



Disarmament and International Community Committee

Topic: *Governments outsourcing to private military contractors in order to perform covert operations*

Glossary

Private military company (PMC): A private company providing armed combat or security services for financial gain.

Proxy War: is an armed conflict between two states or non-state actors which act on the instigation or on behalf of other parties that are not directly involved in the hostilities.

Mercenary: is an individual who takes part in military conflict for personal profit, is otherwise an outsider to the conflict and is not a member of any other official military.

Black Operation: is a covert or clandestine operation by a government agency, a military unit or a paramilitary organization.

Introduction

The use of private military and security companies (PMSCs) has widely increased over the last two decades. PMSCs operate in Iraq, Afghanistan and Pakistan, the Gulf of Aden as well as Latin America, and Western governments are also increasingly hiring private contractors for domestic purposes. The United Nations has dramatically increased its use of PMSCs in recent years, hiring them for a wide array of “security services” and giving them considerable influence over its security policies as a 2012 GPF report revealed. Until today, this problem has not been solved as the Report on Contracting Insecurity underlines. PMSC personnel has been involved in a number of

scandals that highlight the risks and the potential for misconduct in the industry. However, there is no mechanism able to hold PMSCs accountable under national and international law. While there are a number of national and international laws that regulate the use of private armies, existing legislation was not created with modern private security contractors in mind. Binding oversight bodies and mechanisms will be the only way to regulate the increasing spread of PMSCs around the world.



Historical Context

Dramatic growth in the number and size of PMCs occurred at the end of the Cold War, as Western governments increasingly began to rely on their services to bolster falling conventional military budgets. Some of the larger corporations are Vinnell and Military Professional Resources Inc. in the United States; G4S and Keeni-Meeny Services in the United Kingdom; Lordan-Levdan in Israel and Executive Outcomes in South Africa.

Current Context

Over the past couple of decades, private military and security companies (PMSCs)



have become instrumental to modern warfare. Western PMSCs have so far dominated this trend and hence, the bulk of the academic and media attention has been directed at this part of the industry. However, in recent years, PMSCs have developed in many parts of the world, including in Russia. The example set by the US in particular, and its extensive use of PMSCs in the military operations in Iraq and Afghanistan, is likely to have been a source of inspiration for many other countries interested in expanding their warfighting repertoire and defense industries.

Blackwater and Academi:

One of the most famous private military companies is the American security firm Blackwater (“Black Water”). It was founded in 1997 by former commando Eric Prince, along with the shooting trainer El Clark. A few years later, another company was created, which was essentially its new branch, Blackwater Security Consulting, whose fighters took part in military operations in Afghanistan. However, there is practically no information on its activities during this period, as the US government is clearly not interested in disclosing information of this kind. At the disposal of the company, there are many training bases not only on the territory of the United States but also in other countries, where more than 40,000 people train annually. And it itself consists of a large number of subsidiaries and divisions. Currently, Blackwater (Xe Services LLC, Academi) is the largest organization of its kind in the world.

Wagner Group:

“Wagner group” is a Russian paramilitary organization associated with Yevgeny Prigozhin, a Russian oligarch and close associate of President Vladimir Putin. Wagner commanders have fought for the company both in Syria and, before that, in support of Russia-backed separatists in eastern Ukraine. The Wagner Group’s roots date back to Russia’s proxy war in Ukraine in 2014, when the Kremlin’s definitions of “soldier,” “mercenary” and “volunteer” first blurred at convenience amid its tacit support for pro-Russian separatists in Ukraine’s east. While Moscow has long insisted Russia is not formally part of the conflict, Russian fighters have routinely taken part in battles. “Russia has more than enough people who know how to shoot a gun, and these people can’t make anything close to this kind of money working in the civilian sector,” explained journalist Denis Korotov in an interview with VOA in January 2018.

Approach

The corporate nature of PMSCs (Private Military and Security Contractors) is a barrier to their accountability for violations of international law (Crow & John, 2017). No international court has jurisdiction over these corporations and there is no preexisting mechanism in place-bound by international law to account and manage for PMSCs use of force. However, there are a few soft law instruments in which these corporations are held responsible for some degree of legal status. Establishing clear criteria is necessary to determine when it is permissible to use such companies and for what activities. Criteria such as transparent decision-making procedures, solid vetting



and screening measures, as well as standard operating procedures.

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