

## **On Private Military Companies and Hybrid Warfare**

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### **Abstract**

This paper analyses how the growing role of Private Military Companies PMCs has flown largely under the radar of the international community, even as dangerous legal loopholes and ambiguities come to light. From a strategic point of view, PMCs in general offer both benefits and new forms of risk for individual actors and international organizations. This paper focuses on two main aspects related to Private Military Companies: how they are the newest and most versatile tool in the “hybrid war” and shadow-war arsenal and how they are the byproduct of decades of misguided and ill-fated proxy warfare. We also discuss one of the most controversial PMCs: the Wagner Group, the technically inexistent but actually Russian state-backed military organization. Hybrid warfare, as employed in modern grand-strategy, is an ever-evolving concept with borders as shadowy and grey as the actors used to deploy this type of strategy. Through the prism of the private military world, we will see how the new shape of our conflicts has solidified the waging of war as a business, a lesser-known but equally significant precedent. Furthermore, as we see warfare taken out of the public spotlight and away from congressional oversight, the need for clear and strict legal frameworks to the world of warfare becomes even more apparent.

As the world evolves, so does the world of warfare. In the past century, the planet saw two world wars and a myriad of conflicts that fall under the umbrella of the “Cold War”. One of the lasting legacies of this age of proxy warfare is what is called “hybrid warfare”. Through hybrid warfare, countries seek to achieve strategic goals by employing military, economic, political, and informational assets, with more regard for their interest than regulations and laws governing war.

In recent years, clear examples of hybrid warfare have come to light. While this concept applies to any nation, recent trends show Russia employing a wide spectrum of hybrid techniques to achieve its strategic and economic goals. This has been particularly effective in areas with high levels of instability, allowing Russia to employ less conventional practices with less fear of reprisals. Throughout this paper, we will describe the uses of **hybrid warfare** and **non-linear warfare**. Seeing as how recent Russian and Western academic definitions of hybrid warfare differ, we will base our work on the definitions employed by NATO and put forward by Frank G. Hoffman, research fellow at the INSS Center for Strategic Research, who defines hybrid warfare as warfare incorporating “a full range of different modes of warfare including conventional capabilities, irregular tactics and formations, terrorist acts including indiscriminate violence and coercion, and criminal disorder.”<sup>30</sup> Throughout this paper, however, we will refer to Russian definitions of hybrid warfare, as we believe these serve their tactical and political objectives best.

One of the main tools in the hybrid warfare toolkit are Private Military Companies (PMCs). These firms provide a wide array of security and security-related services, from logistics and transportation to intelligence gathering and special forces operations. There are different categories of companies involved in private defense and security. These include General Service contractors that offer logistical assistance, Private Security companies that offer strategic, operational, and organizational support, and Private Military Companies, that offer all of the former, with the added capability of engaging in direct combat, going as far as directing airstrikes and special forces operations.

This last category, through its impact on the world of hybrid warfare, will. Private military companies have made themselves the perfect cover for states to claim plausible deniability while engaging in questionable behavior. Furthermore, the lack of accountability these firms display in the current international system makes it so that they can operate with a dangerous degree of autonomy.

As we mentioned earlier in our paper, the Cold War brought along with it an age of proxy and indirect warfare, the impact of which we’re still evaluating today. For years, countries with territorial ambitions employed proxy campaigns and information tactics to achieve strategic, and political goals. In more recent years, however, countries such as Russia and Iran have adopted the use of “non-linear warfare” as part of their overarching strategic objectives. In simpler terms, this means that they employ means outside the strict realm of the military to better

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<sup>30</sup>F. Hoffman, *Conflict in the 21st Century: The Rise of Hybrid Wars*, Potomac Institute for Policy Studies, Virginia, 2007, pp. 7-8.

achieve their geostrategic goals. These two regimes in particular, have evolved their toolkits to achieve their goals in a world where the international community is more wary and observant of nations with ambitious geopolitical strategies. These strategies then have needed to develop an added layer of legal protections, insulating official policymakers and military members from some of their operations, to at least maintain plausible deniability of the aspects of hybrid warfare that might fall in grey or illegal areas. The proxy conflict and political strategies laid out during the Cold War, by both great powers and smaller, regional hegemony, helped establish the tactical groundwork for the hybrid war strategies we see today. On the other hand, the military upheaval brought on by the collapse of the Soviet Union, offered potential defense contractors the opportunity to begin employing former soldiers from a noticeably enlarged workforce, a development aided by the increased circulation of formerly used military equipment. Finally, we can also conjecture how the political developments of the late 1980's and 1990's encouraged decision-makers to explore possible responses that would allow states to achieve military and strategic goals whilst reducing exposure and investment of their own armed forces, thus reinforcing the need for private military contractors to expand their offer of service to governments and Defense ministries.

There are three key aspects of the role that private military companies play in hybrid warfare: first exploring how PMCs are a way to wage war in the dark; afterward analyzing the consequences of the Vietnam Syndrome in the way that policymakers have adopted PMCs and finally focusing on the Russian scenario. This last part is particularly pertinent as Russia has been a major employer of PMCs in some of their recent battle scenarios, and their particular brand of shotgun diplomacy is still unique to them.

Private Military Companies, as corporations operating (in most cases) at the behest of State or Defense ministries, offer a particular skill set with obvious drawbacks, but also clear benefits. These are particularly pertinent to policymakers and politicians. The more clear of these is of course the fact that private employees, formally contractors, can be deployed with far less caution than traditional soldiers, or even special forces operatives. Politically speaking, deployments of armed forces members are always riskier than charging private soldiers. Governments are not directly responsible for casualties regarding private contractors, and the public is less likely to be influenced by these: in most cases, "contractor" casualties attract less media and Congressional oversight, particularly in areas where US military involvement is kept out of the public spotlight. This aspect is pertinent in countries where transparency between the armed forces and the political leadership is strictly enforced, such as the United States. The use of troops is strictly controlled by Congress, who see themselves as the voice of the voting public. Contractors, however, can be quickly and discreetly deployed at the behest of the Defense or State departments, without fear of reprisals. Flaws have arisen in this way of operating, however, when private operatives have superseded their authority or committed illegal acts while under contract for the US government. After the peak of US Forces involved in the second Iraq War, for example, the ratio of military personnel to contracted personnel was about 1:1.<sup>31</sup> On one hand, this meant that far fewer US uniformed lives were being used and put at risk. On the other, this allowed the DOD to have a fighting force less accountable to Congress, yet more

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<sup>31</sup> Jeremy Scahill, « Bush's Shadow Army », *The Nation*, 15 March 2007, 2

accountable or at least more subordinate to White House. But as the events of the 2004 Fallujah Ambush and the 2007 Nissour Square Massacre so violently illustrated, an elevated presence of private military contractors entails a heightened risk for these companies and their personnel, as well as a dangerous lack of oversight from the DOD that could lead to both human and political crises.<sup>32 33</sup> As the future of hybrid warfare seems inextricably tied to a decrease in transparency for foreign operations, it becomes evident that the role of PMCs will have to be revisited and better regulated.

Hybrid warfare is also a resource for countries wishing to achieve geostrategic goals at a cost lower than traditional troop deployments. By hiring corporations whose main goals are to make a profit and cut costs, it becomes evident that PMCs offer the possibility to drastically reduce costs for the countries involved. This makes them particularly appealing to both authoritarian and democratic regimes. The former will probably attempt to maximize their return on investment, particularly if their aims are more long-term and aimed at destabilization, or if they are financially motivated. For the latter, this is a useful tool to decrease the likelihood of political interference, as accountability towards taxpayers comes into play.

We must also consider the long-term impact of the “Vietnam syndrome,”<sup>34</sup> the notion that has permeated the foreign policy establishments of many countries that wars cannot be fought without clear objectives, overwhelming military force, and the support of the public and elected officials. While born in the US, this has influenced how other countries direct their military goals. As hybrid strategies can be deployed at both small and large-scales, solutions allowing for the use of force without calling for full-scale war become increasingly valuable. This is especially evident when we consider that the last time a major power declared war was in 1945 when the US declared war on Japan and Germany.

Private military companies fit perfectly into this narrative. As policymakers and heads of state worry more about their image domestically and abroad, the use of PMCs and special forces operating clandestinely rises, as cost-cutting solutions to geostrategic objectives. This is the same logic that has led to a rise in the use of combat drones, allowing for cleaner warfare without putting the lives of members of the armed forces at risk.

Furthermore, the end of Vietnam saw major powers move away from unilateralism and drifts toward more multilateral deployments. PMCs, by offering forces outside the military and at a lower cost, offer countries the possibility of building their own “*coalition of the billing*” whenever they see fit, without creating much publicity and most importantly, without having to validate their objectives and methods in front of the international community.<sup>35</sup> Thanks to this, countries with the power to hire PMCs no longer need to rely on their allies, as was once the norm in warfare. If we view this through a hybrid warfare perspective, PMCs offer a perfect gateway from which to deploy as many forces as needed without the need for Congressional or Allied oversight, and most importantly, in a variety of roles. PMCs such as the Wagner Group, which we will study more closely in the next section, offer their clients the capacity to handle

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<sup>32</sup> [http://news.bbc.co.uk/2/hi/middle\\_east/3585765.stm](http://news.bbc.co.uk/2/hi/middle_east/3585765.stm)

<sup>33</sup> <https://www.nytimes.com/2014/10/23/us/blackwater-verdict.html>

<sup>34</sup> <https://www.brookings.edu/blog/up-front/2013/01/22/its-called-the-vietnam-syndrome-and-its-back/>

<sup>35</sup> <https://www.wired.com/2004/07/coalition-of-the-billing/>

intelligence, disinformation, and broadcasting services, helping both lead combat and political operations.

We cannot forgo the Russian case, in this case, exemplified by the Wagner Group. This corporation, whose organizational structure and ties to the Russian Intelligence and Defense forces are intentionally murky, identifies as a PMC, primarily serving the Russian government and its allies.

Formally created in 2014, the Wagner Group presents itself as a traditional PMC, offering the usual benefits to governments and non-state actors interested in hiring them. Upon closer analysis, however, experts have described the group as a mostly self-funded unofficial paramilitary arm of both the Russian GRU and of Putin's closest allies. The Wagner Group's deployment in Ukraine and Syria, particularly, have illustrated how this PMC serves the Kremlin's hybrid warfare strategy perfectly.

Through them, the Russian government gains a layer of plausible deniability especially useful in politically risky scenarios, such as the annexation of Crimea or the fight against Syrian rebels. The relation between this organization and the Kremlin is both close and foggy, however, granting Russian authorities what many have called "implausible deniability," implying that the use of the Wagner Group offers Putin deniability so thin and difficult to believe that it almost defeats its purpose.<sup>36</sup> Formally, the Wagner Group is funded by its founder, Evgeny Prigozhin, and its operations, much like any formal, independent company. A closer look illustrates how the company has benefited from lucrative deals in exchange for their services, such as those they performed in Syria, that saw them officially profiting from oil fields they liberated.<sup>37</sup>

As Putin's foreign objectives expanded in the past 5 years, so have deployments of the Wagner Group which has now been identified as having contracts in Venezuela, CAR, Libya, Syria, Madagascar, and Sudan.<sup>38</sup> Under the assumption that the Wagner Group is simply a cover for Russian foreign operations, we can understand how the benefits brought by their creation serve Russian geostrategic goals in the fields of war, intelligence, political influencing and financial gains.

This last point can also be explained by the tenuous nature of the group. Its contracts and concessions in foreign countries also point to the organization serving the private goals of Russian oligarchs and their corporate interests, further fusing the Wagner Group to Putin's personal objectives, many of which can be completed thanks to hybrid warfare strategies.

From a legal standpoint, the Wagner Group serves to exemplify the risks the international community faces from the legal vacuum in which PMCs can operate today. Although individual countries have enacted legislation applicable to or aimed towards regulating PMCs, the lack of enforceable international conventions regulating the use of such forces poses a series of legal and ethical dilemmas.<sup>39</sup> The lack of universally accepted definition for what PMCs and Privately-Employed Defense Contractors are pose a significant challenge if legal or jurisdictional

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<sup>36</sup><https://carnegieendowment.org/2020/06/02/implausible-deniability-russia-s-private-military-companies-pub-81954>

<sup>37</sup> <https://www.nytimes.com/2018/05/24/world/middleeast/american-commandos-russian-mercenaries-syria.html>

<sup>38</sup> <https://www.fpri.org/article/2019/10/diplomacy-and-dividends-who-really-controls-the-wagner-group/>

<sup>39</sup> <http://www.privatesecurityregulation.net/files/Microsoft%20Word%20-%20PMSC%20Article,%20US,%20Kevin%20Lanigan,%20Final.pdf>

issues where to arise. This poses a threat to the legality of conflict today, as the use of non-regulated forces poses significant risks for all involved parties, as well as the legitimacy of existing statutes surrounding warfare. It would therefore be necessary to enact enforceable conventions, separate or annexed to existing laws surrounding war, in order to fully regulate and transparentize PMCs and their employers.

This would also serve to both address humanitarian concerns involving the deployment of private forces and help enforce financial transparency vis-a-vis these firms. This latter suggestion goes beyond the tributary and would help enforce the formal chain of leadership and financing for firms operating in the sector. Finally, enacting such regulations as conventions would give them the legal backing to be enforced by international organizations and tribunals, thus further protecting civilians and other combatants in theaters of operation involving PMCs.

In conclusion, we can say that as the world moves toward embracing and adopting hybrid warfare, albeit to varying degrees, private military companies see themselves in a privileged position of being able to fulfill, or at least supplement, many foreign policy objectives of their employers. Strengthening legal frameworks surrounding these firms would also facilitate their employment and use by states who might otherwise be discouraged by the lack of adequate legal standards and definitions regarding their use and deployment.

Hybrid warfare seeks to pursue objectives through a variety of means and on different fronts, and the versatility of private militaries is perfectly suited to this.

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