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REPORT

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Dangerous Partnership

Private Military & Security Companies and the UN

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Executive Summary

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 deported asylum seekers; AmorGroup, a G4S subsidiary singled out in a US Senate report

for its ties to Afghan warlords; and Saracen Uganda, an offshoot of notorious mercenary firm Executive Outcomes with links to illegal natural resources exploitation in the Democratic Republic of Congo.

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.

I – Introduction

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. UN security officials argue that the private military and security industry provides cost-effective and readily available services to answer these needs.

But many observers have raised serious questions about these companies and their work. Reports from governments, NGOs and the media – detailed in this paper – have shown that PMSCs have committed serious human rights abuses, killed or injured innocent civilians, engaged in financial malfeasance and committed many other breaches of the law. In spite of such well-known concerns, the UN has hired – sometimes repeatedly – some of the major offenders. Given this negative track-record, serious questions arise as to whether PMSCs are appropriate UN partners for the complex task of creating a secure, just and lawful world.

Great opacity surrounds the UN's use of these companies. Most member states and the vast majority of UN staff do not have access to comprehensive data about contracts and the companies hired. The UN's leadership avoids open discussion and keeps its policymaking process almost completely in the dark. Officials rarely comment on why the organization is increasingly using the services of these dangerous firms. UN secretiveness around this issue reflects the sensitive and potentially embarrassing nature of the companies and their work.

The UN's move towards the private security option is more than just a response to "insecurity." It cannot be understood without examining the broader worldwide trend of outsourcing and privatizing of public functions, as well as evolving UN policy doctrines. The turn to PMSCs follows and reflects the adoption of "robust" security measures, which isolate UN staff in bunker-like enclaves and surround UN officials with tough warriors. The public in many countries have a negative perception of these companies and their employees. Do these policies really make sense? The UN has done no study to find out whether PMSCs indeed make the organization and its staff safer. Our evidence suggests that PMSCs have the opposite effect, undermining not only the UN's security but also the mission, public support and core work of the organization.

This report aims to clarify the issue and reflect on its implications for the future of the UN. The research, conducted through a review of UN documents and secondary literature and interviews of UN staff and partners, provides new information on UN contracting and the companies used by the organization. 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.

II – 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.

As we shall see, the companies actively manage their image through secrecy, lobbying, public relations campaigns and non-disclosure. They go to great lengths to persuade the public that they are like any other private service provider, like caterers. These claims are seriously misleading, preventing understanding of where the firms come from and why they are especially controversial.

Today's firms provide military and security services that have, until recently, been largely the province of national governments. They have flourished in a rapidly-growing market, created primarily by major powers' military outsourcing, but also stoked by natural resource rivalries, weakening states, and political instability. The companies' top personnel are drawn from the ranks of military and intelligence services. And many firms are controversially involved in war-fighting, intelligence collection, secret military operations and other similar activities. In this way, PMSCs are successors to non-state groups that deployed force for hire in the past.

Origins

Historically, there are a number of ancestors, including maritime "privateers" and condottieri of the Italian Renaissance. Two precursors stand out as especially important, with clear and direct connections to the modern firms. First the "detective business" which arose in mid-nineteenth century North America, offering armed security guards, private investigators and other security services and often operating in secrecy and outside the law. The Pinkerton agency, founded in the United States in 1850, is a classic example, as is its rival the William Burns agency. Both were formal business corporations with thousands of operatives based in many locations. Especially after 1870, Pinkerton engaged in corporate espionage, strike breaking, undercover investigations, and a variety of similar lines of work. After Pinkerton employees staged an armed attack on steel company strikers at Homestead in 1892, the US Congress passed the Anti-Pinkerton Act, which limited government hiring of strikebreakers and other employees of these companies.[1] Pinkerton and Burns continued to flourish, especially in the guard business, and they both expanded internationally. By the year 2000, Pinkerton had 250 offices and 48,000 employees throughout the US, Canada, Mexico, Europe and Asia.[2] In 2001, industry giant Securitas acquired both Pinkerton and Burns,[3] creating a direct link between these nineteenth century firms and one of the largest companies in the modern private security sector.

A second key precursor to the modern security industry is the private mercenary groups that arose in European colonies after World War II, drawing on personnel who had served in colonial military and intelligence services. Colonial governments and business interests hired them to carry on clandestine operations against nascent local trade unions, organizations critical of colonialism and especially independence movements.[4] Groups of the same type continued operating in the independence period, especially out of apartheid South Africa. While some operations defended existing governments, others involved violent coups, seizure of natural resources, secession movements, and attacks on political parties and leaders.[5]

Executive Outcomes (EO) – perhaps the first "modern" PMSC – was founded in 1989 by Eeben Barlow, a former officer in the South African Defense Force (SADF). EO was staffed almost entirely by ex-SADF soldiers.[6] The firm operated in post-colonial conflicts (especially in Sierra Leone

1 Paul Krause, *The Battle for Homestead, 1890-1892: Politics, Culture, and Steel* (Pittsburgh: University of Pittsburgh Press, 1992).
2 "Securitas and Pinkerton to Form World Leader in Security," *Securitas*, February 22, 1999, accessed April 17, 2012, www.securitas.com/en/News/Press-releases/1999/Securitas-and-Pinkerton-to-Form-World-Leader-in-Security/.
3 See the Securitas Website for a list of services. www.securitas.com/pinkerton/en/Services/.
4 See, for instance, the role of Mike Hoare in the Congo and of Bob Denard in the Congo, Yemen, Rhodesia and many other countries. See: Anthony Mockler, *The New Mercenaries* (New York: Sidgwick & Jackson, 1985).
5 Private military firm Executive Outcomes (EO), for instance, fought on both sides of the Angolan civil war. See: Peter Singer, *Corporate Warriors: The Rise of the Privatized Military Industry* (Cornell: Cornell University Press, 2008), 108.
6 Ibid, 102.

and Angola) and became heavily (and profitably) entangled in natural resource extraction. According to the UN Special Rapporteur on Mercenaries, EO used its defense contracts to exploit natural resources through complex and often hidden connections with established mining companies.[7] Though EO disbanded in 1998, key EO staff continued to play a significant role in the PMSC industry.[8] Sandline, a company founded by mercenary Tim Spicer in London in the early 1990s, had a comparable record and its staff have also continued to play a visible role in the security sector. Spicer went on to found Aegis, which today is a major industry firm.

Contemporary PMSCs retain important links with natural resource exploitation. Energy and resources companies (as well as governments) hire PMSCs to protect oil, gas and mining operations in Latin America, Africa and Asia. Such contracts have given rise to serious human rights violations in many well-documented cases. In the 1990s, the company DSL, now ArmorGroup, had a contract to protect BP pipelines in Colombia. It was later discovered that company employees had trained a Colombian military unit linked to past atrocities and provided it with a list of local citizens opposed to BP's project.[9] ArmorGroup is now part of industry leader G4S. In Peru, mining companies facing local protests against the social and environmental costs of their activities often contract out security to private companies. In 2005, Peruvian farmers accused the mining company Rio Blanco of coordinating a repression campaign – including detention and torture – with the help of private security company Forza.[10] Forza has been owned since 2007 by the industry's second largest firm, Securitas.[11]

Structure

The PMSC sector includes many different types of companies, from big, publically-traded transnational corporations with thousands of employees, to small and secretive entities with little to no public profile. The bigger, well-established companies are often headquartered in places like London, Stockholm and Washington D.C., but there are thousands of small, locally-owned firms based in cities worldwide, including Kabul and Kinshasa, Bogota and Baghdad. An unprecedented wave of mergers and acquisitions has changed the shape of the sector in recent years, 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 and the UK and they have close relations with those governments.

UK-based G4S has emerged as the world's largest security company through years of expansion, culminating in several large takeover deals. The company's origins reach back to a small guard business in Copenhagen, formed in 1901. The modern behemoth took shape in a merger in 2000 between firms based in Denmark and Belgium. The new enterprise moved its headquarters to the UK, winning lucrative (and controversial) prison privatization contracts from the British government. It went on to swallow up the British companies Securicor and ArmorGroup, as well as Florida-based Wackenhut and companies in Israel, Kuwait, the Central African Republic, and many other countries. G4S now has an astonishing 650,000 employees, making it the world's second largest private sector employer after Wal-Mart. It has more than $25 billion in annual revenues and operates in at least 110 countries.[12] Stockholm-based Securitas, with $9 billion in revenues and over 300,000 employees, is the second-largest firm in the field.

The industry overall has sizeable annual revenues – estimated at somewhere between $100 and $400 billion a year.[13] Industry secrecy and the large number of privately-held companies prevent a more precise number. Clearly, the market is growing. G4S stock shares nearly doubled in

7 Enrique Bernales Ballesteros, "Report on the Question of the Use of Mercenaries as a Means of Violating Human Rights and Impeding the Exercise of the Right of Peoples to Self-determination," UN doc. E/CN.4/1999/11, January 13, 1999, par.72, 22.

8 See later discussion of Saracen International on page 29 of this report.

9 Michael Gillard, Ignacio Gomez and Melissa Jones, "BP Sacks Security Chief over Arms Deal: Inquiry into Arms and Spy Scandal," *Guardian*, October 17, 1998, accessed April 17, 2012, www.guardian.co.uk/uk/1998/oct/17/1.

10 "Perú: 28 Campesinos Fueron Torturados por Orden de Minera Río Blanco en el 2005," *Servindi*, August 5, 2010, accessed April 17, 2012, http://servindi.org/actualidad/29525.

11 The case was brought to the London High Court, but in July 2010 Monterrico (which now owns Rio Blanco) settled by compensating the plaintiffs, without admitting liability. See "Peruvian Torture Claimants Compensated by UK Mining Company," *Leigh Day & Co*, July 20, 2011, http://business-humanrights.org/media/documents/monterrico-metals-20-july-2011.pdf.

12 Information available on the company's website, www.g4s.com/en/.

13 Christian Menard and Jean-Claude Viollet, "Rapport d'Information Sur les Sociétés Militaires Privées," *Assemblée Nationale*, February 14, 2012, 9. The report offers an estimate of $100-$200 billion, but it notes that the French Ministry of Foreign Affairs has made an estimate of $400 billion. A range of $20-100 billion is offered in a document more than three years earlier. See: Hans Born and Anne-Marie Buzatu, "Recommendations to the Council of Europe Parliamentary Assembly for Effective Regulation of Private Military and Security Companies," *DCAF*, September 1, 2008, 7.

value from 2007 to 2011 in spite of a lackluster stock market.[14] In 2011, DynCorp International, another big multinational PMSC, hired 12,300 new employees, almost doubling its workforce to 27,000.[15] Consolidation and concentration gives these companies a strong position with government agencies and corporate clients, since they can offer a very wide global area of operation, a large range of security services, many staff with military and intelligence backgrounds, and close working relations with governments and intelligence services.

The industry enjoys easy access to policy-makers, which allows firms to pursue contacts and contracts at the highest levels. No-bid contracts, for which insider ties are especially important, are common in the industry, allowing for exceptional profits and maximum secrecy.[16] There is a well-documented flow of political and military officers into the industry, particularly in the US and the UK, but also in France, Pakistan, and other countries.[17] The board of directors of large PMSCs often includes high-ranking military officers, former officials in intelligence agencies, and even government ministers or senior parliamentarians. As of late 2011, there were two retired US generals on DynCorp's board of directors.[18] The board of Aegis, another PMSC, is chaired by Nicholas Soames, a grandson of Winston Churchill who has been a Conservative Member of the British Parliament since 1983.[19] Soames served as Minister of State for the Armed Forces (1994–1997) and Shadow Secretary of State for Defence (2003-2005).[20] The CEO of Aegis is Graham Binns, a senior retired British army officer, and also on its board in 2011 were Brigadier James Ellery CBE and Lt. General Sir Graeme Lamb KBE.[21] The flow of UK officials and parliamentarians to PMSCs became so visible and controversial that in 2010 the leader of the House of Commons declared that he would examine the "revolving door" between the Ministry of Defence and defense companies.[22]

The companies recruit their lower ranks from former soldiers, intelligence officers and special operations personnel. Control Risks Group, a company set up in the 1970s, was founded and mostly staffed by former members of the UK's Special Air Services, as well as former agents of the Secret Intelligence Service, MI6.[23] Blackwater, now Academi, has recruited heavily among former CIA employees.[24] US Navy Seals are also reputedly popular recruits. These highly-trained warriors often command high salaries – far above those paid by the regular armed forces. Senior military planners have expressed concern that their best personnel often leave national service for the more lucrative posts in private industry,[25] thus escalating the need for outsourcing such services to the private sector.

Activities and Clients

Big transnational PMSCs provide a wide range of services, not all of which are directly security-related. Giant G4S provides "bundled" services incorporating security with non-security activities such as catering, cleaning, health and safety.[26] Of course, catering may be offered on an outsourcing basis to national military forces and cleaning may also serve military or intelligence needs. The companies like to insist that their services are all interrelated.

Strictly security services form the great majority of business for most companies, but there is a very wide range of such services, including alarms, cash transfer, armed and unarmed guards, security training, risk assessment, intelligence gathering, data mining, surveillance and cyber-surveillance. On the military side, companies offer troop training, aviation logistics and maintenance, leasing of aircraft, armored cars and other equipment, surveillance,

14 See the charts from *Bloomberg Business Week*: http://investing.businessweek.com/research/stocks/charts/charts.asp?ticker=GFS:LN.

15 Jill. R. Aitoro, "DynCorp hires 12,300 during 2011," *Washington Business Journal*, January 11, 2012, accessed April 17, 2012, www.bizjournals.com/washington/blog/fedbiz_daily/2012/01/dyncorp-hires-12300-during-2011.html.

16 Sharon Weinberger, "Pentagon Is Undisputed U.S. Champ of No-Bid Contracts," *Wired*, September 2, 2011, accessed April 17, 2012, www.wired.com/dangerroom/2011/09/pentagon-no-bid-champ/.

17 French company Gallice, for instance, was founded by former members of the French secret services (DGSE) and the national Gendarmerie's elite counter-terrorism unit (GIGN). See: Christian Menard and Jean-Claude Viollet, note 13 above, 39.
In Pakistan, Australian magazine *Crikey* was given access to "a list of 62 retired military men who joined private security companies." See: Antony Loewestein, "Private Security Companies Constitute a 'State Within a State'," *Crikey*, April 13, 2012.

18 General Michael Hagee and General John Tilelli. See: www.dyn-intl.com/board-of-directors.aspx.

19 www.aegisworld.com/index.php/new2/about-us-2/management2.

20 www.parliament.uk/biographies/nicholas-soames/25208.

21 http://www.aegisworld.com/index.php/new2/about-us-2/management2.

22 Rajeev Syal and Solomon Hughes, "Ex-Defence Minister Joins Arms Firm Behind MoD £1.5bn Overspend," *Guardian*, December 17, 2010, accessed April 17, 2012, www.guardian.co.uk/politics/2010/dec/17/defence-minister-mod-overspend-ann-taylor.

23 Tony Geraghty, *Guns For Hire: The Inside Story of Freelance Soldiering*, (London: Piaktus, 2007), 355.

24 Former CIA employees who have worked for Blackwater include Cofer Black, Robert Richer, and Enrique "Ric" Prado. Erik Prince, Blackwater's founder, is a former Navy Seal.

25 Thomas Harding, "Crisis as SAS Men Quit for Lucrative Iraq Jobs," *The Telegraph*, February 14, 2005, accessed April 17, 2012, www.telegraph.co.uk/news/uknews/4195271/Crisis-as-SAS-men-quit-for-lucrative-Iraq-jobs.html.

26 *G4S Annual Report and Accounts*, 2010, 5.

interrogation, and ground transportation. There is also demining, vehicle maintenance, translation, and even, in some conflict zones, special operations, direct combat and assassinations.[27]

Some companies are involved in the world of secret intelligence, where they train agents, facilitate covert operations, and complement agency work through their own secret operations.[28] Others do police training and even humanitarian relief – in close coordination with military forces. All of these services raise concerns, as we shall see in some detail later, but it is worth mentioning that even apparently benign activities can involve serious abuses. Translators provided by CACI and Titan, two companies active in Iraq, were deeply implicated in the torture in Abu Ghraib Prison,[29] for instance, while under the rubric of "aviation" DynCorp International was a key player in the notorious US program of "rendition" for secret imprisonment and interrogation.[30]

So-called Gurkha Services represent one of the top branches of the industry, offering famously battle-hardened Nepalese soldiers in separately-branded units. This is a specialty of UK companies and some of the top firms include Universal Gurkha Security Services,[31] Gurkha Security Services,[32] IDG Security[33] – used by the UN in Afghanistan – and G4S' Gurkha Services unit. The Gurkhas are marketed as elite units, led by former military officers, and available to protect "high net worth individuals and their property," to cope with "short-notice events and incidents," to guard threatened "commercial facilities" and to provide "protest management," according to descriptions on the G4S website.[34]

New crises give rise to new companies (and new branches of existing firms). The growing official concern about piracy in the Indian Ocean led to the creation of dozens of new companies in the UK, specializing in maritime security, just in the period January 1 – September 31, 2011, according to a recent French report.[35] Consolidations and mergers also continue to take place. In France, with government encouragement, four firms joined together in 2011 to create a new and larger company, in order to better bid for big contracts, especially related to UN peacekeeping operations.[36]

Diverse clients purchase the companies' services, including governments, corporations, international organizations, the media and even NGOs. But in many cases, home governments are the main clients and the firms have extremely close relations with them. Governments are reportedly the source of about three quarters of company revenue.[37] The second largest client source is the energy and natural resource sector, which hires firms to protect pipelines, drilling rigs, mines and other infrastructure. Some companies, like giant G4S, have a more diverse client base. It reports that its biggest client sectors are: governments (28%), financial institutions (19%), retail companies (9%), utilities (7%) and other corporations (25%).[38] Typically, PMSCs do not sell their services to the general public, enabling them to keep a low profile and avoid consumer pressure.

In providing their services, PMSCs can also acquire great influence over their clients. Consultancy, training and risk assessment allow the companies to shape their customers' security understanding. They can create a demand for their services by advising clients of many supposed threats they need protection against. Through such influence, PMSCs contribute to the "securitization" of society and a high level of security anxiety among decision-makers. PMSCs' analysis tends to "depoliticize" security, and to promote a narrowly-focused discussion on the technicalities and costs of security and military solutions, while marginalizing alternative political options, local knowledge and diplomatic alternatives.[39] PMSCs analyze conflicts and crises in terms of their own business opportunities, ignoring complex political and social dynamics that could lead to less costly and less violent solutions.

27 Christian Menard & Jean-Claude Viollet, note 13 above, 11.

28 Blackwater, for instance, was at a center of a secret "snatch and grab" operation run by US Joint Special Operations Command (JSOC), which was designed to capture "high-value targets" inside and outside Pakistan. See: Jeremy Scahill, "The Secret US War on Pakistan," *The Nation*, November 23, 2009, accessed April 17, 2012, www.thenation.com/article/secret-us-war-pakistan. See the *Washington Post's* "Top Secret America" series for a detailed picture of PMSCs' involvement in US intelligence (http://projects.washingtonpost.com/top-secret-america/).

29 See the Center on Constitutional Rights' website for details of the lawsuits against CACI (http://ccrjustice.org/ourcases/current-cases/al-shimari-v-caci-et-al) and Titan (http://ccrjustice.org/ourcases/current-cases/saleh-v-titan).

30 Stephen Braun, "Court Case Lifts Lid on Secret Post 9/11 Flights," *Associated Press*, August 31, 2011, accessed April 17, 2012, www.thejakartapost.com/news/2011/09/01/court-case-lifts-lid-secret-post-911-flights.html.

31 www.ugss.co.uk/.

32 www.gurkhasecurityservices.co.uk/.

33 www.idg-security.com/.

34 www.g4s.uk.com/EN-GB/What%20we%20do/Services/Manned%20security%20services/Gurkha%20services/.

35 Christian Menard and Jean-Claude Viollet, note 13 above, 26.

36 Ibid, 19.

37 Interview with Doug Brooks (ISOA), March 15th, 2012. Some authors, however, argue that most private security companies are hired by private clients and business. See: Elke Krahmann, "Security: Collective Good or Commodity?" *European Journal of International Relations* 14:3, September 2008, 379-404.

38 *G4S Annual Report and Accounts*, 2010, 3.

39 Anna Leander, "The Market for Force and Public Security: The Destabilizing Consequences of Private Military Companies," *Journal of Peace Research* 42 (2005): 605-622.

Cozy Relations with Host Governments

Key parts of the PMSC industry have very close relations with the governments of countries where they are headquartered. This is particularly true of the US, which is by far the largest source of company contracts, and it is the case in the UK, which is home base (and prime contractor) to a large number of firms.

Some companies, like DynCorp International, are almost entirely dependent on their host country for contracts and they see themselves as extensions of their government's policies and interests. DynCorp derived 96% of its 2009 revenue of $3.1 billion from the US government[40] and it announces proudly on its website that it works "in support of US national security and foreign policy objectives, delivering support solutions for defense, diplomacy, and international development."

The exchange of top personnel between companies and host governments makes for especially close relations, as does the often secret nature of the contract work, which touches on the most sensitive national security, military and intelligence issues.

Observers believe that many PMSCs are extensions of their host governments' foreign and military policy and instruments of their nation's economic interests. A recent French government report notes enviously the powerful influence of the "Anglo-Saxon" (US and UK) security companies and comments that they are advancing the economic interests of their host governments in places like Libya to the detriment of French interests. It concludes that the firms act as "a formidable lever of influence for their country of origin,"[41] that they enable governments to have a "military" presence without actually intervening directly, and that France needs to promote its own PMSC industry if it is to compete effectively.

40 *DynCorp International Annual Report*, 2009, 3.

41 Christian Menard and Jean-Claude Viollet, note 13 above, 15.

Branding and Public Relations

The private military and security industry has made great efforts to shake off the "mercenary" label and brand itself as a respectable and legitimate business. Through an active public relations campaign, it is seeking to identify itself through neutral terms such as "Private Security Providers" (PSPs). Industry heavyweight Securitas touts its three core values as "Integrity, Vigilance and Helpfulness."[42]

As part of this PR campaign, many security companies feature their "corporate ethics" and "code of conduct" prominently on their website.[43] To prove a commitment to ethical practices, some have joined the non-binding UN Global Compact.[44] Compact members include G4S, Securitas, Aegis, Mission Essential Personnel and IDG Security. The toothless International Code of Conduct for Private Security Service Providers,[45] which the companies helped bring into being, is yet another vehicle for company reputation-building. Like the Global Compact, it is very low on accountability.

Industry lobby groups have adopted names that evoke comfortable and positive concepts, such as the Washington-based International Stability Operations Association (ISOA) and the British Association of Private Security Companies (BAPSC). These groups affirm that their industry provides "peacekeeping and post-conflict reconstruction"[46] as well as "nation building and security sector reform."[47] By using United Nations policy language, evocative of peace, legality and economic progress, the industry attempts to dissociate itself from its tarnished image and from the traditional idea of mercenaries as assassins, coup-plotters, demolition experts, and purveyors of violence for hire. Mergers and name changes also help to shake off bad reputations. The infamous Blackwater has changed its name twice in a short period, first to Xe in 2009 and then to Academi in 2011.

The industry features humanitarian imagery and language in its public communications. The ISOA, for instance, advertises its members as providing "humanitarian aid" and

42 www.securitas.com/us/en/About-Securitas1/Our-Values/.

43 See, for instance, Hart Security (www.hartsecurity.com/aboutus_codeofconduct.asp), IDG Security (http://web.mac.com/idgsecurity/idg-security/Our_Ethos.html), or Aegis (www.aegisworld.com/index.php/code-of-conduct-2).

44 To join the Global Compact, companies only have to agree nomally to respect core principles of human rights, labor, the environment, and anti-corruption, and submit a yearly report on their performance.

45 www.icoc-psp.org/.

46 This exact description was available on the old version of the ISOA website as late as January 2011.

47 BAPSC website: www.bapsc.org.uk/?aboutus=about-us.

"disaster relief." This targets NGOs and international organizations like the UN, which the industry has identified as a growing market. The approach also signals the industry's interest in becoming a "humanitarian" contractor. A list of services offered by ISOA members predictably includes "protection," "armored vehicles" and "risk management," but also "shelter," "human development" and "capacity building."[48] PMSCs, keenly attuned to propaganda narratives and aware of the deficit in their public reputation, evoke benevolent symbols and generate a flood of words and images to win over a skeptical public.

Cultural Insensitivity, Aggression and Violence

Since the companies recruit so heavily from field-hardened military personnel, special operations warriors, intelligence agents and the like, it is no surprise that the firms are often accused of bravado, cultural superiority, roughneck behavior, and a propensity for the use of violence. These proclivities show up most clearly in high-conflict settings but they are found in many aspects of the companies' work. When the UK government decided to privatize its deportation process for rejected asylum seekers, industry-leader G4S was awarded the first contract, but lost it after abusive behavior by company guards led to the death of an Angolan deportee.[49] Another company, Reliance, took over and was itself soon accused of "loutish and aggressive behavior," with regular reports of mistreatment and the "use of excessive force."[50] A company memo, written in response to public pressure, concluded that (among many problems) prejudice was the internal norm: "Is this a company where women, ethnic minorities and those of diverse religions feel comfortable? Evidence would suggest 'no.'"[51]

There is ample evidence of extreme violence and abusive conduct by PMSC employees in conflict zones, documented by such sources as US diplomatic cables and investigative newspaper accounts. As the *New York Times* commented in its review of leaked diplomatic cables, security contractors in Iraq were "discredited for unjustified shootings"[52] and other criminal behavior. The *Times* noted that "contractors often shot with little discrimination – and few if any consequences – at unarmed Iraqi civilians, Iraqi security forces, American troops and even other contractors, stirring public outrage …"[53] The US documents speak of attacks by guards on other guards, hazing and humiliation of subordinates by senior company officers,[54] contractors firing weapons for pleasure when intoxicated, and even a battle involving three separate security companies fighting each other.[55] PMSC personnel have also engaged in extremely culturally insensitive behavior[56] and there is a growing tendency to see these "guys with tattoos and sunglasses" as symbolic of unwanted foreign interference and a magnet for attacks by insurgents and outraged citizens.[57] For this reason, the *New York Times* welcomed the drawdown of private security contractors in Iraq and opined that a reduction in the number of contractors might lead to less violence, and even to a lower threat to US diplomatic personnel.[58] The security industry is extremely nervous about negative judgments of this kind and industry leaders continue to affirm that such behaviors violate industry norms and company rules. There is reason to believe, however, that these patterns spring from the industry culture, its security-obsessive outlook, and its military-oriented personnel recruitment process.

48 Available on the ISOA's website: www.stability-operations.org/index.php.

49 For more on G4S, see page 29 of this report.

50 Guy Grandjean, Paul Lewis and Matthew Taylor, "Staff Deporting Foreigners out of UK 'Loutish and Aggressive'," *Guardian*, April 13, 2012, accessed April 15, 2012, www.guardian.co.uk/uk/2012/apr/13/staff-deporting-foreigners-loutish.

51 Ibid.

52 James Glanz and Andrew W. Lehren, "Use of Contractors Added to War's Chaos in Iraq," *New York Times*, October 23, 2010, accessed April 16, 2012, www.nytimes.com/2010/10/24/world/middleeast/24contractors.html?pagewanted=all.

53 Ibid.

54 See the example of ArmorGroup at the Kabul embassy in Afghanistan: Britta Sandberg, "Scandalous Images from Kabul: Guards at US Embassy Organized Humiliating Sex Games," *Der Spiegel*, April 9, 2004, accessed April 17, 2012, www.spiegel.de/international/world/0,1518,646977,00.html.

55 The companies involved were UK-based Global and US-based DynCorp and KBR. See: James Glanz and Andrew W. Lehren, "Use of Contractors Added to War's Chaos in Iraq," *New York Times*, October 23, 2010, accessed April 17, 2012, www.nytimes.com/2010/10/24/world/middleeast/24contractors.html?pagewanted=all.

56 In a 2008 survey carried out by RAND, almost half of the US State Department personnel who interacted with private security contractors thought the contractors acted insensitively towards Iraqis and their culture. See: Molly Dunigan, "US Control of Contractors in Iraq is Vital," *The Hill*, February 1, 2012, accessed April 17, 2012, http://thehill.com/opinion/op-ed/208149-us-control-of-contractors-in-iraq-is-vital-.

57 The example of DynCorp providing bodyguards to Afghan President Hamid Karzai is a case in point. DynCorp guards reportedly "routinely humiliated the president's Afghan visitors" and even slapped a government minister. See: Charles Glass, "The Warrior Class," *Harper's Magazine*, April 2012.

58 James Glanz and Andrew W. Lehren, "Use of Contractors Added to War's Chaos in Iraq," *New York Times*, October 23, 2010, accessed April 16, 2012, www.nytimes.com/2010/10/24/world/middleeast/24contractors.html?pagewanted=all.

Secrecy and Lack of Accountability

PMSCs perform many of their activities in the dark, beyond public scrutiny and democratic accountability. This secrecy is typical of the security field, where transparency is seen as a potential weakness, and opacity usually suits both the companies and their clients. As the head of the US-based industry lobbying group has said, "we can do things on short notice and keep our mouths shut."[59] Further, because of the services they provide, PMSCs often operate in unstable crisis areas, such as war-torn zones or remote resource exploitation sites. As PMSC Aegis advertises on its website, it is ready to respond to situations of "natural disaster, civil unrest, conflict, or a complex combination of all three."[60] In such situations, general chaos and confusion make it difficult to know exactly what PMSC employees do. Abuses are also less likely to be reported and made public in places shunned by the media or where media reporters are themselves protected by the same companies.

Even when cases of abuse reach the general public, PMSCs can avoid legal accountability. Weak or non-existent local legal systems may be unable to try offenders, and the companies sometimes get special impunity from national laws, as happened in Iraq, beginning from the earliest days when US proconsul Paul Bremer shielded them from prosecution with his Order 17.[61] The global nature of the business, where laws may be broken in one jurisdiction and company headquarters (and leadership) are located half a world away, also makes it difficult to prosecute offenders. In the absence of effective instruments of control within international law, how does one prosecute a French citizen employed by the Kuwaiti subcontractor of a US-based company working in Iraq? Neither the Geneva Conventions nor the 1989 UN Convention on the Use of Mercenaries address these procedural obstacles to accountability, though they provide important legal standards of conduct. The UN Working Group on the Use of Mercenaries has been working on a draft Convention to regulate the industry. However, powerful governments, such as the US and the UK, are keen to continue their unrestricted use of the companies in their global security policy and do not want international law to evolve in this direction. Like the companies, they promote the "International Code of Conduct for Private Security Service Providers"[62] over binding regulation. While the companies signing the Code commit to follow a set of guidelines on ethics and human rights, they face no legal consequences if they fail to do so. Further, governments involved in the Code process – including the US and UK – have not committed to hiring only signatory companies.[63]

As a result of this legal void, in most cases where contractor employees have committed murder, engaged in sexual abuse, perpetrated fraud, smuggled arms, or committed other crimes, they have escaped punishment and often did not even lose their jobs.[64] Crime scene investigations are mostly perfunctory and officials seem inclined to protect the companies rather than to seek justice. The well-known example of the Nisour Square massacre by Blackwater guards is a case in point. Although 17 innocent Iraqis died in the incident and in spite of five investigations, including one by the US Federal Bureau of Investigation, not a single person was ever found guilty, though there were many witnesses, relatively strong evidence, and ample information about the company's regular use of unreasonable deadly force.[65]

Powerful governments play an important role in fostering this culture of impunity. They can protect the secrecy of the companies they hire through the shield of "national security" or a similar invocation of the national interest.[66] As a result of this system of secrecy, the public and even national legislators have scant knowledge of the work the companies are doing under public contract and what issues

59 Leslie Wayne, "America's For-Profit Secret Army," *New York Times*, October 13, 2002, accessed April 17, 2012, www.nytimes.com/2002/10/13/business/america-s-for-profit-secret-army.html?pagewanted=all&src=pm.

60 www.aegisworld.com/index.php/crisis-response.

61 Coalition Provisional Authority, Order No. 17 (Revised), "Status of the Coalition Provisional Authority, MNF – Iraq, Certain Missions and Personnel in Iraq," 27 June 2004, www.iilj.org/courses/documents/Order17.Section4.pdf.

62 www.icoc-psp.org/Home_Page.html.

63 Off the record conversation with author.

64 In the case of DynCorp and the sexual abuse scandal in Bosnia in the 1990s, only the employees who blew the whistle were fired. Managers at the time still occupy top positions within the organization. See Kathryn Bolkovac, *The Whistleblower: Sex Trafficking, Military Contractors, and One Woman's Fight for Justice* (New York: Palgrave MacMillan, 2011). Other examples include G4S guards implicated in the death of Mr. Ward (Australia) and Jimmy Mubenga (UK). See page 29 of this report for more details.

65 The case was reopened in early 2011. See James Risen, "Ex-Blackwater Guards Face Renewed Charges," *New York Times*, April 22, 2011, accessed April 17, 2012, https://www.nytimes.com/2011/04/23/us/23blackwater.html?_r=1&scp=2&sq=blackwater&st=cse. For more details, see Jeremy Scahill, *Blackwater: The Rise of the World's Most Powerful Mercenary Army* (New York: Nation Books, 2007).

66 UN Office of the High Commissioner for Human Rights, "Report of the Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination: Mission to the USA," UN doc. A/HRC/15/25/Add.3 June 15, 2010, par 76-77, 27.

this may raise.[67] Similar secrecy, as we shall see, affects contracts the companies have with other employers, including international institutions like the UN.

The secrecy/accountability scandal results from the profoundly undemocratic nature of the military and security outsourcing system.[68] PMSCs enable governments to avoid oversight when using force and to escape parliamentary inquiries and embarrassing political fallout.[69] The death of contractors is also far less likely to lead to questions and political opposition than casualties among national armed forces.[70] And by outsourcing the use of force, governments can pay for controversial operations outside of the public budgeting process. For these reasons and more, accountability is minimal, the companies have little to fear, and the system continues to produce dangerous outcomes without much-needed legal restraint.

67 Deborah Avant and Lee Sigelman, "Private Security and Democracy: Lessons from the US in Iraq," *Security Studies* 19 (2010): 230-265.
68 Paul R. Verkuil, *Outsourcing Sovereignty: Why Privatization of Government Functions Threatens Democracy and What We Can Do about It*, (Cambridge: Cambridge University Press, 2007).
69 Deborah Avant and Lee Sigelman, note 67 above.
70 See *ProPublica's* "Disposable Army" series (https://www.propublica.org/series/disposable-army).

III – Expressions of Concern about PMSCs

Public Critics and Government Concerns

Journalists, academics and NGOs have long expressed concerns about PMSCs' shadowy nature, their lack of accountability and their human rights abuses. In the 1990s, many observers focused on the companies' growing role in African conflicts. A 1999 study by the South African Institute for Security Studies and the Canadian Council for International Peace and Security entitled "Peace, Profit or Plunder?" linked the rise of the PMSC industry in Africa to the "malaise of the crumbling African state."[71] The authors pointed to the connection between PMSCs and the exploitation of natural resources in Angola and Sierra Leone, and they noted the companies' role as proxies for Western interests. The report commented that PMSCs enable powerful states "to avoid being seen too close to where the trigger is pulled, while [they] are passing on the ammunition from the shadows."[72]

As the Iraq war propelled PMSCs into the limelight, an increasing number of books, reports and articles examined the issue. The industry repeatedly made headlines in stories covering the war, and the names of Blackwater, DynCorp, Aegis, ArmorGroup and many others became familiar to the general public. In *Corporate Warriors: The Rise of the Privatized Military Industry* (2003), Peter W. Singer was one of the first scholars to look at the broader implications of the military and security industry. Jeremy Scahill's *Blackwater: The Rise of the World's Most Powerful Mercenary Army* (2007) called attention to the dark side of the industry, exposing Blackwater's many controversial activities and its disregard for human rights. Media articles and books (such as *Licensed to Kill: Hired Guns in the War on Terror*, 2006)[73] took readers inside the world of these secretive companies, from CIA secret operations to the Baghdad Green Zone. Many journal articles and books have stressed the problematic status of PMSCs under international law and the ethical issues raised by the privatization of the use of force.[74]

NGOs and think tanks have also blown the whistle on the companies' lack of accountability and their potential for human rights abuses. In 2006, a respected Norwegian research group[75] published a report on "Armed Services: Regulating the Private Security Industry" (2006) which concluded that "the industry is largely unregulated and unaccountable"[76] and explored options to hold PMSCs to national and international legal standards. Human Rights First's "Private Security Contractors at War: Ending the Culture of Impunity" (2008) focused on US use of these companies and denounced "the abject failure of the U.S. government […] to control their actions or hold them criminally responsible for acts of excessive violence and abuse."[77]

Governments have also expressed concerns about the increasingly important role played by PMSCs. The US, the world's largest user of PMSCs, set up the "Commission on Wartime Contracting" in 2008 to assess the extent of waste, fraud, abuse, and mismanagement of wartime contracts in Iraq and Afghanistan. The final report of the Commission found that "at least $31 billion, and possibly as much as $60 billion, has been lost to contract waste and fraud."[78] It questioned the US' systematic reliance on contractors to perform a diversity of tasks, including "inherently governmental" functions. The report concluded that "the nation's security demands nothing less than sweeping reform."[79] In 2010, the Committee on Armed Services of the US Senate published the results of an inquiry into the role and over-

71 Jakkie Cilliers and Richard Cornwell. "From the Privatisation of Security to the Privatisation of War?" in *Peace, Profit or Plunder? The Privatisation of Security in War-Torn African Societies*, ed. Jakkie Cilliers and Peggy Mason. (Pretoria: Institute for Security Studies, 1999), 242. (www.iss.co.za/pubs/Books/PeaceProfitPlunder/Chap11.pdf).

72 Ibid, 243.

73 Robert Young Pelton, *Licensed to Kill: Hired Guns in the War on Terror*, (New York: Crown, 2006).

74 See, for instance, Carmola Kateri, *Private Security Contractors and New Wars: Risk, Law, and Ethics*, (London: Routledge, 2010) and Paul R. Verkuil, note 68 above.

75 Fafo is a Norway-based foundation studying at labor and international issues.

76 Kathleen M. Jennings, "Armed Services: Regulating the Private Security Industry," *Fafo*, 2006, 57.

77 "Private Security Contractors at War: Ending the Culture of Impunity," *Human Rights First*, 2008, 9.

78 Commission on Wartime Contracting in Iraq and Afghanistan, "Transforming Wartime Contracting: Controlling Costs, Reducing Risks," August 2011, 1 (www.wartimecontracting.gov/).

79 Ibid, 13.

sight of private security contractors in Afghanistan, a report which uncovered "evidence of US private security contractors funneling U.S. tax payers dollars to Afghan warlords and strongmen linked to murder, kidnapping, bribery" and revealed "dangerous failures in contractor performance."[80]

European countries have also raised concerns about the ubiquity of PMSCs in conflict zones. In 2009, the Council of Europe's Parliamentary Assembly issued a Recommendation on "Private military and security firms and erosion of the state monopoly on the use of force." The Assembly expressed support for a legally binding international treaty "laying down minimum standards for the activity of these private companies"[81] and noted that

> PMSCs raise a whole range of concerns related to the lack of democratic control, transparency and accountability, a higher risk of human rights violations, the growing influence of private businesses on political choices and policy orientations, the blurred division of tasks between the military and the police, and the shift from crisis prevention to rapid reaction and from the civilian handling of crises to the use of force.[82]

Some EU member states have explored the need for better regulation of these companies. In 2002, the UK's Foreign and Commonwealth Office held public consultations on "Private Military Companies: Options for Regulation" and examined the pros and cons of various regulatory options, from a complete ban on military activity abroad to a voluntary code of conduct.[83] In 2003, France passed a restrictive law against mercenary activities.[84]

South Africa has implemented the strictest regulation against PMSCs – perhaps not surprisingly, given the country's history as a mercenary base during the apartheid period.[85] The 1998 Regulation of Foreign Military Assistance Bill states that "the resolve to live in peace and harmony precludes any South African citizen from participating in armed conflict, nationally or internationally" and forbids the provision of "foreign military assistance" by South African citizens. It defines "foreign military assistance" broadly as "(i) advice or training, (ii) personnel, financial, logistical, intelligence or operational support, (iii) personnel recruitment, (iv) medical or para-medical services, or (v) procurement of equipment."[86] Such definition effectively makes no distinction between "traditional" mercenarism and PMSCs.[87] Punishments for engaging in such activity include fines of up to 100,000 Rand (about $13,000) and imprisonment for up to five years.[88] In 2006, South Africa strengthened the existing law, notably extending it to regulate the provision of humanitarian aid during armed conflict.[89]

Such widespread concern should have brought caution into UN policy circles. There is little evidence, however, that decision-makers reflected on the matter or made any moves to establish regulations.

Concerns about UN use of PMSCs

Four reports since the early 2000s have raised concerns about the use of PMSCs by the UN. A 2002 report by International Alert on "Humanitarian Action and Private Security Companies" cautioned against the idea that these companies provided an "easy solution" to security problems. The report warned that "there [had] not been much opportunity to stop and think,"[90] suggesting that agencies

80 Senate Committee on Armed Services , "Inquiry into the Role and Oversight of Private Security Contractors in Afghanistan," US, September 28, 2010 (http://info.publicintelligence.net/SASC-PSC-Report.pdf).

81 Ibid.

82 Council of Europe Parliamentary Assembly, "Recommendation 1858: Private Military and Security Firms and Erosion of the State Monopoly on the Use of Force," 2009 (http://assembly.coe.int/main.asp?Link=/documents/adoptedtext/ta09/erec1858.htm).

83 Foreign and Commonwealth Office, "Private Military Companies: Options for Regulation," February 12, 2002 (www.fco.gov.uk/resources/en/pdf/consultations-mercenaries). The UK, where many PMSCs are based, now leans towards a code of conduct, as another public consultation on "Promoting High Standards of Conduct by PMSCs" showed in 2009-2010.

84 Loi n° 2003-340 du 14 Avril 2003 Relative à la Répression de l'Activité de Mercenaire. However, France has now adopted a position more favorable to PMSCs. A 2012 report of the French Parliament recommended the development of a "national" private military and security industry to compete with US and UK-based PMSCs. See: Christian Menard and Jean-Claude Viollet, note 13 above.

85 After the end of the Apartheid regime, many former South African troops went on to work for mercenary groups in Africa. See: "Mercenaries in Africa's Conflicts," *BBC News*, March 15, 2004, accessed May 21, 2012, http://news.bbc.co.uk/2/hi/africa/3501632.stm.

86 Republic of South Africa, "Regulation of Foreign Military Assistance Act," 1998 (www.info.gov.za/view/DownloadFileAction?id=71747).

87 Ruta Nimkar, "From Bosnia to Baghdad the Case for Regulating Private Military and Security Companies," *Journal of Public and International Affairs*, 20 (2009).

88 Raenette Taljaard. "Implementing South Africa's Regulation of Foreign Military Assistance Act," in *Private Actors and Security Governance*, ed. Alan Bryden and Marina Caparini (Zürich: Verlag Münster, 2006). The law has proven difficult to enforce, and many South Africans have gone on to work for PMSCs in Iraq, Afghanistan, Ivory Coast, Equatorial Guinea, and Somalia without the government's assent.

89 "South Africa: The Downside of Banning Mercenaries," *IRIN*, May 27, 2008, accessed April 17, 2012, www.unhcr.org/refworld/docid/4843fff9c.html.

90 Tony Vaux, Chris Seiple, Greg Nakano and Koenraad Van Brabant, "Humanitarian Action and Private Security Companies: Opening the Debate," *International Alert*, 2002, 17.

had a responsibility to exercise caution, and that better reflection would have led to quite different security options. The authors concluded that "aid agencies need to consider how their association with [PMSCs] may affect their image and reputation as a humanitarian agency."[91] In 2006, the International Peace Academy issued further warnings in a report on "Commercial Security in Humanitarian and Post-Conflict Settings."[92] The paper pointed to many problems, including the fact that "the UN risks negative publicity, legal liability and strategic incoherence because it lacks clear policies and procedures for dealing with commercial security providers."[93] It concluded that the UN and other intergovernmental bodies should at least improve the vetting and monitoring of security contractors in their service. UN leadership, under Secretary General Kofi Annan, ignored both reports.

In 2008, the Humanitarian Policy Group took up the issue in a new report. It stressed that the UN and humanitarian agencies had failed to provide central policy guidance for security contracting.[94] The report found that NGOs and UN agencies took decisions to use private security companies "based on immediate exigencies, often not conducive to thoughtful policy decisions, or on untested assumptions regarding cost and liability that may not stand up to scrutiny."[95] The research also revealed that leaders in UN headquarters were not always aware of what field offices were doing about security, and that they preferred to "look the other way" rather than inquire into potentially embarrassing activities. Ban Ki-Moon and his new team continued to disregard the PMSC issue.

Most recently, in late 2011, the Geneva Centre for the Democratic Control of Armed Forces (DCAF) published a lengthy report on "UN Use of Private Military and Security Companies." The report examined UN practice and raised many policy issues. It concluded that "decision-makers should reflect on how adding privately procured personnel may impact upon longer-term security situations for UN staff, and whether there is a "way back" when outsourcing security has become established practice."[96]

Concerns expressed at the UN

At the UN, the Commission on Human Rights (now the Human Rights Council) put mercenarism on its agenda in the late 1980s. In 1987, it created the mandate of the Special Rapporteur on "the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination." As the name suggests, the Special Rapporteur's office was established at a time when decolonization still dominated the debate. The Special Rapporteur's work was related to a process leading in 1989 to the adoption of a UN Convention against the Recruitment, Use, Financing and Training of Mercenaries. Both were largely focused on armed groups that were used by foreign governments or companies to destabilize newly independent states, particularly in Africa. However, by the early 2000s, the focus had shifted, and PMSCs featured increasingly prominently in the Special Rapporteur's work. A 2002 fact sheet on "the impact of mercenary activity" published by the Commission on Human Rights notes:

> A new and hotly debated phenomenon is that of private security and military assistance companies, which sell a variety of security services. While some of these are entirely unobjectionable, […] others may involve the hiring out of military professionals to engage in combat on behalf of the client.[97]

Enrique Bernales Ballesteros, the Special Rapporteur from 1987 to 2004, was a strong critic of PMSCs. He highlighted the continuity between previous forms of mercenarism and these companies, and condemned them as the latest avatar of a long and murderous line of mercenary activity. In a 1997 report, he warned that "mercenary activities are not only continuing, but they are reported to be evolving and acquiring characteristics that make them far more of a threat to the enjoyment of human rights and the right of peoples to self-determination."[98]

The post of Special Rapporteur was succeeded in 2005 by the Working Group on the Use of Mercenaries, made up of five independent experts, one from each UN regional group. The Working Group has closely monitored the companies and has been drafting an international convention to regu-

91 Ibid, 30.
92 James Cockayne, "Commercial Security in Humanitarian and Post-Conflict Settings: An Exploratory Study," *International Peace Academy*, 2006.
93 Ibid, iii.
94 Abby Stoddard, Adele Harmer & Victoria DiDomenico, "The Use of Private Security Providers and Services in Humanitarian Operations," *Humanitarian Policy Group*, October 2008.
95 Ibid, 2.
96 Åse Gilje Østensen, "UN Use of Private Military and Security Companies," *DCAF*, 2011, 68.
97 UN Human Rights Commission, "The Impact of Mercenary Activity on the Rights of People to Self-Determination," Fact Sheet no. 28, 2002 (www.ohchr.org/Documents/Publications/FactSheet28en.pdf).
98 Enrique Bernales Ballesteros, "Report on the Question of the Use of Mercenaries as a Means of Violating Human Rights and Impeding the Exercise of the Right of Peoples to Self-determination," UN doc. E/CN.4/1997/24, February 20, 1997, par.111, 34.

late their activities.[99] The Group states that "the potential impact of the widespread activities of private military and security companies on human rights means that they cannot be allowed to continue to operate without adequate regulation and mechanisms to ensure accountability."[100] In July 2011, the Working Group held a two-day seminar at UN headquarters in New York to discuss this potential convention, but only a handful of UN staff attended.

The Working Group has not looked specifically at the use of PMSCs by the UN, although it regularly mentions that states are not the companies' only clients and that corporations, NGOs and the UN itself all make use of them. The Working Group's 2008 report recommended that "United Nations departments, offices, organizations, programs and funds establish an effective selection and vetting system and guidelines containing relevant criteria aiming at regulating and monitoring the activities of private security/military companies working under their respective authorities."[101]

Although UN use of PMSCs has been seldom officially discussed at the UN, the organization's management was somewhat aware of the pitfalls. The 2002 report of the Secretary General on UN outsourcing practices mentioned that contracting out security services might compromise the safety of UN staff. It even called on the offices which outsourced such services to promptly replace contractors with UN staff members:

> In those offices where the provision of security personnel was outsourced, the offices concerned have already initiated action to seek a budgetary allocation to replace contracted security personnel with staff members of the Organization so that the outsourced activities, *which may compromise the safety and security of delegations staff and visitors*, will be phased out in due course.[102]

The Office for the Coordination of Humanitarian Affairs (OCHA) raised its own concerns about PMSCs and their role in war-torn areas. The 2004 OCHA guidelines on humanitarian-military interaction in Iraq stated clearly that private security providers were "also increasingly becoming a target" and raised "problems of operational control, accountability and liability."[103]

Finally, in a report commissioned by the Secretary General, a high-level UN panel warned in June 2008 that the key to security is not protection measures, but public perception of the organization and sympathy for its work and its values. No amount of physical security, they argued, could counterbalance public disapproval of policies reflecting the narrow interests of powerful member states.[104] Though the authors did not specifically mention PMSCs, their conclusions warned against the trend towards ever more security guards, concrete barriers, heavy weapons, alarms and other defensive measures. Yet this was precisely the direction taken by the UN leadership in the years to come, because powerful member states did not want to change the posture and policies of the organization to improve real security.

In spite of these clear statements of concern within the UN, no practices substantively changed. The UN's top management, and especially its top security officials, must have been well aware that policy experts, the press, the UN Working Group on the Use of Mercenaries and UN agencies were increasingly critical of these companies. High-level officials also must also have known about the problematic history of the industry and the companies' recent involvement in controversial military interventions. And yet the UN did not change course. It did not take back security functions from PMSCs, it kept using the companies, and it began to ramp up their use substantially.

99 Human Rights Council, "Report on the Question of the Use of Mercenaries as a Means of Violating Human Rights and Impeding the Exercise of the Right of Peoples to Self-determination," UN doc, A/HRC/15/25, July 2, 2010, 21-49 (http://www2.ohchr.org/english/issues/mercenaries/docs/A.HRC.15.25.pdf).

100 OHCHR, "Alarming Rise in Mercenary Activities Calls for Attention," November 1, 2011 (www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=11558&LangID=E).

101 Human Rights Council, "Report of the Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination, UN doc. A/HRC/7/7, January 9, 2008, 26.

102 UN Secretary General, "Outsourcing Practices," UN doc. A/57/185," July 2, 2002, 2 (emphasis by author).

103 UN Office for the Coordination of Humanitarian Affairs (OCHA), "Guidelines for Humanitarian Organisations on Interacting With Military and Other Security Actors in Iraq", October 20, 2004 (www.unhcr.org/refworld/docid/4289f2f74.html).

104 Report of the Independent Panel on Safety and Security of UN Personnel and Premises Worldwide, "Towards a Culture of Security and Accountability," June 9, 2008, 70.

IV – PMSCs at the UN

The Buildup

In the early 1990s, Western governments began to develop new military and security doctrines incorporating privatization of the use of force and increasing use of PMSCs. The UN followed suit when the Security Council mandated ambitious peacekeeping missions in Somalia, the Balkans and Sierra Leone. Key officials saw private companies as the logical solution when the organization's peacekeeping and relief efforts faced difficulties in recruiting, training and managing staff for these violent and complex conflicts. There was little discussion in the organization about the advisability and possible negative consequences of such moves.

Those early missions gave rise to a number of contracts and contract proposals, some very ambitious and problematical. In 1992, the UN reportedly asked the firm DSL (Defense Systems Limited) to deploy 7,000 Ghurka guards to protect relief convoys in war-torn Somalia. It was potentially an extremely expensive and very risky operation[105] since armed Ghurkas might have engaged in lethal battles with insurgents or unfriendly civilians, creating serious fallout for the organization. Fortunately, DSL turned down the contract offer.

In the same year, the UN hired four security firms, including DSL and DynCorp, to provide services for the peacekeeping operation in Bosnia. These contracts involved about 2,000 personnel and lasted for a four-year period. Company staff drove armored cars, provided "security" at borders (where clashes were common) and they undertook other high-risk tasks. They wore UN civilian uniforms, carried UN identification, and even were said to have access to "classified" intelligence.[106]

Soon after deployment, a serious scandal erupted in the Bosnia mission. DynCorp personnel, working as police officers under US contract but UN command, were found to be involved in sex trafficking and organized prostitution.[107] Worldwide media coverage followed. That scandal caused great embarrassment to the UN and symbolized the disarray in peacekeeping that led to a sharp decline in operations in the mid-1990s. Yet, the hiring of controversial security companies continued.

The UN and its agencies hired Lifeguard Security, Sandline International and DSL, among others.[108] Lifeguard and Sandline International were both offshoots of the highly controversial South African mercenary firm Executive Outcomes (EO). Lifeguard took over EO's contracts in Sierra Leone, and the company had hired many former EO employees.[109] Sandline International, also operating in Sierra Leone, was caught in serious misconduct in 1997-1998, when it breached the UN's embargo on the sale of weapons in the country.[110] DSL, founded in 1981 by former UK Special Air Service officers, was also deeply involved in violent and illegal operations in conflict zones.[111]

The UN had contracted with LifeGuard and DSL to protect UN relief operations in Sierra Leone in 1998, before the UN peacekeeping mission was established.[112] The UN hired Lifeguard to protect its premises in Freetown, even though it was well-known that the company was staffed with former EO mercenaries. Lifeguard protected UN officials' homes and offices and allegedly provided UN staff with use of a military transport helicopter.[113] The UN's mission in Sierra Leone also hired Sandline to provide tactical intelligence- and helicopter transport.[114] From the earliest operations,

105 Åse Gilje Østensen, note 96 above, 27.
106 Ibid, 16-17.
107 Kathryn Bolkovac, note 64 above.
108 Malcom H. Patterson, *Privatising Peace: A Corporate Adjunct to United Nations Peacekeeping and Humanitarian Operations* (New York: Palgrave MacMillan, 2009), 55.
109 Peter Singer, note 5 above, 117.
110 Andrew Buncombe, Paul Routledge and Fran Abrams, "Inquiry Finds Sandline Did Breach Arms Embargo," *The Independent*, May 17, 1998, accessed April 17, 2012, www.independent.co.uk/news/inquiry-finds-sandline-did-breach-arms-embargo-1159472.html. This weapons breach was said to have occurred with the tacit support of the British government.
111 See for instance DSL's actions in Colombia: Thomas Catan, "U.K.: Lunch and Conversation with Alastair Morrison," *Financial Times*, March 25, 2005. See also Greg Muttitt & James Marriott, "Some Common Concerns: Imagining BP's Azerbaijan-Georgia-Turkey Pipelines System," *Platform*, October 2002, 110 & 113-114.
112 Åse Gilje Østensen, note 96 above, 26.
113 Malcom H. Patterson, note 108 above, 65.
114 Åse Gilje Østensen, note 96 above, 31.

then, the UN hired companies with exceedingly questionable records and evidently had no hesitation to do so.

UN Special Rapporteur Enrique Ballesteros, who was highly critical of the security privatization proposals, warned in 1999 against the idea that PMSCs could provide a simple solution to peacekeeping's shortcomings: "it is neither lawful nor advisable, no matter how often short term or emergency reasons are invoked," he said, "to entrust a country's security and the speedy settlement of armed conflicts to private companies which hire mercenaries to achieve those objectives and will earn substantial economic profits for their participation."[115]

The UN quietly continued to use PMSCs in less visible roles, even though many member states were not enthusiastic. France, one of the five Security Council permanent members, had passed a restrictive domestic law on PMSCs in 2003,[116] South Africa had already established legal restrictions in 1998, and other governments were nervous about the implications of mercenary-type of activities under the UN flag. Top UN leadership were also opposed to expansive new security privatization, especially the outsourcing of peacekeeping forces that some PMSC lobbyists were urging. UN Secretary General Kofi Annan, the UN's former top peacekeeping official, preferred to improve the organization's recruitment of national troop contingents and to strengthen UN operational control over its missions under the Brahimi reforms. Annan's peacekeeping chief, Jean-Marie Guéhenno, was likewise cool towards PMSCs.[117]

Meanwhile, the "war on terror" swept into the UN after the events of September 11, 2001, creating new fears in the organization about the protection of UN personnel and premises. In the years to come, pundits and legislators in Washington and London pressed the UN to outsource, "streamline," and make itself more "efficient," especially in the security sector. In 2002, the UK Parliament's Select Committee on Foreign Affairs noted approvingly that Private Military Companies "already provide extensive support to intergovernmental organizations such as the United Nations," concluding that "the idea of hiring PMCs to do the job [of peacekeeping] has obvious appeal."[118] A 2005 US Senate appropriations bill on US contributions to UN peacekeeping similarly insisted that "the UN can no longer afford to ignore the potential cost-savings that private companies with proven records of good services and good behavior can offer."[119]

The UN's controversial presence in Iraq stands as a policy watershed. The organization made a highly risky move in setting up headquarters in Baghdad soon after the US-led invasion. When insurgents bombed the building in the summer of 2004, killing at least 22 staff including Special Representative Sergio Veira de Mello, UN leaders were persuaded that a new era of threats had arrived. The next year, the organization set up the new Department of Safety and Security (DSS) and overall priorities shifted towards threat-protection and security service outsourcing. With peacekeeping missions rapidly expanding, contracting of security services swung upwards. The trend accelerated with the attack on UN premises in Beirut on July 30, 2006 and on the UN offices in Algiers on December 11, 2007.

Recent Increase of Contracts

UN data, incomplete though it is, shows a steady rise in the number of security company contracts from 2006/7 to the present.[120] Some UN officials we interviewed have argued that the organization's use of security contractors has simply been ordinary and, as one senior official put it, "business as usual." But the numbers show an entirely different picture – an organization in the process of dramatically expanding its use of outsourced security services with minimal internal reflection or public acknowledgment.

The contract records for "security services," made available on UN websites,[121] present a very incomplete picture and greatly understate the overall totals. Data is missing for key entities like UNICEF. Other agencies, such as the World Food Programme (WFP), provide only partial information. So the numbers indicate trends rather than providing reliable totals. This partial total rose from $44 million in 2009 to $76 million in 2010 (the most recent year for which data is available) – an increase of 73% in just one year.[122] With full accounting for missing items, it is likely that the real

115 Enrique Bernales Ballesteros, "Report on the Question of the Use of Mercenaries as a Means of Violating Human Rights and Impeding the Exercise of the Right of Peoples to Self-determination," UN doc. E/CN.4/1999/11, January 14, 1999, par.72, 22.

116 Loi n° 2003-340 du 14 avril 2003 Relative à la Répression de l'Activité de Mercenaire.

117 Interview with Jean-Marie Guéhenno, September 6, 2011.

118 Select Committee on Foreign Affairs, "Private Military Companies. Ninth Report of Session 2001–2002," par.85 & 89 (www.publications.parliament.uk/pa/cm200102/cmselect/cmfaff/922/92208.htm#n123).

119 US Senate, Department of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriation Bill, 2005, 160 (www.gpo.gov/fdsys/pkg/CRPT-108srpt344/pdf/CRPT-108srpt344.pdf).

120 See Appendix II.

121 This data is mostly available on the UN Procurement Division's website (https://www.un.org/depts/ptd/) and the UN Global Marketplace's website (https://www.ungm.org/Default.aspx).

122 See Appendix I.

spending on all security outsourcing for 2010 was considerably higher. DSS, tasked with coordination of all UN system security operations, says it does not have numbers for overall spending and does not even want to "hazard an estimate."[123]

In the context of overall UN procurement, security contracts have risen dramatically. An official report notes that the UN system increased its annual procurement of all services by $66 million in 2010 over the amount spent in 2009.[124] During the same period, the organization increased the total spent in reported security contracts by $31 million. Security service spending was thus 45% of the total increase. Clearly, the UN was giving a heavy priority to security contract spending in a tight budget environment – a long way from "business as usual."

It is impossible to get a full picture of which companies the UN has been using and how much it has been spending on their services. Even when the organization publishes contract amounts, it does not always list the name of the contracting company.[125] Some concerned officials in the UN system are conscious of the problem, worried that the organization is operating "in the dark," unhappy that it is unaccountable to member states and the public, and troubled that problems may lurk in the future. Legitimate concerns about staff security and a commitment to commercial confidentiality cannot solely account for the UN's lack of transparency. The organization's failure to provide acceptable reporting appears as a serious lapse by its top leadership.

Services used by the UN

Military and security services embrace a very wide range of activities. Sometimes, the UN classifies these contracts as "security services" or "safety/security" without further detail, leaving much unexplained. But there is enough scattered information and clues in UN reports, press articles and think tank studies to suggest the main lines of services provided, including guards, air services, training, risk assessment, security management, election support, and security sector reform. The major services include the following:

» **Unarmed Guards:** Contracting companies provide "static" security for UN buildings, staff, residences, parked vehicles and facilities. The UN uses unarmed guards in many parts of the world, from Uganda to Spain. The UN Mission in Kosovo, UNMIK has been using Balkan International for many years. The peak contract was awarded in 2009 with a value of more than $1 million.[126] MONUSCO, the UN's peacekeeping mission in the Democratic Republic of Congo (DRC), has hired Saracen Uganda for unarmed security at its logistics base in Entebbe and its liaison office in Kampala.[127] In 2011, the UN hired Segurisa to provide security for its Support Base in Valencia, Spain, through early 2014, for a fee of over $2 million.[128] In Liberia, Inter-Con Security Systems has provided unarmed security to the UN mission in the country, UNMIL, at least since 2007. The company had a two-year contract in 2007-2009 worth $4,616,804.[129] Unarmed security appears benign and uncontroversial, but contractors doing this work can pose serious problems, including provocative behavior both on and off duty. Unarmed guards have been known to possess and use personal weapons. Contracting companies are often involved in separate operations for other clients in the same city or neighborhood and they may be seen by local people as neither neutral nor trustworthy. Contracts with guards companies with close ties to repressive governments, such as a well-known UN contract with Saracen Uganda, can also raise many serious problems.[130]

» **Armed Guards:** In Afghanistan, the UN has been using IDG Security for armed protection of its compounds. This represents the largest UN contract for security services, at more than $9 million for the period November 2010 – November 2011.[131] This is also one of the best-known cases of PMSC use by the UN, as the guards' presence came to light following well-reported incidents. In October 2010, Gurkha guards shot four intruders in the hall of the UN headquarters in Herat.[132] While this incident was widely reported, the fact that the IDG guards killed the intruders was rarely mentioned at the time.[133] In April

123 Email exchange with Gregory Starr, Under-Secretary General for Safety and Security, March 2, 2012.
124 *Annual Statistical Report on UN Procurement*, 2010, 1.
125 Research for this report has identified a number of contracting companies. We list the major companies in Appendix III.
126 www.un.org/depts/ptd/09_others_contract_field.htm.
127 www.un.org/depts/ptd/10_others_contract_field.htm.
128 www.un.org/depts/ptd/11_field_contract_others.htm.
129 www.un.org/depts/ptd/07_others_contract_field.htm.
130 See later discussion of Saracen Uganda, which is owned by the brother of Ugandan President Yoweri Museveni, on page 29 of this report.
131 www.un.org/depts/ptd/10_others_contract_field.htm.
132 Shelly Kittleson, "Security Companies Increasingly Mired in Kabul Controversy," *Italian Insider*, November 11, 2010.
133 See for instance this AFP release, which only mentions that "three security guards contracted by the UN were injured in the attack:" Ariel Karimi, "Suicide bombers attack UN office in Afghan city," *AFP*, October 23, 2010.

2011, four armed IDG guards – and three UN staff – were killed by a crowd during an attack on a UN compound at Mazar-e Sharif.[134]

The UN has also been using armed guards in Iraq and Somalia.[135] And in November 2011, MINUSTAH, the Haiti peacekeeping mission, hired G4S to provide armed security guards at its Santo Domingo office for a year.[136] Though armed guards are theoretically "static," they can sometimes engage in mobile response to perceived security threats, making a violent conflict more likely. Armed guards may carry heavy automatic weapons and they can act in provocative and aggressive ways that may lead to violence. Armed security contractors can also smuggle weapons into conflict zones and sell them or make them available to parties to the conflict, as has happened in Bosnia, Sierra Leone, Afghanistan and Somalia.[137]

» **Mobile or Convoy Security:** The UN contracts mobile security for protection of UN officials as well as guarding of logistical convoys carrying emergency food or other supplies. Mobile security (usually armed) is far more likely to lead to battles with local populations and insurgents than static security. Many of the best-known scandals of security companies have arisen in this activity, when guards have been known to open fire on civilians wrongly suspected of evil intentions.[138] In the past, the UN has contracted with notorious firms Lifeguard and DSL for such services.[139] The UN has also used private security companies for convoy security in Somalia.[140] A UN official recently expressed concern that the use of private security companies for convoy protection was increasing in the UN system-wide, and that this was bound to negatively impact the image of the organization and expose it to further serious risks.[141]

» **Security Training, Risk Assessment, Security Management, Consultancy:** PMSCs do not only provide "physical" security to the UN, they also act as advisors on questions of security management, training and risk assessment. Such wide-ranging contracts, often classed under the rubric "consultancy," pose serious problems, including the likelihood that the "advice" will lead to wider security outsourcing, as new possible or imagined threats are brought to the attention of nervous senior managers. Through such contracts, the companies are also injecting their perspectives on UN security issues – perspectives that are nominally technical but in fact deeply political. Apparently, a PMSC consultancy contract determined the shape of the new Department of Safety and Security in 2005.[142] Earlier, in 2004, the UN Procurement Division had hired Control Risks Group to provide a "worldwide assessment of [the] UN Security guard force."[143]

Risk assessment is another service purchased by UN entities. WFP has used the services of Hart Security, which advertises on its website that it conducts risk assessments that "cover all aspects of World Food Programme activities in many different countries,"[144] including political risk assessment. PMSCs have also provided training to the UN. In August 2011, UNAMI (UN Assistance Mission for Iraq) signed a one year contract worth $1,143,682[145] with Hart Security for "Provision of Security Awareness Induction Training." The use of a private company for training

134 Dion Nissembaum and Maria Abi-Habib, "Inside the Massacre at Afghan Compound," *Wall Street Journal*, April 4, 2011.
135 Off the record conversation with author.
136 See UNPD's website, contracts for November: www.un.org/depts/ptd/11_field_contract_others.htm.
137 Sami Makki, Sarah Meek, Abdel-Fatau Musah, Michael Crowley & Damian Lilly. "Private Military Companies and the Proliferation of Small Arms: Regulating the Actors," *British American Security Information Council, International Alert* and *Saferworld*, 2011 (www.saferworld.org.uk/downloads/pubdocs/Btb_brf10.pdf). In Afghanistan, GardaWorld was shut down by the government after two of its employees were found in possession of "an arsenal" of unlicensed guns. See: Graham Bowley. "Afghanistan Closes Firm Providing Security," *New York Times*, January 5, 2012, Accessed April 17, 2012, https://www.nytimes.com/2012/01/06/world/asia/afghanistan-shuts-down-gardaworld-a-canadian-security-firm.html?_r=1. In the case of Somalia, the 2011 report of the UN Monitoring Group on the country found that several PMSCs had violated the UN's arms embargo. See: S/2011/433, July 18, 2011, par.168-185, Annex 6.2, Annex 6.3.
138 The 2007 Nisour Square incident in Baghdad, where Blackwater employees opened fire against unarmed civilians, killing 17, is the best-known example of such a situation, but far from the only one.
139 Åse Gilje Østensen, note 96 above, 27.
140 Tony Vaux, Chris Seiple, Greg Nakano and Koenraad Van Brabant, note 90 above, 15.
In some countries, WFP outsources food transportation completely to contractors, which means that convoys managed by these contractors are not officially WFP convoys.
141 Off the record conversation with author.
142 The structure of the UN Department of Safety and Security was based on recommendations from a private security firm. See: Office of Internal Oversight Services, "Comprehensive management audit of the Department of Safety and Security," UN doc. A/63/379, September 26, 2008, par.12, 7.
143 www.un.org/depts/ptd/04_others_contract.htm.
144 www.hartsecurity.com/aboutus_selectedexperience.asp.
145 www.un.org/depts/ptd/11_field_contract_others.htm.

has proven controversial within the UN, especially given the high cost of such services – about $3,500 per UN staff member deployed to Iraq.[146]

» **Military Equipment and Maintenance, Air Services, Airlift, Helicopters, Armored Vehicles:** Missions in conflict zones make heavy demands on military equipment. The UN sometimes turns to PMSCs to provide such equipment, including fixed-wing aircraft, helicopters, armored vehicles and other items, along with pilots and drivers, service personnel, spare parts and more. The UN has used International Charter Incorporated (ICI) of Oregon for helicopters in Sierra Leone[147] and, most recently, to support MINUSTAH in Haiti by ferrying personnel, troops and humanitarian supplies into and within the country.[148] DSL, Pacific Architects and Engineers (PAE) and ArmorGroup have provided similar services to the organization.[149] The UN has also turned to the private sector for armored vehicles, hiring companies such as International Armored Group in Iraq[150] or Panzer Technologies from South Africa in Somalia.[151]

» **Other related services:** Some contracts with PMSCs are very broad and do not specify the activity being provided. The UN has used these companies for a miscellany of services, such as demining, logistics and secure telecommunications, as well as election organizing, police training and more. In 2010, the UN Office for Project Services (UNOPS) paid G4S Risk Management more than $14 million for "mine action" and related activities. In the same year, it awarded two contracts for mine clearing and mine action to Bancroft Global Development.[152] In 2010, DynCorp was paid more than $800,000 to provide civil aviation experts for the UNDP (UN Development Programme)/ICAO (International Civil Aviation Organization) project in Iraq.[153] The company also provided "engineering," "telecommunications" and "consultancy" services to UNOPS that year, for a total of $2.5 million.[154] While these contracts are likely to appear outside the "security" code and not to be flagged in UN records as related to security contracts, they are in fact problematic precisely because they are part of the services of a security-centered firm that organizes its service provision around security thinking, and security behavior.

» **Indirect Use:** When the UN hires a company to perform non-security services, such as logistics or construction, that company may in turn hire a PMSC for its own security. WFP, for instance, outsources the transportation of food, and the transportation contractor in turn may subcontract for private armed guards to protect its convoys. These convoys are not officially UN convoys, so the UN may avoid legal liability if something happens along the way. But its reputation and effectiveness may still be at stake. A 2008 report noted that 26 drivers contracted by WFP in Darfur had been killed in the first quarter of the year, and that "when there is a security incident involving a contractor implementing a UN-funded project, the project is still perceived as a UN project and the Organization almost inevitably gets involved."[155]

Indirect use of security services may also occur when a third party, such as a member state, pays for private security services for the UN. In Iraq, Aegis and Control Risks Group were allegedly paid by "member states" (probably the US, perhaps also the UK) to protect UN officials.[156] In Iraq, these companies were otherwise active under US contracts and Aegis' personnel were widely disliked.[157] A third case involves UN peacekeeping using police personnel that are nominally contributed by the US government but are actually in the employ of a security contractor, an arrangement that many find worrisome. Finally, there are still more indirect and murky security services, such as the military training offered by Bancroft Global Services to members of the African Union mission's in Somalia (AMISOM). Bancroft, led in Somalia by notorious mercenary Richard Rouget, is paid by the United States, contracted to Uganda and Burundi, and training a force that is under the command of the African Union but endorsed by the UN Security Council.[158] Clearly, UN procurement

146 Off the record conversation with author. Some have questioned why this training could not be performed directly by UN agencies or by DSS, which does security training for personnel going to Somalia, for instance.

147 Interview with Doug Brooks (ISOA), March 15, 2012.

148 Åse Gilje Østensen, note 96 above, 39.

149 Ibid.

150 See purchase orders for UNAMI in 2011 (https://www.un.org/depts/ptd/11_field_po_others.htm).

151 See purchase orders for UNSOA in 2011 (https://www.un.org/depts/ptd/11_field_po_others.htm).

152 *Annual Statistical Report on Procurement*, 2010, 300-301.

153 Email exchange with Jab Swart, Deputy Director of Security, UNDP, September 23, 2011. The Annual Statistical Report on Procurement for that year lists "consultancy services" (263).

154 *Annual Statistical Report on Procurement*, 2010, 301.

155 Report of the Independent Panel on Safety and Security of UN Personnel and Premises Worldwide, note 104 above, 57.

156 James Cockayne, note 92 above, 9.

157 A "trophy video" surfaced in 2005 showing Aegis guards shooting Iraqi civilians. See: Sean Rayment, "'Trophy' Video Exposes Private Security Contractors Shooting up Iraqi Drivers, *Telegraph*, November 27, 2005, accessed April 17, 2012, www.telegraph.co.uk/news/worldnews/middleeast/iraq/1504161/Trophy-video-exposes-private-security-contractors-shooting-up-Iraqi-drivers.html.

158 Jeffrey Gentleman, Mark Mazzetti and Eric Schmitt, "US Relies on Contractors in Somalia Conflict," *New York Times*, August 10, 2011.

is not at issue in such cases, but serious questions arise, nonetheless, about UN policy and the UN's reputation, and they must be part of any general assessment of UN "use" of military and security companies.

Compartmentalization?

UN officials like to insist (while offering no data) that the UN is mostly using PMSCs for unarmed security services. They liken these services to guards at shopping centers and they maintain that the use of PMSCs for such "conventional" duties, like standing in front of a UN compound, should be straightforward and unproblematic. Even though the same companies might provide "unconventional" services, including drone operations or interrogation of detainees, to other clients in the same city or neighborhood, these officials argue that the UN is on the safe side as long as it only uses them in the more benign roles. This approach greatly overstates the unarmed guard segment of UN contracts. It also erroneously presumes that the companies' activities can be compartmentalized, and that their clients can select the services they need without concern for the other offerings.

In reality, the private military and security industry is not compartmentalized. Companies providing unarmed guards are often also offering "unconventional" security services that are directly involved in the use of force. The lines are blurry between types of activities, since many of the firms provide a full range of services. This is especially the case in war-torn and conflict zones.

This is best illustrated by an incident involving the UN in Afghanistan. In 2004, Global Risk Strategies[159] was contracted by the Asia Foundation to provide "advice and assistance" to the Joint Electoral Management Body Secretariat (JEMBS), a hybrid of Afghan professionals and UN advisors. Global Risk Strategies was hired to identify and assess potential voter registration sites ahead of the presidential elections. According to the Asia Foundation, the company also worked on logistics, training and security advice and assistance.[160] While Global Risks Strategies was not directly contracted by the UN, the two worked closely together and it could be argued that the Asia Foundation was paying for a UN project.

As Global Risks Strategies staff were working on election preparations, a security incident occurred in Faizabad, in the northeastern part of the country. On September 7, local protesters ransacked a branch of the Aga Khan Development Network and physically assaulted employees.[161] A political affairs officer from UNAMA, the UN Assistance Mission in Afghanistan, flew to Faizabad the next day to assess the situation. The officer was met at the airport by employees from Global Risks Strategies, and was surprised to see that they were carrying weapons. According to the officer, these contractor personnel – the very same people who were mapping out polling stations – had kept guns among their belongings, and shifted to a "cowboy mentality" when the security situation deteriorated. Though Global Risks Strategies' was not contracted for security, its employees were more than ready to use force when they decided it was called for.[162]

As this shows, the idea that the UN is "safe" as long as it uses companies for "conventional" services is a dangerous illusion. In reality, the organization has very little control over the companies and their personnel in distant locations. An incident of the Faizabad type could lead to a very quick escalation even if "unarmed" personnel are involved. Adding to the problem is the general behavior and reputation of the hired companies. Many PMSCs contracted by the UN for seemingly uncontroversial services have a lengthy record of human rights abuses, unrestrained use of force, and other dangerous conduct.

159 Now Global Strategies Group.

160 Information available on the Asia Foundation's website: asiafoundation.org/pdf/Afghan_globalfactsheet.pdf.

161 "Angry Afghan Crowd Beats Aid Workers," *AFP/Reuters/AP*, September 7, 2004, accessed April 17, 2012, www.rferl.org/content/article/1054711.html.

162 Interview with former UNAMA Political Affairs Officer, February 2011.

V – Use of Disreputable Companies

The UN has hired companies well-known for their misconduct, violence and financial irregularities – and hired them repeatedly – in a pattern that reflects official negligence, or at least a cavalier attitude towards the organization's reputation, and an unwillingness to consider available information about the companies being hired. Much of the relevant information is accessible in the public record and UN officials who approve the contracts cannot credibly plead ignorance. In the absence of clear system-wide hiring standards, established protocols for vetting of new contractors or regular performance review, the UN will continue to hire disreputable companies that damage its reputation and its program effectiveness.

DynCorp International

The UN has repeatedly hired DynCorp International, one of the most notorious companies in the security industry. In 2010, UNDP and UNOPS together had more than $3 million in contracts with the company.[163] The UN signed contracts with DynCorp in 2008, 2009 and 2010, mostly for "consultancy" services.[164] Despite well-known cases of sexual abuse by DynCorp employees working under the UN in Bosnia in the 1990s,[165] the company has not been blacklisted by any UN body.[166]

DynCorp is particularly notorious for its work as a contractor for the United States government's "rendition" program – the covert airlift that transported suspects secretly and without due process to prisons in foreign countries where the detainees were held incommunicado for long periods and submitted to abuse and torture.[167] Company action under this contract involved responsibility for very serious violations of international law.

The company also held contracts for police training in Iraq during the US occupation, and its performance was often criticized by US government reports. In 2010, the US Special Inspector General for Iraq Reconstruction cited DynCorp for improper conduct, including lax oversight of hundreds of millions of dollars in US contracts, missing funds, and non-performance.[168] The Iraqi police are also well-known for their brutality towards detainees, including sexual abuse of women,[169] and it is reasonable to assign some responsibility to DynCorp for the outcome of its multi-year training programs. At the very least, the company utterly failed to produce acceptable results, consistent with the rule of law.

DynCorp has been the subject of serious accusations of malfeasance and unacceptable business practices. The US State Department, in its evaluation of DynCorp International's performance between 2005 and 2010 for an aviation contract, pointed that the company "failed to perform on a major aviation task order due to inadequately managing its own operations," thus increasing "costs by at least $20 million" in 2009. It also pointed out that "DynCorp consistently provided inaccurate and misleading information concern-

163 *Annual Statistical Report on United Nations Procurement*, 2010.

164 Data retrieved from the Annual Statistical Report on UN Procurement for 2008, 2009 and 2010, available online at www.ungm.org/Info/annual-statistical-report-UN-sustainable-procurement.aspx. The data for 2011 was not available at the time of publication.

165 DynCorp fired the two employees who blew the whistle on these cases but did not fire employees in management position at the time.

166 According to an observer, senior UN officials in charge of procurement argue that DynCorp cannot be removed from the UN Vendor Database because the company has not been sentenced by a court (off the record conversation with author).

167 "Court Case Lifts Lid on Secret Post 9/11 Flights," *Associated Press*, August 31, 2011, accessed April 17, 2012, www.thejakartapost.com/news/2011/09/01/court-case-lifts-lid-secret-post-911-flights.html. Following the release of these court documents, DynCorp International has claimed that none of the entities named in the documents are owned by or have any affiliation to DynCorp International. In 2005, Dyncorp was reorganized and split up, with DynCorp International forming one entity and other DynCorp affiliates remaining under the parent company Computer Sciences Corporation (CSC). But most of the documents revealed in this case cover the period 2002-2005, when all DynCorp entities were still subsidiaries of the umbrella DynCorp company, then owned by CSS.

168 Office of the Special Inspector General for Iraq Reconstruction, "Long-Standing Weaknesses in Department of State's Oversight of DynCorp Contract for Support of the Iraqi Police Training Program," January 2010.

169 "Promising Democracy, Imposing Theocracy: Gender-Based Violence and the US War on Iraq," *Madre*, March 2007 (www.madre.org/index/resources-12/human-rights-reports-56/promising-democracy-imposing-theocracy-gender-based-violence-and-the-us-war-on-iraq-86.html).

ing its efforts." The evaluation concluded that the company should not be rehired, as "continued use of DynCorp would represent an unjustifiable risk to the Government."[170]

Saracen

The UN hired Saracen Uganda to provide security services to the MONUSCO peacekeeping mission in the Democratic Republic of Congo (DRC) in 2010 and 2011.[171] Yet in 2002 a Security Council panel of experts report had singled out Saracen Uganda on the illegal exploitation of natural resources in the country. In addition, a 2011 report by the UN Monitoring Group on Somalia accused Saracen International, an affiliate of Saracen Uganda, of breaking the UN arms embargo in Somalia.

The 2002 Panel of Experts report revealed that Saracen Uganda had been involved in the illegal exploitation of natural resources in the DRC. According to the report, the firm was responsible for supporting, training and arming a violent paramilitary group in the DRC in partnership with General Salim Saleh, the brother of Ugandan President Yoweri Museveni. General Saleh, whom the panel accused of plundering the DRC's natural resources, was reported to be a 25 percent owner in Saracen.[172]

In 2011, the Security Council Monitoring Group on Somalia accused Saracen International of breaching the UN arms embargo in the country.[173] Saracen Uganda and Saracen International often insist that they are separate entities, but the connection is clear and extensively documented in the Monitoring Group report.[174] Under a 2010 contract with the Puntland regional authorities, Saracen International began importing military equipment and hardware, including armored vehicles, to a training camp in the north. In February 2011, the Monitoring Group directly warned Saracen about the arms embargo breach and the company replied that it had "suspended all training activities" and that Saracen's personnel and assets would be used for "humanitarian purposes."[175] The Monitoring Group was not convinced, and stated that Saracen:

> Not only violates the arms embargo, but also constitutes a threat to peace and security. Saracen's presence has increased tension in north-eastern Somalia because its operations are perceived as a military threat by Puntland's neighbors, as well as by some parts of the Puntland population.[176]

The Monitoring Group also pointed out "ambiguities" over the future use of the force trained by Saracen, which appeared to be intended for the subjugation of local clans opposed to oil exploration in the region,[177] where surveys have identified large and lucrative reserves.

G4S & ArmorGroup

In 2010, UN contracts with industry-leader G4S and its subsidiaries for "security services" amounted to almost $3 million.[178]

The company offers a wide range of services and has heavily benefited from a wave of government privatization, especially in the UK, where G4S currently operates six prisons and is bidding to operate more. It is also the first private security firm to operate a police station in the country.[179]

One of G4S' troubling business areas is the detention and management of illegal immigrants in Europe, the US, and Australia.[180] In the UK, G4S was contracted by the government to deport refused asylum seekers back to their country of origin. The company's practices came under scrutiny following the death of an Angolan national during such a re-

170 US Department of State, Contractor Past Performance Evaluation (https://docs.google.com/file/d/0B-_i0E2U1KtEMmNlMWM4ZTYtMWVjYy00Yzc4LWEyMzktMmVlZThkZmVlYzU3/edit?pli=1).

171 The data is available on the UN Procurement Division's website. The website lists a $170,685 contract in August 2010 for the "provision of unarmed security services at Entebbe and Kampala" (https://www.un.org/depts/ptd/10_others_contract_field.htm) and purchase orders in September 2010 ($132,935) and July 2011 ($144,648) (https://www.un.org/depts/ptd/10_others_po_field.htm).

172 UN Security Council, "Final report of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo," UN doc. S/2002/1146, October 16, 2002, par. 102-103, 20.

173 UN Security Council, "Report of the Monitoring Group on Somalia and Eritrea," UN doc. S/2011/433, July 18, 2011, par.7, 274.

174 Ibid. This information also appears in Saracen Uganda's profile in the list of signatories of the International Code of Conduct for Private Security Providers (available at www.icoc-psp.org/ICoCSignatoryCompanies.html).

175 Ibid, Par.25, 281-282.

176 Ibid, Par.28, 282.

177 Ibid, Par.30, 283.

178 *Annual Statistical Report on United Nations Procurement*, 2010. As mentioned earlier, the UN also uses G4S for services other than "security," including demining and cleaning.

179 Alan Travis, "Private Security Firm G4S to Run Lincolnshire Police Station," *Guardian*, February 22, 2012, accessed April 17, 2012, www.guardian.co.uk/uk/2012/feb/22/g4s-run-police-station-lincolnshire.

180 Nina Bernstein, "Companies Use Immigration Crackdown to Turn a Profit," *New York Times*, September 28, 2011, accessed April 17, 2012, www.nytimes.com/2011/09/29/world/asia/getting-tough-on-immigrants-to-turn-a-profit.html?pagewanted=all.

moval.[181] A report by Amnesty International UK examining cases of abuse by G4S found widespread use of excessive force by the company during enforced removals.[182] A G4S whistleblower described the company's practice as "playing Russian roulette with detainees' lives."[183] G4S was finally removed from the contract. Its practices have also come under legal review in Australia, where the company provides prisoner transport services.[184]

In 2008, UNOPS hired G4S subsidiary ArmorGroup to conduct mine clearance in Herat Province in Afghanistan. ArmorGroup has been part of industry giant G4S since March 2008. Over the course of 2008, UNOPS paid close to $15 million for ArmorGroup's services.[185] In March 2007, ArmorGroup had also been subcontracted by a company working for the US government to provide site security at Shindand airbase, in the same province. A September 2010 report of the US Senate's Committee on Armed Services revealed ArmorGroup's mismanagement and serious lack of oversight while it was holding these two contracts.[186]

The report shows that, to staff these contracts, ArmorGroup turned to two Afghan warlords. The warlords and their successors served as manpower providers for ArmorGroup during the duration of the UN contract, notably providing the company with armed security guards to protect the demining operations. After a rivalry developed between the Afghan principals and one warlord killed the other, ArmorGroup replaced the dead warlord by his brother and the arrangement continued.

These events occurred while ArmorGroup was under a UN contract, and yet there is no indication that the UN has conducted a thorough review of this case, that it has established strict rules on contractors' subcontracting and staffing practices, or that it has decided to suspend the company from its vendors' list following this incident. As of mid-2011 ArmorGroup was "not on any blacklist."[187]

181 Matthew Taylor, "Jimmy Mubenga: Security Firm G4S May Face Charges over Death," *Guardian*, March 16, 2011, accessed April 17, 2012, www.guardian.co.uk/uk/2011/mar/16/mubenga-g4s-face-charges-death.

182 "Out of Control: The Case for a Complete Overhaul of Enforced Removals by Private Contractors," *Amnesty International UK*, July 7, 2011 (www.amnesty.org.uk/uploads/documents/doc_21634.pdf).

183 Matthew Taylor and Paul Lewis, "UN Asked to Investigate Death of Angolan Deportee Jimmy Mubenga," *Guardian*, April 29, 2011, accessed April 17, 2012, www.guardian.co.uk/uk/2011/apr/29/jimmy-mubenga-campaign-un-investigation.

184 Liz Jackson, "Prison Van Firm Under Scrutiny After Death," *ABC News*, June 15, 2009, accessed April 17, 2012, www.abc.net.au/news/2009-06-15/prison-van-firm-under-scrutiny-after-death/1713972.

185 *Annual Statistical Report on United Nations Procurement*, 2008, 281.

186 US Senate Committee on Armed Services, note 80 above.

187 Email exchange with Nicholas George, Head of Communications, UNOPS, August 3, 2011.

VI – Weak Arguments for the UN's Use of PMSCs

When asked in interviews why the UN is increasingly using PMSCs, some UN officials argue that the companies provide much-needed additional security in circumstances that cannot be matched by in-house staff.[188] These officials raise three main arguments: cost-effectiveness, efficiency, 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 serious scrutiny.

Lower Cost?

PMSC proponents within the organization often argue that privatization of security service produces substantial cost-savings. Curiously enough, no study has brought evidence that outsourcing security is actually more "cost-effective."[189] Outsourcing these services can be costly because of the companies' expensive overheads, very well paid senior personnel, and high profit margins, not to mention the expense created by fraud, waste and mismanagement.[190] PMSCs have been known to pad their invoices, run up unnecessary costs and overcharge their clients.[191] The secret environment in which they operate makes financial oversight extremely difficult.

The UN itself has not conducted a systematic study of the costs of UN security personnel versus the costs of private contractors. This suggests that cost may not be the main factor in the decision to outsource security. Until 2004, the Secretary General presented an annual report on "Outsourcing Practices" to the General Assembly, which looked at the savings achieved. The last such report simply stated that more than $6.5 million had been saved by hiring private security guards, without providing any explanation as to how the numbers were reached.[192] While outsourcing continues, the Secretary General's reports have ceased, suggesting that senior UN management wants to keep a low profile on the issue. When asked about the absence of a systematic cost study, the Department of Safety and Security has stated that "cost comparison of course will be a factor, one among many."[193]

There is some indirect evidence that the costs of such services to the UN are in fact quite high, with international PMSCs and their expat staff proving to be quite pricey.[194] Cost advantages in bids can also be deceptive. In September 2011, the UN hired Hart Security to provide security training to UN staff going to Iraq. The training had previously been conducted in-house, but Hart put forward a cheaper proposal, which persuaded officials to outsource it. After the contract was signed and operational, Hart recalculated its operating costs and increased its fee. The service provided by Hart proved in the end more expensive than the in-house option, and also less tailored to the UN's needs.[195]

"No-bid contracts," common in this industry, often cancel out the supposed benefits of price competition. In 2007, the UN awarded a $250 million no-bid contract to Pacific Architects and Engineers (PAE), a wholly-owned subsidiary of weapons manufacturer Lockheed Martin,[196] to build five peacekeeping bases in Darfur.[197] When PAE's no-bid contract became public, the Secretary General was criticized

188 Off the record conversations with author.

189 See, for instance, David Isenberg, "Dogs of War: Cost-effective: Myth or fact?" *United Press International*, April 25, 2008, accessed April 17, 2012, www.upi.com/Top_News/Special/2008/04/25/Dogs-of-War-Cost-effective-Myth-or-fact/UPI-88971209135815/.

190 See for instance this report on DynCorp: SIGIR Audit Report 6-029, "Review of DynCorp International, LLC, Contract Number S-LMAQM-04-C-0030, Task Order 0338, for the Iraqi Police Training Program Support," January 30, 2007, i-ii.

191 For instance, the US Commission on Wartime Contracting found that the company SABRE International charged the US government $1,700 for Ugandan security guards in Iraq, but only paid the guards $700. See: Commission on Wartime Contracting, Final Report, 2012, 93.

192 UN Secretary General, "Outsourcing Practices," UN doc. A/59/227, August 11, 2004.

193 Email exchange with Gregory Starr, August 11, 2011.

194 Interview with William Phillips, Officer-in-Charge, Peacekeeping Situation Centre & Focal Point for Security, DPKO, August 25, 2011.

195 Off the record conversation with author.

196 "UN Awards US Company Contract up to $250 million to Build Darfur Camps," *Associated Press*, October 16, 2007. PAE is a private military firm founded in 1955, a member of the UN Global Compact and of the ISOA. It was sold by Lockheed Martin to Lindsay Goldberg, LLC in early 2011.

197 Office of Internal Oversight Services, "Peacekeeping Operations," UN doc. A/63/302, February 23, 2009, 10.

for failing to open the field to competitors. His office argued that the UN needed to move swiftly, as the peacekeeping mission in Darfur was just starting to deploy. However, documents subsequently made available show that the arrangement with PAE dated back at least to April 2007, several months before the start of the Darfur mission.[198] This episode prompted questioning from member states, including a call for an investigation into the contract by the General Assembly.[199] In 2008, the Office of Internal Oversight Services (OIOS), which was then investigating this case and others, reported that it had found "mismanagement and fraud and corruption to an extent [it] didn't really expect."[200] However, the result of the investigation into the PAE contract was never published.[201]

Rapid Deployment and Constant Availability?

The UN says that it can use the companies for rapid mobilization in fast-breaking crises and hire them on an ad hoc basis. The UN usually cannot hire staff on short notice and for short periods, but it claims to be able to hire contractors quickly and let them go when no longer needed. The organization does not have to relocate contractor personnel to the field when the mission begins or relocate them to another duty station when a mission ends.

When the UN sets up a new office or deploys a new mission, contractors (it is said) can provide a "stop-gap" solution that bypasses traditional lengthy routes to hire regular staff. But in reality PMSCs do not always agree to complex contracts on short notice, especially if problematic security conditions and major logistical hurdles are involved. The companies take only the contracts that suit them and those that offer good results and solid profit opportunities. DSL's turndown of a very large UN contract in Somalia in the early 1990s is a case in point.[202] Arguably, the UN lost humanitarian delivery capacity in the country because it was over-reliant on the idea of PMSCs and not prepared with good alternatives.

The record suggests that, in fact, the UN does not typically use major PMSCs on a short-term basis for quick deployment use. The organization tends to use the companies for much longer periods, including several years in a row. In Afghanistan, the UN hired IDG Security to provide armed protection to its facilities following the 2009 attack on the Bakhtar guesthouse in Kabul. Three years have passed, and the UN still uses IDG for the same purpose. Such "temporary" solutions turn out to be permanent arrangements. Once the UN has chosen outsourcing and developed relations with provider companies, it often does not take the path back to other, healthier, long-term alternatives.

Last Resort?

The UN leadership sometimes says it hires PMSCs as a "last resort," when no other options for protection are available. In fact, however, there are often other options, including host country forces, UN peacekeepers, special member state contingents and UN security staff.[203] PMSCs are allegedly only considered when the UN has exhausted these alternatives, but it appears that the organization often does not give these other options the consideration they deserve.

Supposedly, the UN relies first on the host government for the protection of UN staff and facilities.[204] Security officials like to point out that many host states do not have the capacity to meet such obligations, and that the UN may distrust national forces.[205] Yet in some cases PMSCs are hired even when robust national forces are available. It remains to be seen why a Spanish security company, Segurisa, was

198 www.innercitypress.com/sachlute707.pdf.
199 UN General Assembly, "Financing of the African Union-United Nations Hybrid Operation in Darfur," UN doc. A/C.5/62/L.15, January 3, 2008, par.27 & 30, 3-4.
200 Louis Charbonneau, "UN Probes Allegations of Corruption, Fraud," *Reuters*, January 10, 2008, accessed April 17, 2012, www.reuters.com/article/2008/01/10/idUSN10215991.
201 Matthew Russell Lee, "At UN, Ahlenius Trashes Ban, With Dirty Hands Too Late, Full Memo Needed," *Inner City Press*, July 20, 2010, accessed April 12, 2012, www.innercitypress.com/ban1ahoios072010.html.
202 Åse Gilje Østensen, note 96 above, 27.
203 Potential guidelines for UN use of armed security contractors are based on this argument. See later discussion of the IASM process on page 39 of this report.
204 The 1994 Convention on the Safety on UN and Associated Personnel mandates signatory states to prevent attacks on UN peacekeeping staff, and the 2005 Optional Protocol extends this obligation to all other UN operations (political, humanitarian…).
205 In Afghanistan, the attack against the Bakhtar guesthouse was carried out by men wearing the Afghan police uniform. See: Sabrina Tavernise & Sangar Rahimi, "Attack in Afghan Capital Illustrates Taliban's Reach," *New York Times*, October 28, 2009, accessed April 17, 2012, www.nytimes.com/2009/10/29/world/asia/29afghan.html?_r=1.

hired to guard the UN Logistics Base in Valencia, Spain, for example.[206]

The UN is said to rely secondly on peacekeeping forces from troop contributing countries. But these forces are available in only a limited number of countries where missions are deployed and are often stretched very thin. Foot soldiers are not the ideal source of security protection in any case. However, the organization could certainly explore the regular use of contributed security forces from member states, including police and other non-military units. Fijian forces provided UN security protection in Iraq, for instance, and this model could be replicated elsewhere.[207]

There is finally the obvious option of using UN security staff for protection and other security operations worldwide. This could consist of permanent staff or national staff hired on site for a specific mission. In fact, the UN has sometimes made use of this option and could do so more often. When the UN Mission in Sudan (UNMIS) began operations in 2005, it needed 700 guards for a dozen facilities. In the absence of other options, the organization eventually hired Sudanese nationals, an arrangement that seems to have worked satisfactorily in a very unsettled environment.[208] That solution cannot be replicated in all circumstances, but could get wider use. A much more highly-developed UN security service would be the lynch pin of any such system, but we can imagine that PMSC consultants are not keen on this path.

Since the UN seeks to maintain its field presence under extremely difficult and often highly-political circumstances, senior officials will continue to argue that PMSCs are essential ingredients of success. But their options are in fact much wider than they admit and their arguments for cost effectiveness, rapid-deployment and last-resort far from persuasive.

206 In 2011, the UN hired Segurisa to provide security for its Support Base in Valencia, Spain, through early 2014, for a fee of over $2 millions (www.un.org/depts/ptd/11_field_contract_others.htm).
207 These guards were sent by the government of Fiji to Iraq after the Canal Hotel attack, and were trained in Australia before their arrival. They operate under a UN mandate, in agreement with the host country. UN agencies and offices present in Afghanistan share the cost, which is paid to the Fijian government (Off the record conversation with author).
208 Off the record conversation with author.

VII – Many Serious Problems

UN officials remain silent on the wide range of very serious problems that arise around company contracts with the organization. These include not only the negative record of the companies, but also the secrecy and lack of accountability of the UN contracting and oversight system. These important and troubling issues include:

» **Lack of Vetting of the Companies, Hiring those with Seriously Negative Records:** As we have seen, UN officials have developed no effective system for vetting PMSCs and for judging whether they are appropriate partners for the organization. The UN has hired disreputable companies with no apparent consideration of the consequences and no sharing of information between different parts of the UN system about the history or performance of the companies in question. In spite of frequent complaints and questions from critics, UN security officials have failed to make progress in vetting and they have scarcely acknowledged that a problem exists. This same "untouchable" approach prevails in the procurement systems of major PMSC "host" countries, where serious violence and malfeasance have not stopped the contracts flowing.[209]

» **Dubious Contracting Practices:** Little is known about the contracts that the UN signs with PMSCs, but it would appear that these contracts follow industry practice, which frequently means secrecy and no-bid and/or cost-plus contracting. These are particularly open to abusive practice and malfeasance. Such practices have come to light in US government investigations of PMSC contracts in Iraq, where overcharges were endemic and government oversight agencies admitted that they had only the vaguest idea of the total contract amounts.[210]

Troubling examples in UN contracting have already come to light. As we have seen, Hart Security raised its price after winning a bid for security training of UN staff.[211] It is highly probable that there are other cases in which PMSCs, once hired, have pushed up prices or changed contract details.

The UN contracting process is often opaque and un-transparent. Even when specific cases come to the attention of member states, and questions are asked, the system of secrecy prevails. In early 2008, the General Assembly called for an investigation into a no-bid $250 million contract awarded to Pacific Architects and Engineers (PAE) for the construction of bases in Darfur,[212] a case already mentioned in this paper. While the UN's top watchdog, the Office of Internal Oversight Services (OIOS), started looking into the question, OIOS never issued any report or explained the matter.[213] Oversight seems exceptionally weak when security companies are under investigation.

» **Problems with Sub-Contracting and Indirect Arrangements:** The world of PMSCs is rife with sub-contracting and sub-sub-contracting. PMSCs outsource on a regular basis to increase their own flexibility, take advantage of contract opportunities and lower their costs. This practice greatly blurs responsibility and leads to very strange and unacceptable outcomes, such as the hiring (by a PMSC under UN contract) of warlords and their followers, as occurred in Afghanistan.[214] At the very least, sub-contracting makes oversight and regulation complex and difficult. How does a company ensure that its own advertised standards of conduct are implemented if it is actually fielding personnel from another company, perhaps a local firm that has few standards, little or no vetting of personnel and limited training? Similar problems arise when the UN is using nationally-contributed police units that are really the employees of a private

209 DynCorp's performance under US government contracts, for instance, consistently received very poor evaluations by its employers – equivalent to 0 out of a 5 point system – but the company was still re-hired. See: David Isenberg, "0 + 1 + 0 + 0 + 0 = DynCorp," *Huffington Post*, February 21, 2012, accessed April 17, 2012, www.huffingtonpost.com/david-isenberg/the-state-department-tell_b_1285366.html.

210 Office of the Special Inspector General for Iraq Reconstruction, "Long-Standing Weaknesses in Department of State's Oversight of DynCorp Contract for Support of the Iraqi Police Training Program," January 25, 2010.

211 Off the record conversation with author.

212 UN General Assembly, "Financing of the African Union-United Nations Hybrid Operation in Darfur," UN doc. A/C.5/62/L.15, January 3, 2008, par.27 & 30, 3-4.

213 Matthew Russell Lee, "At UN, Ahlenius Trashes Ban, With Dirty Hands Too Late, Full Memo Needed," *Inner City Press*, July 20, 2010, accessed April 12, 2012, www.innercitypress.com/ban1ahoios072010.html.

214 US Senate Committee on Armed Services, note 80 above.

company,[215] or when UN-endorsed military operations hire notorious mercenary firms.[216]

» **Lack of Standards and Absence of Broad Policy Review of PMSCs:** The UN's move to private security was not accompanied by necessary standard-setting. Though years have passed, and considerable experience has accumulated, the organization has still not undertaken any such comprehensive review, even though the UN policy discourse is replete with references to "lessons-learned." Since 1990, there have been several wide-ranging and thorough reviews of peacekeeping, beginning with the famous report of Lakhdar Brahimi in 2000.[217] Why, then, should the role of PMSCs be so systematically ignored? As the peacekeeping reports demonstrate, sound policy must be based on broad reflection, not just narrow arguments about details and "efficiency." Company and UN secrecy has prevented such a healthy standard-setting and assessment from taking place.

» **Secrecy and lack of transparency about PMSCs in the UN System:** The growing number of PMSC contracts at the UN has reinforced already secret and highly un-transparent policy methods – through a mix of supposed security concerns, requirements by the companies, and UN officials' concern about potential embarrassment. The subject of PMSCs is quite clearly taboo, and available information on contracts and hiring practices is spotty. None of the last five Secretary General's reports on the Safety and Security of UN Personnel, presented to the General Assembly every year, have examined UN use of private security.[218] The rare references in official reports to private "armed security guards" were made only in the case of Afghanistan, where the UN has used armed private guards since 2009.[219]

After 2004, the Secretary General has no longer issued an annual report on outsourcing.[220] This appears to be yet another example of the disappearance of information that might prove awkward to UN management and might shed unwanted light on the organization's PMSC policy. Another case of symptomatic silence is a major report issued by OCHA in 2011. Entitled *To Stay and Deliver*, the report focuses on how the UN can safely carry out its humanitarian work in insecure crisis zones.[221] Incredibly, the report makes only one oblique reference to PMSCs. Finally, an important 2008 report reviewing the protection of UN staff and facilities likewise makes no mention of PMSCs.[222] How can member states engage with security policy in such a void of official information?

The UN has always kept the formulation of its core security policy secret, including the foundation of the Department of Safety and Security (DSS) in 2005. In 2008, a report of the Office of Internal Oversight Services (OIOS) on DSS revealed that the department's structure had been based on the recommendations of a private security firm. Beyond that, however, the OIOS auditors were unable to go. They could not obtain the original report or even the name of the firm that produced it.[223]

» **Lack of Open Debate on PMSCs among Member States:** There has been very little debate on the UN's use of PMSCs among member states. The members, after all, have the responsibility to oversee the work of the Secretariat (and the agencies, funds and programs), and they have the ability to demand information and reports, and the authority to set rules and standards concerning these contracts and the larger issues affecting UN security. Yet they have not acted. This inaction may be a result of the paucity of information on the issue and it may reflect pressure from major powers who favor the PMSC policy option. It may also be the result of ambivalence of a range of governments who themselves hire PMSCs. Member states have sidestepped this important issue and they carry much responsibility for the organization's failure to address it.

215 This was the case of DynCorp in Bosnia.

216 Questions have been raised, for instance, about Bancroft Global Development, which is used by AMISOM, the African Union peacekeeping mission in Somalia backed by the UN Security Council. See: Jeffrey Gentleman, Mark Mazzetti and Eric Schmitt, "US Relies on Contractors in Somalia Conflict," *New York Times*, August 10, 2011.

217 Report of the Panel on United Nations Peace Operations, UN doc. A/55/305 – S/2000/809, August 21, 2000.

218 See UN docs. A/62/324, A/63/305, A/64/336, A/65/344, A/66/345.

219 See, for instance, the 2009 report of the Secretary General on the situation in Afghanistan, which mentions "internal private armed protection for existing and projected UNAMA offices in risk and medium-risk areas" (A/64/613–S/2009/674, December 28, 2009, 11). See also the 2010 budget estimate for UNAMA, which mentions "international internal private armed protection for existing and new field offices in areas of medium and higher risk" – Note that the term "international" did not appear in the previous document (A/65/328/Add.4, October 19, 2010).

220 Requests to the Office of the Spokesperson for the Secretary-General on why this is the case were not answered.

221 Jan Egeland, Adele Harmer and Abby Stoddard, "To Stay and Deliver: Good Practice for Humanitarians in Complex Security Environments," *OCHA*, 2011.

222 Report of the Independent Panel on Safety and Security of UN Personnel and Premises Worldwide, note 104 above.

223 Office of Internal Oversight Services, "Comprehensive Management Audit of the Department of Safety and Security, UN doc. A/63/379, September 26, 2008, par.12, 7.

VIII – PMSCs in the Broader UN Security Framework

PMSCs are a symptom of a broader crisis affecting the UN's mission and policies. UN officials argue that the increasing use of PMSCs responds to purely external changes – particularly, a generic rise in world "insecurity." From this perspective, the needed response is merely technical. But the UN's insecurity has a much wider context and it cannot be separated from the organization's general posture, its public support and its reputation.

The 2008 Report of the Independent Panel on Safety and Security provides a welcome alternative perspective on these issues.[224] It raises many key questions and presents a uniquely frank and well-informed interpretation. The panel, chaired by the highly-respected diplomat and longtime UN advisor Lakhdar Brahimi, was commissioned by the Secretary General in the wake of an attack on UN facilities in Algeria in December 2007. The report contains many specific recommendations about technical security issues but also insists that there is more to protection than new, hard security arrangements. It stresses the "urgent need to restore trust in the Organization" and its "fundamental values of impartiality and neutrality."[225] Rather than just looking at ways to mitigate "insecurity," the report identifies several policy changes that led the UN to become a target in recent years.

Change of Security Philosophy

During the past decade, the UN has redefined its security strategy, recognizing that the organization could no longer rely on its own reputation to secure it from harm. As one high official put it, the UN can no longer count on the "strong assumption that the UN flag would protect people, protect the mission."[226] At the same time, the UN decided to keep a presence in dangerous conflict situations where it previously would have withdrawn. This new dual posture led the organization to rely increasingly on forceful protection measures.

The Secretary General spoke of this new approach in his 2010 report on the Safety and Security of UN Personnel. He noted that the UN was going through a "fundamental shift in mindset." Henceforth, the organization would not be thinking about "when to leave," but rather about "how to stay."[227] The UN now proposes to stay in the field even when insecurity reaches a very dangerous threshold. The Secretary General's report, reflecting the UN's general posture, focuses on how to "mitigate" risk, rather than considering the broader context, such as why the UN flag no longer protects and whether the UN should be present in a politically controversial role in high-risk conflict zones.

Risk outsourcing is a rarely acknowledged aspect of this security philosophy. Private contractors reduce the profile of UN-related casualties and limit the legal responsibility for damages that security operations may cause. This is similar to the posture of governments, which lessen wartime casualties among their own forces through the use of PMSCs, and thus avoid critical public pressure on the waging of war. UN officials have acknowledged in private that in situations where casualties cannot be avoided, it is better to hire contractors than to put UN staff in danger.[228] As is the case for governments, UN use of PMSCs serves as a means to prevent public criticism of larger security policies.

"Integrated" Missions and Power Politics

The 2008 Brahimi report and other sources identify two important UN policy shifts which have damaged the organization's image and security – the "integrated mission" concept and the growing connection of UN action with the interests of a few powerful countries.

224 Report of the Independent Panel on Safety and Security of UN Personnel and Premises Worldwide, note 104 above.
225 Ibid, 3.
226 Kim Ghattas, "Mixed Feelings over UN Iraq Role," *BBC News*, August 11, 2007, accessed April 17, 2012, http://news.bbc.co.uk/2/hi/middle_east/6941560.stm.
227 UN Secretary General, "Safety and Security of United Nations and Associated Personnel," UN doc. A/65/344, September 3, 2010, 14.
228 Barbara Tavora-Jainchill, the President of the UN Staff Union, says that this is how DSS lays out the case for outsourcing security (Interview with Ms. Tavora-Jainchill, February 1st, 2012).

The "integrated mission" unifies humanitarian, political and military efforts within a single, supposedly complementary policy process in crisis areas. But many observers point out that this approach damages the organization's reputation of humanitarian action and destroys the neutrality that is essential for effective work. According to the influential Feinstein International Center at Tufts University, integrated missions have damaged the image of UN agencies as well as associated NGOs.[229] Integrated missions subordinate humanitarian and human rights concerns to political and military goals, often set according to great power agendas.[230] This model, implemented most notably in Afghanistan and Iraq, rejects traditional values of impartiality and neutrality and can reduce humanitarian action to an adjunct of pacification campaigns with their battle for "hearts and minds." The 2008 Brahimi report noted concerns raised by UN humanitarian staff that the UN is damaged by "too close association with international or national military forces, security arrangements that do not seek acceptance from local communities, and, last but not least, what may be perceived as subordination of humanitarian activities to partisan political considerations."[231]

Compounding the damage of the integrated mission, the UN has been increasingly associated with the political and military efforts of major powers. In Iraq, the UN arrived at nearly the same time as the invading "coalition" and never managed to define an independent role for itself in the conflict. As the Feinstein Center noted, Security Council Resolution 1546 "effectively shackled and subordinated the UN's humanitarian role to the fortunes or misfortunes of the [US-led] Multinational Force."[232] Should the UN have gone into Iraq in these conditions, when the Security Council had rejected the use of force and the vast majority of the world public opposed the invasion? Could PMSCs, even if they had they been deployed in large numbers, have thwarted a determined attack on UN headquarters in Baghdad?

In Afghanistan,[233] Somalia and other crisis zones, the problems are similar. By contrast, an official with Médecins Sans Frontières/Doctors Without Borders (MSF) in Afghanistan observed in late 2010 that MSF did not use armed guards and barbed wire fences because "we are not associated with any program strengthening the government."[234] MSF depends on its "acceptance" by the public to guarantee its safety and it has been largely successful – and able to operate in some areas where the UN (even with PMSC protection) has been forced to withdraw.

As the 2008 Brahimi Report points out, "at the core of this issue is the perception that the United Nations has become an instrument of powerful Member States to advance agendas that serve their own interests, rather than those of the global community of nations."[235] These are strong words from a panel of distinguished diplomats and political figures – words that alert us to the depth of the crisis and the risk inherent in it.

"Robust" Peacekeeping

"Robust" peacekeeping operations have also dramatically changed the profile of the UN, transforming the organization's image and stirring public criticism. Early peacekeeping operations were based on the principles of impartiality, consent and the non-resort to force except in self-defense. But, starting in the 1990s, the Security Council increasingly mandated UN mission to use force in a variety of circumstances, including for the "protection of civilians" and the maintenance of public order.[236] The second UN mission in Somalia (1993) and the missions in Sierra Leone and East Timor (2000) were early examples of such "robust" mandates.[237] In the Democratic Republic of Congo (DRC), Côte d'Ivoire and Haiti, UN troops have also used force – sometimes very lethal force – to support military objectives in highly politicized environments. Some of these actions have brought UN missions closer to "war fighting" than to peacekeeping. In the DRC – where the peacekeeping force uses mortars and rocket-propelled grenade launchers,

229 Antonio Donini, Larissa Fast, Greg Hansen, Simon Harris, Larry Minear, Tasneem Mowjee, and Andrew Wilder, "Humanitarian Agenda 2015: Final Report, The State of the Humanitarian Enterprise," *Feinstein International Center*, March 2008 (http://sites.tufts.edu/feinstein/2008/humanitarian-agenda-2015-the-state-of-the-humanitarian-enterprise).
230 Ibid, 18.
231 Report of the Independent Panel on Safety and Security of UN Personnel and Premises Worldwide, note 104 above, 72.
232 Antonio Donini, Larissa Fast, Greg Hansen, Simon Harris, Larry Minear, Tasneem Mowjee, and Andrew Wilder, note 229 above, 18.
233 Antonio Donini, "Afghanistan: Humanitarianism Unraveled?" Feinstein International Center, May 2010.
234 Rod Nordland, "Killings of Afghan Relief Workers Stir Debate," *New York Times*, December 13, 2010, accessed April 17, 2012, www.nytimes.com/2010/12/14/world/asia/14afghan.html?adxnnl=1&ref=afghanistan&pagewanted=all&adxnnlx=1323374727-VhOacR8duIKm6EeoJPWujg.
235 Report of the Independent Panel on Safety and Security of UN Personnel and Premises Worldwide, note 104 above, 70.
236 Ian Johnstone, "Dilemmas of Robust Peace Operations," in Center for International Cooperation, *Robust Peacekeeping: The Politics of Force*, 2009, 66.
237 Ibid.

tanks, armored personnel carriers and Mi-25 attack helicopters – the UN force commander commented: "it may look like war, but it's peacekeeping."[238]

Many UN insiders and observers have pointed to the contradictions of this new model. The Department of Peacekeeping Operations itself has expressed concern that the coercive and intrusive nature of robust peacekeeping threatens the legitimacy of peace operations.[239] A report of New York University's Center on International Cooperation has similarly questioned the compatibility of the key peacekeeping principles with situations in which the UN defines certain groups of "spoilers" as legitimate targets of lethal military operations.[240] The report also emphasized that the robust model departs from the original intent of peacekeeping, as "robustness" transforms peacekeeping operations into "low-intensity conflict with a hearts-and-minds annex," rather than adjuncts to a voluntary peace process.[241] Robust peacekeeping thus leads to a new image of the UN as an increasingly partisan and militarized organization, unworthy of public confidence.

"Bunkerization" of the UN

The UN treats the symptoms but not the causes of its growing "insecurity." This means strengthening protection measures, including more guards, fortified compounds with blast walls, armored vehicles and convoys protected by security guards. Under such circumstances, UN staff will have a far more difficult time working with local people and building trust in informal settings. For many observers, this protection approach damages the UN's core mission. The 2008 Brahimi report warned that "the 'UN fortress' approach […] associates the Organization with military powers, and potentially distances it from the public it was founded to serve."[242]

In 2009-2010, for example, the UN reinforced its compound in Peshawar, Pakistan, with heavy new protection measures, highly-visible to the public on the outside. As an additional security precaution, officials decided not to fly the UN flag. The compound was now fully bunkerized and anonymous. It soon became apparent, however, that the security risks were higher than ever. Rumors had begun to circulate in the city that the compound belonged to the notorious PMSC Blackwater, closely identified with the US military. In desperation, the UN flag was again raised.[243] But questions remain: why should the UN flag be lowered and why should a UN compound look like that of one of the world's most loathed military contractors?

UN humanitarian and development agencies are wary of "bunkerization" and they worry about UN facilities and personnel being hidden behind blast walls and razor wire. OCHA's report To Stay and Deliver explicitly rejected "bunkerization" in situations of insecurity. It insisted that humanitarian services could continue operating in high risk environments through other means. But the study carefully avoided any mention of PMSCs.[244] And its insistence that the UN "stay and deliver" reflected the general risk posture that has led to heavy protection measures.

PMSCs are encouraging and enabling the bunkerization policy. Their security thinking and their consultancies encourage the organization to harden its security posture, and they are providing the guards, the armored vehicles, the checkpoints, the sensors and all the other apparatus of a bunker approach. Only by questioning PMSCs do we begin to question the bunkerized world that they are creating.

238 Marc Lacey, "U.N. Forces Using Tougher Tactics to Secure Peace," *New York Times*, May 23, 2005, accessed April 17, 2012, https://www.nytimes.com/2005/05/23/international/africa/23congo.html?_r=1&pagewanted=all.

239 Office of Military Affairs, DPKO-DFS Concept Note on Robust Peacekeeping, 2009, 3.

240 William J. Durch and Madeline L. England, "The Purposes of Peace Operations," in Center for International Cooperation, *Robust Peacekeeping: The Politics of Force*, 2009, 43.

241 Ibid, 45.

242 Report of the Independent Panel on Safety and Security of UN Personnel and Premises Worldwide, note 104 above, 73.

243 Off the record conversation with author.

244 Jan Egeland, Adele Harmer and Abby Stoddard, note 220 above. Interestingly, private security providers are mentioned in the report's glossary (XIV) and in some of the articles listed in the bibliography, but only very obliquely in the actual report.

IX – Recent Developments in UN Policy

Guidelines for Armed Private Security

Many UN officials say that the organization began using PMSCs quite innocently, without prior reflection or assessment. Today, they insist, the UN is aware of the problem and embarking on a serious review. This version of UN history is not persuasive. Alarm bells have been ringing for two decades with no response.

In October 2010, however, the UN did make a gesture towards establishing a PMSC policy. The Inter-Agency Security Management Network (IASMN), a policy body composed of the heads of all security departments across the UN system, set up a Working Group to look into the matter.[245] The group's stated mission is to create system-wide guidelines on the use of armed private security services. The process has not been encouraging.

In May 2011, the UN Policy Committee – a body made up of the most senior officials of the organization and responsible for advising the Secretary General on strategic policy decisions – also looked into the issue of armed private security. Many top officials were involved in the discussions.[246] The Policy Committee submitted its conclusions to the Secretary General in June 2011. There are conflicting accounts of the nature of these conclusions, with some observers saying that the Policy Committee basically "green-lighted" the use of PMSCs for armed security, while others have claimed that that it referred the issue back to the IASMN.[247] A year has passed without a public pronouncement.

According to insiders, the IASMN Working Group proposed guidelines that allow the UN to use such services only as a "last resort." It also recommends that the UN submit these companies to a vetting process. Yet the details of the proposals remain private and the guidelines appear to be vague, offering only weak policy guidance. Some believe that the policy review will continue at a snail's pace for the indefinite future. In 2008, the IASMN was criticized by the UN Office of Internal Oversight Services (OIOS) for being slow to review and promulgate policies.[248] Nothing since then would lead to a different conclusion.

If adopted, these guidelines would probably do little to change the UN's use of PMSCs. The initiative might only deflect criticism and lessen pressure for more fundamental change. The flaws in the proposed guidelines are easy to anticipate. Most obviously the process is too narrow: it only targets companies providing armed security. PMSCs doing anything else, from unarmed security to system-wide consulting, would fall outside the rules. Will the "guidelines" and vetting apply to sub-contracted services? Could they be expanded beyond the narrow area of "armed" guards? And how will centralized standards be enforced in such a decentralized and secretive system, in which even DSS claims to have limited knowledge of system-wide contract information?

Some UN officials maintain that everything outside of armed security is a procurement rather than a security issue.[249] In other words, current procurement practices should be enough to deal with all companies providing services that are not strictly armed security. This ignores the spectacular failures of the procurement process over the past twenty years to weed out the most problematic companies and the most objectionable outcomes.

245 The Working Group is composed of the security directors of ten units: DPKO, UNDP, OCHA, UNHCR, OHCHR, UNICEF, WHO, FAO, WFP and WIPO. See: José L. Gómez del Prado, "A United Nations Instrument to Regulate and Monitor Private Military and Securite Contractors," *Notre-Dame Journal of International, Comparative & Human Rights Law*, I (1), Spring 2011, 40.

246 The IASMN, DSS, WHO, UNHCR, UNICEF and WHO all participated. See: Åse Gilje Østensen, note 96 above, endnote 3, 69

247 Off the record conversations with author.

248 "[…] there were concerns that the Network did not review and promulgate policies in a timely manner and did not adequately reflect the needs of all members." See: Office of Internal Oversight Services, "Comprehensive management audit of the Department of Safety and Security," UN doc. A/63/379, September 26, 2008, 1.

249 Interview with Mourad Wahba, Director of Security, UNDP, July 20, 2011.

The PMSC Lobby

As PMSCs look to diversify from their prime operational areas in Iraq and Afghanistan, they are turning to the UN as an important growth opportunity and business target.

A group of French companies – Geodis, GIE Access, Sodexo and Thales – has recently formed the "Global X Company" to strengthen bidding power for large contracts with UN peacekeeping operations.[250] Heavyweights like UK-based G4S and US-based DynCorp already have a strong contract posture and seek to broaden it. Industry lobby groups are themselves at work to deepen PMSC relationships with the UN and to propose new ways that the companies can serve UN missions. At the 2011 Annual Summit of the ISOA, the trade group for US-based PMSCs, a panel examined "UN Acquisition and Procurement Policies,"[251] giving members information on how to land UN contracts. The ISOA weekly newsletter regularly features articles on UN operations and shares the "industry insight" on matters such as "the opportunity to use alternative actors to support ongoing efforts toward peace and stability."[252]

Within the UN Secretariat, the Department of Safety and Security (DSS) plays a key role in promoting PMSCs and advocating for a "hard" security perspective. Department leadership has expressed little interest in "acceptance" as a security doctrine. Current Under-Secretary General Gregory Starr came to the UN from Washington, where he served as diplomatic security chief at the US Department of State.[253] Under his leadership, the State Department greatly expanded its use of PMSCs, despite much Congressional concern, serious operational problems, human rights abuses, and widespread malfeasance. Starr re-hired Blackwater after the Nisour Square massacre of September 2007. He declared at the time that the decision to re-hire was made "after careful consideration of operational requirements necessary to support the US Government's foreign policy objectives."[254] Starr has been a strong advocate for PMSCs throughout his UN tenure.

With many such powerful opinion-shapers and lobby agents both inside and outside the UN system, it will be exceedingly difficult to re-shape UN security policy.

250 Christian Menard and Jean-Claude Viollet, note 13 above, 19.
251 ISOA Weekly Digest, 24-28 October 2011 (www.stability-operations.org/weekly/2011_dw42.htm).
252 ISOA Weekly Digest, 19-24 January 2012 (www.stability-operations.org/weekly/2012_dw03.htm).
253 Åse Gilje Østensen, note 96 above, 42.
254 Jeremy Scahill, note 65 above, 48.

X – PMSCs: Part of the Problem, not the Solution

As we have seen throughout this report, PMSCs are not reliable sources of "security" and "protection." It is reasonable to ask whether they really reduce threats and attacks on UN buildings and personnel or whether they may actually increase insecurity. The UN has done no comprehensive study to answer this question and none is foreseen. Yet questions about the role of PMSCs have occasionally surfaced within the organization. A 2002 report of the Secretary General commented that in the security area "outsourced activities […] may compromise the safety and security of delegations staff and visitors."[255] The Brahimi report of 2008, though it tiptoed around PMSCs, strongly suggested that "hard" security approaches can be counter-productive.

We know from extensive evidence that PMSC personnel bring insensitive, arrogant and violence-prone behavior to their assignments. US diplomatic cables on Iraq provide some revealing information and judgments by US diplomatic staff about PMSCs. *New York Times* journalists, reviewing the cables, have written extensively about negative consequences of "beefy men with beards and flak jackets"[256] who symbolize foreign intrusion into a country and provoke violent reactions from local citizens. According to the *Times*, US officials in Iraq are aware of the problems raised by "burly, bearded and tattooed security men" who "evoke memories of abuses like the shooting deaths of 17 Iraqi civilians in a Baghdad square in 2007."[257]

While local companies and employees do not raise the same issues, they present challenges of their own. Local contractors may have ties to one faction and may be seen by the rest of the population as just another party in a conflict. The UN often has little understanding of how these companies are linked to state military forces, government officials, warlords, militias or local criminal networks.[258]

Private security, therefore, is a formula for permanent insecurity. Perceptive UN staff and UN officials, including former head of the Department of Peacekeeping Operations Jean-Marie Guéhenno, are openly critical of this approach. According to Guéhenno, the equation of security with guards and hard protection is "severely misguided."[259] Similarly, the 2008 Brahimi report insists that stepped up protection "cannot remove the threat itself."[260]

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. They base their understandings on military war fighting, secret intelligence operations, Special Forces black ops and other non-humanitarian and extra-legal experiences. 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.

255 UN Secretary General, "Outsourcing Practices," UN doc. A/57/185, July 2, 2002, 2.

256 James Glanz and Andrew W. Lehren, "Use of Contractors Added to War's Chaos in Iraq," *New York Times*, October 23, 2010.

257 "U.S. Planning to Slash Iraq Embassy Staff by as Much as Half," Tim Arango, *New York Times*, February 7, 2012, accessed April 17, 2012, https://www.nytimes.com/2012/02/08/world/middleeast/united-states-planning-to-slash-iraq-embassy-staff-by-half.html?sq=contractors%20iraq&st=cse&scp=4&pagewanted=all.

258 Tony Vaux, Chris Seiple, Greg Nakano and Koenraad Van Brabant, note 90 above, 16.

259 Interview with Jean-Marie Guéhenno, September 6, 2011.

260 Report of the Independent Panel on Safety and Security of UN Personnel and Premises Worldwide, note 104 above, 70.

XI – Conclusion

For years, UN leaders have been unwilling to undertake a serious evaluation of the organization's outsourcing to PMSCs. They have often downplayed the UN's use of the companies and willfully kept information in the dark, out of the eye of the public and beyond the scrutiny of member states. While many UN insiders have privately expressed concerns, they have not felt free to share them openly. Meanwhile, a few governments have pressed the organization to expand its use of PMSCs, in line with new military and security doctrines. PMSC policies have moved ahead with minimal oversight by intergovernmental policy organs. Unsurprisingly, a recent UN internal review has followed the path of closed-door discussions, minimal oversight proposals and lack of meaningful intergovernmental consultation and debate.

UN secretiveness reflects the embarrassing nature of the PMSC partnership. As this paper has shown, the UN has hired disreputable PMSCs that have engaged in offensive, dangerous, and even criminal behavior while working for the organization. Such cases should long ago have alerted the UN to the danger of hiring the companies and to the threat PMSCs pose to the organization's image and mission. But there has been no change of course.

Bold action will be required if the UN is to break away from current, failing security policies. The UN should move swiftly to impose tight new criteria, based on wide member state consultation, so as to insure that any new PMSC contract will meet the highest standards. Most importantly, the organization should undertake a wide-ranging review of its use of these companies, with the aim of re-thinking its security posture, minimizing outsourcing or completely eliminating use of these discredited services. The UN faces alienation from its global constituency if it continues to follow the present security path. The organization must re-center its thinking on public support rather than burly warriors, blast walls and obsessive secrecy. Success in this change will depend on the action of independently-inclined member states, courageous individual staff members, NGOs unafraid to speak out, and a worldwide public that rejects the present, force-centered security world view.

Strong Guidelines, Rigorous Oversight and System-Wide Transparency

If the UN is to use PMSCs – even in a short-term future – it should promptly devise and implement a new policy of openness, a strong vetting system for both the companies and their employees, and clear guidelines defining which services the companies should perform, how oversight and accountability are to be managed, and what rules of behavior should apply. This approach cannot be limited to companies providing armed security to the organization, as the current unacceptably narrow review proposes. As we have seen, the companies are woven into the UN's security system at every level, including the formation of core policy through consultating contracts. Everything must be subject to a comprehensive review and clear new standards of accountability.

Currently, the UN hires PMSCs on an ad hoc and often decentralized basis with little system-wide consultation, an approach that puts the organization in an extremely risky position. The Department of Safety and Security claims that it cannot even estimate the number of private security contracts, in light of local contracting and rapidly-changing conditions. This suggests a system out of control, with little capacity for uniform rules and responsible oversight. This must change fast if there is to be a system that is even marginally reliable and worthy of public support.

There is a need for mandatory information sharing between UN departments, agencies and programs about the PMSCs they are using, as well as a pooled performance review process. This will improve vetting and help mitigate reputational, legal and operational risk for the organization as a whole, by ensuring it has full visibility over PMSC connections and performance.

To create and implement new system-wide guidelines, the UN can draw ideas and language from existing documents. The Convention on PMSCs, as drafted by the UN Working Group on the Use of Mercenaries, contains many useful

ideas.[261] These include vetting and training standards, licensing and registration systems, and clear guidelines for the delegation of responsibility.

Another useful source is the Montreux Document, created in 2008 by seventeen governments under the leadership of Switzerland and now endorsed by thirty-nine governments. The Document contains many useful ideas and suggestions, based on existing international law and "good practices" by governments that have contracted for PMSC services. While the Document is not legally binding and falls short of what is required to truly regulate the industry, many of its suggestions could be turned into binding rules for the UN system. The International Code on Conduct for Private Security Service Providers (ICoC), supported by a number of PMSCs, provides more specific conduct standards for PMSCs based on the Montreux Document. The UN could use it as guidance on standards to be incorporated in its contracts with PMSCs.

Finally, there is the "Human Rights Due Diligence Policy on UN support to non-UN security forces" (HRDDP). The HRDDP, endorsed by the Secretary General in July 2011, provides a framework to ensure due diligence in situations where the UN gives support (technical, financial, logistical and operational) to non-UN security forces. Part of the purpose of the HRDDP is to "maintain the legitimacy, credibility and public image of the United Nations and to ensure compliance with the Charter and with the Organization's obligations under international law."[262] Though the policy was devised for application to military forces not under UN command, the concepts are broadly consistent with oversight of PMSCs. Some of the language could be applied directly to UN use of these companies. In particular, the HRDDP states that UN support cannot be provided when there are grounds for believing that the beneficiaries have committed grave violations of international law, or that such violations will occur.[263] The UN could broaden the criteria defining "grave violations" and make them more specific to a range of conditions, including action that undermines the UN's credibility, reputation and effectiveness.

The UN should adopt regulatory approaches, not as a permanent arrangement but as an interim measure, while considering (and acting on) deeper questions about the organization's security posture and its role in pursuit of peace and justice in the global system.

Rethinking Security

The regulatory approach, however robust, accepts a set of relationships that are deeply flawed and that will likely be resistant to a well-functioning regulatory regime. Secrecy is likely to persist, consultancies will produce problematic security thinking, and company warriors in the field will continue their violent and crude behavior. 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 raised if member states are to seriously consider the companies as UN partners.

A full airing of these issues is absolutely essential if the international community is to seriously grapple with the conundrum of PMSCs. Company advocates will, of course, continue to argue that the organization needs PMSCs in a dangerous world, where threats to world order are lurking everywhere and growing in severity. These arguments, as we have seen, are superficial at best. A deep review will have to ask whether the UN can be true to the optimism and vision of the Charter, and whether the organization can reclaim its potential, drawing on the Charter's values of cooperation, progress for all and social justice.

In the end, the question of PMSCs is the question of what the UN is today and what it might become. Loosening the grip of the military and security companies poses a core challenge for those who seek reform and renovation of the world body. Only by ridding itself of violence-prone policies and security-centered frameworks can the UN move towards a different and more effective commitment to the well-being of all humanity.

261 Working Text for a Potential Draft Convention on Private Military and Security Companies (PMSCs), Article 3, 1.
262 Human Rights Due Diligence Policy on UN Support to Non-UN Security Forces, par.3, 1.
263 Ibid, par.1, 1.

Acronyms

ECA	Economic Commission for Africa
ECLAC	Economic Commission for Latin America & the Caribbean
ESCAP	Economic Commission for Asia and the Pacific
ESCWA	Economic & Social Commission for Western Asia
DRC	Democratic Republic of the Congo
DSS	UN Department of Safety and Security
DPKO	UN Department of Peacekeeping Operations
FAO	Food and Agricultural Organization of the UN
IAEA	International Atomic Energy Agency
IASMN	Inter-Agency Security Management Network
IFAD	International Fund for Agricultural Development
ILO	International Labor Organization
INSTRAW	International Research and Training Institute for the Advancement of Women
ITC	International Trade Center
ITU	International Telecommunication Union
MINUSTAH	UN Stabilization Mission in Haiti
MINURSO	UN Mission for the Referendum in Western Sahara
MONUC	UN Organization Mission in DRC
MONUSCO	UN Organization Stabilization Mission in DRC
OCHA	UN Office for the Coordination of Humanitarian Affairs
OIOS	Office of Internal Oversight Services
ONUB	UN Operation in Burundi
OPCW	Organization for the Prohibition of Chemical Weapons
PAHO	Pan American Health Organization
UN	United Nations
UNAMA	UN Assistance Mission in Afghanistan
UNAMI	UN Assistance Mission for Iraq
UNDP	UN Development Program
UNESCO	UN Educational, Scientific and Cultural Organization
UNFPA	UN Population Fund
UNHCR	UN High Commissioner for Refugees
UNICEF	UN Children's Fund
UNIDO	UN Industrial Development Organization
UNIFIL	UN Interim Force in Lebanon
UNIOSIL	UN Integrated Office in Sierra Leone
UNLB	UN Logistics Base
UNMEE	UN Mission in Ethiopia and Eritrea
UNMIK	UN Interim Administration Mission in Kosovo
UNMIL	UN Mission in Liberia
UNMIS	UN Mission in the Sudan
UNMIT	UN Integrated Mission in Timor-Leste
UNMOGIP	UN Military Observer Group in India and Pakistan
UNOCI	UN Operation in Cote d'Ivoire
UNOG	UN Office at Geneva
UNOMIG	UN Observer Mission in Georgia
UNON	UN Office in Nairobi
UNOPS	UN Office for Project Services
UNOV	UN Office in Vienna
UNPD	UN Procurement Division
UNSOA	UN Support Office for AMISOM
UNU	UN University
UNV	UN Volunteers
UPU	Universal Postal Union
WFP	World Food Program
WHO	World Health Organization
WIPO	World Intellectual Property Organization
WMO	World Meteorological Organization
WTO	World Tourism Organization

Appendix I – Evolution in UN Security Contracting, 2009-2010

Agency Share by Category of Goods and Services – Security Services

	2009		2010	
ECA	$2,200	0.0%	$0	
ECLAC	$50,300	0.1%	$64,200	0.10%
ESCAP	$20,100	0.0%	$0	
ESCWA	$0		$0	
FAO	$0		$0	
IAEA	$216,300	0.5%	$242,100	0.30%
IFAD	$1,083,400	2.4%	$1,058,300	1.40%
ILO	$284,300	0.6%	$852,400	1.10%
INSTRAW	N/A		$0	
ITC	$0		$0	
ITU	$0		$0	
OPCW	$45,700	0.1%	$0	
PAHO	N/A		$0	
UNDP	$9,762,400	22.1%	$30,100,000	39.80%
UNESCO	$0		$0	
UNFPA	$0		$851,600	1.10%
UNHCR	$8,106,800	18.3%	$12,213,800	16.10%
UNICEF	$0		$0	
UNIDO	$0		$0	
UNOG*	$0		$0	
UNON	$0		$534,700	0.70%
UNOPS	$2,162,000	4.9%	$2,606,900	3.40%
UNOV	$0		$0	
UNPD	$15,611,000	35.3%	$18,458,500	24.40%
UNU	$69,400	0.2%	$0	
UNV	$0		$1,646,900	2.20%
UNWRA	$0		$1,200	0.00%
UPU	$0		$0	
WFP	$0		$0	
WHO	N/A		$0	
WIPO	$6,238,000	14.1%	$6,513,200	8.60%
WMO	$351,700	0.8%	$343,700	0.50%
WTO	$220,800	0.5%	$214,700	0.30%
Total	**$44,224,400**		**$75,702,200**	

Source: Annual Statistical Report, 2009 & 2010, 110-122
*UNOG numbers include OCHA, UNCTAD and UNECE

These numbers are excerpted from the Annual Statistical Reports on UN Procurement for 2009 and 2010. They only offer a partial view of UN security contracting. While some agencies and programs are listed as having spent $0 on security services, it is very likely that they have hired PMSCs in that period.

Available data shows that UNDP is one of the largest contracting bodies within the UN, having spent over $30 million in visible outlays on security services in 2010. This is partly explained by the fact that UNDP sometimes does contracting for other agencies, programs and departments. It is followed by the UN Procurement Division (UNPD), which does procurement for peacekeeping missions ($18.5 million in 2010), and the High Commissioner for Refugees ($12 million in 2010).

Incomplete information – or none at all – for other UN bodies make it difficult to assess how extensively they use PMSCs. When contacted for more details, agencies and departments sometimes refuse to comment on the matter, or state that they cannot provide a total number for the whole agency, as these services are contracted on a country-office basis. However, it is likely that some of these bodies, especially operational departments and agencies like the World Food Programme and UNICEF – listed in the reports has having contracted no private security services in 2009 and 2010 – spend substantial amounts on private security services. Individual contracts for WFP listed in the 2009 report show that it spent at least $4.5 million on such services. The Department of Political Affairs, with its programs for elections, security sector reform, and the like, is probably also a major source of contracts.

Appendix II – Field Missions' Use of Security Services, 2006-2011

Field Missions' use of Security Services

	2006**		2007	2008	2009	2010	2011
MINUSTAH	$315,700	$622,038	$301,900	$151,800	$1,198,620	$872,580	$791,491
MINURSO	$0	$0	$0	$0	$0	$55,522	$0
MONUC/ MONUSCO	$522,145	$1,051,527	$622,182	$2,385,665	$870,870	$1,450,751	$6,028,710
ONUB	$278,757	$1,510,810	$124,559	$0	$0	$0	$0
UNAMA	$0	$0	$452,656	$834,876	$3,178,144	$9,806,288	$9,364,711
UNAMI	$0	$0	$0	$1,139,745	$0	$236,617	$1,684,524
UNIFIL	$78,300	$98,654	$0	$104,251	$112,591	$0	$95,681
UNIOSIL	$0	$0	$144,456	$119,627	$0	$0	$0
UNLB	$0	$0	$32,456	$0	$0	$336,754	$191,366
UNMEE	$406,718	$1,055,897	$523,985	$463,672	$49,926	$0	$0
UNMIK	$321,458	$1,786,368	$1,082,422	$1,705,275	$766,787	$115,815	$2,265,046
UNMIL	$749,290	$1,174,895	$5,196,368	$2,542,410	$2,336,002	$1,390,746	$1,865,054
UNMIS	$32,415	$145,787	$44,344	$64,330	$56,913	$93,322	$72,780
UNMIT	$0	$202,132	$706,458	$958,464	$2,951,213	$3,480,203	$3,098,000
UNMOGIP	$0	$0	$0	$0	$0	$86,829	$278,435
ONUCI	$906,080	$1,185,503	$1,155,112	$1,216,773	$1,237,333	$1,043,553	$740,116
UNOMIG	$107,839	$185,675	$216,077	$154,637	$36,288	$0	$0
UNSOA	$0	$0	$0	$0	$0	$41,266	$0
Total (UNPD)	$3,718,702	$9,019,286	$10,602,975	$11,841,525	$12,794,687	$19,010,246	$26,475,914
Total (Annual Statistical Reports on UN Procurement)*	$10,589,722		$10,595,816	$12,422,912	$15,611,000	$18,458,500	N/A

The UN Procurement Division (UNPD) gives data for both contracts and Purchase Orders (POs) for every field mission. The sums featured here represent all the contracts and POs for "security services." When the contract and PO amounts differ for the same company during the same year, we have used the highest amount. Note that sometimes a contract can cover several years, which may explain why some missions are listed as having spent $0 in certain years. In light of the conflicting and partial information available, these numbers cannot be and are not meant to be exact, but rather to reflect general trends.

* The numbers given on UNPD's website and those from the Annual Statistical Reports on UN Procurement often differ, which is why we have included both. The 2009 and 2010 reports had compiled the totals which are used here. The totals for the other years were calculated by adding all the individual contracts for "security services" listed under UNPD in the reports.

** The 2006 column on the left reflects numbers from UNPD, while the column on the right reflects numbers given in the 2006 Annual Statistical Report on UN Procurement. As the numbers were extremely different, we included both.

Notes:

» The increase from 2009 to 2010 can be mostly attributed to UNAMA, while the increase from 2010 to 2011 is mostly due to MONUC (and a four year contract for UNLB).

» Using the highest available numbers, there is a 250% increase in the use of security services from 2006 to 2011.

Appendix III – Companies hired by the UN

Major Companies

Control Risks Group
DynCorp
G4S, including subsidiaries:
- ArmorGroup
- Ronco
- Wackenhut

Global Strategies Group (formerly Global Risks Strategy)
Halliday Finch
Hart Security
IDG Security
Pacific Architects and Engineers (PAE)
Saladin Security
Securitas

Companies no Longer in Existence

Defense Systems Limited (now ArmorGroup)
Lifeguard
Sandline

Smaller and Local Companies

Atlas Securité (France)
Balkan International (Serbia)
Blue Hackle East Africa (Uganda)
Cop Gard (Chad)
Dak Services (Cameroon)
EPSS (Entreprise de Prestations de Services de la Savane) (DRC)
Garantie (Chad)
Global Shield for Trade and Security (Jordan)
Group Simba Security (DRC)
Guarda Secura (Angola)
Idoine Securité (Algeria)
Inter-Con Security Systems of Liberia (Liberia)
KK Security Congo (DRC)
LA King Security Service (Central African Republic)
Lavegarde (Cote d'Ivoire)
Pap Security (Haiti)
Phoenix Security Services (Pakistan)
Protectron (Lebanon)
Saracen Uganda (Uganda)
Seila Kennels (Haiti)
Shomer Israel (Israel)
Sigma Securite (Algeria)
Sogafer (Cote d'Ivoire)
Stallion Security Company (Yemen)
Sypro (DRC)
Ultimate Security (Tanzania)
Vigassistance (Cote d'Ivoire)
Warrior Security Sudan (Sudan)
X-Pert Security Services (South Africa)
Z Oversea for Security (Egypt)

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