

## **Do Private Security Companies Have a Role in Ensuring the Security of Local Populations and Aid Workers?**

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*The paper refers to some ideas discussed in previous articles by the author.<sup>1</sup>*

### **Summary :**

Within the framework of the debates regarding the concept of protection, this paper examines whether private security companies have a role to play in ensuring the physical security of local populations and whether they can improve the security management of humanitarian actors. The paper introduces the private security industry, highlights its strengths and weaknesses and outlines its impact on humanitarian action.

### **Introduction:**

In 1994, following the genocide in Rwanda, "the DPKO considered three options. First was a large scale (7,000-4,000 for Goma and 3000 for Bukavu), Chapter VII operation to separate the soldiers from the refugees. Second was a smaller (3,000-5,000 troops) under Chapter VI rules to slowly clean the camps, area by area. The third option was a proposal to use a private security company to provide training and logistical support for Zairean troops that would provide security for the camps. The Chapter VII operation was most clearly designed to meet the real goal but the Security Council would not even consider it. (...) The private security plan had some support but was ultimately rejected on the basis of cost and principle"<sup>2</sup>.

In 1999, in light of the catastrophic management of the refugee camps in Goma (where it was claimed that many of the *génocidaires* had infiltrated the camps and were reorganising themselves), CARE Canada published a report suggesting that NGOs should use private security companies, precisely in order to maintain their *humanitarian space*<sup>3</sup>.

### **Where do we currently stand?**

The private security company Blackwater recently proposed sending brigade-sized rapid reaction forces to support or replace peacekeepers in war zones; Pacific Architects and Engineers and Medical Support Solutions have in fact provided logistical support as well as medical services for the African Union in Sudan since 2002. Dyncorp recruited and trained the new Liberian armed forces as part of the reform of the country's security sector, and also provided security for President Hamid Karzai in Afghanistan. Blue Sky supervised the cease-fire in Aceh; and, for a number of years, Centurion has been training humanitarians heading for high-risk zones.

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<sup>1</sup> I am grateful to Emily Speers Mears for editing.

<sup>2</sup> Deborah D. Avant, *The Market for Force – The Consequences of Privatizing Security*, Cambridge University Press, USA, 2005, p. 196.

<sup>3</sup> "NGOs should consider the privatization of security for humanitarian purposes". Michael Bryans, Bruce D. Jones, and Janice Gross Stein, "*Mean Times, Humanitarian Action in Complex Political Emergencies – Stark Choices, Cruel Dilemmas*", January 1999. <http://www.care.ca/downloads/publ/MeanTimes99.pdf>

I recently met a person in Afghanistan who personifies best the existing interactions between the worlds of private security companies and of humanitarian organisations. Formerly a member of the South African Defence Force, following the end of apartheid he joined the famous private military company Executive Outcomes in Angola, and later took part in Sandline's failed operation in Papua New Guinea.

He is now the Security Coordinator for an important and respected NGO in Afghanistan.

### **Definition of PSC:**

Known as private security companies (PSCs), or sometimes private military companies (PMCs), PSCs offer services designed to have a tactical impact on the security of persons or property. These services range from logistical support, context analysis, crisis and risk management to physical protection of people and / or goods, training of armed forces, and even operational command and combat. Among the most well known private security companies are Aegis, ArmorGroup, Blackwater, Control Risks Group, DynCorp, Erinys, Hart, MPRI, Vinnel Corporation, etc.

*Humanitarian organisations* have used and are using the services of PSC for a range of different services: mine-clearing, protecting compounds, trainings, risk assessments, kidnapping and ransom, security audits and even for the provisions of armed escorts.

Although mercenaries are in some ways the ancestors of PSCs, we should not oversimplify the private security industry by just thinking of them as mercenaries. Mercenaries are individuals who fight for profit as their main motivation, and mercenary activities are outlawed by both UN and African Union conventions. PSC, on the other hand, are corporations that offer contractual services that are not necessarily—and actually largely not—military. Because they are corporate (and not mercenary per se) they are subject to market rules and other types of regulation.

Private security companies should not be seen as a cohesive block. There are differences among them and it is possible to differentiate according to each company's ethos:

- ***Guarding companies***: these firms provide primarily local guards, who are normally highly visible uniformed watchmen, to protect premises. They might also offer mobile protection or canine protection, but their ethos remains the provision of law enforcement-type services with a local profile. This category encompasses companies as diverse as Group 4 Securicor, with its nearly half a million employees in over hundred countries or, for example, small companies offering services limited to one place, such as PaP Sécurité and Global Sécurité SA in Port au Prince, Haiti.

- ***Non armed security providers***: these companies offer non-lethal risk management or intelligence-type services ranging from analysis to private investigation. Risk & Co, Riskline<sup>4</sup> or Stratfor all fall within this category.

- ***Weaponised companies***: these companies comprise the bulk of the international private security companies operating in conflict zones. The range of security services they offer is wide and diverse but they share the characteristics of employing primarily former soldiers *and* being armed *or* offering security services to a weaponised entity<sup>5</sup>. The wars in Afghanistan and Iraq have brought these companies to international attention. Aegis, ArmorGroup, Blackwater, Control Risks, DynCorp, Triple Canopy are representatives of this category. It should be noted that companies are included in this category as long as they or their clients are armed, regardless of their visibility or absence of visibility (low or high profile).

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<sup>4</sup> Interestingly, Riskline's website specifically emphasizes their difference from weaponised PSCs: "unlike other major security risk firms – we have no physical security wing and our assessments are not aimed at selling additional security products: they remain as in depth and objective as we can make them." <http://www.riskline.com/index.php?content=page&id=25>, accessed 1<sup>st</sup> August 2007.

<sup>5</sup> MPRI's involvement in support of the Croat army in Krajina in 1995 exemplifies the category. See Olsson for more information.

Since the market for security is rapidly evolving, companies may be placed in different categories over time: some are adding to the services they offer; other companies have merged, been bought by umbrella companies, or folded.

**The paper is divided into two parts:**

- The role of PSCs in the debate on the protection of populations
- Interactions between PSCs and humanitarian aid organisations

## I/ The role of PSCs in the debate on the protection of populations:

### A) Arguments in favour of PSCs taking a greater role:

#### 1) *Arguments in support of privatising the physical security of local populations:*

Whether this means sending in private security companies to replace or support the Blue Helmets or other peacekeeping forces (e.g. the African Union) in assisting or protecting local populations, what are the arguments?

- **Alternative:** using a PSC offers an alternative to international forms of protection, such as international peacekeeping forces, which might be paralyzed by political considerations.
- **Responsibility:** While critics point to the lack of transparency of PSCs, their supporters argue, on the contrary, that PSCs are responsible actors. They must respect the laws of the countries in which they operate, as well as the contractual obligations which bind them to their clients. If the client is a humanitarian organization, the contract will necessarily include a clause requiring respect for international humanitarian law, human rights or refugee rights. Furthermore, many PSCs hold that they only contract to legitimate states or the UN. They could be held financially or legally accountable if they were to go against this claim.
- **Speed and cost:** PSCs can, in theory, be deployed rapidly and at a lower cost than Blue Helmets or other peacekeeping forces.
- **Control unit:** As UN peacekeeping operations often include personnel and supplies from a number of different countries, their operational capacity and capabilities differ appreciably from one zone to another. Moreover, the effectiveness of the command structure is often watered down as a result of the loyalty of different troops to their respective countries of origin<sup>6</sup>. A PSC, on the other hand, benefits from a unified chain of command.
- **Versatility:** In addition to their technical skills (e.g. medical or logistical), PSCs offer a wide range of services – anything from managing the disarmament process and troop training to security sector reform; but they can also protect populations in danger as well as humanitarian actors or those responsible for the economic reconstruction of the country, etc.
- **Training:** since they hire mainly former soldiers or police officers, PSC employ personnel that are already trained.
- **Will:** PSC are willing to work inside hot zones in order to protect the populations. They do not pretend to replace international political actors or the UN, but to act as their defensive arm. Their willingness to work in hot zones also enables clients to subcontract risk.
- **Effectiveness:** Given the claim that private security contractors are usually drawn from highly-trained units of a country's Special Forces, they might therefore be more technically effective than a soldier contracted from a developing country to the UN for peacekeeping operations.

#### 2) *The use of ethics by PSC as a legitimising factor :*

Private security companies do share one common feature: as for-profit organisations, they need to secure contracts to exist. But the type of clients or the type of contract they accept differs depending on each company's ethos. Indeed, we can differentiate between companies that claim to abide by ethical business practices, for example, and those whose contracts are not influenced by ethical considerations. The latter type consists of companies (whose leaders) are basically willing to sign a contract with anyone who requests their services, and implement any type of service as long as it is

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<sup>6</sup> Which thereby creates a double chain of command and decision-making.

legal – or sometimes not even. The former comprises companies (whose leaders) refuse to enter into illegal or illegitimate contracts *or at least, claim to do so*. The element of claim is here important since the motivations behind the respect of ethics could be explained diversely, ranging from those that are truly guided by morality, and those who simply use it as a selling argument. However, since we are not able to maintain someone's sincerity and since private sector's first finality is making profit, we'll consider in this paper that private security companies claiming to be guided by the respect for ethics do it primarily for commercial purposes. Furthermore, and as put by Christian Olsson, even "if all companies in general claim their respect of a rigorous ethics, and of international norms and military codes, their social practices are not up to their claim"<sup>7</sup>.

Ethical practice is expressed differently according to company, but the most visible example without doubt is the International Peace Operations Association (IPOA). Although the name suggests otherwise, the IPOA is the most important US lobby for private security companies and other companies operating in armed conflicts. As described in their mission statement, they aim to "engage in a constructive dialogue with policy-makers about the growing and positive contribution of these firms to the enhancement of international peace, development, and human security"<sup>8</sup>. The IPOA's president even argues that we should "recognize that there is a commercial value to *humanitarian security*"<sup>9</sup>. IPOA's ethical positioning is fascinating. It has developed a code of conduct that maintains respect for the private sector's Voluntary Principles on Security and Human Rights and of the many international treaties on human rights; their journal highlights their close relations with humanitarian NGOs or humanitarian organisations; they have put into place a complaints system for anyone to use if they witness any illegal act by one of its members; and they have also developed, in conjunction with the Washington's American University for the provision of regular courses on humanitarian issues<sup>10</sup>.

In line with this trend, some companies, such as ArmorGroup or Control Risks, have developed a specific strategy to attract humanitarian organisations, be it NGOs or the United Nations. Greystone Ltd offers a "peacekeeping package" including "a flexible force with the ability to provide a properly trained force in a short period of time"<sup>11</sup>.

Other private security companies such as Aegis, Blackwater and USPI have developed their own foundations to provide assistance to local communities, predominantly in Iraq and Afghanistan. This usually consists of the distribution of goods.

Risk & Co. (formerly Atlantic Intelligence & BD Consultants) have put into place a "security training for NGOs working in conflict areas" lead by an ex-ICRC member. Indeed, several PSC tend to recruit former-aid workers, who are appreciated both for their experience and for the fact that they contribute to improving the company's image.

Wackenhut Services Inc. (WSI) offers annual "humanitarian awards" to some of its employees<sup>12</sup>. Another private security company has named itself "Sécurité Sans Frontières" (security without borders), an analogy to the well reputed "sans-frontières" humanitarian movement.

In other words, we notice a trend to integrate humanitarian action into security strategies, or at least, we notice an active process of appropriation of humanitarian values.

## **B) Deconstruction of the use of ethics by PSCs:**

### *1) Arguments related to the protection of civilian populations:*

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<sup>7</sup> Christian Olsson, « Vrai procès et faux débats : perspectives critiques sur les argumentaires de légitimation des entreprises de coercition para-privées », Cultures et Conflits n°52, (4/2003), pp 11-48. Translation from the author.

<sup>8</sup> [http://ipoaonline.org/php/index.php?option=com\\_content&task=view&id=130&Itemid=130#16](http://ipoaonline.org/php/index.php?option=com_content&task=view&id=130&Itemid=130#16)

<sup>9</sup> Doug Brooks, "Ruthless Humanitarianism",

[http://www.goodmagazine.com/section/Provocations/ruthless\\_humanitarianism](http://www.goodmagazine.com/section/Provocations/ruthless_humanitarianism). Accessed 18 August 2007. My emphasis.

<sup>10</sup> Such as the "Humanitarian Conducted and Enhanced Operations: Specialized Trainings for Fields Managers and Independent Contractors" that took place on April 26 - 27 2007.

<http://www.american.edu/sis/peacebuilding/security/traininginfo.htm>

<sup>11</sup> <http://www.greystone-ltd.com/about.html>. Greystone is related to Blackwater USA.

<sup>12</sup> As explained by WSI, "they were honored for their volunteer efforts in their local communities". <http://www.wsiblog.com/>

For their seemingly bespoke solutions, private security companies offer an attractive option for political and humanitarian decision-makers. However, the consequences of medium- and long-term privatization of certain aspects of security need to be considered, and the advantages of such privatization weighed against the disadvantages.

- **PSCs do not necessarily resolve the root causes of problems**, just as humanitarians are often criticized for acting as bandages on essentially untreated wounds. Similarly, a PSC can provide protection for some without necessarily being in a position to resolve the root causes of the insecurity. The risk is thus of multidimensional and sensitive peacekeeping operations becoming reduced to simple technical operations.

Furthermore, believing that protection is limited to ensuring the physical security of populations at risk also places a technical emphasis on protection, over other strategies<sup>13</sup>.

- **Security is no longer considered a public good**, but reserved for those who can pay for it. Furthermore, a population that fails to benefit from the security of a few may become embittered and alienated.

- When provided by for-profit companies, **assistance may in the end be based on financial consideration** rather than need.

- PSCs may have **questionable relations** with individuals or institutions—be they politicians, armed forces, or multinationals—who have a vested interest in the outcome of a contract; or whose activities elsewhere conflict with their work in a specific context. The use of a PSC by a humanitarian organization can therefore compromise how the organisation is perceived by local populations, local armed groups, or the media. Moreover, if the PSC provides armed protection, it may be perceived as a party to the conflict.

- Recent experiences in Colombia, Iraq or Afghanistan show that PSCs are **not always easily held accountable**, especially with respect to human rights or international humanitarian law. Likewise, in the case of incidents involving PSCs in which human rights or international humanitarian law is violated, it is difficult to say where the responsibility lies: is it with the company or the client?

- While PSCs provide a multitude of services, we should also remember that **they have limited capacities**; it would be a mistake to imagine that they can do or resolve everything.

- Finally, and probably the most important aspect for a number of humanitarians, the presence of PSCs on the ground increases the **risk of confusion** among the private sector, humanitarian personnel, the military and private security providers. At a time when the debate regarding the preservation of the humanitarian space is livelier than ever, there is no question that the presence of PSCs adds a new dimension to the problem.

## 2) *Deconstruction of the use of ethics by PSCs:*

Does the use of ethics by PSCs make a difference? Do humanitarian organisations hire PSCs that emphasise their regard for ethics over ones that do not? In order to answer these questions, we need to decode the use of ethics by the private security industry.

The debate among security contractors, governments and academics currently revolves around the regulation of the private security industry: how regulation might be enforced and violations sanctioned. Since the private security industry is not about to disappear, the best approach might therefore be to regulate PSC activities through national and international laws (including international humanitarian law) and make sure that these laws are respected, in particular within war zones. However, despite the existence of such laws in a few countries and international efforts toward regulation, as well as the private security industry's own efforts to regulate itself, private security companies remain *de facto* largely unregulated.

A closer look at IPOA's strategy to "transfer the legitimacy of international organisations and humanitarian NGOs to the private military industry"<sup>14</sup> thus gives rise to an uneasy feeling. Somehow,

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<sup>13</sup> For more information see the debates and conclusions of the 5<sup>th</sup> Autumn Humanitarian University.

<sup>14</sup> Christian Olsson, « Vrai procès et faux débats : perspectives critiques sur les argumentaires de légitimation des entreprises de coercition para-privées », *Cultures et Conflits* n°52, (4/2003), pp 11-48. Translation from the author.

and despite the desired effect, IPOA's effort looks like a very *aggressive way of promoting peace*. Why so?

One of the main ways by which private security companies involved or supposedly involved in the promotion of peace, and PSCs seeking to appropriate humanitarian values for financial gain, attempt to derive legitimacy, is through their ethical positioning. They do so in different manners, ranging from the implementation of self-imposed codes of conduct to the claim to respect the laws of war, or the push from the industry to regulate itself. These strategies have in common a claimed compliance with a moral obligation that exists in all cultures: saving lives. At such an abstract level, no one can question the rectitude of this claim. However, as is adeptly explained by Wolf-Dieter Eberwein, "morality is compatible with law, but it can always justify behaviour that is not in accordance with it"<sup>15</sup>. In other words, by focusing on relevant but somehow *secondary* issues, PSC divert the debate from the main issue: regulation. By seeking legitimacy through their moral and ethical positioning, PSCs are able to avoid committing themselves to stricter standards of respect for the law.

The case of the British Association of Private Security Companies (BAPSC) is a perfect example. The BAPSC is a lobby group whose objective is "to promote the interests and regulate the activities of UK-based firms that provide armed defensive security services in countries outside the UK"<sup>16</sup>. In order to achieve this, "BAPSC and its members recognize that their objectives will best be achieved through effective self regulation"<sup>17</sup>. Self regulation consists of imposing certain standards of quality in the recruitments, trainings, activities, among other actions, all of which is perceived by some as a proof of their ethical considerations. Thus PSCs pushing for self regulation gain greater legitimacy, and, consequently, more contracts. Self regulation however, is based on a system of self-exclamatory legitimization — but not law. As opposed to a system of sanctions established by law, itself based upon a workable regulatory framework, sanctions in a self regulation system are not of legal nature but of a moral, barely unenforceable one.

Whether violations are uncovered through the IPOA's complaint's system or the BAPSC's principle of self regulation, sanctions consist at worst of being expelled from the lobby group. A company that loses its membership from these groups might also fear the media's negative reporting. However and so far, no news media has ever reported such *eviction*. And the IPOAs' complaint filing system presupposes that someone who has witnessed an abuse committed by a security contractor in a war zone, knows to which company the contractor belongs to, knows that the company is a member of IPOA, knows that such a complaint system exists, has access to the internet and is able to understand the English website and launch a procedure in the United States. It also requires that the PSC does not retire from the lobby group, as Blackwater recently did. This is not to say that the system of filing complaints or the push for self regulation are not positive steps, just that it would be unsurprising if no complaints are ever filled.

Equally, in spite of alleged cases of human rights abuses by private security contractors, not a single employee was brought to justice. The strongest form of sanction exercised was to be fired from the company. And even such treatment is not as bad as one might think, considering that the possibility of recruitment by another security company is relatively high.

While IPOA's development of a Code of Conduct can be seen as a constructive step toward good behavior, it must not be confused with the Code of Conduct for the International Red Cross and Red Crescent Movement and NGOs in Disaster Relief, signed by 427 humanitarian organisations. The latter code specifies that "[t]he prime motivation of our response to disaster is to alleviate human suffering"<sup>18</sup>, while PSCs are primarily profit-driven. In simplistic terms, it is based on the ideal of "saving lives", while IPOA's code of conduct emphasizes the doctrine "watch what you shoot". Article 9.2.2, for example, specifies that "[a]ll Rules of Engagement should be in compliance with international

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<sup>15</sup> Wolf-Dieter Eberwein, « Le Paradoxe Humanitaire? Normes et Pratiques », Cultures & Conflits n°60 (2006) pp. 15-37. Translation from the author.

<sup>16</sup> <http://www.bapsc.org.uk/default.asp>, accessed 18 August 2007. The BAPSC is also seeking to legitimize the security industry by raising "the standards of operation of its members and this emergent industry and ensure compliance with the rules and principles of international humanitarian law and human rights standards" as well as respecting corporate social responsibility.

<sup>17</sup> *Ibid.*

<sup>18</sup> Article 1, <http://www.ifrc.org/publicat/conduct/code.asp>

humanitarian law and human rights law and emphasize appropriate restraint and caution to minimize casualties and damage, while preserving a person's inherent right of self-defense"<sup>19</sup>.

Furthermore, the assistance projects implemented by foundations supported by PSCs, often confused with 'humanitarian action', are seen merely as a technical task, implemented without consideration for the basic principles that guide humanitarian action (such as neutrality, impartiality or independence). Indeed, such assistance may sometimes even be provided in a manner contrary to humanitarian principles since those projects are also implemented for self-interest (in order to improve the public image of the organisation, get closer to the communities in order to be accepted and protected or at least, not targeted, etc.)<sup>20</sup>.

Generally speaking, a PSC's ethical actions (namely self-regulation codes of conduct, and assistance projects) might seduce two types of people: those already predisposed to believe their moral discourse, for example because they consider that private security companies indeed offer the best option for improving peace operations; and those that have a limited understanding of the exact nature of humanitarian action, merely seeing it as a technical task that entails few other skills than logistical efficacy. In other words, the discourse will seduce those that are not aware of the historical debates and issues regarding humanitarian action.

Aid workers, for their part, have struggled with the issue of morality and ethics since the very origin of humanitarian action. Two episodes in particular had a decisive effect on the building of humanitarian action: the battle of Solferino in 1859, which eventually led Henry Dunant to push for the creation of the International Committee for the Red Cross (ICRC) and the Conflict in Biafra in 1969, which served as the catalyst for the creation of *Médecins Sans Frontières* and highlighted various other ethical issues such as humanitarian agencies' relation with the media or their ambiguous proximity to a party to the conflict. To this day, aid workers are involved in numerous debates regarding these concerns. Therefore much less likely to agree with the PSCs' ethical positioning, seeing them merely as a marketing ploy.

However, many are hesitant to decide either in favour of the PSCs' 'humanitarian' discourses or against. On which side of the fence the undecided end up will eventually depend on a) the evolution of the public opinion of PSCs, b) the perceived capacity of traditional humanitarian organisations to continue to effectively implement projects in complex emergencies and c) whether the current neo-liberal ideology that dictates the continued privatisation of public services will continue to prevail.

Although humanitarian organisations, if they decide to contract to a PSC, usually choose a company with a generally good reputation, this reputation is not built solely on adherence (claimed or otherwise) or championing of ethical principles. Interestingly, it appears that those PSCs with a good reputation among aid workers are primarily companies that are flexible, low profile, and able to understand the unique way in which humanitarian organisations operate. Furthermore, when choosing a PSC, cost is often a more important factor for an aid agency than reputation alone. Indeed, my research has shown that humanitarian organisations tend to select the PSCs that cost the least. When it comes to security, however, cheaper does not necessarily mean better. Level and quality of training, equipment, and the ability to retain good staff are usually reflected in the prices. The less expensive companies are therefore usually not those with the greater integrity.

## **II/ PSC and humanitarian organisations:**

### **A) The use of PSCs by humanitarian organisations:**

#### **1) Meeting points between PSC contractors and aid workers:**

PSC are currently under contract to some humanitarian organisations. This means that, whether they like it or not, aid agencies and PSCs share common ground. When do these organisations consider it in their mutual interest to work together?

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<sup>19</sup> See [http://ipoaonline.org/php/index.php?option=com\\_content&task=view&id=100&Itemid=109](http://ipoaonline.org/php/index.php?option=com_content&task=view&id=100&Itemid=109)

<sup>20</sup> For more information, see Jean S. Renouf, "Perception Matters - Interactions between Private Security Companies and Humanitarian Organisations in Afghanistan", forthcoming.

Collaboration occurs when aid workers and security contractors both share the same understanding of the origin of their insecurity (the threat) and how to deal with this insecurity (counter the threat or protect from it).

In a context where, for a range of different reasons, humanitarian actors are increasingly being targeted, a strategy of acceptance no longer ensures sufficient security to aid workers. Indeed, an organisation might very well be accepted by the beneficiaries they are here to help, but not by the military group, whether formal or informal, that controls the area. It might similarly be accepted by all parties but still be targeted simply because such an act will bring attention to the perpetrator. In this kind of context, a humanitarian organisation might then opt for a more protection-based security strategy or even (physical) deterrence. This is when a humanitarian organisation's demand for security might meet the offer of security provided by the private sector.

It is possible to observe a militarization of the provision of relief, for instance through the dissemination inside the humanitarian community of security reports that look increasingly similar to military situation reports, or through the increasing recruitment by humanitarian organisations of security managers with a military background. Choosing physical deterrence as the main approach to insecurity is also part of such militarization.

This militarization might eventually shape how aid agencies perceive threat and therefore bring aid workers closer to security contractors.

Collaboration between the private security industry and the humanitarian sector also occurs when some aid workers lack the expertise or the technology offered by PSCs. Whether it is to implement a security audit of a NGO's premises or to set up a tracking system, PSCs have a technical knowledge that many humanitarian organisations lack.

On the other hand, while the UN increasingly uses the services of PSC, NGOs are in general more reluctant. As an aid worker in Afghanistan recently explained, PSC "feel the need to carry guns at all time; they perceive Afghans as potential enemies while we see them as potential friends; maybe that's the fundamental difference"<sup>21</sup>. Security is not objective (it doesn't exist *per se*) but is the product of two discursive practices: securitization and desecuritization. However, as is discussed by Olsson<sup>22</sup>, the discourse itself is not enough to securitize or desecuritize; for that, the discourse needs both to be considered legitimate and articulated by entities considered legitimate. This explains why, so far, PSC have signed only a limited number of contracts with humanitarian organisations throughout the world. Indeed, they have not managed to define the threat or offer means to protect oneself against the threat in a sufficiently convincing way for humanitarian organisations to be particularly receptive to their discourse.

## 2) The use of a PSC depends on the ethos of each humanitarian organisation:

In order to understand which humanitarian organisation would be eager to use the services of a PSC, it is necessary to develop a typology. This typology is based on humanitarian organisations' ethos, which is defined as the distinctive spirit of each organisation: agencies can be divided into three types depending on their approach, as defined by their ethos<sup>23</sup>.

- Principled approach: humanitarian organisations that, in the face of a given dilemma, will decide to take a decision based *firstly* upon the respect of the humanitarian imperative (saving lives), but only in compliance with the strictest respect for the humanitarian principles of neutrality, independence and

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<sup>21</sup> *Ibid.*

<sup>22</sup> Olsson, *op. cit.*

<sup>23</sup> This typology is influenced by Michael Schloms' own typology of humanitarian organisations facing a humanitarian dilemma (« Le dilemme inévitable de l'action humanitaire », *Cultures & Conflits* n°60 (2005) pp. 85-102. )

It is important to recall that this typology is first and foremost theoretical. Although they cover the range of humanitarian organisations, these three types do not exist *per se*, and it goes without saying that many organisations do not necessarily see themselves as belonging to one type. An organisation may use the affective approach in one context and the principled one in another. Therefore the typology is based upon the *probable first and most influential element* in the decision making process.



impartiality (and any others as specified in their mandate). The ICRC and *Médecins Sans Frontières* are typical of this category.

Aid agencies that refer to humanitarian principles are very reluctant either to outsource their security to a third party or favour options that entail the use of arms. As they see it, by resorting to such options, they might become a party to the conflict and, for instance, no longer be perceived as neutral. Furthermore, they have a strict understanding of humanitarian principles. Since they believe that these principles can be respected only by not for profit, (truly) non governmental organisations, they are critical of any kind of organisation that claims to respect humanitarian principles but does not abide by the principled approach. Therefore they are not receptive to PSCs' moral/ethical/humanitarian discourse and are even critical of it. Since they would only exceptionally favour the deterrence strategy, meeting points with PSC may occur but only very rarely.

- Pragmatic approach: these organisations prefer to make decisions based *firstly* upon the priorities they choose, these being decided based upon the wider environment in which the organisations locate themselves. This environment is not only political but also geographical, financial or social (religious). Organisations such as Care, International Medical Corps, the UN World Food Program, UNDP or World Vision are to be included in this category.

Depending on the environment in which they operate, organisations with a pragmatic approach might for instance be motivated to stay despite the serious deterioration of security. Whatever the reason for such a decision, it will take pre-eminence over *how* to stay, namely the solution that will be chosen in order to stay safely. Since they favour the objective over the means, they are less reluctant to use the strategy of deterrence.

Their action is based on morality/ethics, but their definition of these principles is broader and more flexible. Respect for humanitarian principles is not considered as essential, as long as the pragmatic organisation perceives itself to be "doing good". Therefore, they share with PSCs a blurred common ground relating to morality/ethics and are more receptive to the private security discourse. They are more likely to go private.

- Affective approach<sup>24</sup>: those that will seek to act *firstly* depending on 1) the emotional relation they have with the beneficiaries and 2) depending on the funding available. Small organisations, "NGOs with a large mandate and whose action is based on values (solidarity, peace, the fight against poverty)"<sup>25</sup> other than the core humanitarian principles such as Catholic Relief Services, Concern, Oxfam, Première Urgence, Solidarités as well as UNICEF usually adopt this approach.

There is no clear answer for organisations that take this approach to security management. Here, the decision to use PSCs depends very much on the extent to which they are emotionally involved with their beneficiaries. They are often torn between the need to respect humanitarian principles and the humanitarian imperative to save lives. They refer to humanitarian principles as much as possible, but are likely to compromise these depending on the context. As a result, they are usually not so receptive to PSCs' moral/ethical discourse.

After analysing these approaches (principled, pragmatic, affective), we understand that **only a limited number of aid agencies** would actually consider the use of private security as an option.

## **B) Issues related to the use of PSC:**

### 1) *Specific issues for aid workers:*

- Confusion. Local populations do not distinguish between a) foreign armies, b) international private contractors, c) aid workers, and d) private security contractors that work for the foreign armies, the international private contractors and the aid workers... All are assimilated to the foreign occupation or the western intervention.
- Impact on local structures: local militia groups, influenced by the increased presence of international PSC, may register themselves as private security companies instead of entering the disarmament process.
- With respect to the Acceptation – Protection – Deterrence triangle, the use of a PSC confirms the positioning of aid agencies in the deterrence corner rather than in the acceptance one.

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<sup>24</sup> The word 'affective' is not used in a pejorative way!

<sup>25</sup> Michael Schloms, « Le dilemme inévitable de l'action humanitaire », *Cultures & Conflits* n°60 (2005) pp. 85-102.

- Existence of a double risk : either an organisation decides to take advantage of the (armed) services offered by a PSC and therefore risks being perceived as a legitimate target for attack or, on the other hand, decides not to use their services and may then *appear* as weak, thereby also becoming a target.
- However, by focusing on their own security, humanitarian organizations tend to forget that the debate should not only focus on their physical protection, but also on how to mitigate the absence of human security of the beneficiaries; their security should not be seen as an end itself, but as a means to an end.
- The security dilemma: any improvement in the protection of an entity (whether at the individual, state, or international level), will always create a comparative feeling of insecurity among its neighbours; they will thus also look to improve their own protection and therefore contribute to an escalation of the security stand-off. In other words, if a humanitarian organisation decides to place armed guards in front of its compound, its neighbours might well feel the need to follow its example, leading to an escalation of PSC use.
- By using PSCs, aid workers introduce new armed actors into what is often a complex context, potentially aggravating any conflict's dynamic.

## 2) Can PSCs effectively ensure aid workers' security?

→ The answer depends on one's point of view.

YES, if you adopt a strictly technical understanding of a context; an observer identifies a threat that can be mitigated by adding a line of defence between him/herself and the threat. This line of defence consists of professional armed men and their accessories (barbed wire fences, armoured cars, aggressive driving, etc).

NO, since this policy raises several questions, some specific to the role of the aid worker operating in a conflict or in a post-conflict environment. Through their use of military tactics and techniques, PSC contribute to the culture of war. Also, since their presence contributes to confusion between the various actors involved in the conflict – the military, humanitarians, contractors of all kinds –, irresponsible (or worse) behaviour on their part may alienate the local population against all foreigners, be they security contractors or aid workers.

Humanitarian organisations that choose to use the services of a private security company (especially visible services such as the provision of [un]armed guards) should keep in mind that even if such measures are considered to be the norm in a given context, they contribute to the normalisation of security privatisation and may negatively affect the civilian populations' perception of humanitarian actors. Even if local populations do not express it, they would probably be more grateful to aid agencies if they were pushing for a greater functioning and accountability of the local public security sector, and thus contributing to the establishment of national institutions, rather than outsourcing their own security.

Furthermore - and despite the fact that in some cases private security companies do help humanitarian organisations to improve their own security -, it is questionable whether a foreign-managed, business-oriented entity can actually bring about any *fundamental* change in the security situation, especially given that national staff are more victims of violence than expatriates. In many cases, the security of expatriate aid workers is indivisible from that of the local population and national staff. The local population (be they aid worker, beneficiaries, or other) is more likely to be a target of attack, whereas expatriate staff are generally provided with the most protection. Therefore providing expatriate staff with PSC protection is unlikely to improve the security of those who are most vulnerable.

At the end, humanitarian organisations are ultimately the first responsible when coming to managing their security. Humanity and projects' quality are still the best and most legitimate guarantors of aid workers' security.

When in doubt, humanitarian organisations considering contracting to private security companies should weigh the humanitarian impact they will potentially be able to provide by being on the ground *in the short term* carefully against the harm such contracts might potentially cause *in the medium/longer term*.

## **CONCLUSION :**

“So, do Private Security Companies Have a Role in Ensuring the Security of Local Populations and Aid Workers?”

**There is no clear cut answer.**

Put yourself in the position of a refugee persecuted by the militia. If someone steps between her and the militia and does protect her, she probably doesn't mind whether her saviour is a soldier, an aid worker or even a mercenary.

However, and since I'm not a refugee persecuted by the militia myself, I have another vantage point. It is therefore my duty to provide an alternative and holistic perspective of security privatisation.

Whether we have a positive perception of private security companies, or we are reluctant to privatise security, we have to admit there is no clear-cut answer: **the answer actually depends on the context, which must be carefully weighed and considered before any decision can be taken.**

Since all context analysis is itself influenced by the mindset of the analyst, someone sympathetic to the neo-liberal doctrine of increased privatisation might be more receptive to going private. **A deep understanding of local culture is therefore absolutely essential.**

→ Suggestions :

### 1) Choosing which PSC:

- In most cases, PSCs are selected by humanitarian organisations on the basis of other aid agency's previous experience with the PSC (word of mouth), and cost. If a PSC is selected without the humanitarian organisation conducting detailed research into all available options, there is a real and potential risk that the contract might become an embarrassment for the aid agency—or worse.
- The use of a PSC should therefore be based upon a real strategy (including the study of the PSC prior to the signature of the contract, and an analysis of the potential long-term effects of such a contract).
- Improved understanding and knowledge of security privatisation and a better exchange of information between humanitarian organisations using PSCs is crucial.
- Indeed, those aid agencies that have used or are using PSCs should share their experiences so that lessons are learnt and mistakes are not repeated. Maybe a collective of aid agencies could for instance develop a 'check-list' of elements to be considered prior to any contract with a PSC.
- Van Brabant (in 'Operational Security Management in Violent Environments') provides a list of questions that one might ask before using any armed service. These questions range from "how transparent the PSC really is?", to "how much is the PSC willing to share information about its past contracts, its different clients or its shareholders?", etc.

### 2) Importance of the **perception of the local population:**

- Some researchers (such as Hugo Slim) insist that humanitarian action does not consist simply of the delivery of aid, but that aid should be based on a deep understanding of local culture, local population and its real needs. This implies a reciprocal relation, namely, an exchange. Does the use of PSCs contribute to that exchange, or does it harm it?

### 3) The use of **local private security companies:**

- If NGOs decide to use armed protection, it might be wiser in certain contexts to use local security providers, as they might better understand the dynamic of the conflict. However, in choosing such a private security company, it is necessary to have prior and in-depth knowledge of the company (managers, their network, their ethnic group, their reputation, their visibility, their other clients, the type of training the guards receive, the arms they use, the origins of their weapons, the rules of engagements, etc.). In some contexts, local private security companies provide cheaper services than the big internationals, but the quality of these services might be perilously poor.

### 4) The use of **security professionals specialised in humanitarian action:**

- A new kind of security providers has developed in the recent years. Entities such as Armadillo Group, Other Solutions or SaferAccess, offer risk management services limited to humanitarian organisations only. Organised in networks of ex-aid workers with a long experience in armed conflicts (with sometimes also a previous military experience), they provide their services through consultancies. They tend to be more affordable than a private security company (but offer less variety in their services than PSCs, and none offers armed services) and since they target humanitarian organisations only, their services are based on a humanitarian understanding of security management. Therefore, they might be a possible alternative to the use of PSCs.

#### 5) Trainings:

- Security training organised by a humanitarian organisation for its staff, or training outsourced to a consultant or training entity, must include a component on private security companies in order to ensure that every staff knows who they are, how to identify them and how to interact with them.

#### 6) Regulation:

- Because security privatisation has both direct and indirect impacts on humanitarian action<sup>26</sup>, understanding private security companies (and knowledge of the aid agency's position regarding the use of PSC) is an important step.
- It is essential and urgent that humanitarian organisations work out what role they would like to have in the process of building a regulatory framework for the private security industry: advocacy, lobby, monitoring, advising?...
- Following the ICRC and other humanitarian organisations, it could be useful to engage in dialogue with security contractors, perhaps based on the model of civil-military cooperation. Participating in form and informal exchanges, and organising round-table conferences, for example, could be constructive. The danger is that such dialogue may contribute to PSCs' legitimization; in order to engage in such a dialogue, a humanitarian organisation should do so with legitimacy (or act within legitimate international decision-making bodies, or more 'simply' limits itself to advise governments). Humanitarian organisations need to be extremely careful to avoid any manipulation of such exchanges by PSC for commercial purposes.

#### 7) Support research:

- More research on the subject is of utmost importance in order to fully understand what is at stake, what lessons can be learned, and in order to offer better, if not alternative, solutions.
- I am planning (providing that funding is forthcoming), to launch a website for humanitarian practitioners. Its objective is to enable them to be better informed about the privatisation of security and propose avenues for research, as well as to offer practical recommendations.

#### **About the Author:**

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<sup>26</sup> For more information see Jean S. Renouf, "The impact of Security Privatisation on Humanitarian Action", translated from : Logique d'urgence et pérennité, revue *Humanitaire* n°14, Médecins du Monde, Printemps 2006. <http://www.medecinsdumonde.org/publications/revuehumanitaire/>.