

The brave new world of private military and security companies



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- mobilising support and building alliances for political action in support of human rights, especially workers' rights
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Preface

In the 15 years since the declaration of a 'war on terror' and the invasions of first Afghanistan and then Iraq, the world has witnessed an enormous proliferation of private military and security companies (PMSCs) seeking to profit from instability and conflict. Hundreds of companies have been established in the past few years alone, and there now exists a vast private industry worth hundreds of billions of dollars. Sadly, rather than introducing binding regulation of the industry, the British government has decided to allow the mercenaries to regulate themselves.

In 2006, three years after the invasion of Iraq, War on Want published a groundbreaking report on corporate mercenaries, documenting the increasingly central role of PMSCs in the continuing occupation. The report linked the rise of PMSCs with increasing human rights abuses, a flourishing weapons trade and political destabilisation. At that time, with the companies operating in a complete legal vacuum, we made an urgent appeal for a ban on PMSCs in conflict zones, strict public scrutiny requirements and an end to the revolving door between senior defence and security officials and the industry.

This briefing provides an update on the mercenary industry, detailing the latest developments in the murky world of these 'guns for hire'. UK companies continue to dominate the industry, and can be found at the forefront both in the conflict zones of the 'war on terror' and in the expansion to Africa and the high seas. The use of private armies by governments and corporations was

previously an exception. It is now becoming the norm, as states and companies seek to evade responsibility for the use of violent and often deadly force. The industry will continue to grow unchecked unless it is brought under control.

Voluntary codes like the 2010 International Code of Conduct for Private Security Service Providers (ICoC) are not the answer to the culture of impunity that PMSCs enjoy. Such codes are used by companies to legitimise existing industry practice and to block the introduction of legally binding regulation. The UN Human Rights Council has been developing a binding convention for the regulation of PMSCs at the international level, and Switzerland has introduced new legislation banning all Swiss-based PMSCs from operating in conflict zones. The UK government, by contrast, has consistently backed standards for the PMSC industry that are based on self-regulation, not public accountability.

War on Want believes that the privatisation of war must end, and that PMSCs must be banned altogether from operating in conflict zones. Voluntary self-regulation for this lethal industry is unacceptable. National regulation, alongside legally binding international mechanisms, is long overdue.

John Hilary
Executive Director

UK: mercenary kingpin

The UK is an important hub for the PMSC industry. At the height of the occupation, around 60 British companies operated in Iraq.² Now there are hundreds of British PMSCs operating in areas of conflict around the globe, working to secure government and corporate presence against a range of 'threats'.

The leading British PMSCs are sprawling corporate entities, with complex structures and a global footprint. Companies like G4S (which acquired ArmorGroup in 2008), Aegis Defence Services (now part of GardaWorld), Control Risks and Olive Group make hundreds of millions of pounds in profit each year from the industry, and come complete with PR departments and marketing teams. The result has been a proliferation

of euphemistic branding: this is an era of 'risk management consultancy' and 'security solutions', provided to 'clients' operating in 'high-risk and complex environments'.

At the heart of the industry is a revolving door between PMSCs, military, intelligence and corporate worlds, with the interests of these sectors closely intertwined. No fewer than 14 companies are based in Hereford, close to the headquarters of the SAS, while at least 46 companies employ former members of the UK Special Forces.³ Many of the smaller PMSCs consist entirely of ex-military personnel, and the larger corporations have ex-military personnel in key posts. As Graham Binns, CEO of Aegis Defence Services and former Armoured Brigade Commander, said: "In the world of business, ex-military people have got a lot to offer – I certainly hope so anyway."



Examples of former military personnel in key posts within PMSCs include:

- Olive Group's executive board is made up of ex-British military personnel including the co-Chairman, Chief Executive Officer, all three Vice Presidents and the Director for Crisis Response.5
- 3e Global employs a team "drawn from Government, Intelligence and Specialist Military backgrounds. All of whom have trained and operated to the highest echelons within the UK and worldwide." The company offers a range of services, including "covert technical surveillance" for corporations to "monitor staff or employees" and "identify the source of information leaks or internal issues".6
- Control Risks has many key management posts filled by ex-members of the military and intelligence services. The company's Middle East operations are overseen by Andreas Carleton-Smith,
- an ex-SAS officer, while its Iraq operations are headed by David Amos, an ex-officer in the British Army, who now leads more than 1,200 people with 340 armoured vehicles in sites across the country. Eddie Everett, formerly of the Special Forces, manages the company's Global Client Services, while Jim Brooks is CEO of its American arm. Brooks is ex-CIA, and worked for the Agency supporting its worldwide paramilitary operations, and as a Navy SEAL advisor to Latin American security services.7
- Aegis Defence Services boasts
 Nicholas Soames, former UK
 government Minister for the Armed
 Forces, as its Chairman and Graham
 Binns, a former Commander
 of the 7th Armoured Brigade
 and Commandant of the Joint
 Services Command and Staff
 College, as CEO.8

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2 Iraq: mercenary incubator

The British PMSC industry took off with the occupation of Iraq and the resulting unrest. The Director General of the British Association of Private Security Companies, Andy Bearpark, has made clear: "In Iraq in 2003 and 2004 money was basically free. That meant contracts were being let for ridiculous amounts of money - millions and millions of dollars of contracts being pumped into the industry. The industry exploded in terms of the volume of business on the back of Iraq."9 UK firms like Aegis Defence Services, ArmorGroup (now a subsidiary of G4S), Control Risks and Olive Group snapped up large contracts.

As the large-scale military occupation of the country by US and UK troops wound down, PMSC roles there expanded in scope. Security operations which were once the preserve of the occupying armed forces were outsourced, with UK companies remaining key players. Aegis Defence Services, for example, is one of several PMSCs under contract from the US military providing services to the Pentagon's programme for training and equipping Iraqi security forces under the Office of Security Cooperation's Iraq programme.10 The company has also been hired by the governor of Basra to replace the British troops who have left. Aegis Defence Services, whose chief executive Graham Binns led the attack on Basra in 2003 and later supervised the handover to Iraqi security forces, was contracted to establish a 'ring of steel' around the city and to provide training for Iraqi intelligence units.11

The US and Iraqi governments are not the only players that continue to pay for the services of UK PMSCs in Iraq.

The UK's Foreign and Commonwealth Office has awarded contracts to PMSCs in conflict zones with a combined value of around

£50 million each year. This includes nearly £150 million in the five years between 2007 and 2012 awarded for operations in Iraq.¹²

Perhaps the biggest market for British PMSCs in Iraq is the provision of security for private corporations seeking to invest in the country. Such contracts have become critical to the private security sector now that the Pentagon's war chest in the country has emptied. As one industry executive put it in late 2012: "Everyone is looking for work that is not OCA-funded [i.e. from the US occupation budget]. It's going to be like when the tide goes out at the beach..." ¹³

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The oil and gas sector is the central focus of multinational corporations in Iraq. Royal Dutch Shell, BP, ExxonMobil and other multinationals have signed deals to produce, refine and export oil and gas from the country, and are willing to pay PMSCs to help secure their operations.14 Aegis Defence Services boasts that the company's "largest area of business is Iraq", and that it "has been operating in support of the oil and gas sector for over two years", providing "a full security service including Command, Control and Information, Mobile, and Static Security Services on major oilfields for international oil companies as well as oil service providers". The dedicated Iraq team also provides intelligence services for





drawing up "personality profiles", identifying "legal and regulatory obstacles" and reaching "into the very heart of the Iraqi political and commercial establishment". ¹⁵ Likewise, Control Risks has seen huge increases to its operating profits, largely due to "higher workload in the Middle East and a gush of contracts in Iraq." ¹⁶

UK multinational G4S is the world's largest private security company. Its 2008 acquisition of the UK's biggest mercenary company, ArmorGroup, granted G4S access to the private military and security market in Iraq, as ArmorGroup had previously won a number of significant contracts in the country. G4S was subsequently found by a coroner's inquiry to have failed in its duty to conduct a proper vetting process in its employment of

ex-serviceman Danny Fitzsimons, who shot dead two other private security contractors in Iraq in 2009 and was sentenced to 20 years' imprisonment for their murder. 17 Despite this, G4S announced in September 2015 that it had secured a new contract worth up to \$270 million to provide security services to the Basra Gas Company. At the same time, the company successfully renewed its contract to provide security services to the British embassy in Afghanistan, to the value of £100 million over five years. 18 G4S is the target of an international campaign over its complicity in the Israeli oppression of the Palestinian people, as it provides equipment and services to prisons and detention centres where Palestinian political prisoners are held, and to military checkpoints along the illegal Apartheid Wall.

3 Emerging markets: Africa

While Iraq and Afghanistan remain longstanding markets for British PMSCs, instability in other resource-rich regions of the world, such as northern and western Africa, is leading to increased opportunities for these companies. All major UK PMSCs now operate across the continent. Aegis Defence Services claims it has experience in 18 African states, including resourcerich Angola, Niger, Nigeria, the Democratic Republic of Congo and Central African Republic, where it provides "protective security for multinationals in very high-risk environments". 19 G4S, meanwhile, makes over a third of its profits in the "emerging markets business", with annual turnover of around £500 million in Africa. According to Andy Baker, head of African operations for the company, "Demand has been very high across Africa. The nature of our business is such that in high-risk environments the need

for our services increases." Multinationals have approached the company for 'pan-African security deals', and G4S, whose clients include Royal Dutch Shell and AngloGold Ashanti, is known to be targeting the natural resources sector.²⁰

Smaller PMSCs also operate throughout the continent, often for extractive corporations looking to secure their assets against loss or damage from local unrest. One such UK-based PMSC, Special Projects and Services Ltd, is based alongside the SAS headquarters in Hereford, and lists among its past achievements working alongside government forces in an unnamed West African state to secure a mine site that had been overrun.²¹

The toppling of Muammar Gaddafi's regime in Libya in 2011 led to a rapid influx of PMSCs into the country, spearheading the



arrival of multinationals keen to restore their involvement in Libya's oil and gas sector. As one PMSC executive put it: "We're there to facilitate the re-entry of clients in Libya." Security companies have also seen an opportunity for training post-Gaddafi security forces and, compared to the former regime, Intelligence Online noted that "Libya's new leadership is showing greater openness toward foreign private security companies." 23

Again, British companies are leading the way. Just days after Gaddafi's death, the UK company Trango Special Projects was touting for business among prospective investors: "Whilst speculation continues regarding Qaddafi's killing," it said on its website, "are you and your business ready to return to Libya?" At the same time, one online forum for security recruitment, the Security Contracting Network, was emphasising opportunities in the country: "There will be an uptick of activity as foreign oil companies scramble to get back to Libya. Keep an eye on who wins related contracts, follow the money, and find your next job."²⁴

Other UK PMSCs operating in Libya include Control Risks, Olive Group, AKE and Blue Mountain, a company whose name is derived from a poem inscribed on a clock tower at the headquarters of the SAS.25 SNE Special Projects, another UK company, is run by Jason Woods, an ex-soldier with the Parachute Regiment who has acted as a 'security consultant' for Control Risks Group, specialising in the Nigerian oil and gas industry.26 SNE claims that it was "one of the first security companies to establish a permanent presence in Libya post-revolution", and that it "specialises in supporting oil and gas companies in hostile and remote environments around the world, particularly in North Africa with ongoing operations in Libya, Egypt and Algeria."27 SicuroGroup, run by ex-British

military personnel including former members of Special Forces and military intelligence, operates throughout West and East Africa, and also has a significant contract for "an international oil and gas company re-establishing operations in Libya." 28

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PMSCs from several countries are now being contracted to take up active combat roles in ongoing wars within African and Middle Eastern states. The Nigerian army has secured the services of South African mercenary troops from the apartheid era to fight the militant Islamist group Boko Haram in the north of the country, while hundreds of Colombian mercenaries recruited by the infamous US PMSC Blackwater (now renamed Academi) have been fighting alongside Saudi Arabian forces in Yemen.²⁹ According to its former director, Nick Buckles, G4S has also benefited from the unrest in North Africa and the Middle East, "with particularly strong growth in Egypt, Yemen and Bahrain."30 G4S was involved in the evacuation of high-ranking government officials, multinational employees and embassy staff during the 2011 uprising in Egypt, and saw its revenues in that country double to approximately £8 million between 2007 and 2011.31

4 Militarising the oceans

The use of private armies in the maritime industry is booming, and British companies are again at the forefront. Over half of the member companies of the Security Association for the Maritime Industry (SAMI) are British. In the north-west Indian Ocean alone, SAMI estimates there are more than 200 PMSCs operating in a sector worth \$500 million per year and growing. According to Professor Chris Kinsey at King's College London, British PMSCs are "following the cash cow.... putting armed contractors on ships is something the British are particularly good at, and they seem to be the ones dominating this particular type of security activity." 32

Many maritime security companies are filled with ex-Navy and ex-Special Forces personnel, and carry military grade equipment. Indeed, one such company has built a private navy of three large boats, each capable of carrying 40 private marines and equipped with a helicopter and drones.33 According to G4S, enhancing the security of trade vessels in the Indian Ocean is "a big commercial opportunity". The company provides armed guards, as well as tactical and strategic advice, to a range of oil and other corporations seeking to secure their assets through major sea lanes.34 This opportunity has only increased since October 2011, when British Prime Minister David Cameron formally authorised the use of private armed guards on board UK-registered ships.35

The militarisation of the oceans is having significant consequences. PMSCs have shot indiscriminately at approaching vessels, sometimes resulting in the deaths of innocent fishermen.³⁶ In one videotaped incident, leaked after it was played by the US PMSC Trident Group Inc. at a shipping conference, armed personnel were seen firing without warning on two skiffs which had approached the vessel. Company President Thomas Rothrauff acknowledged that those on board

were probably killed, although the exact extent of injuries and the real intent of those in the skiff remains unknown: "We're not in the business of counting injuries," he said. According to one captain working in the Indian Ocean, "It's the Wild Wild West out there. There are no regulations or vetting process for these teams. The company doesn't know who it's getting on board."

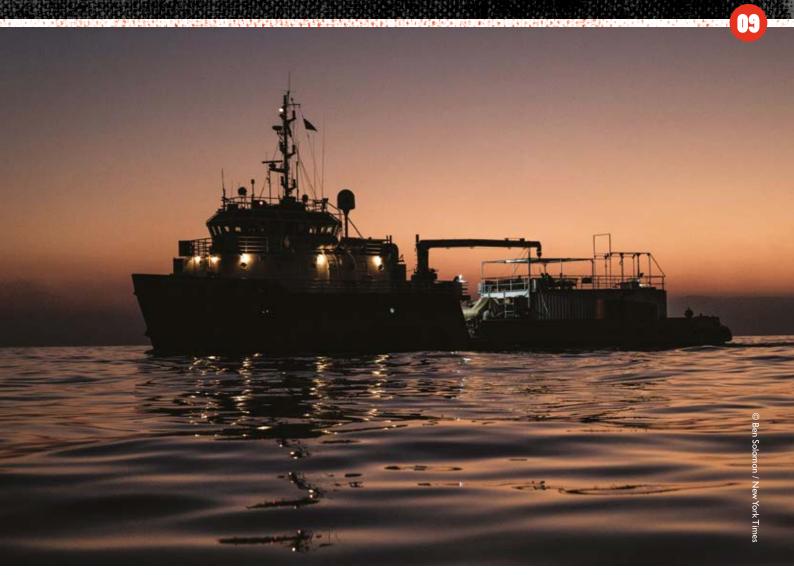
The presence of private armies on board ships can contravene local and international law, and security companies have been known to buy arms illegally in war-torn countries such as Yemen, and then dump them overboard before reaching their destination. According to one contractor: "Given that you can get an AK-47 for about \$200 in most big African towns and it costs about \$1,000 per weapon to do it legally, and then there's all the forms, coastguard licences etc., a lot of people think it's easier to buy weapons illegally and drop them [overboard] when you get out of the danger area." 38

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UK PMSCs have not avoided such controversy. One instance concerns contractors working for the UK company Protection Vessels International Ltd (PVI), a signatory to the International Code of Conduct for Private Security Service Providers (ICoC) and the self-proclaimed "global leader in armed maritime security".³⁹



MNG Resolution, a UK-run floating armoury moored in international waters of the Indian Ocean



PVI was established in 2008 by senior former military personnel, with "the express purpose of applying military standards of security... to the commercial arena of the world's shipping trade routes", and the team is "drawn from the highest echelons of UK Royal Marines, UK government intelligence and commerce". The company trumpets its extensive experience in Special Forces and military intelligence, and armed personnel are deployed in four-strong teams and "supplied with the latest equipment - from weapons to communications technology". PVI personnel were arrested by Eritrean officials in 2011 and charged with espionage, sabotage, terrorism and 'acts of invasion'. They had been using Eritrean territory to stash sniper rifles, pistol silencers and tracer bullets, in an episode for which the company later apologised.⁴⁰

To avoid such problems in the future, companies are increasingly exploiting a legal loophole regarding the use of arms in international waters, and are making use of 'floating armouries'. These armouries are ships harboured at sea, stacked with high-powered rifles, ammunition, night-vision goggles and other military-grade equipment. There are now at least 20 such armouries dotted throughout the Indian Ocean, and PMSCs either store their equipment on board these ships or hire weapons from the operating companies. Either way, PMSCs can operate without fear of legal repercussions. ⁴¹

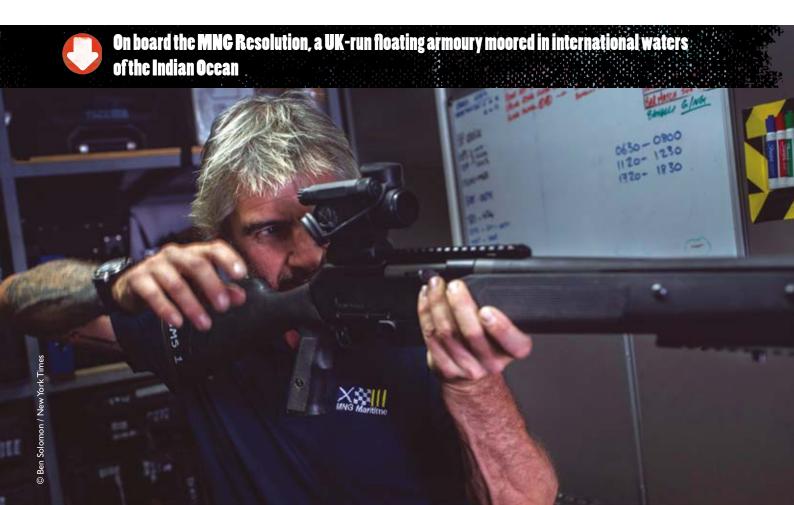
To further ensure that companies are uninhibited by regulation, they often register the ships carrying the armouries in states with light-touch regulation. Sea Marshals Ltd,

for example, is a Cardiff-based PMSC employing ex-Navy and Special Forces personnel using "military grade weapons" throughout the Indian Ocean.⁴² The company operates a floating armoury in the middle of the Red Sea, using ships registered in land-locked Mongolia.⁴³

One of the largest providers of offshore armouries is Avant Garde Maritime Services (AGMS), a subsidiary of the largest Sri Lankan PMSC, Avant Garde Security Services, which has entered into a joint venture with the Sri Lankan government to provide a range of exmilitary weapons to PMSCs. On its website, AGMS boasts that it is a "proud Signatory Company of the ICoC", and declares its mission to become "the most sought after supplier of weapons and associated items to private maritime security companies". The company offers weapons owned by the Sri Lankan government, including assault

rifles, machine guns and night-vision equipment, and the Advisory Board consists of high ranking Sri Lankan military officers.⁴⁴ According to the company's chairman, there are "thousands" of weapons on board the ships, with hundreds of movements on and off the armouries each month.⁴⁵

Although initially the UK government did not allow British companies to exploit this loophole, the Foreign and Commonwealth Office was clear from early on that they were engaged with "interested parties, including the Sri Lankan authorities", and that they were "determined to find a solution that allows British companies to compete for contracts in a fair and transparent manner". 46 In August 2013 the UK Department of Business, Innovation and Skills issued 50 licences for floating armouries operating in the Indian Ocean and Gulf of Aden. 47



5 ICoC: fig leaf for PMSCs

The International Code of Conduct for Private Security Service Providers (ICoC) is a voluntary code of conduct launched in 2010 that was developed out of discussions between PMSCs, governments and civil society. Its stated aim is to establish a set of principles for the industry based on international law, as well as to improve the accountability of PMSCs by establishing an independent oversight mechanism with responsibility for certification, auditing, monitoring and reporting.

The US government subsequently funded international security trade association ASIS to develop an auditable standard for PMSCs operating around the world. The standard, named PSC. I, is based on principles drawn up with the involvement of the military establishment and the PMSC industry itself, relying on self-regulation and voluntary reporting rather than binding regulations with redress mechanisms and sanctions. The UK government swiftly adopted the PSC. I standard as the applicable standard for British PMSCs operating overseas, and in September 2015 it was published in the International Standards series as ISO 18788.A parallel standard has been developed for the maritime security industry, published in April 2015 as ISO 28007-1.

The ICoC Association (ICoCA) was launched at a conference in Geneva in September 2013, at which point 708 companies had formally signed up to the ICoC. The UK, along with Australia, Sweden, Switzerland and the USA, was a founding member of the ICoCA. The disparity between civil society and industry involvement in the initiative was glaring: 13 civil society organisations joined the ICoCA as founding members compared with 135 PMSCs, meaning that the body developed to regulate PMSCs is dominated by them. The ICoCA formally recognised the PSC. I

standard in September 2015 as an appropriate basis for certification that individual PMSCs meet the principles of the ICoC.

The ICoCA fails as a credible instrument in key areas such as governance, monitoring, redress, sanctions, and state responsibility:

Governance: The Board includes Major General Charles Tucker, who has served as a legal expert in various positions in the US military, and Chris Sanderson, Director Government Support for Control Risks since 2005, who served as the first chairman of SCEG, the UK trade association partnered with the British government for regulation of UK private security providers operating overseas. Because of the dominance of PMSC and military figures in the governance of the ICoCA, many civil society organisations have refused to participate.

Monitoring: Field-based investigations may be initiated by the Executive Director, but the ICoCA Board can decide against them. These investigations "shall be aimed at improving performance or addressing specific compliance concerns". However, the ICoCA Secretariat's capacity to independently monitor member companies through field visits is extremely limited.

Redress: The ICoCA is reliant on the grievance mechanisms of the companies themselves. It can only provide advice on the effectiveness of those mechanisms and suggest alternative grievance avenues should a complainant not feel comfortable lodging a complaint through the member company's grievance mechanism. The ICoCA is not empowered to decide on a complaint or to award any reparations. In practice this means that the victims of PMSC human rights violations are unable to seek redress via the ICoCA.

Sanctions: The ICoCA does not have clear sanctions for companies that violate its principles, and because there are so many different certification processes for PMSCs (either through ICoCA or national certification programmes), an effective sanction ending in termination of a company's certification is not feasible.

State responsibility: The only requirement is for a state to "communicate their intent to support the principles of the ICoC and participate in the activities of the Association" (3.3.2). In the absence of a commitment not to use PMSCs that are not certified under the ICoCA, states can continue to contract companies which violate human rights with impunity.

It is clear that the ICoC and ICoCA act as fig leaves for the PMSC industry to legitimise its actions. Voluntary codes allow corporations to set the terms of their own operations. What is needed is national regulation, including a complete ban on the use of PMSCs in conflict zones, alongside legally binding international mechanisms.

As described in the next and final section of this report, War on Want supports the initiative under the auspices of the UN Human Rights Council in Geneva to create an international legally binding framework regulating the activities of PMSCs around the world, and calls on the UK government to introduce binding controls on PMSCs as a matter of urgency.



6 Take action

As the number of boots on the ground of occupying forces has fallen, public attention has turned away from Iraq and Afghanistan and the private armies which gained notoriety there. Away from the public gaze, the business of PMSCs has boomed. From dependency on Pentagon contracts, they have found a wealth of new and eager clients amongst the private sector, especially in the extractive industries. They have sought out and exploited political instability in the wake of the Arab uprisings. And they have spread floating armouries across the world's oceans to protect commercial shipping interests. In all of this, UK companies are playing a leading role, reaping enormous profits.

PMSCs have a track record of profiting from war and conflict. Despite facing numerous accusations of human rights abuses in conflict situations around the world, they remain unaccountable and unregulated. Ten years ago, War on Want mounted a campaign calling for binding regulation of this dangerous industry, including a complete ban on the use

of PMSCs in conflict zones. The campaign was successful in bringing the need for PMSC accountability to international attention, and in 2010 the UN Human Rights Council in Geneva debated the first draft of a possible Convention on Private Military and Security Companies. The draft has since been reviewed by a dedicated intergovernmental working group, whose fourth session in April 2015 discussed revisions to the text in advance of submitting its analysis of the global situation to the UN General Assembly in 2016.

There have also been positive moves at the national level. With effect from September 2015, the Swiss government has banned all PMSCs based in Switzerland from operating in conflict zones, and has introduced strict regulation of all PMSC activity outside its borders. The UK government, by contrast, argues that PMSCs are best left to police themselves through voluntary codes.

It's time to get binding regulation of Private Military and Security Companies back on the UK government's agenda.

Act now:

- Write to your MP raising the issue of PMSC accountability and the need for binding regulation at both national and international levels, in place of the self-regulation mechanisms favoured by the UK government up to now.
- Order more copies of this briefing and other campaign materials for your events, stalls, student unions, union branches, local groups, family and friends at waronwant.org/materials.
- Get involved with our Stop G4S campaign in order to put pressure on G4S to end its complicity with Israel's oppression of the Palestinian people; visit waronwant.org/StopG4S for regular updates.

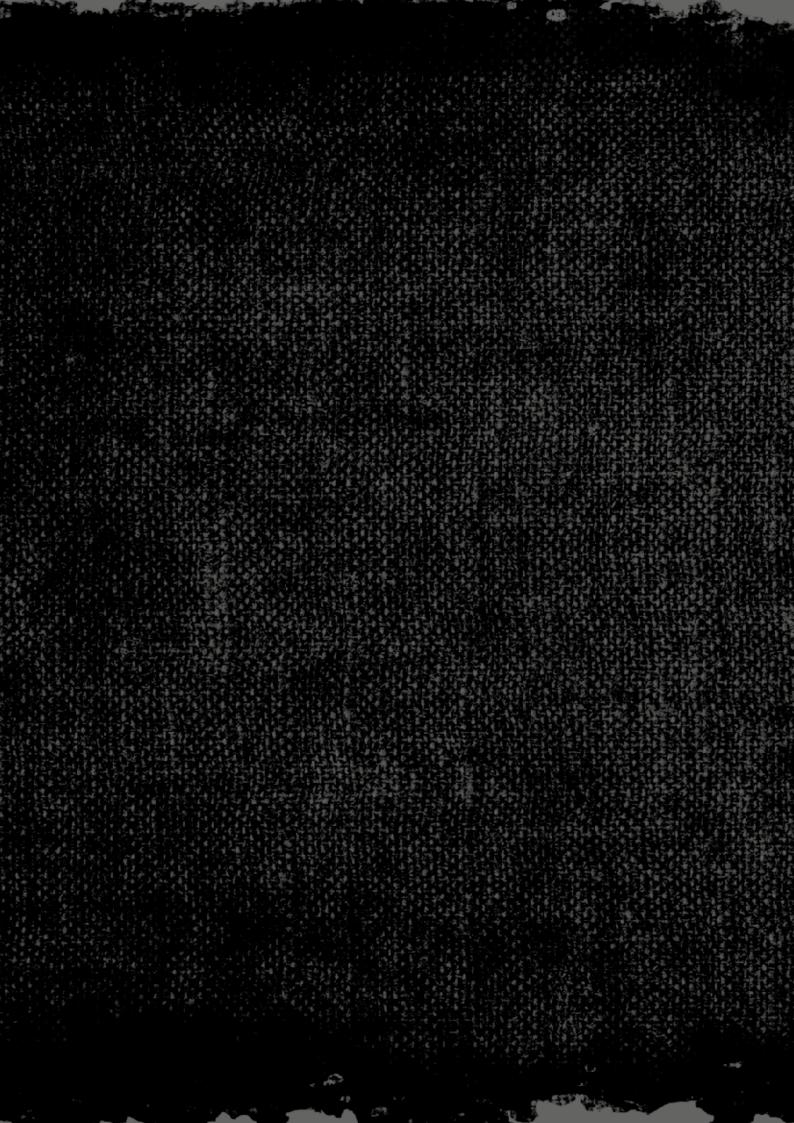


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- ⁴⁵ 'Piracy fears over ships laden with weapons in international waters', *Guardian*, 10 January 2013.
- ⁴⁶ 'Piracy fears over ships laden with weapons in international waters', *Guardian*, 10 January 2013.
- ⁴⁷ 'UK gives go ahead for floating armouries', *Lloyd's List*, 8 August 2013.



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