The United Nations is increasingly hiring Private Military and Security Companies (PMSCs) for a wide array of security services. The UN’s leadership says these services are needed to protect the organization’s staff and worldwide operations from growing threats and unprecedented dangers. But many reports from governments, NGOs and the media have shown how PMSCs have committed serious human rights abuses, killed or injured innocent civilians, engaged in financial malfeasance and committed many other breaches of the law. Given the track record of these companies, serious questions arise as to whether PMSCs are appropriate UN partners for the complex task of creating a secure, just and lawful world. Opacity around the UN’s use of PMSCs has so far prevented a healthy debate.

This report aims to clarify the issue and reflect on its implications for the future of the UN. The report will consider the problems as well as possible solutions — not just through regulatory reform but also through re-thinking the UN’s approach to peace and security frameworks more generally. It is our hope to stimulate debate and discussion, so as to break through the silence and to re-think the role of a more democratic and effective UN in the years ahead.

1. The Private Military and Security Sector
Before examining in detail the UN’s use of PMSCs, it is useful to consider the history, structure and shape of these companies, since most policy reports say little on the topic. While often presented as a post-Cold War phenomenon, the private military and security industry has in fact taken form from historical antecedents, including “detective” companies and private mercenary groups. In recent years, an unprecedented wave of mergers and acquisitions has changed the shape of the sector, leading to considerable concentration and giving the major firms extraordinary geographical reach, great political influence and broad service offerings. Many of the most important companies are now headquartered in the US, the UK and other European countries, and some have very cozy relations with those governments. The companies often recruit their staff from former government and military officials, soldiers, intelligence officers and special operations personnel.

2. Expressions of Concern about PMSCs
A wide range of observers and policymakers have expressed concern at the growing role of PMSCs and their lack of accountability. Media reports from the wars in Iraq and Afghanistan have presented extensive evidence that PMSC personnel bring insensitive, arrogant and violence-prone behavior to their assignments. NGOs and think tanks have drawn attention to the legal void surrounding PMSCs’ activities and the fact that blatant human rights abuses, including torture and murder, regularly go unpunished. Some observers have raised specific concerns about UN use of these companies, pointing out that the organization lacks regulations and oversight mechanisms to control them. Although the topic is seldom discussed openly within the UN, various statements and documents show that the organization is aware of the problematic aspects of the industry.

3. PMSCs at the UN
And yet the UN increasingly uses PMSCs for a wide range of services, including armed and unarmed security, risk assessment, security training, logistical support and consultancy. Available numbers on UN contracts, though incomplete, show that the organization is giving a heavy priority to hiring private security services in a tight budget environment. Recorded security services contracting rose from $44 million in 2009 to $76 million in 2010 – an increase of 73% in just one year. But this is a partial total. UN security officials themselves cannot give an estimate of total security contracting within the UN system or a complete list of companies hired. This suggests a system that is unaccountable and out of control.

4. Use of Disreputable Companies
In the absence of guidelines and clear responsibility for security outsourcing, the UN has hired companies well-known for their misconduct, violence and financial irregularities – and hired them repeatedly. These include DynCorp International, infamous for its role in a prostitution scandal involving the UN in Bosnia in the 1990s and, more recently, its participation in the US government’s “rendition” program; G4S, the industry leader known for its violent methods against detainees and
The regulatory approach alone is not enough. It is time at a minimum, the UN should promptly devise and implement a bunker approach.

PMSCs are enabling this bunkerization policy. Their security posture, and they provide all the services and apparatus of a security strategy, relying increasingly on “bunkerization” as it protects its staff and facilities behind blast walls and armed guards, cutting the organization from the public it is supposed to serve. Even so, the supposed benefits do not stand up to scrutiny.

Beyond these very serious issues, UN use of PMSCs raises important questions about the organization’s mission and policy choices. Why does the UN increasingly rely on these companies and why does it need more “security?” UN use of PMSCs is a symptom of a broader crisis affecting the UN’s mission. It coincides with the establishment of increasingly “robust” peacekeeping missions and of “integrated missions” where the military, political and humanitarian agendas are combined into a single, supposedly complementary policy process. In recent years, the UN has considerably changed its security strategy, relying increasingly on “bunkerization” as it protects its staff and facilities behind blast walls and armed guards, cutting the organization from the public it is supposed to serve. PMSCs are enabling this bunkerization policy. Their security thinking encourages the organization to harden its security posture, and they provide all the services and apparatus of a bunker approach.

5. Weak Arguments for the UN’s use of PMSCs

When asked in interviews why the UN is increasingly using PMSCs, UN officials say that the companies provide much-needed additional security in circumstances that cannot be matched by in-house staff. While disregarding the companies’ tarnished record and problematical approach to “security,” these officials raise three main arguments: cost-effectiveness, immediate availability, and the need for a “last resort” option. This turns the debate in a confusing direction by looking at contracting only as guard services rather than as broad political, military and security operations. Even so, the supposed benefits do not stand up to scrutiny.

6. Many Serious Problems

While security outsourcing may not bring any of the benefits it is usually credited with, it raises very real problems, in particular linked to the secrecy and lack of accountability of the UN contracting and oversight system. These include dubious practices, such as no-bid contracts; problems with sub-contracting arrangements, which greatly blur responsibility; lack of standards and broad policy review of PMSCs; secrecy and opacity within the UN system; and a lack of debate on PMSCs among UN member states.

7. PMSCs in the Broader UN Security Framework

Beyond these very serious issues, UN use of PMSCs raise important questions about the organization’s mission and policy choices. Why does the UN increasingly rely on these companies and why does it need more “security?” UN use of PMSCs is a symptom of a broader crisis affecting the UN’s mission. It coincides with the establishment of increasingly “robust” peacekeeping missions and of “integrated missions” where the military, political and humanitarian agendas are combined into a single, supposedly complementary policy process. In recent years, the UN has considerably changed its security strategy, relying increasingly on “bunkerization” as it protects its staff and facilities behind blast walls and armed guards, cutting the organization from the public it is supposed to serve. PMSCs are enabling this bunkerization policy. Their security thinking encourages the organization to harden its security posture, and they provide all the services and apparatus of a bunker approach.

8. Recent developments in UN policy

In 2010, UN leadership finally took a preliminary step towards establishing a PMSC policy. However, this effort is too narrow – it only targets companies providing armed security and does not deal with the many companies providing anything else, from logistics to consultancy to unarmed security. The internal consultations are private and they are proceeding at a snail’s pace. Meanwhile, the private military and security industry is actively lobbying the organization for more contracts, and UN insiders are pushing for greater security outsourcing.

9. PMSCs: Part of the problem, not the solution

Are PMSCs appropriate partners for the UN? Rather than reducing threats and attacks on UN buildings and personnel, they may actually increase insecurity. PMSCs have a tough, “hard security” approach. They do not work on the “acceptance” model and their values tend to be very different from those embodied in the UN Charter. By using these companies to provide risk assessment, security training and guarding in critical conflict zones, the UN is effectively allowing PMSCs to define its security strategy and even its broader posture and reputation.

10. Conclusion and Recommendations

At a minimum, the UN should promptly devise and implement a strong vetting system for all PMSCs – not only those providing armed security – as well as guidelines defining which services the companies should perform, how oversight and accountability are to be managed, and what rules of behavior should apply. To create and implement new guidelines, the UN can draw ideas and language from existing documents, including the Convention on PMSCs drafted by the UN Working Group on the Use of Mercenaries, the Human Rights Due Diligence Policy on UN support to non-UN security forces (HRDDP), and the International Code of Conduct for Private Security Service Providers.

The regulatory approach alone is not enough. It is time that the UN reassesses the entire question of security and UN partnership with the companies. Does the organization want to be linked to these companies at all? Do they really increase security? Whose interests are they really serving? Can they work for the UN to promote democracy, legality and human respect when they so evidently foster secrecy, impunity and a contemptuous warrior ethos? These and other questions must be addressed. The likely conclusion is that the UN should end its use of PMSCs – so as to safeguard its reputation, its mission and its fundamental values.