

# ORGANISED MERCENARY STRUCTURES: PRIVATE MILITARY COMPANIES

Dudu Hilal KOÇ  
Ahmet İŞCAN





dipam

DİPLOMATİK İLİŞKİLER ve POLİTİK ARAŞTIRMALAR MERKEZİ  
CENTER for DIPLOMATIC AFFAIRS and POLITICAL STUDIES

# ORGANISED MERCENARY STRUCTURES: PRIVATE MILITARY COMPANIES

Dudu Hilal KOÇ  
Ahmet İŞCAN

**DISCLAIMER:** The responsibility of the contents and expressed opinions belongs only to the author and does not constitute an endorsement by DIPAM and should not be interpreted as such.

Istanbul, August 2023

COPYRIGHT © 2023

**CENTER FOR DIPLOMATIC AFFAIRS AND POLITICAL STUDIES (DİPAM)**

Merdivenköy Mah. Nur Sok. Business İstanbul A Blok  
Kat:12 No:115, 34732, Kadıköy/İstanbul


T. +90 216 310 3040


F. +90 216 310 3050


[www.dipam.org](http://www.dipam.org)

[info@dipam.org](mailto:info@dipam.org)

 @dipamorg

 @dipamorg

 @DİPAM - Diplomatik İlişkiler ve Politik Araştırmalar Merkezi

 @dipamorg

*ORGANISED MERCENARY STRUCTURES: PRIVATE MILITARY COMPANIES*

Contents

**INTRODUCTION..... 5**

**1. FROM MERCENARIES TO PRIVATE MILITARY COMPANIES ..... 6**

**2. THE PRIVATE MILITARY COMPANIES IN THE WORLD ..... 8**

**2.1. The U.S.A..... 8**

**2.2. Russia ..... 9**

**2.3. China ..... 11**

**2.4. The U.K..... 11**

**3. THE POSITION OF PRIVATE MILITARY COMPANIES IN INTERNATIONAL LAW..... 12**

**CONCLUSION..... 13**

**BIBLIOGRAPHY ..... 14**

## INTRODUCTION

Today, private military companies can be found in many areas of conflict. The services provided by these organisations are not limited to fighting on the battlefield, but also include a wide range of longer-term services such as logistics, military training or protection. The widespread, protracted and low-intensity conflicts in the 50n o in recent years has led to the direct involvement of non-state actors in conflicts, and these actors have even become the sole armed forces that enable the conduct of war. In addition 50n on-state actors such as terrorist groups and proxies, private military companies have become the leading actors in conflicts, has brought about a new “medievalisation” debate on the conduct of war.

Mercenary warfare is not a term that belongs only to the present day. Mercenary warfare, called the "second oldest" profession in the world, has been a frequently used element since ancient times. It is known that the Egyptians used mercenary warriors in the Battle of Megiddo (1469 BC), which is defined as the first recorded war in history. Since then, the use of mercenary warriors has been observed in most of the known civilisations. However, although the use of mercenary warriors has been widespread throughout history, it is possible to see an "opposition" against these warriors in many periods of history. This opposition can sometimes be found in the Church Canons, sometimes in the words of soldiers or thinkers. Machiavelli, one of the most famous of these thinkers, takes a serious stance against mercenary warriors in his work "The Prince" and states that a ruler should never use mercenary warriors, saying that mercenary warriors are "hypocritical, full of ambition to make money and treacherous". But, today organised mercenaries, or "private military companies" as they are called in the literature, are widely used by both states and corporations in many parts of the world.

# 1. FROM MERCENARIES TO PRIVATE MILITARY COMPANIES

It can be said that the private military companies emerged in the modern era, in the aftermath of World War II, when the issue of the conditions necessary for the occurrence of war (*jus ad bellum*) began to haze in the international arena, although they were partially present, especially in Africa. This corresponds to the post-Cold War period when concepts such as humanitarian intervention began to be discussed more clearly. As the issue of what the war is fought for, rather than by whom or how the war is fought, has become more important, the use of private military companies has become more widespread.

With the collapse of the USSR, the known bipolar world of the Cold War era has also changed. These changes have had a wide impact on economic, political and social life. In addition to the changes in this field, many changes have been observed in the military sense. These changes launched new academic debates. While some academics state that war in the conventional sense has been left behind, the debate on “New Wars”<sup>1</sup> has started. One of the most important bases of those who advocate the existence of New Wars is the change in the warring actors. The states, which used to be the only sovereign actors, have now been replaced by non-state actors. In fact, instead of fielding their own armies and exhausting their forces, states receive support from these elements and thus avoid casualties. This situation also significantly reduces the costs of states in waging war and removes possible war crimes from the state, albeit partially. Private military companies, which are the subject of this report, are one of the most important of these elements. Private military companies or other non-state actors cause the asymmetrisation of conflicts. This concept is one of the most prominent features of the New Wars. In the context of new wars, the theoretical underpinnings of private military companies can be considered as the concepts of securitisation and economisation that changed with the end of the Cold War.

The rise of private military companies can be explained by a shift in the doctrine of the use of violence. Based on Weber's definition of the state, with a liberal outlook, only the state has

---

<sup>1</sup> (Münkler, 2010)

the right to use legitimate violence. However, private military companies are actors outside the state. As demonstrated by past wars like Afghanistan and Iraq as well as events in Syria, Libya, and even Ukraine, states receive support from these non – state actors. In Africa, non-state groups also employ private military companies. As this trend has accelerated, these elements have taken on a greater role as power factors in the political arena. That is why this situation is increasingly discussed in the literature pertaining to international relations. Furthermore, it can be claimed that the doctrine of violence has departed from the classical Weberian understanding since these companies have become almost as integral as states. Given the recent use of private military companies, it is recognised that the US has sought aid from these companies, particularly during its operations in Iraq and Afghanistan. Such aid is not only in terms of fighters. The US has also endorsed private military companies in the areas such as training, military equipment, and logistics. When surveying the role of private military companies in the USA's history, the LOGCAP (The Logistic Civil Augmentation) Programme deserves specific attention. Implemented since 1985, this programme has provided the military with a source other than the public sector. Within the scope of this programme, it is known that the US military receives support from many private enterprises. In particular, logistics, food and engineering have been prominent areas for these companies. In addition, more and more space has been opened to private companies with the regulations made. In some reports, it has been suggested to support the private sector in these areas.<sup>2</sup> The concept of economicising wars is based on the idea that these private initiatives can reduce public expenditure. With the integration of the idea that forms the basis of liberalism into the army, classical army ideas have also undergone a change. The emphasis on cost reduction in government reports shows that this idea has also been adopted by the state. These developments can also be viewed as part of the strengthening of the neoliberal perspective in the USA since the 1980s.

---

<sup>2</sup> (*Report of the Commission On Roles and Missions of the Armed Forces, 1995*)

## 2. THE PRIVATE MILITARY COMPANIES IN THE WORLD

### 2.1. The U.S.A.

Firstly, it should be noted that not all countries have private military companies, despite their prevalent use. Their development in Europe is relatively limited. In contrast, private military companies in the USA, the UK, China, and South Africa constitute around 70% of the industry.<sup>3</sup> The USA is one of the countries that has used private military companies most extensively. As mentioned in the introduction, private military companies gained influence in the USA due to changing doctrine and novel expectations. The problem of the inability of states to prove the legitimacy of war to the public has manifested itself especially with the Vietnam War. As the public opposition against war became widespread, it became problematic to allocate resources to be spent on war. Since then, states started to avoid directly involving their armies in conflicts. This situation among other reasons, contributed to the further expansion of private military companies. It is a known fact that the US has received significant support from private military companies, particularly in Afghanistan and Iraq. These companies were employed more extensively in the Iraq War, particularly in comparison to their use in Afghanistan. It should be stressed that the assistance was not only provided in terms of fighters. Support was also provided by the private sector in terms of logistics, especially in providing food. During the Iraq War, the US received support from numerous private military companies, particularly Blackwater. There is information that between 2002 and 2004, Blackwater was awarded tenders amounting to \$35 million in payments (DUFY et al., 2004:32-33). Blackwater Company, which saw frequent discussion afterwards, was established in 1997 by Eric Prince, a former US soldier. Blackwater has served the US military in many regions across the world. Nevertheless, the company has committed numerous crimes against civilians.

Blackwater was directly involved in the US invasion of Iraq. However, one of the events that made the company recognised in the world public opinion was the Fallujah Massacre in 2004. The killing of 4 soldiers of Blackwater in Fallujah by the inhabitants of the city continued with

---

<sup>3</sup> <https://www.sipri.org/yearbook/2023/04>



the siege of the city by the US army and prolonged bloody clashes took place in the city. In the following period, Blackwater continued to be remembered for its massacres of civilians in many places, including the Iraq and Afghanistan. The crimes of violence and torture against prisoners in Abu Ghraib prison in Iraq are also among the incidents on Blackwater's record. The company changed its name several times as a result of its highly controversial activities. First "Xe Services", then "Academi", and finally "Constellis", the company merged with another private military company called "Triple Canopy".

## 2.2. Russia

Another significant private military company is the Wagner group. Wagner is a private military company based in Russia. Established in 2014, the current leader of the company is currently led by Yevgeni Prigojin. The company is recognised to have played a critical role in the Ukrainian War, particularly following Russia's annexation of Crimea in 2014. However, the company is not solely engaged in warfare. The Wagner Group's involvement in security affairs extends across numerous African states. Thus, it constitutes a significant aspect of Russia's Africa policy, that has expanded since the 2010s. Moreover, it serves a vital purpose in enhancing pro-Russia sentiment in these countries. For instance, UN and other international organisations' military forces plan to withdraw by the end of 2023 and Wagner is expected to remain as the only foreign private fighter group. After the recent military coups in Mali, Niger and Burkina Faso, with the influence of Wagner's propaganda in these regions, people took to the streets and chanted pro-coup and pro-Russian slogans, indicating that Russia is a global player in the politics in this region. Although there are no known Russian military bases in Africa, this is an important development. However, the name of the Wagner group, like Blackwater, has been implicated in crimes against civilians. For example, in Mali in 2020-2022, the name Wagner was involved in more than 450 civilian deaths.<sup>4</sup> Russia is not the only power that Wagner works for. Although it is known that Wagner will not cooperate against Russia, it is thought that Wagner works mostly for mining companies in Africa and protects the mining deposits.

---

<sup>4</sup> <https://www.sipri.org/yearbook/2023/04>

The Sahel region in Africa has been a hub for radical terrorist organizations since the 2010s. Although the Sahel G-5 group's efforts, along with countries like Mali and Niger, to prevent terrorist organizations' activities with the support of Europe, ISIS, Al-Qaeda, and Boko Haram have caused many civilian deaths in these countries. This situation makes Western troops in Africa a target and opens space for Russia.

As stated above, Wagner is also known to have worked in the Ukraine War. However, some unfavourable remarks were made about Wagner in the UN reports. For example, Wagner has been involved in activities to release criminals in prison in return for working and fighting in the war.<sup>5</sup> Human rights defenders are also concerned about the human rights violations that this would cause.

Wagner is also accused by the West of committing civilian massacres in Ukraine. Especially after the violence known as the Bucha Massacre in March 2022, photographs of civilians killed in the city appeared in the media in the West. After the withdrawal of the Russian army from the region, many killed civilians were seen on the streets of the city. Although Wagner denies all these accusations, the company's activities in Ukraine are highly controversial. The company is also remembered for civilian deaths in Bakhmut, where the conflict continued for a long time. It is known that some French politicians want Wagner to be included in the international terrorism list.<sup>6</sup> Although this issue is also on the agenda in the USA, no step has been taken yet. It was reflected in the German press that 40 Russian diplomats were expelled from Germany after German intelligence found evidence of the massacres in Bucha.<sup>7</sup> Wagner later turned into an important internal security problem for Russia. While it was rumoured in the international press that the company was in tension with the Russian government because it wanted heavy weapons from the Russian army but could not get them, some Wagner soldiers started to march to Moscow with their leader Prigojin when he announced that the Russian army had shot Wagner soldiers in Ukraine. After the events were stopped near

---

<sup>5</sup> <https://news.un.org/en/story/2023/03/1134447>

<sup>6</sup> [https://www.lemonde.fr/en/international/article/2023/05/10/labeling-wagner-group-as-a-terrorist-organization-could-pave-the-way-for-more-significant-sanctions\\_6026225\\_4.html](https://www.lemonde.fr/en/international/article/2023/05/10/labeling-wagner-group-as-a-terrorist-organization-could-pave-the-way-for-more-significant-sanctions_6026225_4.html)

<sup>7</sup> <https://www.spiegel.de/politik/deutschland/krieg-in-ukraine-nach-butscha-massaker-weist-bundesregierung-40-russische-diplomaten-aus-a-8a073219-a10c-4d0a-9156-48e3be21946f>

Moscow and Prigojin was conditionally pardoned by Putin, it is known that Prigojin moved to Belarus and then Wagner focused on Africa.

After the failed rebellion, Wagner's troops camped in Belarus on the instructions of Russian President Putin. However, the fact that Wagner established a military camp in Belarus very close to neighbouring Poland worries Poland. Close monitoring of this region in this process will be important for understanding Eastern Europe in the near future and the rising security challenges in this region.

### **2.3. China**

China also has private military companies operating in Africa. These companies differ significantly from those like Wagner and Blackwater. First of all, these companies have close links with the government and, due to China's party-state structure, have party officials working within them. In other words, these enterprises are not strictly private but are state-owned. It is believed that these companies entered Africa as a response to the surge in piracy incidents around 2008. Huaxin Zhong An was among the pioneer firms to make a foray into the region in this regard. Chinese security firms are highly active in Africa, operating within the ambit of China's Belt and Road initiative. Aside from military security service, tens of thousands of Chinese workers migrated to the region due to the execution of such projects.

### **2.4. The U.K.**

Aegis Defence Services is another UK-based global private military company. As well as working to protect US forces in the region after the invasion of Iraq, the company also recruited staff from Africa. Furthermore, press reports suggest that the former director of the company admitted to employing some African personnel who may have been former child

combatants on the basis that labour in Africa was less expensive.<sup>8</sup> The company's activities have become controversial as a result of this.

### 3. THE POSITION OF PRIVATE MILITARY COMPANIES IN INTERNATIONAL LAW

Some of the most important private military companies are discussed above. It is seen that these military companies have legally controversial histories. At this point, the question of how private security companies are positioned in international law can be addressed. It is a controversial situation whether these companies are included in the law of states or private law. However, even though these companies have a fighting force, most of them are entities that do not have natural ties with the state.

In law, mercenaries and private military companies do not mean exactly the same thing. Mercenaries earn material gain by fighting.<sup>9</sup> This is also regulated in Additional Protocol No. 1 to the Geneva Convention of 1977. Article 47 both defines mercenaries and regulates their legal status.

Furthermore, this regulation forbids mercenary fighting. Therefore, a mercenary fighter is someone who has joined an armed service at home or abroad but is not a party to the conflict and is not enlisted in the armed forces of a third state. Moreover, they are not permitted to be combatants or prisoners of war.<sup>10</sup> Despite being outside military command, contractors using violence are not subjected to specific constraints by the Geneva Convention.<sup>11</sup> It causes the use of violence by them, especially in occupied regions.

Several countries have enacted legislation on private military organisations at the national level. For instance, it is worth mentioning that mercenary labour is banned in Russia. In

---

<sup>8</sup> <https://www.theguardian.com/global-development/2016/apr/17/uk-firm-employed-former-child-soldiers-as-mercenaries-in-iraq>

<sup>9</sup> (Yalçinkaya, n.d.)

<sup>10</sup> (Yamaner vd., n.d.)

<sup>11</sup> (Swed vd., 2023)

contrast, the UK has released a discussion document, also known as a “green paper”<sup>12</sup>, regarding this matter. The document suggests limiting the activities of private military companies that are operating outside the UK.<sup>13</sup>

## CONCLUSION

To conclude, mercenaries and private military companies are becoming increasingly powerful in the 21st century due to the changing nature of warfare and new doctrines of violence. Many companies of both Western, Russian and Chinese origin have extensive fields of activity in the world. It is widely acknowledged that these companies reflect the political characteristics of the countries in which they are established. It is also observed that private security companies reflect the foreign policies of the states in the regions where they are located. Numerous companies that render services in a variety of areas, such as logistics and warfare, are implicated in a high number of crimes. Though there are regulations concerning these companies at present, enhancing their number and rendering the activities of private military companies transparent would be advantageous for protecting human rights.

On the other hand, it would not be wrong to say that questions about private military companies have come to the agenda again today. Although Wagner, which was involved in the rebellion incident that has recently put private military companies under scrutiny again, is an unorthodox private military company, it is the first time in the modern era that a private military company has taken a political stance. Moreover, by stating that he aimed to take over Moscow, Wagner in a sense declared that he aspired to rule. This may be a breaking point for modern military history. For, a situation such as mercenary warriors changing sides, having a say in the administration, betraying their agreements, which frequently happened in the Middle Ages, is now being experienced again for the first time in the modern era, and this situation shows us how risky contracts with private military companies can be. However, another important point should be emphasised here. Machiavelli's reaction against

---

<sup>12</sup> Green paper is a type of document prepared by the European Commission. The proposals presented in these documents aim to initiate discussions on certain issues.

<sup>13</sup> <https://publications.parliament.uk/pa/cm200102/cmselect/cmcaff/922/2061318.htm>

mercenaries, mentioned at the beginning of the article, is a reaction specific to Italy. The main reason for this is that the Condottieri, the mercenary warriors in Italy, became a "monopoly" in the wars in the Italian states. The mercenary warriors, who realised the power left to them, became a threat and thus attracted Machiavelli's reaction. Similar to this example, Russia's relationship with Wagner developed through a military dependence on Wagner in Ukraine. This dependence was the factor that pushed a private military company to take a political stance. Although it seems that private military companies will continue to be on the stage in global conflict zones in the coming years, the necessity of some "clear" legal regulations on this issue is clearly emerging.

## BIBLIOGRAPHY

### Books:

- Kaldor, M. (2012). *New and Old Wars*. Polity Press.
- Münkler, H. (2010). *Yeni Savaşlar*. (Z. A. Yılmaz, çev.) İstanbul: İletişim Yayınları.
- Browning, O. (1985). *The Age of Condottieri*. Londra: Methuen & Co.
- Machiavelli, N. (2004). *Prens*. İstanbul: Can Yayınları.

### Articles:

- Beyhan, Y. (2022). Çin-Afrika İlişkilerinde Çin Özel Askeri Şirketlerinin Faaliyet ve Etkileri. TERAM.

<https://www.teram.org/Icerik/cin-afrika-iliskilerinde-cin-ozel-askeri-sirketlerinin-faaliyet-ve-etkileri-207>

- Duffy, M. Benneth, B. WATT, V. Cuadros, J.B. Paul T. B.Donnely, S. (2004). *When Private Armies Take to the Front Lines*, TIME

<https://content.time.com/time/subscriber/article/0,33009,993787,00.html>

- Nantulya, P. (2021). *Chinese Security Firms Spread along the African Belt and Road*. Africa Center for Strategic Studies.

<https://africacenter.org/spotlight/chinesesecurity-firms-spread-african-belt-road/>

- Swed, O., Caparini, M., & Macleod, S. (2023). *4. Private military and security companies in armed conflict*. SIPRI

<https://www.sipri.org/yearbook/2023/04>

- Tangör, B., & Yalçinkaya, H. (2010). *Güvenlik Yönetişimi Çerçevesinde Özel Askeri Şirketler*. Uluslararası İlişkiler, 7(127-154).Elsea, J. K., & Schwartz, M. (2008). *Private Security Contractors in Iraq: Background, Legal Status, and Other Issues*, Washington, Congressional Research Service.

<https://www.uidergisi.com.tr/wp-content/uploads/2013/02/guvenlik-yonetisimi.pdf>

- Yamaner, M. B., Öktem, E., Kurtarcan, B., & Uzun, M. C. (t.y.). *12 AĞUSTOS 1949 Tarihli Cenevre Sözleşmeleri Ve Ek Protokolleri*. Galatasaray Üniversitesi Hukuk Fakültesi Yayınları, 42, 211-212.
- *Memorandum from ArmorGroup Services Limited*. (2002).

<https://publications.parliament.uk/pa/cm200102/cmselect/cmcaff/922/2061318.htm>

Son erişim tarihi: 04.08.2023

- *Report of the Commission On Roles and Missions of the Armed Forces*. (1995). Department of Defense.

<https://apps.dtic.mil/sti/citations/ADA295228> Son erişim tarihi: 02.08.2023

- Yalçinkaya, H. (t.y.). *Özel Askeri Sektörün Oluşumu ve Savaşın Özelleşmesi*. Ankara Üniversitesi SBF Dergisi, 247-277.

[https://www.academia.edu/38351344/%C3%96zel\\_Asker\\_Sekt%C3%B6r%C3%BCn\\_Olu%C5%9Fumu\\_ve\\_Sava%C5%9F%C4%B1n\\_%C3%96zelle%C5%9Fmesi](https://www.academia.edu/38351344/%C3%96zel_Asker_Sekt%C3%B6r%C3%BCn_Olu%C5%9Fumu_ve_Sava%C5%9F%C4%B1n_%C3%96zelle%C5%9Fmesi)

#### Web Sites:

- <https://www.sipri.org/yearbook/2023/04> Son erişim tarihi: 06.08.2023
- <https://www.theguardian.com/global-development/2016/apr/17/uk-firm-employed-former-child-soldiers-as-mercenaries-in-iraq> Son erişim tarihi: 05.08.2023
- <https://www.theguardian.com/world/2007/sep/27/iraq.usa> Son erişim tarihi: 06.08.2023
- [https://www.lemonde.fr/en/international/article/2023/05/10/labeling-wagner-group-as-a-terrorist-organization-could-pave-the-way-for-more-significant-sanctions\\_6026225\\_4.html](https://www.lemonde.fr/en/international/article/2023/05/10/labeling-wagner-group-as-a-terrorist-organization-could-pave-the-way-for-more-significant-sanctions_6026225_4.html) Son erişim tarihi: 03.08.2023



DİPLOMATİK İLİŞKİLER ve POLİTİK ARAŞTIRMALAR MERKEZİ  
CENTER for DIPLOMATIC AFFAIRS and POLITICAL STUDIES

+90 216 310 30 40 info@dipam.org

+90 216 310 30 50 www.dipam.org

Merdivenköy Mah. Nur Sok. Business İstanbul  
A Blok Kat:12 No:115, Kadıköy/İstanbul

## ABOUT THE AUTHORS

**Dudu Hilal KOÇ**, is studying Political Science at Galatasaray University. She is proficient in English, German, and French, and is currently working as an intern in the fields of international security and Russian foreign policy at DİPAM.

**Ahmet İŞCAN**, graduated from Istanbul University, Department of Political Science and International Relations in 2009 and completed his Master's degree in the same department with a thesis entitled "Turkey's Foreign Policy towards Iraqi Turkmens". He is currently studying his PhD at Galatasaray University, Department of International Relations. His research interests include foreign policy, security and the Middle East. İŞCAN, who is serving as the Vice-President of DİPAM, is fluent in English.