

Canadian
Forces
College

Collège
des
Forces
Canadiennes



DENIABLE WAR – RUSSIAN USE OF PRIVATE MILITARY AND SECURITY COMPANIES

Major J. Gordon Prentice

JCSP 44

Exercise Solo Flight

Disclaimer

Opinions expressed remain those of the author and do not represent Department of National Defence or Canadian Forces policy. This paper may not be used without written permission.

© Her Majesty the Queen in Right of Canada, as represented by the Minister of National Defence, 2019.

PCEMI 44

Exercice Solo Flight

Avertissement

Les opinions exprimées n'engagent que leurs auteurs et ne reflètent aucunement des politiques du Ministère de la Défense nationale ou des Forces canadiennes. Ce papier ne peut être reproduit sans autorisation écrite.

© Sa Majesté la Reine du Chef du Canada, représentée par le ministre de la Défense nationale, 2019.

CANADIAN FORCES COLLEGE – COLLÈGE DES FORCES CANADIENNES

JCSP 44 – PCEMI 44
2017 – 2019

EXERCISE *SOLO FLIGHT* – EXERCICE *SOLO FLIGHT*

**DENIABLE WAR -
RUSSIAN USE OF PRIVATE MILITARY AND SECURITY COMPANIES**

Major J. Gordon Prentice

“This paper was written by a candidate attending the Canadian Forces College in fulfilment of one of the requirements of the Course of Studies. The paper is a scholastic document, and thus contains facts and opinions, which the author alone considered appropriate and correct for the subject. It does not necessarily reflect the policy or the opinion of any agency, including the Government of Canada and the Canadian Department of National Defence. This paper may not be released, quoted or copied, except with the express permission of the Canadian Department of National Defence.”

« La présente étude a été rédigée par un stagiaire du Collège des Forces canadiennes pour satisfaire à l'une des exigences du cours. L'étude est un document qui se rapporte au cours et contient donc des faits et des opinions que seul l'auteur considère appropriés et convenables au sujet. Elle ne reflète pas nécessairement la politique ou l'opinion d'un organisme quelconque, y compris le gouvernement du Canada et le ministère de la Défense nationale du Canada. Il est défendu de diffuser, de citer ou de reproduire cette étude sans la permission expresse du ministère de la Défense nationale. »

DENIABLE WAR - RUSSIAN USE OF PRIVATE MILITARY AND SECURITY COMPANIES

The augmentation of national military forces has occurred throughout recorded history.¹ This amplification to the power of a single state has been achieved via measures which run the gamut from conscription and formal alliance to the use of privateers and mercenaries. Since at least the mid-19th century specific firms have been important in the production of equipment and thus the fielding of military forces, however the past twenty years have seen a new development with the rise of corporate entities that seek to provide services, within a theatre of operations, which might otherwise be thought of as being solely the purview of formal military units. The development of such corporate services is uneven globally and carries with it both benefit and risk.

Within Western militaries, predominantly NATO members, the use of Private Military and Security Companies (PMSC) has evolved over time from an extremely wide ranging scope of potential services delivered by wholly unregulated providers to a more mature state in which the rudiments of agreed norms and standards are now in place. However not all states employing PMSC have participated equally in this evolution and there is evidence that Russia in particular is developing methods for employment, as part of formal doctrine, that should be a cause for concern. While PMSC can be a valuable tool when properly regulated and employed in a carefully considered manner, this brief paper will argue that Russian developments within this field have the potential to

¹ Michael J. Mazarr. "Mastering the Gray Zone: Understanding a Changing Era of Conflict." *Strategic Studies Institute*, U.S. Army War College Press, December 2015, Carlisle, 43.

undermine international stability. A short examination of the evolution of PMSC governance will be undertaken before scrutinizing Russian developments in this field.

To look first at the western context for PMSC employment, it must be stated that the events of 11 September 2001 set in train a significant refocussing of the American security paradigm. Gone was the belief, however erroneous, that North America was secure from most forms of attack and that developments in other parts of the globe could be, if not ignored, then safely allocated a lower priority on the policy agenda. Within the span of a few short years major military engagements had or were being waged at diverse locations across the globe, stretching the capacity of the standing military forces of the U.S. and key allies. It is in this fertile environment that the rapid growth of PMSC took place, offering to governments as it did the option of rapidly expanding capability without the time delay inherent in the expansion of formal military forces.² Use of PMSC offered the ability to emplace highly qualified personnel, in many cases having been trained by the militaries they were now contracted to support, into virtually any theatre. While an effective expedient solution to the immediate force generation problem, the uncontrolled growth of PMSC also brought with it several serious underlying issues which quickly became apparent.

There is also an economic rationale for the use of PMSC by western nations. The costs of maintaining a modern professional military force are a significant drain on many national budgets with frequent trade-offs being required as defence ministries grapple with the requirement to acquire sophisticated equipment, at ever increasing costs, while also funding the standing forces requirement for salary, housing, refresher training, etc.

² Deborah D. Avant. "Pragmatic Networks and Transnational Governance of Private Military and Security Services." *International Studies Quarterly*, Oxford University Press, 2016, 331.

While PMSC contracts in themselves are not cheap, the tasks for which PMSC could potentially be employed come with the economic benefit of reducing standby costs to virtually zero as there is no requirement for the state to maintain the capability in peacetime. The use of PMSC then has the potential to allow a national military to focus its operating budget on more capital intensive activities for which the use of military personnel is preferred.

PMSC governance was initially limited solely to the contractual obligations incurred by specific companies to the employing state. Services offered could run the gamut from providing advisors to the conduct of offensive combat operations³, all of which raised the difficult issue of how exactly did PMSC personnel differ from mercenaries, if at all, with even the U.N. Working Group on the Use of Mercenaries noting the blurry distinction.⁴ As this debate continued in various fora, most notably in discussions lead by the U.N. Special Rapporteur on the Use of Mercenaries, other issues also emerged which cast a negative light on the use of PMSC. Serious concerns were raised with regard to the potential for Human Rights abuses following reported misconduct by PMSC personnel, the principle issue being that the perpetrators of such actions were not being held accountable due to either jurisdictional issues or their agreed exemption from host nation law. It has also been observed that PMSC are profit driven and may lack the flexibility or will to take actions which may serve to bring about an end to the conflict and thus their own utility/profitability.⁵

³ Birthe Anders. "Private Military and Security Companies". <https://www.oxfordbibliographies.com/view/document/obo-9780199743292/obo-9780199743292-0209.xml>, accessed 12 April 2019.

⁴ Jose L. Gomez del Prado. "Impact on Human Rights of a New Non-State Actor: Private Military and Security Companies." *Brown Journal of World Affairs*, Volume XVIII, Issue 1, Fall/Winter 2011, 159.

⁵ Deborah D. Avant. "Pragmatic Networks and Transnational Governance . . .", 334.

The international community grappled with the use of PMSC for several years with no clear way forward emerging prior to the 2006 initiative by the Swiss government and the International Committee of the Red Cross/Crescent (ICRC) to bring together interested parties in a series of meetings which ultimately lead to the production of what has become known as the Montreux Document which, among other things, outlines best practices for the employment of PMSC. Importantly that document, published in September of 2008, did not create new law but instead reinforced the existing International Humanitarian Law (IHL) and International Human Rights Law (IHRL) as being applicable to PMSC. Furthermore, it provided a definition of PMSC “. . . as private business entities. . .” which “. . . sidelined the mercenary trope.”⁶ Participants included major firms involved in the provision of PMSC services who were anxious to cast off the mercenary label⁷ applied by some and establish a reputable corporate profile. From this beginning, PMSC governance has continued to expand and included 266 PMSC firms (as of December 2011)⁸ along with the development of an International Code of Conduct (ICoC) and related Association (ICOCA). Furthermore, the standards developed have continued to tighten. Originally PMSC companies had only to sign the Montreaux Document and commit to becoming certified at a later date to be in compliance. The ICOCA however no longer recognises signatory status and now requires that companies become members of the Association thus strengthening the governance structure.⁹ While still voluntary in nature, many major PMSC employing

⁶ Ibid, 336.

⁷ Ibid, 337.

⁸ Ibid, 338.

⁹ ICOCA website. “Membership”.

https://www.icoca.ch/membership?states_governments=states&op=Search&view_type=list&form_id=_search_for_members_filter_form, accessed 25 May 2019.

states such as the U.K. and U.S. have since adopted policies which require ICOCA membership of firms awarded contracts.¹⁰ In this way there is a clear economic incentive for participation in the governance structure with firms limiting their activities to the permitted range of defensive type tasks.

At issue then is the employment of PMSC operating outside the framework of the Montreux Document and ICoC/ICOCA. Russia, as a non-signatory state of the Montreux Document, is not bound by any of the PMSC governance structures now in place yet, because of the significant military capability existing within the country, maintains the ability to generate such firms. It is therefore vital to understand the context within which Russian firms are operating as it differs significantly from that of western states. In the latter case, the long term use of PMSC is primarily driven by economic concerns. Simply put, contracting shifts the economic cost of maintaining specific types of capabilities from national militaries to PMSC firms. This reflects the high and growing cost experienced by western nations, reliant as they are primarily on expensive volunteer/professional forces, in maintaining military capability generally which forces most states to focus military budgets on key capabilities and related equipment acquisition. The cost of contracted support may be higher when in place, but it is a cost of relatively short duration in comparison to the costs, both real and in terms of limiting capability elsewhere, which would accrue should a state seek to maintain a specific capability as part of their standing force structure.

For Russia, blessed with a large population and retaining a conscript based force, the economic rationale for the use of PMSC is very much negated. One would expect therefore that firms would thrive in such an environment where cheap, relative to western

¹⁰ Deborah D. Avant. "Pragmatic Networks and Transnational Governance . . .", 339.

pay scales, and plentiful trained manpower exists and would seek to be competitive in bidding for international contracts related to PMSC. That would in turn imply a requirement for compliance with the ICoC and membership in the ICOCA. Instead, PMSC remain technically illegal in Russia although proposals being considered by the Duma would amend this status and put in place a system whereby internal licencing and oversight by the Federal Security Service (FSB) would act as an alternative governance structure to that developed under the Montreaux Document.¹¹ In the interim, Russian PMSC are an important participant in various conflict zones. The reason for this divergence in governance, as compared to major western nations stems from the manner in which the Russian state incorporates PMSC into operational planning. Rather than using this pool of trained personnel as relatively straight forward augmentation to existing conventional forces, in Russia PMSC are becoming part of the security arsenal in much more subtle ways. Understanding Russian use of PMSC is inextricably linked to the development of what has been termed variously “hybrid”, “multi-dimensional” or “New Generation Warfare” (NGW) the latter term being preferred by this author. That warfare can be conducted beyond pure force on force contests is not a new concept. Indeed doctrine for most NATO states, including Canada, makes much of the necessity to develop Information, Cyber, CIMIC and other plans as part of an integrated campaign strategy. The conduct of Information Operations (INFO Ops) provides the Commander with the means to convey a message to the population within the theatre of operations which will hopefully resonate and produce at least acquiescence with if not meaningful support for the mission. Cyber warfare seeks to disrupt opponent connectivity and

¹¹ Alexey Eremenko. “Blackwater.ru: The Future of Russian Private Military Companies”. The Moscow Times, Nov 12, 2014.

capability by denying access to networks, covertly controlling data flows or similar activities. CIMIC seeks to provide evidence of tangible support to a population through the support provided to indigenous government capability or through the completion of stand-alone physical infrastructure projects. The underlying concept in all of these examples however is one of supporting the overall Commander in his or her execution of what essentially remains a conventional operational plan. None of the above activities are intended to become the focus of operations or to replace the underlying threat of the use of force to achieve mission aims.

The Russian development of New Generation Warfare is most recently and succinctly captured by what has been called the “Gerasimov Doctrine”. While this is in many ways similar to the use of the multi-dimensional approach espoused by NATO, it carries the idea a bound further. The genesis of the idea may not in fact be Russian, but based at least in part on the work of two Colonels in the Chinese People’s Liberation Army (PLA) who studied the effect of recent technological innovation on the conduct of conventional military operations. Their conclusions were essentially that the proliferation of precision strike capability rendered much of the extant conventional forces highly vulnerable while at the same time they observed that advances in communications technology and the proliferation of access to long distance communication had potentially become decisive.¹² Others have also noted the increasing importance of non-kinetic operations which are “. . . becom[ing] more decisive.”¹³ General of the Army Gerasimov, Chief of the General Staff of the Russian Armed Forces, has taken such ideas or at least a version of them and created a new doctrine wherein the role of conventional

¹² Tony Balasevicius. “Looking for Little Green Men: Understanding Russia’s Employment of Hybrid Warfare”. *Canadian Military Journal*, Vol 17, No. 3, Summer 2017, 19.

military forces is significantly reduced, arguably becoming a supporting player in a much broader application of state power.¹⁴

The Doctrine comprises eight phases which can be conducted either sequentially or concurrently as best meets the needs of a particular situation.¹⁵ The first outlines the initial efforts to be employed against an adversary such as the implementation of economic or other sanctions. The second phase advances the effort further with the conduct of specific operations intended to sow confusion in the target state. These activities are accelerated during the third and fourth stages as efforts to destabilize the target increase. It is in the fifth stage that use of PMSC becomes a formal part of the doctrine allowing the Kremlin to potentially begin to influence events within the target state “. . . in close cooperation with armed opposition units.”¹⁶, all while maintaining a veil of plausible deniability. Phases six through eight then shift the focus to more kinetic operations in which activities such as reconnaissance, establishment of no-fly zones and activation of electronic warfare campaigns are combined with precision strikes leading ultimately to mopping up of the remaining dislocated opposition by ground forces.

It is worth noting at this point in the discussion that Cormac and Aldrich argue correctly that plausible deniability can no longer exist given the reach of global communications capability and was never truly applicable even prior to the age of social media.¹⁷ Rather they argue that it is *implausible* deniability which is sought thus allowing the state conducting such operations to send a clear message to an intended audience

¹³ Michael J. Mazarr. “Mastering the Gray Zone . . .”, 90.

¹⁴ Tony Balasevicius. “Looking for Little Green Men . . .”, 24.

¹⁵ Ibid, 25.

¹⁶ Ibid, 25.

¹⁷ Rory Cormac and Richard J. Aldrich. “Grey is the New Black: Covert Action and Implausible Deniability.” *The Royal Institute of International Affairs*, Oxford University Press 2018, 479.

while still avoiding the escalation of conflict.¹⁸ Under this supposition it is the acknowledgement of involvement, or lack thereof, that is of import. For example the involvement of hundreds of Russian nationals fighting in support of the Syrian regime against U.S. backed forces, many of whom perished, has not been acknowledged by Russia as anything more than adventurism on the part of those nationals who ill-advisedly accepted employment under such conditions. Such uncertainty has muted the U.S. response to this particular incident thus demonstrating the utility of PMSC in avoiding escalation and potentially provoking a response, despite any loss of life.¹⁹ There is however an undercurrent of support for the Syrian regime going beyond the declared provision of military air support and political backing which cannot be ignored.²⁰ And of course had the particular incident been decided in favour of the Syrian regime, Moscow could have pointed to these same citizens as proof of their support – in other words acknowledging their actions.

The Gerasimov Doctrine can be viewed as an incrementalist approach to conflict which seeks to achieve state aims without provoking a decisive response. This can be achieved by a “. . . steady cumulative pressure. . .” which will achieve desired strategic goals without provoking a full blown crisis.²¹ Russian activity in Ukraine is a case in point wherein a series of relatively small steps have built up in such a manner as to change the strategic picture before the full gravity of what was happening could be understood and countered. This has worked particularly well with regard to a coordinated NATO reaction as member states have debated the appropriateness of various

¹⁸ Ibid, 482.

¹⁹ Christopher Spearin. “NATO, Russia and Private Military and Security Companies”. *The Rusi Journal*, Vol. 163, No. 3, June/July 2018, 68.

²⁰ Rory Cormac and Richard J. Aldrich. “Grey is the New Black . . .”, 489.

response options. While this does not threaten the unity of NATO in any meaningful way, achieving consensus within the Alliance is a time consuming process which prevents the timely development of an effective counter strategy as events continue to escalate.²² Similarly Russian PMSC have been active in Libya, supporting groups which are in opposition to the generally recognised government supported by NATO.²³ Such involvement permits Russia to maintain an *unacknowledged* presence in the region thus allowing them to influence events at very low risk of escalation or negative consequences.

The independence of Russian PMSC is also in doubt given the establishment by Russia of the National Defence Coordination Centre (NDCC) which has as part of its mandate the requirement to coordinate both the Armed Forces and the FSB.²⁴ Given the would-be regulatory role being considered for the FSB with regard to PMSC, it is easy to see the potential for significant control of these emerging firms by the Russian government. Furthermore, there is also evidence of Russian Special Forces facilities being used to train PMSC staff thus further calling into question the separation of these allegedly illegal firms from Russian state control.²⁵

PMSC use in the west has now evolved to the point that, while not a perfect option, it is nevertheless a more palatable prospect for governments seeking to enhance specific military capabilities without the costs, either economic or political, of direct military involvement. For Russia, the use of PMSC reflects a more doctrinal approach

²¹ Michael J. Mazarr. "Mastering the Gray Zone . . . , 35.

²² *Ibid*, 39.

²³ Maria Tsvetkova. "Exclusive: Russian private security firm says it had armed men in east Libya". *Reuters*, World News, Moscow, 10 March 2017.

²⁴ Tony Balasevicius. "Looking for Little Green Men . . . , 26.

²⁵ Zdzislaw Sliwa. "The Russian National Guard: A Warning or a Message?". *National Defence Academy of Latvia, Centre for Security and Strategic Research*, Working Paper 01/18, February 2018, 26.

wherein firms offering such services can potentially be employed in a *non-acknowledged fashion* to provide Moscow with the ability to influence events while avoiding the risks associated with the deployment of national military forces. Such use of PMSC as part of the NGW test bed which is Ukraine can only lead to further refinement of this concept.²⁶ It is equally apparent then that NATO must determine how to accelerate the decision/action cycle within the Alliance if a meaningful response to future provocations is to be available.

BIBLIOGRAPHY

- Anders, Birthe. "Private Military and Security Companies".
<https://www.oxfordbibliographies.com/view/document/obo-9780199743292/obo-9780199743292-0209.xml>.
- Avant, Deborah D. "Pragmatic Networks and Transnational Governance of Private Military and Security Services." *International Studies Quarterly*, Oxford University Press, 2016.
- Balasevicius, Tony. "Looking for Little Green Men: Understanding Russia's Employment of Hybrid Warfare". *Canadian Military Journal*, Vol 17, No. 3, Summer 2017.
- Cormac, Rory and Richard J. Aldrich. "Grey is the New Black: Covert Action and Implausible Deniability." *The Royal Institute of International Affairs*, Oxford University Press 2018.
- Eremenko, Alexey. "Blackwater.ru: The Future of Russian Private Military Companies". *The Moscow Times*, Nov 12, 2014.
- Gomez del Prado, Jose L. "Impact on Human Rights of a New Non-State Actor: Private Military and Security Companies." *Brown Journal of World Affairs*, Volume XVIII, Issue 1, Fall/Winter 2011
- ICOCA website. "Membership".
https://www.icoca.ch/membership?states_governments=states&op=Search&view_type=list&form_id=_search_for_members_filter_form.

²⁶ Michael J. Mazarr. "Mastering the Gray Zone . . . , 92.

Mazarr, Michael J. “Mastering the Gray Zone: Understanding a Changing Era of Conflict.” *Strategic Studies Institute*, U.S. Army War College Press, December 2015, Carlisle.

Sliwa, Zdzislaw. “The Russian National Guard: A Warning or a Message?”. *National Defence Academy of Latvia, Centre for Security and Strategic Research*, Working Paper 01/18, February 2018.

Spearin, Christopher. “NATO, Russia and Private Military and Security Companies”. *The Rusi Journal*, Vol. 163, No. 3, June/July 2018.

Tsvetkova, Maria. “Exclusive: Russian private security firm says it had armed men in east Libya”. *Reuters*, World News, Moscow, 10 March 2017.