



Plenary sitting

B9-0563/2021

23.11.2021

MOTION FOR A RESOLUTION

with request for inclusion in the agenda for a debate on cases of breaches of human rights, democracy and the rule of law

pursuant to Rule 144 of the Rules of Procedure

on human rights violations by private military and security companies, particularly the Wagner group
(2021/2982(RSP))

Nathalie Loiseau, Petras Auštrevičius, Olivier Chastel, Vlad Gheorghe, Bernard Guetta, Irena Joveva, Ilhan Kyuchyuk, Karen Melchior, Frédérique Ries, Michal Šimečka, Nicolae Ștefănuță, Ramona Strugariu, Dragoș Tudorache, Hilde Vautmans
on behalf of the Renew Group

B9-0563/2021

European Parliament resolution on human rights violations by private military and security companies, particularly the Wagner group (2021/2982(RSP))

The European Parliament,

- having regard to its previous resolutions, notably that of 4 July 2017 on private security companies,
 - having regard to the Geneva Conventions and their protocols;
 - having regard to the 1977 OAU Convention for the elimination of mercenarism in Africa;
 - having regard to the 1989 International *Convention Against the Recruitment, Use, Financing and Training of Mercenaries*;
 - *having regards the Montreux Document on Pertinent International Legal Obligations and Good Practices for States related to Operations of Private Military and Security Companies during Armed Conflict of 17 September 2008*;
 - having regard to the October 2021 report of the Independent Fact-Finding Mission on Libya established by the UN Human Rights Council;
 - having regard to the statement by UN Human Rights Council experts of 31 March 2021 on Russian trainers and 27 October 2021 on the Wagner Group in the Central African Republic;
 - having regard to the Declaration of the Paris International Conference for Libya of 12 November 2021;
 - having regard to Rule 132 of its Rules of Procedure,
- A. whereas the reliance on private military and security companies (PMSCs), by state and non-state actors, has significantly developed in conflict areas in recent years;
- B. whereas PMSCs are bound by international law when taking part in hostilities, in particular as set forth in the Geneva Conventions ratified by all UN Member States; whereas the legal provisions of the Geneva Conventions are recognised as international customary law; whereas Article 47 of the First Additional Protocol to the Geneva Conventions provides a definition of mercenaries; whereas, on this basis, mercenaries are defined as civilians and are as such not allowed to take part in conflict; whereas the International Convention Against the Recruitment, Use, Financing and Training of Mercenaries prohibits mercenaries; whereas, in addition, the Organisation of African Unity Convention for the Elimination of Mercenarism in Africa creates a crime of mercenarism; whereas 32 African Union member states have ratified this treaty;

- C. whereas countless members of PMSCs acting as mercenaries have committed gross human rights violations against both combatants and civilians in recent and ongoing conflicts;
- D. whereas the Wagner Group stands out from other PMSCs on several counts such as its reported connections to the highest echelons of the Russian state; its reported presence in numerous states; the scale of its operations with an estimated 10000 employees and the documented accusations of gross human rights violations; whereas Russian law prohibits the use of mercenaries;
- E. whereas although the Group is not legally registered in Russia, its ties with the Russian authorities have been documented by independent organisations such as Bellingcat through reports published from January 2019 to November 2021; whereas according to these allegations, the control or ownership of the Wagner group and affiliates lead to Yevgeny Prigozhin, a Russian businessman; whereas the latest Bellingcat report of 17 November 2021 revealed additional evidence of full involvement of Russia's Military Intelligence, its Defence Ministry and consular services in the funding, recruitment, training and protection of Wagner operatives;
- F. whereas several companies under the control of Mr. Prigozhin are under US sanctions for "supporting Russia's paramilitary operations, preserving authoritarian regimes and exploiting natural resources" according to the US Treasury;
- G. whereas on 11 April 2012, President Putin stated in his speech to the Russian Duma that "a group of private military companies would be an efficient tool to accomplish national goals without directly involving the Russian state"; whereas the Wagner group's denomination is being phased out to avoid public scrutiny and distance itself from Mr. Prigozhin and President Putin, replacing it with other entities under different names to avoid public scrutiny;
- H. whereas the group was first identified in 2014 when backing pro-Russian separatists and assisting Russian military in the illegal annexation of Ukraine's Crimea; whereas Wagner operatives have continued conducting subversive operations in Ukraine, having received assistance by the Belarussian KGB; whereas it has since been involved in conflicts in Syria, Sudan, Mozambique, Libya and the Central African Republic;
- I. whereas in the Central African Republic, UN experts including UN Working Groups on the use of mercenaries, on business and human rights, on enforced disappearances as well as the UN Special Rapporteurs on torture and extrajudicial executions, jointly concluded in October 2021 that the Wagner group conducted gross and systematic human rights violations, including arbitrary detention, torture, rape, disappearances and extra-judicial executions; whereas, for instance, on February 15th, 2021 Wagner operatives attacked a camp for Internally Displaced People as well as a mosque, executing 16 civilians including a 13-year-old girl;
- J. whereas the Wagner group has been involved in rapacious takeovers of essential resources such as mining and customs proceeds, thus weakening developing countries and depriving them of essential public resources; whereas, for example, following the 2018 signing of a

military agreement between Russia and the Central African Republic, the Wagner group's Lobaye Invest company was granted exploration rights for gold and diamond on several mining sites; whereas a CNN report of June 2021 reveals Russian mercenaries executed civilians and expelled locals in the mining areas;

- K. whereas in Libya the Wagner group has been involved in logistical support and combat operations to support Libyan rebel general Khalifa Haftar since at least 2018: whereas according to the report of the UN Fact Finding Mission in Libya of October 2021, the Wagner group has been involved in war crimes including summary executions of civilians and detainees and the planting of anti-personnel landmines, killing or maiming civilians, including children, for example in Al Sbeaa village in southern Tripoli; whereas the report documents multiple and repeated violations of the UN arms embargo on Libya, as well as the use of Russian military cargo aircraft by the Wagner group;
- L. whereas on 12 November 2021 the participating countries to the Paris Conference for Libya expressed their opposition to any foreign interference in Libyan affairs and to implement the "Action plan for the withdrawal of mercenaries, foreign fighters and foreign forces from the Libyan territory"; whereas in early November 2021 Turkey sent around 150 additional Syrian mercenaries to Libya, on top of the 7,000 mercenaries that were already present in the country and loyal to Turkey, despite local and international demands to withdraw all foreign forces ahead of parliamentary and presidential elections scheduled for 24 December 2021;
- M. whereas in Syria, Wagner operatives have been sent to support the Russian military in its intervention to save the Assad regime from late 2015; whereas mercenaries committed gruesome crimes against the Syrian population, such as torturing, murdering and beheading civilians near Palmyra which they video-taped themselves; whereas in March 2021 three NGOs helped a Syrian man sue in Moscow members of the Wagner Group on the basis of murder committed with extreme cruelty, with a view to establishing the alleged perpetrators' responsibility for this and other crimes, including war crimes.; whereas a Syrian private airline company, Cham Wings, has been involved in the transport of mercenaries from Russia to Libya and more recently in the transport of migrants to Minsk;
- N. whereas three award-winning Russian journalists were murdered on 30 July 2018 while investigating on the Wagner group's mining activities in the Central African Republic; whereas Russian journalist Maxim Borodin, who reported on Wagner activities in Syria in March 2018, died the following month falling off his balcony in Russia; whereas the Committee to Protect Journalists stated that his death was a pattern of journalists dying in Russia as they cover sensitive issues with potential repercussions for authorities;
- O. whereas EU High Representative Josep Borrel announced on 15 November 2021 that a consensus had been reached among EU Ministers to take restrictive measures against the Wagner group in the EU's upcoming Foreign Affairs Council of December 2021; whereas he also warned on 20 September 2021 against a possible involvement of the Wagner group in Mali;

1. Condemns in the strongest terms the heinous crimes committed by the Wagner group and related private military entities; underlines the strong indications leading to the likely responsibility of the Russian State in the funding, training, management and operational command of those Russian paramilitary groups; underscores that the Wagner Group's activities coincide with and concur to the spread of Russia's influence in conflicts zones ;
2. Calls on Russian authorities to enforce the Russian criminal code, notably article 359 prohibiting the "recruitment, training, financing or material provision of mercenaries and their use in an armed conflict"; in that regard, calls on Russian authorities to also ban state-run enterprises from having private military companies engaging into mercenaries activities in breach with international humanitarian law;
3. Underlines the importance of countering the strategy of replacing the names used by the Wagner group and its affiliates to avoid international scrutiny;
4. Calls on all States using the services of the Wagner groups and affiliated, particularly the Central African Republic, to cut all ties with the group and its employees; Calls on all States to face up to their responsibilities in the enforcement of international law and to sanction companies established on their soil, when those engage in activities that violate international law;
5. Is deeply concerned over signs that the transitional authority of Mali has been contemplating using private military companies, in particular the Wagner group; Urges Mali to not proceed in this direction; Firmly believes that the involvement of the Wagner group would run against the objective of bringing back peace, security and stability to Mali and protecting the Malian people, which are the fundamental goals of the international community as expressed by successive UNSC resolutions and implemented inter alia by the European Union, through its CSDP missions and European member states acting at the request of the Malian authorities;
6. Calls on the Member States to collectively declare Wagner operatives and Belarussian Komitet Gosudarstvennoj Bezopasnosti (KGB) officials on the soil of the European Union as *persona non grata*;
7. Believes that EU missions and operations cannot properly deliver and achieve peace, security and stability in partner countries when private security companies accused of gross human rights violations are operating simultaneously in the same country; points to targeted disinformation campaigns against EU missions and operations in Africa for which the Wagner group and affiliates could be responsible as part of Russia's hybrid war;
8. Calls on the EU and its Member States to seize all opportunities to communicate in relevant countries on the risks involved with joining or collaborating with the Wagner Group and affiliates, and to raise their dreadful human rights record;
9. Calls on EU Member States and their allies to step up intelligence sharing on the Wagner group and their affiliates;
10. calls on the European Commission to ensure that under no circumstances could EU funds be used by recipient countries to fund private military companies with such human rights records, and to raise this topic in their bilateral dialogue with all relevant countries;
11. Recalls that the EU and its EU Member States should only resort to private security companies in conflict zones to protect their premises or ensure transport security, in so far as they fully respect human rights and international humanitarian law;

12. Calls on the upcoming EU-Africa Summit to fully discuss the matter of the activities of the Wagner group and other private military companies in Africa;
13. Reiterates the call of the Paris Conference for Libya of 12 November 2021, for all foreign fighters, including mercenaries, to leave Libyan territory; urges Turkey to comply to that call and to immediately stop sending mercenaries to Libya;
14. Welcomes the statement of the EU High Representative on the imminent adoption, by the EU Council, of targeted EU sanctions against the relevant individuals and entities affiliated with the Wagner group, as well as individuals and entities working with them, using existing EU sanctions regime; Calls for its swift adoption and implementation; Calls on partner countries to adopt similar sanctions, including Member States of the African Union;
15. Calls on all UN Member States to full ratify and implement the Geneva Conventions and their additional protocols, and to strengthen international law for an effective prohibition of mercenaries, building on the spirit of the 1977 OAU Convention for the elimination of mercenaries in Africa, the 1989 International *Convention Against the Recruitment, Use, Financing and Training of Mercenaries and the Montreux Document on Pertinent International Legal Obligations and Good Practices for States related to Operations of Private Military and Security Companies during Armed Conflict* of 17 September 2008;
16. Instructs its President to forward this resolution to the Council, the Commission, the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy and the EU Member States.