



A private security guard looks out into a shopping centre in Quito, Ecuador, 2001. © Rhodri Jones/Panos Pictures

A Booming Business

PRIVATE SECURITY AND SMALL ARMS

INTRODUCTION

In August 2010, President Hamid Karzai issued a decree requiring private security companies (PSCs) to cease all operations in Afghanistan by December 2010, calling them unwelcome ‘parallel structures’ and a ‘cause for insecurity’ (Afghanistan, 2010; Rubin, 2010). With billions of dollars in Afghan-based development programmes that require constant protection, donor governments reacted by placing intense pressure on Karzai to withdraw the decree. The deadline was ultimately extended, and some PSCs were exempted from the ban, but the president stood by his decision. The case illustrates how deeply embedded PSCs have become in some contexts.

PSCs have come under increased international scrutiny in the 2000s due to the central roles they have been granted in the conflicts of Afghanistan and Iraq, as well as concerns over the perceived lack of accountability for action taken by private personnel. Incidents such as the killing of 17 civilians by Blackwater personnel in September 2007 in Nisoor Square, Baghdad, have significantly tarnished the industry’s image (Glanz and Lehren, 2010).

The highly publicized involvement of international PSCs in contemporary conflicts tends to overshadow the much wider trend of security privatization across society as a whole, particularly in non-conflict settings. Around the globe, individuals, communities, local businesses, government agencies, large corporations, and powerful militaries are increasingly outsourcing aspects of their security to private entities. The growing reliance on PSCs in conflict is just one aspect of a global phenomenon that must be assessed in its entirety to be properly understood.

This chapter attempts to shed light on a poorly documented aspect of the global private security industry: its use of arms. While much attention has been devoted to debating the legitimacy of PSCs undertaking what may be considered state functions, less effort has gone into documenting the types of small arms used by PSCs and potential gaps in their control. The chapter examines the scale of the private security industry at the global level, calculates the extent to which it is armed, and asks whether PSC equipment contributes to or threatens security.

Main findings include:

- Based on a review of 70 countries, this study estimates that the formal private security sector employs between 19.5 and 25.5 million people worldwide. The number of PSC personnel has grown at a fast pace since the mid-1980s and exceeds the number of police officers at the global level.
- PSCs hold between 1.7 and 3.7 million firearms worldwide, an estimate based on extrapolations from reported inventories. If undeclared and illegally held weapons were to be included, the global PSC stockpile would undoubtedly be higher.
- Globally, PSC firearm holdings are just a fraction of the stockpiles held by law enforcement agencies (26 million) and armed forces (200 million).

- While several states ban the use of small arms by PSCs, private security stockpiles in some conflict-affected areas amount to more than three weapons per employee.
- Outside of armed conflict settings, PSCs are most armed in Latin America, with ratios of arms per employee about ten times higher than in Western Europe.
- PSCs working in Afghanistan and Iraq have been equipped with fully automatic assault rifles, machine guns, sniper rifles, and, in some cases, rocket-propelled grenade launchers (RPGs), raising questions about their stated 'defensive' roles.
- Some PSCs have been involved in illegal acquisition and possession of firearms, have lost weapons through theft, and have used their small arms against civilians although they were unprovoked. Available information remains anecdotal, however, and makes it challenging to measure PSC performance over time or compare it to that of state security forces.
- The rapid growth of the private security sector has outpaced regulation and oversight mechanisms. International initiatives to tackle regulatory gaps remain in their infancy.

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arms by PSCs.**

This chapter focuses on PSCs, using the term in its widest possible sense to include all legally registered business entities that provide, on a contractual basis, security or military services, regardless of whether they operate in situations of conflict. Security and military services may include protecting persons, guarding objects (such as convoys or buildings), the maintenance and operation of weapons systems, prisoner detention, the provision of advice or training for security forces and personnel, and associated surveillance and intelligence operations.¹

The chapter begins by providing an overview of factors that contribute to the growing role of PSCs and documents the scale of the phenomenon worldwide. The second section focuses on the weaponry used by PSCs worldwide, with reference to both quantity and type. The last section assesses the extent to which the existing regulatory regime as well as ongoing initiatives can prevent incidents of small arms misuse by private security personnel. In addition to desk research and interviews with industry representatives and other stakeholders, the chapter relies on a number of original expert contributions commissioned by the Small Arms Survey.

THE PRIVATIZATION OF SECURITY

The private security spectrum is extremely broad and diverse. While the media spotlight has focused on international PSCs operating in the conflict zones of Afghanistan and Iraq, private security is employed in virtually all societies.² PSCs are often portrayed as protecting property and people, in contrast to private military companies (PMCs), which provide offensive services meant to have military impact,³ yet analysts argue that such a distinction is misleading (Holmqvist, 2005, p. 5). Indeed, a single company can perform a variety of services encompassing both defensive and offensive support. Furthermore, what can be termed protective services in peacetime—such as the protection of public institutions—can have military and offensive implications in situations of conflict. Additional analysis of the sector according to company size, level of compliance with standards, and proximity to the state would undoubtedly move the discussion forward. Yet since this chapter is a first attempt to shed light on the small arms used by the industry as a whole, it refers to PSCs in a broad sense.

Scale

The private security sector has been booming since the mid-1980s and continues to grow steadily (van Dijk, 2008, p. 217). Recent estimates show that the security market is worth about USD 100–165 billion per year, and that it has been growing at an annual rate of 7–8 per cent.⁴ The scale of growth is further illustrated by significant increases in the number of personnel employed over time and across regions:

- In France, the sector expanded from just over 100,000 employees in 1982 to 160,000 in 2010 (Ocqueteau, 2006, p. 65; CoESS and APEG, 2010, p. 12).
- Japanese PSC personnel increased from just over 70,000 guards in 1975 to nearly 460,000 in 2003 (Yoshida and Leishman, 2006, p. 232).
- In South Africa, the number of registered security officers more than tripled in the space of 13 years, from about 115,000 in 1997 to nearly 390,000 in 2010 (Berg, 2007, p. 5; PSIRA, 2010, p. 4).

The main impediment to accounting for the total number of PSC employees in the world is the lack of global data collection and monitoring systems. Nevertheless, this chapter is able to present recent figures on PSC personnel in 70 countries (see Table 4.1); the sources for this data are various, including regional reviews of the industry, academic articles examining the industry at the country level, and media reports.⁵ While different sources may rely on varying definitions of PSC personnel, this study focuses on active PSC employees registered by a national government body or a private security industry association. Where possible, multiple and multi-year sources have been cross-checked to obtain the most plausible figure.

PSC size varies from a dozen to several hundred thousand employees.

Table 4.1 shows that the private security sector employs a reported 19.5 million people in the 70 countries. An extrapolation from this figure yields a global range of registered PSC personnel of 19.5–25.5 million.⁶ The size of individual companies varies greatly, ranging from a dozen employees to several hundred thousand. For example, G4S has 530,000 staff in 115 countries, while Securitas employs 260,000 people in 40 countries (Abrahamsen and Williams, 2009, p. 2; Securitas, n.d.). Countless smaller firms are also active; about 30,000 companies are registered in the Russian Federation, while South African PSCs numbered nearly 7,500 in 2010 (Modestov, 2009; PSIRA, 2010, p. 4).

Taken together, PSC personnel employed in the 70 countries covered in Table 4.1 outnumber police officers by a ratio of 1.8 to 1. These countries employ a combined 19.5 million PSC personnel (a rate of 435 per 100,000) compared with fewer than 11 million police officers (240 per 100,000), suggesting an even greater imbalance than previously thought.⁷ Global private security dominance in terms of personnel does not apply systematically across countries, however. More than half (39) of the countries listed in Table 4.1 actually employ more police officers than PSC personnel, but their effect on global numbers is negated by the situation in larger PSC markets, such as China, India, and the United States.

It is beyond the scope of this chapter to document the number of people participating in informal security arrangements; however, the figures reportedly hover around 50,000 in Argentina, between 670,000 and 1,000,000 in Brazil, and from 240,000 to 600,000 in Mexico (Godnick, 2009; Arias, 2009, pp. 26–27). In Francophone African countries, some communities seek to fill the state security vacuum by establishing informal neighbourhood militia groups, while young men faced with economic hardship provide free bodyguard services to businessmen in exchange for food—activities that are reported by neither industry nor governments (Kougniazondé, 2010, pp. 6, 8). Informal security schemes, ranging from neighbourhood watch to armed vigilante groups, can be found across the globe and provide additional evidence of a global demand for security that exceeds what states can offer.

Table 4.1 Private security personnel in 70 countries

Country	Year	Private security personnel	Police officers	Population	Ratio of private security to police	Private security per 100,000	Police per 100,000
Afghanistan	2010	26,000	115,500	24,507,000	0.23	106	471
Albania	2004	4,092	11,987	3,111,000	0.34	132	385
Angola	2004	35,715	17,000	16,618,000	2.10	215	102
Argentina	2007	150,000	120,000	38,732,000	1.25	387	310
Australia	2008	114,600	52,400	20,395,000	2.19	562	257
Austria	2009	11,200	20,500	8,372,930	0.55	134	245
Belgium	2009	18,609	47,000	10,827,519	0.40	172	434
Bolivia	2002	500	19,365	9,182,000	0.03	5	211
Bosnia and Herzegovina	2009	4,207	10,589	4,590,310	0.40	92	231
Brazil	2005-07	570,000	687,684	186,075,000	0.83	306	370
Bulgaria	2009	56,486	47,000	7,576,751	1.20	746	620
Chile	2008	45,020	35,053	16,297,000	1.28	276	215
China	2010	5,000,000	2,690,000	1,312,253,000	1.86	381	205
Colombia	2005-07	190,000	119,146	43,049,000	1.59	441	277
Costa Rica	2008	19,558	12,100	4,328,000	1.62	452	280
Côte d'Ivoire	2009	50,000	32,000	19,245,000	1.56	260	166
Croatia	2009	13,461	19,000	4,697,548	0.71	287	404
Cyprus	2009	1,700	3,000	801,851	0.57	212	374
Czech Republic	2009	51,542	46,000	10,512,397	1.12	490	438
Denmark	2009	5,250	10,000	5,547,088	0.53	95	180
Dominican Republic	2008	30,000	29,357	9,533,000	1.02	315	308
Ecuador	2005-07	40,368	42,610	13,063,000	0.95	309	326
El Salvador	2008	21,146	16,737	6,059,000	1.26	349	276
Estonia	2009	4,283	6,000	1,340,274	0.71	320	448
Finland	2009	10,000	8,000	5,350,475	1.25	187	150
France	2009	160,000	250,000	64,709,480	0.64	247	386
Germany	2009	170,000	250,000	81,757,600	0.68	208	306
Greece	2009	30,000	50,000	11,306,183	0.60	265	442

Country	Year	Private security personnel	Police officers	Population	Ratio of private security to police	Private security per 100,000	Police per 100,000
Guatemala	2008	120,000	19,974	12,710,000	6.01	944	157
Honduras	2005-07	60,000	12,301	6,893,000	4.88	870	178
Hungary	2009	105,121	40,000	10,013,628	2.63	1,050	399
India	2010	7,000,000	1,406,021	1,130,618,000	4.98	619	124
Iraq	2008	35,000	153,000	28,238,000	0.23	124	542
Ireland	2009	21,675	12,265	4,450,878	1.77	487	276
Italy	2009	49,166	425,000	60,397,353	0.12	81	704
Jamaica	2010	15,000	8,441	2,668,000	1.78	562	316
Japan	2003	459,305	246,800	127,449,000	1.86	360	194
Kenya	2005	48,811	36,206	35,817,000	1.35	136	101
Kosovo	2005	2,579	6,282	2,000,000	0.41	129	314
Latvia	2009	8,000	10,600	2,248,961	0.75	356	471
Lithuania	2009	10,000	20,000	3,329,227	0.50	300	601
Luxembourg	2009	2,200	1,573	502,207	1.40	438	313
Macedonia, former Yugoslav Republic of	2009	5,600	14,500	2,114,550	0.39	265	686
Malta	2009	700	1,904	416,333	0.37	168	457
Mexico	2005-07	450,000	495,821	105,330,000	0.91	427	471
Moldova	2000	10,000	13,431	3,386,000	0.74	295	397
Montenegro	2005	1,900	4,227	660,000	0.45	288	640
Morocco	2010	20,000	48,394	30,495,000	0.41	66	159
Netherlands	2009	30,936	49,000	16,576,800	0.63	187	296
Nicaragua	2008	19,710	9,216	5,455,000	2.14	361	169
Nigeria	2005	100,000	360,000	140,879,000	0.28	71	256
Norway	2009	6,700	8,500	4,854,824	0.79	138	175
Panama	2008	30,000	15,255	3,232,000	1.97	928	472
Peru	2005-07	50,000	90,093	27,836,000	0.55	180	324
Poland	2009	165,000	100,000	38,163,895	1.65	432	262
Portugal	2009	38,874	50,000	10,636,888	0.78	365	470
Romania	2009	107,000	55,000	21,466,174	1.95	498	256



Country	Year	Private security personnel	Police officers	Population	Ratio of private security to police	Private security per 100,000	Police per 100,000
Russian Federation	2009	800,000	601,000	143,170,000	1.33	559	420
Serbia	2009	28,500	34,000	10,100,000	0.84	282	337
Sierra Leone	2005	3,000	9,300	5,107,000	0.32	59	182
Slovakia	2009	17,200	21,500	5,424,057	0.80	317	396
Slovenia	2009	7,554	7,500	2,054,119	1.01	368	365
South Africa	2010	387,273	150,513	48,073,000	2.57	806	313
Spain	2009	86,000	227,250	46,087,170	0.38	187	493
Sweden	2009	13,500	19,000	9,347,899	0.71	144	203
Switzerland	2009	13,075	16,000	7,760,477	0.82	168	206
Trinidad and Tobago	2010	5,000	6,500	1,318,000	0.77	379	493
Turkey	2009	257,192	201,064	74,816,000	1.28	344	269
United Kingdom	2009	120,000	140,000	62,041,708	0.86	193	226
United States	2007	2,000,000	883,600	302,741,000	2.26	661	292
Total		19,545,308	10,799,059	4,496,715,554	1.81	435	240
Median					0.83	298	311

Source: Annexe 4.1

Table 4.2 Public perception of private security providers in seven African countries**Percentage of survey respondents who answered 'yes' to the question, 'Do you think that policing functions performed by private security is a good development?'**

	Year	Percentage	Survey sample size
Ghana	2009	93	1,560
Uganda	2007	88	2,147
Tanzania	2008	81	1,888
Rwanda	2008	65	2,100
Egypt	2008	64	3,126
Cape Verde	2008	62	1,844
Kenya	2010	57	2,777

Source: Small Arms Survey elaboration of unpublished UNODC victimization survey data, 30 June 2010

Reasons for growth

The global trend towards downsizing government, including public security institutions, has contributed to the growth of the private security sector. Previously core state functions—such as prison surveillance, immigration control, and airport security—have increasingly been outsourced in order to save financial and human resources within government agencies (Abrahamsen and Williams, 2009, pp. 3, 4).

The gap left behind by downsized public sectors is being felt across the globe, and PSCs represent one of the ways to fill it. As Table 4.2 illustrates, the involvement of PSCs in policing is rather well accepted by the majority of the public in seven African countries, reflecting local demand for the services—and possibly for the employment opportunities—offered by PSCs. Multinational corporations, international organizations, peacekeeping missions, non-governmental organizations, and the general population, in addition to government, are among the clients (Holmqvist, 2007, p. 8; Baker and Pattison, 2010; MULTINATIONAL CORPORATIONS).

It would be too simplistic to claim that shortcomings of the public security sector alone are responsible for the growth and scale of private security. Analysts have shown that per population rates of PSC personnel are not statistically related to rates of police officers, and that more complex political and economic factors contribute to the size of private security in a given context (van Dijk, 2008, p. 216).

Industry leaders attribute the continued growth of the sector to clients' greater awareness of security risks as well as their increased demand for technology. Alarm and electronic



Security cameras for China's closed-circuit television system in Beijing, China.
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surveillance systems have permitted costs to drop and the reliability of private security services to increase by allowing constant surveillance and better incident recording (Securitas, 2009, pp. 28–29). Western armies' increasing use of high-tech weaponry has made them reliant on levels of technological expertise that appear impossible to maintain within the ranks, pushing them to outsource aspects of maintenance and training to PSCs (Cusumano, 2009, p. 2). This is especially true with respect to 'robotic' weapons such as unmanned drones.⁸

Some major Western militaries and government agencies, such as the US Department of Defense, have gradually institutionalized the outsourcing of functions other than combat in order to free up uniformed personnel for fighting (USDOD, 2001, p. 53). Some states contracting PSCs argue that the private sector can be hired and fired faster than uniformed personnel and can therefore be deployed more flexibly, which is more affordable in the long run than maintaining a permanent in-house capability (Schwartz, 2010, p. 2). As a result, the proportion of non-military personnel contracted by the US military has increased over time; while it represented 1/20 of the size of regular US forces during World War I, this ratio grew to 1/7 during World War II and 1/6 in Vietnam, to reach and even exceed parity in the conflicts of the Balkans, Afghanistan, and Iraq (Fontaine and Nagl, 2010, p. 9).⁹

A side effect of reductions in state security personnel has been the creation of a vast supply of available and trained individuals, many of whom secured jobs in PSCs or created their own. An estimated 5–6 million soldiers were demobilized worldwide between 1985 and 1996 (Renou, 2005, p. 289; Holmqvist, 2007, fn. 17). If reservists are included, military downsizing from the 1980s to 2007 resulted in more than 30 million trained personnel leaving military positions worldwide (Karp, 2008). A number of demobilized public security personnel and fighters in post-conflict societies such as Sierra Leone found employment as PSC employees (Abrahamsen and Williams, 2005b, p. 12). Companies such as Military Professional Resources, Inc., reportedly maintained a list of 12,500 'on-call' recruits, and Blackwater (now known as Xe Services) had its own database of 21,000 names (Scahill, 2007, p. xviii; Singer, 2003, p. 120).



Plainclothes Blackwater contractors take part in a firefight as demonstrators loyal to Muqtada al-Sadr attempt to advance on a facility defended by US and Spanish soldiers, Najaf, Iraq, 4 April 2004. © Gervasio Sanchez/AP Photo

The perils of growth¹⁰

One of the principal concerns regarding the private security sector is that, like other commercial services, only those who are able and willing to pay will benefit from it (Holmqvist, 2005, p. 12). This dynamic runs the risk of exacerbating disparities between the wealthy—protected by increasingly sophisticated systems—and the poorest, who may need to resort to informal and sometimes illegal means to secure their safety.

Another crucial question concerns the legitimacy of outsourcing activities that some consider an inherently governmental function (Cusumano, 2009, p. 18). The use of PSCs redistributes the control over the use of force, and drawing a line on the types of services that PSCs can perform has been the subject of continuing debate. Reports that the Central Intelligence Agency hired Blackwater to carry out a plan to assassinate al-Qaeda operatives caused significant controversy (Marlowe, 2010). The possible use of PSCs to conduct internationally mandated peace-keeping operations and humanitarian interventions is similarly contentious (Baker and Pattison, 2010). While very few firms currently undertake offensive combat missions, PSCs generally do not have policies ruling out this possibility. A voluntary industry code of conduct, for instance, does not exclude taking on offensive missions if ‘mandated by a legitimate authority under international law’ (ISOA, 2009, art. 8.2.).

Insufficient oversight of PSC performance and a lack of accountability in cases of alleged abuse represent a third set of concerns. Privileged links between private security personnel and current or former government and law enforcement agencies

Box 4.1 PSCs in armed conflict: debates in international law

Considerable debate surrounds the legal implications of the use of PSCs in areas affected by armed conflict. Yet the view that PSCs operate in a ‘legal vacuum’¹¹ is somewhat misleading.¹² In situations of armed conflict, international humanitarian law (IHL) and international criminal law govern the activities of PSC employees. Serious violations they commit or order to be committed may be prosecuted in national or international courts, such as the International Criminal Court (ICC).¹³ Both IHL and international human rights law also apply to states that hire PSCs (contracting states), states where they operate, and those where they are incorporated.¹⁴

Much of the discussion surrounding private contractors and their relationship to IHL has focused on determining whether these individuals have status as combatants or civilians. As combatants, PSC personnel would represent legitimate targets of attacks at all times,¹⁵ but they would also have the right to directly participate in hostilities. If captured, they would be entitled to prisoner-of-war status and would not be prosecuted for having taken part in hostilities.

Various criteria must be met for an individual to qualify as a legal combatant, most of which arguably would not apply to PSCs as they are currently structured. The great majority of private contractors and civilian employees active in armed conflicts have not been incorporated into state armed forces and assume functions that clearly do not involve their direct participation in hostilities on behalf of a party to a particular conflict. Accordingly, under IHL, PSC personnel are generally defined as civilians and are (legally) protected against direct attack, except if and when they directly participate in hostilities (Melzer, 2009, pp. 39, 49).

The notion of direct participation in hostilities has, in fact, been the subject of ongoing debate among members of academia, government, and industry, specifically with reference to the type of work PSC personnel should be permitted to perform. For a specific act to qualify as ‘direct’ participation in hostilities, some scholars maintain that it must have a close causal relation to the resulting harm (Melzer, 2009, p. 52). Legal experts have argued that PSC participation in combat operations can include guarding military bases against attacks from the enemy,¹⁶ gathering tactical military intelligence,¹⁷ and operating weapons systems in combat operations (Heaton, 2005, p. 202). While participating in these activities, contractors would lose their protection against enemy attack. But as the acts that constitute direct participation are not yet codified, PSC employee participation in hostilities must be examined on a case-by-case basis (Gillard, 2006, p. 539).

International human rights law, applicable to situations of armed conflict (with limited scope for derogation),¹⁸ is also relevant to PSC activity. It imposes an obligation on states to ensure that private parties, including PSCs, not infringe on the human rights of persons in any state’s territory or within its jurisdiction. For this purpose, states are required to adopt appropriate legislative and other measures that serve to prevent, investigate, and provide remedies for human rights abuses.

Despite the existence of clear legal obligations and a well-established network of national and international courts with potential jurisdiction over serious IHL violations, proceedings against PSC employees are rare (Gillard, 2006, pp. 542–43). The problem lies less with the applicable norms, although some aspects of the law require clarification, than with a lack of oversight, accountability, and enforcement, including the inherent difficulties associated with gathering evidence of abuses in settings affected by conflict.

can contribute to reducing oversight of PSC activities (Richards and Smith, 2007, p. 4). The possibility of links between the private security sector and criminal networks also worries analysts (Godnick, 2009). A large PSC firm in Tanzania, for example, found that as many as 30 per cent of its employees had criminal records.¹⁹

There is particular concern over perceived gaps in the accountability of PSC personnel operating in conflict situations. While aspects of international law apply to PSC personnel operating in contexts of warfare (see Box 4.1), enforcement is often difficult because of the specific features of PSC contracting and operation. In cases such as Iraq, where PSCs were granted immunity from Iraqi law between 2004 and 2009, accountability rested with the contracting states. Bringing to justice private security personnel operating overseas also entails obtaining evidence and initiating proceedings in the theatre of operations (Bailes and Holmqvist, 2007, p. iii). Furthermore, conflicts of interest can emerge if a contracting state takes on the roles of both client and watchdog (Cockayne and Speers Mears, 2009, p. 3). For these reasons and others, very few cases of alleged PSC abuse against civilians in Iraq have been prosecuted.²⁰



Trainees take aim at each other during an anti-piracy drill aboard a ship in Haifa, Israel, June 2009.
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THE PRIVATE SECURITY ARSENAL

The quantities and types of firearms at the disposal of PSCs vary greatly across settings, depending largely on the activities they perform and on national legislation. This section reviews available information on the quantities and categories of small arms available to PSCs in different situations.

Estimating arms holdings²¹

National legislation is a major factor influencing the extent to which PSCs arm themselves. A number of countries prohibit—at least on paper—the use of firearms by PSCs operating on their territory, including the Bahamas,²² Denmark, Japan, Kenya, the Netherlands, Nigeria, Norway, and the UK.²³ Elsewhere, PSCs are allowed to use firearms only for very specific activities. In China and France, for instance, PSC personnel may legally carry firearms only when escorting money to and from banks ('cash-in-transit') (CoESS, 2008; Trevaskes, 2008, p. 38).



Restrictions on the transfer of arms to PSCs as non-state actors appear to be relatively common in countries that are in the midst of, or have recently emerged from, conflict. For example, the Sierra Leone National Security and Intelligence Act 2002 allows PSCs to hold arms in principle; however, the 1998 UN arms embargo prevented the sale of arms to non-state actors until 2010 (Abrahamsen and Williams, 2005b, p. 7). Yet Sierra Rutile, a rutile and bauxite mine in Sierra Leone, obtained permission by way of a specific decree to operate the only armed private security force in the country, despite the embargo on sales (p. 10). In Afghanistan, only the Afghan government, foreign military, and embassies are permitted to import a limited number of firearms for use by their international staff. As a result, there is no official weapons market in Afghanistan for PSCs to legally access firearms. PSCs can circumvent these restrictions by hiring local people who have their own weapons, and turning a blind eye to how they were obtained (Joras and Schuster, 2008, p. 14; Karimova, 2010a).

In practice, PSCs provide a number of services that do not require the use of firearms, such as risk analysis and advisory services. In non-conflict settings, PSCs are most likely to use arms when guarding sensitive industrial, government, and bank sites, performing mobile patrols and emergency interventions (in case an alarm system is activated), or protecting convoys (such as cash-in-transit) and people (acting as bodyguards).²⁴ In areas affected by conflict, PSCs may need weapons when escorting military supply convoys, protecting government and expatriate personnel, guarding military and government facilities, and training local security forces.²⁵ Maritime protection—of both ships and ports—may also require armed guards.²⁶

Table 4.3 Reported armed PSC personnel in selected settings

Location or company	Total PSC personnel	Personnel authorized to carry firearms*	Armed vs. total personnel ratio	Source
Croatia	16,000	300	0.02	CoESS (2008)
G4S in India	141,488	2,912	0.02	Author correspondence with a G4S representative, 12 October 2010
Sweden	13,500	300	0.02	CoESS (2008)
Germany	173,000	10,000	0.06	CoESS (2008)
One PSC in the Canton of Geneva, Switzerland	860	85	0.10	Author interview with private security representative 1, Geneva, 19 August 2010
Slovenia	4,500	1,000	0.22	CoESS (2008)
Turkey	158,839	35,263	0.22	CoESS (2008)
Russian Federation	850,000	196,266	0.23	Abrahamsen and Williams (2009, p. 2), citing Volkov (2002)
Spain	83,000	20,000	0.24	CoESS (2008)
Bulgaria	58,700	23,400	0.40	CoESS (2008)
Dominican Republic	30,000	24,000	0.80	Godnick (2009)
Colombia	200,000	170,000	0.85	Arias (2009, p. 48)

Note: * The number of personnel authorized to carry firearms in Bulgaria is calculated based on the country's reported total PSC personnel and its reported ratio of armed vs. total personnel.

PSC personnel are therefore not all licensed or authorized to be armed, as reflected by variations in the proportion of armed guards vs. total PSC personnel across settings. Table 4.3 illustrates that as few as two per cent of PSC personnel are armed in Croatia and in an international firm with significant presence in India, while more than 80 per cent of employees are armed in the Dominican Republic and Colombia. In Bosnia and Herzegovina, national legislation states that one-fifth of personnel may carry short-barrel firearms in the Federation of Bosnia and Herzegovina, while one-half of employees may do so in Republika Srpska (Page et al., 2005, p. 22).

PSC personnel who are authorized to carry firearms often do not each have their own weapon, nor do they always carry one. Guns may be stored in a central armoury and shared by employees from shift to shift. A PSC operating in the Canton of Geneva in Switzerland, for instance, explained that while ten per cent of personnel were licensed to carry firearms, the number of firearms in inventory amounted to just six per cent of the total number of employees.²⁷

Reported PSC firearm stockpiles in 16 situations are presented in Table 4.4. They illustrate a wide range of PSC stockpile levels, starting at less than one firearm for ten employees in the above-mentioned Geneva company, to

Table 4.4 Reported number of firearms held by PSCs in selected settings

Location or company	PSC personnel	PSC firearms	Firearms per PSC personnel	Source
One PSC in the Canton of Geneva, Switzerland	860	50	0.06	Author interview with private security representative 1, Geneva, 19 August 2010
Serbia	28,000	2,395	0.09	CoESS (2008); Page et al. (2005, p. 93)
Moscow	157,138	22,294	0.14	Falalyev (2010); Karimova (2010b, pp. 1-2)
Russian Federation	800,000	116,000	0.15	Modestov (2009); Karimova (2010b, p. 1)
Albania	4,093	938	0.23	CPDE and Saferworld (2005, p. 38)
South Africa	248,025	58,981	0.24	Gould and Lamb (2004, p. 185)
Bosnia and Herzegovina	4,207	1,075	0.26	Krzalic (2009, p. 34, fn. 38)
Angola	35,715	12,087	0.34	Joras and Schuster (2008, p. 46)
Nicaragua	19,710	6,799	0.34	Godnick (2009)
Costa Rica	19,558	8,884	0.45	Godnick (2009)
Brazil	570,000	301,526	0.53	Dreyfus et al. (2010, p. 100); Carballido Gómez (2008, slide 9)
Colombia	120,000	82,283	0.69	UNODC (2006, p. 59)
São Paulo	330,000	255,000	0.77	Wood and Cardia (2006, p. 156)
El Salvador	21,146	18,125	0.86	Godnick (2009)
35 PSCs in Afghanistan	1,431	4,968	3.47	Joras and Schuster (2008, p. 15)
Sandline operation in Papua New Guinea	42	160	3.81	PNG and Sandline (1997, pp. 8-9)

almost four small arms for every Sandline International employee in the 1997 Papua New Guinea operation. Together with Table 4.3, this information makes it possible to establish broad estimates of the level of PSC armament according to region and context (for example, exposure to armed conflict). Applying these ratios to reported numbers of PSC personnel contained in Table 4.1 generates a first global estimate of PSC firearm stockpiles (see Table 4.5).

It should be noted that any estimate risks under-representing actual levels of armament of PSCs as reports on PSC weapons are scarce and unlikely to take into account personnel who carry personal, or illegal, weapons on duty. For instance, while Kenya currently prohibits PSC firearm use, industry sources admit that some companies arm small elite units responsible for protecting important people and high-value facilities (Mbogo, 2010). In countries that prohibit the arming of private personnel, PSCs are nevertheless able to provide an armed service through arrangements with the public security forces. This is the case in Nigeria, where Mobile Police officers are permanently seconded to most PSCs and equipped with fully automatic weapons, usually AK-47s or FN assault rifles (Abrahamsen and Williams, 2005a, p. 11). Improved reporting, data collection, and transparency on PSC firearm holdings are therefore required to fully understand its scope.

Overall, and based on available information, Latin America stands out as the region where PSCs are the most armed, with ratios of arms to personnel ranging from 0.34 firearms in Nicaragua to 0.86 in El Salvador (see Table 4.4). A range of 0.3 to 0.8 firearms per PSC employee is therefore applied to other known PSC staff in the region in Table 4.5.

Latin America stands out as the region where PSCs are the most armed.

Even though data on African countries is scarce, industry representatives argue that Angola's 0.34 ratio of arms to personnel and South Africa's 0.24 rate (see Table 4.4) should not differ greatly from the situation in other African countries that allow PSC firearm use. PSCs probably have fewer weapons elsewhere on the continent, however.²⁸ For these reasons, a 0.05–0.30 range is applied to reported African PSC personnel.

Despite high rates of personnel, Eastern European PSCs are less equipped than their Latin American counterparts, with less than 0.1 firearm per employee in Serbia and up to 0.26 in Bosnia and Herzegovina (see Table 4.4). A 0.05–0.20 range is therefore applied to documented PSC personnel in the region.

Western European rates are believed to be particularly low. Countries such as Norway and the United Kingdom do not allow PSCs to possess weapons at all (CoESS, 2008). The Geneva PSC's rate of 0.06 firearms per employee²⁹ and information revealing that only two per cent of Swedish PSC employees are authorized to use firearms (CoESS, 2008) point to low levels of PSC armament even in countries where the use of firearms by PSCs is allowed. Some countries in the region may be home to larger PSC stockpiles, however. In Spain, for instance, more than 20 per cent of PSC personnel may be armed (see Table 4.3). As a result, 0.02–0.15 is the ratio applied to reported PSC personnel in Western European states.

Patterns of armament among PSCs in China, India, and the United States, with combined PSC personnel of more than 14 million, have a significant impact on a global estimate. Very little research exists on China's PSC industry. While Chinese PSC personnel can carry firearms only when escorting cash-in-transit (Trevaskes, 2008, p. 38), experts argue that up to several hundred thousand guards may be armed, although often illegally.³⁰ A minimal ratio of 0.01–0.05 is therefore applied to China to reflect low PSC arming.

Most private security guards in India are unarmed or carry only batons or long sticks (lathis) (Karp, 2010b). So equipped, they are able to perform little more than surveillance roles (Thottam and Bhowmick, 2010). While the total number of legally armed private security guards cannot be estimated systematically, it appears to be relatively low, in the range of one to three per cent (Karp, 2010b).³¹ Similarly, about two per cent of the roughly 140,000 G4S guards in India are authorized to be armed (see Table 4.3). For these reasons, a low range of 0.01–0.05 is also applied to India's seven million PSC staff.

Table 4.5 Estimated global PSC firearm holdings

Group of countries	Combined PSC personnel (see Table 4.1)	Low firearm per employee ratio	High firearm per employee ratio	Low PSC firearms estimate	High PSC firearms estimate
Countries with reported PSC personnel and firearm holdings (see Table 4.4): Albania, Angola, Bosnia and Herzegovina, Brazil, Colombia, Costa Rica, El Salvador, Nicaragua, Russian Federation, Serbia, South Africa	2,080,201	0.29	0.29	609,093	609,093
Countries with reported PSC personnel and estimated firearms ratios in Latin America: Argentina, Bolivia, Chile, Dominican Republic, Ecuador, Guatemala, Honduras, Jamaica, Mexico, Panama, Peru, Trinidad and Tobago	995,888	0.30	0.80	298,766	796,710
Countries with reported PSC personnel and estimated firearms ratios in Africa: Côte d'Ivoire, Morocco, Sierra Leone	73,000	0.05	0.30	3,650	21,900
Countries with reported PSC personnel and estimated firearms ratios in Eastern Europe: Bulgaria, Croatia, Czech Republic, Estonia, Hungary, Kosovo, Latvia, Lithuania, Macedonia (former Yugoslav Republic of), Moldova, Montenegro, Poland, Romania, Slovakia, Slovenia	565,726	0.05	0.20	28,286	113,145
Countries with reported PSC personnel and estimated firearms ratios in Western Europe: Austria, Belgium, Cyprus, Finland, France, Germany, Greece, Ireland, Italy, Luxembourg, Malta, Portugal, Spain, Sweden, Switzerland	626,699	0.02	0.15	12,534	94,005
Australia: reported PSC personnel and estimated firearms ratio	114,600	0.02	0.15	2,292	17,190
China: reported PSC personnel and estimated firearms ratio	5,000,000	0.01	0.05	50,000	250,000
India: reported PSC personnel and estimated firearms ratio	7,000,000	0.01	0.05	70,000	350,000
United States: reported PSC personnel and estimated firearms ratio	2,000,000	0.20	0.30	400,000	600,000
Turkey: reported PSC personnel and estimated firearms ratio	257,192	0.15	0.20	38,579	51,438
Afghanistan and Iraq: reported PSC personnel and estimated firearms ratios	61,000	3.00	4.00	183,000	244,000
Countries where PSC employees are not allowed to carry firearms: Denmark, Japan, Kenya, Netherlands, Nigeria, Norway, United Kingdom	771,002	0	0	0	0
Rest of the world: estimated PSC personnel and firearms ratios	Between 0 and 6,000,000	0	0.10	0	600,000
World total				1,696,200	3,747,481

Source: estimates and calculations based on Tables 4.1, 4.3, and 4.4

Among countries with large numbers of PSC personnel, the United States appears to stand out with a relatively high proportion of armed guards. Typical functions for US PSCs include patrolling businesses and protecting gated communities. But there is no official information on what percentage of personnel normally carry a gun. Most US security guards do not carry a firearm; their functions are essentially those of watchmen and gatekeepers, with instructions to call the police in case of danger. A reasonable estimate of the proportion of PSC personnel armed while on duty would be one-quarter to one-third (Karp, 2010a). Since guards may share firearms between shifts, a ratio of 0.2–0.3 is thus applied to the two million US private security personnel.

A range of 0.15–0.20 is applied to Turkey, given information that 22 per cent of its private guards are armed (see Table 4.3). Western Europe's ratio of 0.02–0.15 is also applied to Australia, given that the proportion of armed PSC personnel in that country has dropped from 10–30 per cent in 2003–04 to 4–5 per cent in 2010 (Prenzler, 2005, p. 61).³² Finally, a conservative ratio of 0.0–0.1 is applied to countries for which PSC personnel figures are estimated but not reported.

While the ratio of arms per PSC employee is usually lower than 1:1 in societies not affected by armed conflict, it is common for PSC personnel to carry more than one firearm in more hostile settings. PSC staff in Afghanistan and Iraq are typically equipped with two weapons: a handgun and an automatic rifle, with additional weaponry kept in vehicles and company armouries.³³ As illustrated by Table 4.4, individual PSC employees had access to more than three firearms each in Afghanistan and Sandline International's 1997 operation in Papua New Guinea. A high ratio of 3–4 firearms per employee is therefore applied to reported PSC staff in Afghanistan and Iraq.

Based on the above assumptions, it appears that PSCs worldwide hold somewhere between 1.7 and 3.7 million legal firearms. While the dearth of information explains such a broad range, this estimate remains significant in that PSCs hold only a small proportion of the global firearm stockpile of at least 875 million units. PSC holdings are comparable to the quantities of small arms held worldwide by gangs and armed groups (2 to 11 million units), but much lower than those of law enforcement (26 million), armed forces (200 million), and civilians (650 million) (Small Arms Survey, 2010, p. 103).



A private contractor guards a NATO convoy armed with a machine gun in Ghazni, Afghanistan, October 2010. © Rahmatullah Naikzad/AP Photo

Types of firearms³⁴

National legislation usually leaves very little discretion to PSCs when it comes to the types of weapons they can use.³⁵ A survey of the industry across 34 European states reveals, for instance, that the vast majority of PSCs are only allowed to use handguns (pistols and revolvers) (CoESS, 2008). Smoothbore firearms (such as shotguns) are authorized in few countries, and almost all European countries prohibit PSCs from using automatic firearms. Fully automatic firearms and other types of military weapons are also generally banned from PSC use in other settings, including in Argentina, Brazil, Guatemala, Peru,³⁶ and South Africa.³⁷ In the Philippines, PSCs are not allowed to possess:

high caliber firearms considered as military-type weapons such as M16, M14, cal .30 carbine, M1 Garand, and other rifles and special weapons with bores bigger than cal .22, to include pistols and revolvers with bores bigger than cal .38 such as cal .40, cal .41, cal .44, cal .45, cal .50, except cal .22 centerfire magnum and cal .357 and other pistols with bores smaller than cal .38 but with firing characteristics of full automatic burst and three-round burst (RoP, 2005, rule VII, sec. 2).

Many exceptions exist, however. In Turkey, for instance, PSCs may use MP5 sub-machine guns and G3 rifles for the protection of oil refineries, oil wells, and power plants (CoESS, 2008). Although Russian law seems to only allow

PSCs to use pistols, revolvers, and other self-defence weapons, some company websites list sub-machine guns among the weapons available to their staff (Karimova, 2010b).³⁸ In some cases, legislation does not provide clear definitions of the weapons that PSCs may not use, resulting in broad interpretation and application. For example, under Angolan law, PSC staff are allowed to use and bear only 'defensive' firearms, for which they are required to undertake regular arms training. In practice, however, PSCs continue to use AK-47s and similar 'weapons of war', seen by the population as especially intimidating (Joras and Schuster, 2008, pp. 40, 56).

PSCs operating in hostile conflict environments rely on a greater variety of weapons, with Afghanistan and Iraq representing extreme examples. Although PSCs operating in these two countries procure mainly 9 mm handguns and assault rifles of calibre 7.62 mm or smaller,³⁹ reports show access to a broad range of small arms and light weapons, including general-purpose machine guns, sniper rifles, and, in some cases, RPGs (see Table 4.6).⁴⁰ Sandline International personnel, controversially recruited by the government



Table 4.6 Examples of small arms and light weapons reportedly held by PSCs in Afghanistan and Iraq

Weapon category	Afghanistan	Iraq
Handguns	<ul style="list-style-type: none"> • GLOCK (9 x 19 mm) • Smith & Wesson Sigma (9 x 19 mm) 	<ul style="list-style-type: none"> • Beretta (9 x 19 mm) • Browning (9 x 19 mm) • Colt M1911 (.45) • CZ (9 x 19 mm) • GLOCK 17 (9 x 19 mm) • GLOCK 19 (9 x 19 mm) • Walther PPK (9 x 17 mm/.380 ACP)
Shotguns	<ul style="list-style-type: none"> • Remington 12-gauge 	<ul style="list-style-type: none"> • 12-gauge
Sniper rifles	<ul style="list-style-type: none"> • Unspecified type 	<ul style="list-style-type: none"> • Dragunov (7.62 x 54 mm R)
Semi- and fully automatic rifles	<ul style="list-style-type: none"> • AK-47 (7.62 x 39 mm) • AMD-65 (7.62 x 39 mm) • HK G36 and G36K (5.56 x 45 mm) • M4 (5.56 x 45 mm) • SIG 556 (5.56 x 45 mm) 	<ul style="list-style-type: none"> • AK-47 (7.62 x 39 mm) • AR-M9 (5.56 x 45 mm) • HK G3 (7.62 x 51 mm) • HK G36 (5.56 x 45 mm) • M4 (5.56 x 45 mm) • M16 (5.56 x 45 mm) • SIG 552 (5.56 x 45 mm)
Machine guns	<ul style="list-style-type: none"> • PKM (7.62 x 54 mm R) • RPK (7.62 x 39 mm) 	<ul style="list-style-type: none"> • Beretta M12S SMG (9 x 19 mm) • FN Minimi/M-249 (5.56 x 45 mm) • HK MP5 (9 x 19 mm) • M-240 (7.62 x 51 mm) • PKM (7.62 x 54 mm R) • RPK (7.62 x 39 mm) • SMG Sterling (9 x 19 mm or 7.62 x 51 mm)
Portable anti-tank weapons	<ul style="list-style-type: none"> • Unspecified RPG 	<ul style="list-style-type: none"> • Unspecified RPG • AT4 (84 mm)

Sources: Isenberg (2009); JASG (2008); Joras and Schuster (2008, p. 14); Miller and Roston (2009); USASC (2010); USHR (2007, pp. 3, 8); author interviews with private security representatives 2, 3, 4, 5, 6, and 8

of Papua New Guinea to quell the Bougainville secessionist movement in 1997, were equipped with 60 mm and 80 mm mortars as well as AGS-17 30 mm automatic grenade launchers, in addition to pistols, AK-47 assault rifles, and PKM light machine guns (PNG and Sandline, 1997, p. 9).

Few companies have internal policies that specify restrictions on the arms their personnel may carry. Responsible PSCs undertake risk assessments to determine the level of threat involved in each operation; they adapt their equipment accordingly. The risk of collateral damage can be part of such assessments. One British company, for instance, systematically advises clients against using armed guards on ships, arguing that the presence of arms can only increase the likelihood of use of force by potential hijackers.⁴¹

Reported PSC use of sniper rifles, machine guns, and, in some cases, RPGs in Afghanistan and Iraq seems contradictory to PSC and contracting states' claims that private security personnel play an essentially protective, defensive role, and do not get involved in combat operations.⁴² While light weapons and fully automatic assault rifles clearly give PSCs offensive capabilities, industry representatives argue that maintaining weapon capabilities at least equal or superior to potential attackers' is crucial for the purpose of suppressing enemy fire in case of attacks.⁴³ Rate of

fire is particularly important when responding to an ambush while in a moving vehicle, and machine guns are commonly deployed for this purpose during convoy escorts.⁴⁴ The choice of weapon is also driven by the environment and 'local norms' where PSCs operate. The widespread availability of the AK-47 in Afghanistan and Iraq means that PSCs seek to carry similar or more advanced weapons systems in order to repel attacks. The type of weapon and its calibre will usually be determined and authorized by the host government.⁴⁵

Contractual arrangements with clients sometimes specify the types of weapons PSCs may use. Standard operating procedures (SOPs) agreed by PSCs and clients usually indicate the allocation of firearms, ammunition, and magazines for each function, including the team leader, personnel protection officer, shooter, and driver.⁴⁶ Western-made weapons were reportedly popular at the outset of war among diplomatic outposts in Iraq, as proof that PSC equipment was in line with that of coalition forces rather than that of insurgents.⁴⁷ In Iraq, clients could sometimes be identified solely based on the type of arms carried by PSC personnel.⁴⁸ As Iraq progressively moved into a post-conflict phase, some PSCs preferred the AK-47 to the M4 as a symbol of return to normalcy and adherence to local norms.⁴⁹

PSCs in Afghanistan and Iraq use standard ball, full metal jacket ammunition; expanding and exploding bullets are not permitted.⁵⁰ The amount of ammunition carried depends on the threat level a PSC team expects to encounter. Operators often carry smoke grenades, used to provide a screen behind which personnel can withdraw to safety. Industry sources explain that PSCs may use incendiary grenades only to destroy their own vehicles, such as when these are disabled by roadside improvised explosive devices, and to deny insurgents access to their contents.⁵¹

Contracts with clients sometimes specify the types of weapons PSCs may use.

TACKLING MISUSE

Incidents of armed violence against civilians perpetrated by PSC personnel, particularly in Afghanistan and Iraq, have come under intense international scrutiny. Less attention has been devoted to the role that weapons, and gaps in regulations covering them, have played in such situations. This section reviews apparent loopholes in controls over PSC acquisition, management, and use of firearms and discusses the extent to which current initiatives may help address them.

Arms misuse by PSCs⁵²

Arms acquisition

In most countries where the rule of law prevails, PSCs purchase their weapons locally through a registered dealer.⁵³ If firearms are not available locally, PSCs work with government arms procurement agencies or dealers to obtain an import licence from their country of operation, as well as an export licence from the country from which the arms are to be shipped.⁵⁴

Reports of illicit firearm acquisition and use by PSCs suggest that such procedures are either not systematically followed or do not exist in all countries. In Brazil, for instance, the federal police recorded 760 cases of illicit arms possession by PSC personnel from January 2001 to September 2003 (FPB, 2009). In Tanzania, illegally produced 'home-made' guns called *magobori* feature among PSC weapons.⁵⁵ In 2010 in North Bengal, Indian intelligence seized illegal firearms and forged licences from PSC personnel, who had reportedly bought them from former soldiers (Das, 2010).

Due to increased media and government monitoring, several cases of illicit arms acquisition and possession by PSCs in Afghanistan and Iraq have been documented. One company was found to have procured firearms from US Army-

guarded Afghan National Police stockpiles without proper authorization, for instance (USASC, 2010). In February 2009, US and Iraqi government officials found unauthorized 9 mm hollow-point ammunition, as well as unregistered MP5s, during random inspections of PSC armouries (MNF-I, 2009). In a separate inspection, Iraqi authorities raided the headquarters of a foreign security firm in Baghdad and seized unregistered arms and ammunition, including 20,000 rounds of ammunition and 400 rifles (al-Ansary, 2010). On 18 August 2010, Xe Services (formerly Blackwater) entered into a civil settlement with the US Department of State for 288 alleged violations of the International Traffic in Arms Regulations involving the unauthorized export of defence articles and provision of defence services to foreign end users in several countries between 2003 and 2009 (USDOS, 2010).

While negligence and criminal intent may explain several cases, it appears that regulatory constraints sometimes lead PSCs to break laws to acquire firearms. In the early days of the operations in Iraq, for instance, the time required to obtain the necessary authorization to import weapons into Iraq was such that some PSCs chose to procure arms illegally on the local market in order to be able to execute their contracts on time (Bergner, 2005; Miller and Roston, 2009). Faced with similar constraints, some companies in Afghanistan hired staff that already possessed weapons, turning a blind eye to the origins of their firearms (USHR, 2010, p. 2). Bureaucratic delays are no excuse for breaking laws, but improving procedures for the legal acquisition of arms by PSCs, including enhanced transparency and oversight, might have prevented some of the above-mentioned incidents.



A Pakistani officer inspects unlicensed weapons confiscated from a local security firm, Islamabad, September 2009.
© Anjum Naveed/AP Photo

Stockpile management

National legislation rarely provides details on how PSCs should secure firearm stockpiles from theft or diversion, or how to account for ammunition issue and expenditure (da Silva, 2010). When it does, the law tends to focus on whether personnel may keep their weapons at home when off duty. In Europe, for instance, PSC weapons must usually be secured in armouries (CoESS, 2008).

Stockpile security is crucial to preventing PSC arms from leaking to criminal networks through theft or loss. In Australia in 2007, for instance, gangs repeatedly targeted armed PSC employees in at least 11 attacks to seize not just the money they were escorting, but also their firearms (Gee and Jones, 2007). In South Africa, criminals have reportedly attacked—and killed—armed PSC personnel for the sole purpose of stealing their weapons (Gould and Lamb, 2004, pp. 192–93). Accountability of PSC small arms seems particularly problematic in maritime security operations. Some armed guards protecting ships from Somali pirates, for instance, reportedly dump weapons offshore before reaching countries' territorial waters in order to evade arms transfers regulations, save time, and cut costs (Hope, 2011).

In practice, the specifics of managing and securing PSC stockpiles are usually left to the companies themselves. Some large international PSCs have developed lengthy SOPs—up to several hundred pages—that contain detailed firearm policies and procedures for arms management.⁵⁶ Partly because SOPs are often required in client tenders, companies usually consider these documents proprietary information and keep them confidential. Making SOPs public would allow smaller, less well-resourced companies to simply reproduce existing written procedures and compete unfairly without necessarily being able to implement such regulations.⁵⁷ While large companies argue that their arms management procedures are strict and based on military standards,⁵⁸ lack of transparency makes an objective evaluation difficult. Controls over ammunition appear particularly critical. As industry sources admit, it is virtually impossible for PSCs—and state armed forces—to account for every round, even when every effort is made to do so.⁵⁹

Where detailed regulations on PSC stockpile management are in place, setting up monitoring and enforcement is critical for these measures to be effective. Examples suggest that governments have been reactive rather than active in enforcing regulations and imposing oversight. In Iraq, for instance, despite the existence of detailed firearm-related regulations since the early days of operations, effective enforcement mechanisms were only put in place following Blackwater's killing of 17 Iraqi civilians at Nisoor Square in Baghdad in 2007 (Glanz and Lehren, 2010; Isenberg, 2010b). The Armed Contractor Oversight Division, for instance, was only established in November 2007. The Division has since carried out random inspections of PSC personnel and compounds, confiscating unrecorded weapons and ammunition from several companies (MNF–I, 2009).

Another issue concerns the disposal of firearms once a PSC no longer uses them. In most countries, PSCs have a long-term presence and simply renew their licences periodically.⁶⁰ For PSCs operating in conflict environments, however, weapons are often procured only for the duration of specific contracts. At the end of an assignment, PSCs may destroy their stockpiles and produce a government-issued destruction certificate, transfer weapons to their operations in another country, or return weapons to the original procurement agent or dealer.⁶¹ The latter two options require PSCs to obtain the relevant export and import licences and are rarely implemented in practice. Resale to the host government or other PSCs operating locally is generally the favoured option.⁶²

Use of force and firearms

Abusive use of force by PSCs has been the most controversial and publicized aspect of their activities, especially in Iraq and Afghanistan. Human Rights First documents that contractors in Iraq have discharged their weapons thousands of times, and hundreds of times against civilians, without facing investigation (HRF, 2008, p. 3). A RAND Corporation

A lack of transparency regarding internal PSC procedures makes objective evaluation difficult.

study also finds that more than one-fifth of US Department of State personnel in Iraq had first-hand knowledge of armed contractors mistreating civilians (Cotton et al., 2010, p. xv). The US Department of Defense reports that from May 2008 to February 2009, PSC personnel in Iraq discharged their weapons 109 times, of which more than one-third were categorized as 'negligent' (Isenberg, 2010b, citing CONOC, 2010).

The extent to which a PSC team will use its weapons also depends greatly on the type of operation. One company providing close protection services to government officials in Iraq reported that personnel only fired weapons five times in more than six years of operations.⁶³ In contrast, PSCs entrusted with protecting military convoys may fire their weapons on a daily basis, as their roles render them much more exposed to enemy attack.⁶⁴

PSC use of force is regulated by international and national law (see Box 4.1). According to the Swiss criminal code, for instance, personnel can only use firearms in self-defence, and each firearm discharge must trigger a police investigation.⁶⁵ Moreover, standard rules for the use of force are an integral part of contracts with clients such as US government agencies.⁶⁶

Some large PSCs develop their own rules, which they then validate with national authorities and clients.⁶⁷ The level of threat required to legitimize the use of force can vary greatly from company to company. Some PSCs require an imminent threat to life to justify the use of force by employees⁶⁸ (see Box 4.2). Other PSCs reportedly legitimize the use of force to protect not only life, but also infrastructure and materiel they are hired to guard.⁶⁹

While regulations on the use of force and firearms do exist, their effectiveness is difficult to evaluate. Data on weapons discharge incidents by PSC personnel is improving in Iraq, but such progress is far

Box 4.2 Excerpts from internal PSC rules for opening fire in Iraq⁷⁰

General rules

- In all situations you are to use the minimum force necessary. Firearms must only be used as a last resort.
- Your weapon must always be made safe; that is, no live round is to be carried in the breech [. . .] unless you are authorized to carry a live round in the breech or are about to fire.

Challenging

- A challenge must be given before opening fire unless:
 - To do so would increase the risk of death or grave injury to you, the client or other [company] personnel.
 - You, the client or other [company] personnel in the immediate vicinity are being engaged by hostile forces.
- You are to challenge by shouting: 'Security: Stop or I fire' or words to that effect.

Opening fire

- You may only open fire against a person:
 - If s/he is committing or about to commit an act likely to endanger life to you, the client or other [company] personnel and there is no other way to prevent the danger. The following are some examples of acts where life could be endangered, dependent always upon the circumstances:
 - Firing or being about to fire a weapon.
 - Planting, detonating or throwing an explosive device.
 - Deliberately driving a vehicle at a person [. . .] where it is assessed there is no other way of stopping him/her.
 - If you know that s/he has just killed or injured the client or other [company] personnel by such means as s/he does not surrender if challenged and presents a clear and hostile threat to you, the client or other [company] personnel.
- If you have to open fire you should:
 - Fire only aimed shots.
 - Fire no more rounds than are necessary.
 - Take all reasonable precautions not to injure anyone other than your target.

from universal. Furthermore, existing data provides no basis for assessing the performance of PSC personnel compared with state security officers, for instance. Complicating matters further, even the best-intentioned firms keep their internal rules on the use of force confidential, which prevents any external assessment or monitoring of their implementation.

Training requirements

Training of PSC personnel in the use of firearms is another area that appears not to be systematically controlled. Some countries do not require any level of training or competence for individuals employed in the private security sector. For example, in Sierra Leone, governmental regulations relating to the qualifications and training of security personnel are non-existent, and there are no minimum training standards specified for PSCs, nor any requirements relating specifically to firearms (Abrahamsen and Williams, 2005b, p. 11). In the Democratic Republic of the Congo, there is no training requirement for PSCs at all (de Goede, 2008, p. 48). In the United States, there are no federal laws governing the domestic PSC industry. State laws with regard to training of PSC guards vary: 16 US states do not require background checks before someone can be hired by a PSC; 30 states do not require training; 20 states provide for mandatory training, but the requirements vary between 1 and 48 hours; in 22 states, private security services do not have to be licensed (da Silva, 2010).



Armed guards from a private security company practice firing 9 mm pistols at a shooting range, Johannesburg, South Africa, June 1997.
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Even when legal requirements exist regarding the vetting and training of PSC sector workers, they often merely indicate that the PSC is responsible for ensuring that employees are properly trained (da Silva, 2010). Under the Private Guards Act in Nigeria, for instance, the training syllabus and instruction notes of every licensed PSC must be submitted to and approved by the Minister of Internal Affairs. These are not, however, assessed against a set of common standards. As a consequence, the quality and duration of training varies greatly among PSCs (Abrahamsen and Williams, 2005a, p. 8).

Specific requirements for training in the use of arms are rare. For example, Colombian Decree 356 of 1994 states that responsibility for the training of personnel lies with the PSC, but it makes no specific mention of training in the use of arms (Colombia, 1994, art. 64). In Angola, PSC employees are legally required to undertake regular arms use training (RoA, 1992, art. 11); however, Angolan law does not establish training standards. Few states actually require accredited firearms training. South Africa appears to be an exception. The Firearms Control Act 2000 requires that security industry employees produce a competence certificate before a firearm can be issued to them. In order to acquire such a certificate, the individual must already have been trained at an accredited training facility (South Africa, 2000, ch. 5, sec. 9.1).

Overall, training in firearms for PSC personnel lacks standardization and accreditation. As a result, designing the content of training modules is often left to companies, resulting in disparate standards. Training programmes used by large international firms are often based on recognized systems, such as the British Army small arms instructors' course. They sometimes require personnel to practice on ranges more frequently than the military—more than once every three months.⁷¹ Poor weapons handling performance can result in additional training to the satisfaction of a weapons instructor.⁷² Little is known, however, about any training packages that may be available to the employees of the many other PSCs.

International initiatives⁷³

Several international initiatives have emerged in recent years to increase accountability of PSCs and establish standards against which to measure their performance. Initiated by the Swiss government and the International Committee of the Red Cross, the Montreux Document on Pertinent International Legal Obligations and Good Practices for States Related to Operations of Private Military and Security Companies during Armed Conflict⁷⁴ was adopted in 2008 and had the support of 35 countries at this writing. Responding to a need for clarification, it summarizes contracting and hosting states' legal obligations



Tim Spicer, representing the Aegis Group, signs the International Code of Conduct for Private Security Providers in Geneva, Switzerland, on 9 November 2010.
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under international humanitarian and human rights law with respect to PSCs, while also compiling good practices. Although the Montreux Document applies primarily to the activities of PSCs in contexts of armed conflict, it contains several firearm-specific recommendations that are relevant to the broader operations of the private security industry (see Box 4.3).

Building on the Montreux Document, the Swiss government, with support from the Geneva Centre for the Democratic Control of Armed Forces and the Geneva Academy of International Humanitarian Law and Human Rights, has worked with industry, civil society, private sector clients, and governments—principally the UK and United States—to develop an International Code of Conduct for Private Security Providers (ICoC). Like the Montreux Document, the ICoC is based on international human rights and humanitarian law, but it speaks directly to the private security industry by establishing common international principles that will guide PSC work.

The ICoC was formally adopted in Geneva on 9 November 2010 by 58 companies, including market leaders Aegis, G4S, DynCorp, Triple Canopy, and Xe Services (FDFA, 2010).⁷⁵ Significantly, key contracting government agencies—including the US Department of Defense and the British Foreign Office—have announced their intent to favour companies that sign up to the ICoC when allocating contracts, providing important incentives for companies to comply with it in practice.⁷⁶ The next step in the Swiss-led process involves the creation of governance and oversight mechanisms that

Box 4.3 Firearm-specific recommendations contained in the Montreux Document

States, when hiring a PSC, should take into account:

- the past conduct of the PSC and its personnel, including whether any of its personnel, particularly those who are required to carry weapons as part of their duties, have a reliably attested record of not having been involved in serious crime or have not been dishonourably discharged from armed or security forces (part two, paras. 6, 32);
- whether the PSC maintains accurate and up-to-date personnel and property records, in particular with regard to weapons and ammunition, available for inspection on demand (paras. 9, 34);
- whether the PSC's personnel are adequately trained, including with regard to rules on the use of force and firearms (paras. 10(a), 35(a));
- whether the PSC:
 - acquires its equipment, in particular its weapons, lawfully;
 - uses equipment, in particular weapons, that is not prohibited by international law;
 - has complied with contractual provisions concerning return and/or disposition of weapons and ammunition (para. 11);
- whether the PSC's internal regulations include policies on the use of force and firearms (para. 12).

Contracting states should also include in contracts with PSCs:

- a clause confirming the PSC's lawful acquisition of equipment, in particular weapons (para. 14);
- a requirement that the PSC respect relevant national regulations and rules of conduct, including rules on the use of force and firearms, such as using force and firearms only when necessary in self-defence or defence of third persons, and immediate reporting to and cooperation with competent authorities in the case of use of force and firearms (para. 18).

States where PSCs are operating should, in addition to incorporating the above provisions into their licensing laws, establish appropriate rules on the possession of weapons by PSCs and their personnel, such as:

- limiting the types and quantity of weapons and ammunition that a PSC may import, possess, or acquire;
- requiring the registration of weapons, including their serial number and calibre, and ammunition, with a competent authority;
- requiring PSC personnel to obtain an authorization to carry weapons that is to be shown upon demand;
- limiting the number of employees allowed to carry weapons in a specific context or area;
- requiring the storage of weapons and ammunition in a secure and safe facility when personnel are off duty;
- requiring that PSC personnel carry authorized weapons only while on duty;
- controlling the further possession and use of weapons and ammunition after an assignment is completed, including return to point of origin or other proper disposition of weapons and ammunition (para. 44).

Sources: FDFA and ICRC (2009); Parker (2009, pp. 10–11)

will certify PSCs and monitor their compliance, although the parameters of such mechanisms remain to be negotiated in 2011 (FDFA, 2010, p. 6).

The ICoC contains several clauses relating to arms management and use; these are largely derived from those contained in the Montreux Document. As such, the ICoC has the potential to address some of the regulatory gaps highlighted above, if implemented. Firearms-related provisions remain vague when it comes to establishing specific standards for the acquisition of firearms, the use of force, accounting and record-keeping of weapons, and training requirements, however. A significant challenge for future oversight and governance mechanisms involves developing more detailed operational guidelines to facilitate the implementation of firearms-related provisions, including technical standards and training modules. As highlighted throughout this chapter, increased industry transparency on arms holdings, use, and regulations, as well as systematic data collection on incidents of weapons discharges, would facilitate monitoring of compliance with the code. Furthermore, although human rights aspects of the ICoC apply to all situations, the key audience of the initiative remains large international PSCs operating in conflict environments, which, as illustrated by this chapter, represent only a fraction (yet one that is well armed) of PSC personnel worldwide.

Other initiatives include proposed negotiations for a new international convention on PSCs, on the basis of draft text prepared by the independent experts of the UN Working Group on the Use of Mercenaries.⁷⁷ This legal instrument would apply to all situations, armed conflict or not. Mandated by the Human Rights Council and the General Assembly of the United Nations, the draft text would require states to develop national regimes for the licensing, regulation, and oversight of PSC activities and calls for the establishment of an international register of PSCs (Gómez del Prado, 2010). While the proposed convention has the potential to improve the regulation of PSC activities, it is only at the expert consultation stage. It thus remains unclear how much political support it will receive from concerned governments.

CONCLUSION

The private security industry has grown to a significant size across the globe, employing more personnel than the police in many countries. PSCs include small local outfits as well as large multinational firms that carry out contracts for diverse clients such as governments, international corporations, local businesses, and private households. While they operate overwhelmingly in countries considered at peace, they are often more conspicuous in conflict contexts, where their actions can raise concerns.

While debates on the legitimacy and inequality of the industry continue, identifiable trends in PSC personnel employment, industry forecasts, and government contracting suggest that the industry will keep expanding into the foreseeable future. As the industry develops, the controls designed to regulate it are not keeping pace. States are generally lagging behind in developing effective oversight mechanisms of PSCs, and they appear to take necessary measures only to respond to, as opposed to prevent, violations.

This chapter reveals that the level of regulatory control exercised over the firearms held by PSCs is no exception to this rule. Little is reported or known about the actual quantities and types of firearms held by PSCs. In many countries, official standards for the management and safeguarding of PSC weapons, as well as for the training of PSC personnel, are non-existent. More worrying, the monitoring of PSCs' firearm holdings and use has progressed only in isolated cases and in response to highly publicized abuses. Lack of effective regulation has meant that the industry

has to a great extent developed its own firearm-related standards, which only the largest companies are able and willing to implement. Confidentiality of internal PSC regulations has meant that these standards have not been disseminated widely or shared within the industry, resulting in different PSCs abiding by different rules.

The ongoing effort to regulate the private security industry at the international, national, and industry levels following adoption of the Montreux Document has potential due to the buy-in of both industry and concerned states as well as the intent to create independent oversight mechanisms. Assessing its effectiveness will require increased transparency and information sharing on PSC personnel qualifications, levels of training, and incidence of abuses. Similarly, more information is required to assess whether controls of PSC firearms are actually being implemented and enforced.

Requiring greater transparency from PSCs with respect to their firearm holdings and discharges would significantly enhance the ability to measure progress and hold the industry to international standards. For the industry the stakes are potentially high: failing to provide evidence of compliance with acceptable standards would expose them to public criticism, lost business, and, ultimately, drastic government response, such as occurred in Afghanistan. ■

ABBREVIATIONS

ICC	International Criminal Court
ICoC	International Code of Conduct
IHL	International humanitarian law
ISOA	International Stability Operations Association
PMC	Private military company
PSC	Private security company
RPG	Rocket-propelled grenade (launchers)
SOP	Standard operating procedure

ANNEXE

Online annexe at <<http://www.smallarmssurvey.org/publications/by-type/yearbook/small-arms-survey-2011.html>>

Annexe 4.1. Private security personnel in 70 countries

In addition to reproducing the figures shown in Table 4.1, this table provides a comprehensive list of sources.

ENDNOTES

- 1 Definition adapted from FDFA and ICRC (2009, p. 9).
- 2 See Abrahamsen and Williams (2009).
- 3 Some analysts have even proposed typologies to distinguish between different types of PMCs. Singer, for instance, proposes a typology based on a company's proximity to the frontline, classifying PMCs as military provider firms, military support firms, and military consultant firms (Singer, 2003, pp. 91–93).

- 4 See, for example, Abrahamsen and Williams (2009, p. 1); Holmqvist (2005, p. 7); Rosemann (2008, p. 9); and Singer (2004, p. 524).
- 5 The sources, a comprehensive list of which appears in Annexe 4.1, include Arias (2009); CoESS (2008); CoESS and APEG (2010); Page et al. (2005).
- 6 The 70 countries listed in Table 4.1 represent a total population of 4.5 billion. The median rate of PSC personnel for these countries is 298 per 100,000 people. Assuming that these 70 countries are documented because the scale of their PSC industry is significant, it is highly unlikely that the overall PSC personnel rate in the rest of the world will exceed this 298 per 100,000 median. Based on available world population figures (UN, 2008), countries for which there is no PSC personnel data available represent a population of two billion. Applying the median rate of PSC personnel from documented countries to this 'undocumented' population would mean that there could be a maximum of 2 billion x 298 / 100,000 = 6 million PSC personnel in undocumented countries, producing an upper-end estimate of 25.5 million PSC personnel.
- 7 Based on data for 20 countries, van Dijk suggests a global PSC personnel rate of 348 per 100,000 compared with 318 police officers per 100,000 (van Dijk, 2008, pp. 215, 368–69). Van Dijk's data does not cover China or India, however.
- 8 Author correspondence with Scott Horton, contributing editor, *Harper's* magazine, 31 October 2010.
- 9 Private contractors hired by the US government perform a variety of non-security related tasks, such as medical and laundry services and transportation. As of 30 September 2010, for instance, only 13,101 of 88,448 contractors (15 per cent) employed by the US Department of Defense, US Department of State, and US Agency for International Development in Iraq were classified as PSC personnel (SIGIR, 2010, p. 55).
- 10 This section draws partly from Richard (2010).
- 11 See, for example, Singer (2004, p. 521); Walker and Whyte (2005, pp. 651–87).
- 12 See, for example, Gillard (2006, pp. 527–28); Sossai (2009, p. 1); Bailes and Holmqvist (2007, p. 7).
- 13 Prosecution by the International Criminal Court requires that an individual's actions meet criteria for a crime under the ICC Statute. The ICC has jurisdiction over individuals only, not corporations (Schabas, 2007, p. 211). This means that the Court has jurisdiction over the managers of PSCs for negligence in the prevention of the commission of crimes by their employees.
- 14 Companies, as private entities, have no legal status under international humanitarian law.
- 15 Regardless of their legal categorization, the reality on the ground is that contractors in Afghanistan and Iraq are regularly subjected to attacks, with contractor casualties even exceeding military deaths for the period January–June 2010 (Isenberg, 2010a; Miller, 2010).
- 16 See, for example, Schmitt (2005, pp. 538–39); Doswald-Beck (2007, p. 129).
- 17 See, for example, Dinstein (2004, p. 27); Sossai (2009, p. 14).
- 18 The International Court of Justice, among other international bodies, has addressed the applicability of international human rights law during armed conflicts—both international and non-international. The Court first affirmed the applicability in its 1996 *Advisory Opinion on the Legality of the Threat or Use of Nuclear Weapons* (ICJ, 1996, para. 25). This was then confirmed in the *Advisory Opinion on the Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory* (ICJ, 2004, paras. 106–13) and subsequently in the binding judgement, *Armed Activities on the Territory of the Congo* (ICJ, 2005, para. 216). See also IACHR (2000, para. 20); UNHRC (2004, para. 11).
- 19 Author correspondence with Kennedy Mkutu, Dar es Salaam Business School, 11 August 2010.
- 20 See HRF (2008).
- 21 In this section, analysis of national legislation is derived from da Silva (2010).
- 22 Author correspondence with William Godnick, UN Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean (UN-LIREC), 21 October 2010.
- 23 CoESS (2008); da Silva (2010, p. 2); van Steden and Huberts (2006, p. 23); Yoshida and Leishman (2006, p. 228).
- 24 Author interview with private security representative 1, Geneva, 19 August 2010.
- 25 Author interviews with private security representatives 4 and 5, London, 14 July 2010.
- 26 Author correspondence with private security representative 2, 26 August 2010.
- 27 Author interview with private security representative 1, Geneva, 19 August 2010.
- 28 Author interview with private security representative 3, Geneva, 2 October 2010.
- 29 Author interview with private security representative 1, Geneva, 19 August 2010.
- 30 Author correspondence with Aaron Karp, 13 October 2010.
- 31 This ratio was confirmed during an interview by Sonal Marwah with Kunwar Vikram Singh, chairman, Central Association of Private Security Industry–India, Delhi, 20 October 2010.
- 32 Correspondence with Bryan de Caires, chief executive officer, Australian Security Industry Association Limited, 3 December 2010.
- 33 Author interviews with private security representatives 4 and 5, London, 14 July 2010.
- 34 In this section, analysis of national legislation is derived from da Silva (2010).
- 35 Author interview with private security representative 1, Geneva, 19 August 2010.
- 36 See Arias (2009, p. 79).

- 37 See South Africa (2000, ch. 2, sec. 4.1).
- 38 See photos of sub-machine guns on the website of the Russian company Alfa-Inform (n.d.).
- 39 Author interview with Christopher Beese, private security industry commentator, London, 14 July 2010.
- 40 Greystone Limited, a Blackwater subsidiary, reportedly asked prospective employees to check off their qualifications regarding the use of a variety of weapons, including the AK-47, GLOCK 19, M16, M4, machine guns, mortars, and shoulder-fired weapons such as RPGs and light anti-armour weapons (Scahill, 2007, p. 59).
- 41 Author interview with private security representative 5, London, 14 July 2010.
- 42 Industry and government representatives made this assertion consistently during author interviews and research for this study.
- 43 Author interview with private security representative 3, Geneva, 2 October 2010.
- 44 Author interview with Christopher Beese, private security industry commentator, London, 14 July 2010.
- 45 Author interview with Christopher Beese, private security industry commentator, London, 14 July 2010.
- 46 Author correspondence with private security representative 2, 26 August 2010.
- 47 Author interview with Christopher Beese, private security industry commentator, London, 14 July 2010.
- 48 Author correspondence with private security representative 2, 26 August 2010.
- 49 Author interview with Christopher Beese, private security industry commentator, London, 14 July 2010.
- 50 Author correspondence with former private security representative 6, 6 August 2010.
- 51 Author correspondence with former private security representative 6, 6 August 2010.
- 52 Examples of PSC arms misuse in Iraq are drawn primarily from Isenberg (2010b).
- 53 Author interview with private security representative 1, Geneva, 19 August 2010.
- 54 Author interview with private security representative 5, London, 14 July 2010.
- 55 Author correspondence with Kennedy Mkutu, Dar es Salaam Business School, 11 August 2010.
- 56 Author interview with private security representatives 4 and 5, London, 14 July 2010.
- 57 Author interview with Doug Brooks, president, International Stability Operations Association (ISOA), Geneva, 2 October 2010.
- 58 Author interview with private security representative 5, London, 14 July 2010.
- 59 Author interview with Christopher Beese, private security industry commentator, London, 14 July 2010; author correspondence with private security representative 2, 26 August 2010, and with former private security representative 6, 6 August 2010.
- 60 Author interview with private security representative 5, London, 14 July 2010.
- 61 Author interview with private security representative 5, London, 14 July 2010.
- 62 Author interview with Christopher Beese, private security industry commentator, London, 14 July 2010.
- 63 Author interview with private security representative 5, London, 14 July 2010. In addition, Blackwater head Erik Prince testified before the US Congress that his company's weapons were discharged in less than one per cent of 6,500 diplomatic escorts in 2006, and less than three per cent of 1,873 diplomatic escorts from January to October 2007 (Prince, 2007, p. 4).
- 64 Author interview with Christopher Beese, private security industry commentator, London, 14 July 2010.
- 65 Author interview with private security representative 1, Geneva, 19 August 2010.
- 66 Author correspondence with former private security representative 6, 6 August 2010.
- 67 Author correspondence with former private security representative 6, 6 August 2010.
- 68 Such policies are consistent with the UN Basic Principles for the Use of Force and Firearms by Law Enforcement Officials, for instance. These state that: 'Law enforcement officials shall not use firearms against persons except in self-defence or defence of others against the imminent threat of death or serious injury' (UN, 1990, para. 9).
- 69 Author interview with private security representative 5, London, 14 July 2010.
- 70 Author correspondence with private security representative 5, 14 July 2010.
- 71 Author interview with Christopher Beese, private security industry commentator, London, 14 July 2010.
- 72 Author correspondence with former private security representative 6, 6 August 2010.
- 73 Parts of this section draw from Richard (2010).
- 74 For details, see FDFA and ICRC (2009); FDFA (2009).
- 75 It should be noted that the industry began developing standards in the early 2000s, if not before. The US-based ISOA worked with human rights lawyers and NGOs to develop a code of conduct as early as 2001, and has revised it 12 times since. Version 12 contains three paragraphs on arms control, committing member companies to undertake responsible accounting, control, and disposal of weapons; to refrain from using unauthorized weapons; and to acquire weapons exclusively through legal channels (ISOA, 2009, paras. 9.4.1–9.4.3). The ISOA code also calls on companies to develop rules on the use of force that are in compliance with international humanitarian and human rights law (para. 9.2.2). The company has received a total of about 20 complaints since its code of conduct was established. In cases of credible allegations, the ISOA's

- standards committee—composed of industry representatives—has required violators of the code to take measures to redress wrongdoing (author interview with Doug Brooks, president, ISOA, Geneva, 1 October 2010). The significance and effectiveness of such measures cannot be assessed, however, since the outcome of investigations is kept confidential. The only exception is the ISOA's initiation of an independent review to determine whether Blackwater—an ISOA member at the time—had violated the ISOA code of conduct during the 2007 Nisoor Square shootings. Blackwater withdrew its membership from ISOA a few days after the inquiry began (Fontaine and Nagl, 2010, p. 28; Rosemann, 2008, p. 35).
- 76 Author interviews with private security representatives 3 and 7, who were involved in the drafting of the ICoC, Geneva, 1–2 October 2010.
- 77 At the Human Rights Council's 15th session in September 2010, states voted to establish an open-ended intergovernmental working group to consider the possibility of elaborating an international regulatory framework on PSCs, including the option of a legally binding instrument (UNHRC, 2010).

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