 150 individuals and entities supplying Russia's military-industrial base', Press release, 12 Dec. 2023.

¹¹⁸ Council of the European Union, 'Wagner Group: Council adds 11 individuals and 7 entities to EU sanctions lists', Press release, 25 Feb. 2023.

¹¹⁹ British Home Office, 'Wagner Group proscribed', 15 Sep. 2023.

committee report finding that the UK's effort to sanction the Wagner Group network was 'underwhelming in the extreme'.¹²⁰ The British government also agreed or partially agreed with numerous other recommendations made by a parliamentary inquiry into the Wagner network, including: (a) improving its intelligence-gathering on the Wagner network's activities in a wider range of countries; (b) strengthening sanctions against Wagner-linked individuals and entities; (c) raising the issue of travel bans for Wagner-linked individuals with its 'partners' (i.e. states that have agreed to cooperate with the UK on security and related issues); (d) offering security assistance and investment to partners that have engaged with the Wagner network; (e) increasing assistance to fragile and conflict-affected countries; (f) adopting a more strategic and coherent governmental response to the challenges of the Wagner network; (g) seeking to disrupt the network; (h) improving the UK's understanding of other PMSCs; (i) seeking to strengthen international legal frameworks; (j) working to support the UN draft framework on PMSCs; and (k) working with other partners to deter states from engaging with the Wagner network. Notably the UK government disagreed with the recommendation to establish a mechanism to coordinate US and EU sanctions linked to Wagner, noting that close coordination regarding Wagner already existed between the UK, the USA and the EU.¹²¹

Despite efforts to improve sanctions against the Wagner Group, their effectiveness remains in question. Prigozhin evaded sanctions as a result of his use of a vast network of financial facilitators and front companies with opaque beneficial ownership, through which US dollar transactions could be effected despite his being blocked from the US financial system.¹²² Especially following the Russian invasion of Ukraine in February 2022, the US and other Western states have imposed an increasing number of targeted coercive sanctions against individuals and companies associated with the Wagner Group and its wider corporate network. However, Wagner's use of complex and opaque corporate structures and its links to state institutions have enabled it to sidestep many measures. Since Prigozhin's death, Russia has increasingly used other PMSCs, which have largely escaped the same level of scrutiny as Wagner. These factors have prompted calls for the Wagner Group and similar PMSCs to be more intensely monitored and for better coordination of

¹²⁰ UK Foreign Affairs Committee, 'Guns for gold: The Wagner Network exposed—Report summary', 26 July 2023.

¹²¹ British House of Commons, Foreign Affairs Committee, 'Guns for gold: The Wagner Network exposed', Seventh report of 2022–23, 30 Oct. 2023.

¹²² US Department of the Treasury, 'Treasury targets financier's illicit sanctions evasion activity', Press release, 15 July 2020; and Donovan, K., Nikoladze, M. and Murphy, R., 'Global sanctions dashboard: Sanctions alone won't stop the Wagner Group', Atlantic Council, 19 July 2023.

information collection and sharing across government agencies among like-minded states.¹²³

Conclusions

In recent years, the Wagner Group has played an important role as an instrument of Russian foreign policy, and as a military, economic and political actor in the conflict-affected countries in which it operates. The failed Wagner rebellion in Russia in June 2023 led to changes in the organization and the relocation of many of its personnel to Belarus. The subsequent death of Yevgeny Prigozhin and other senior leaders of the group in a plane crash on 23 August accelerated the Russian state's reassertion of greater control of Wagner's activities and efforts by other PMSCs to take on some of its activities. Western states have mainly used sanctions to attempt to deter and disrupt malign Wagner activity, with limited results. The international community needs to build a deeper understanding of the activities and capabilities of PMSCs and their links to states, and to increase both international and domestic efforts to regulate the use of PMSCs, especially where PMSCs are associated with conflict and human rights abuses.

¹²³ Dalton, B., Rondeaux, C. and Weidt, M., 'Targeting the Wagner Group: How the US can strengthen sanctions against Russia', *New America, Brief*, 22 Feb. 2024.