

Private military/security companies, human security, and state building in Africa

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Introduction

Before discussing the potential impact of private military and security companies (PMSCs) on human security in Africa, it is important to provide a framework for the discussion. ‘Human security’ refers to the ‘complex of interrelated threats associated with civil war, genocide and the displacement of populations’ (HSRP 2005, section VIII). It is primarily concerned with the protection, particularly from violence and the fear of violence, of a civilian population. However, human security may also relate to threats associated with poverty, lack of state capacity and various forms of socio-economic and political inequity (HSRP 2005).

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A discussion of human security in the context of commercial security (military) operations should not only focus on observance of the Geneva Conventions and other relevant aspects of international law, but also on the immediate needs and stabilisation of local populations living within the areas where these conflicts take place. The crux of evaluating the impact on human security is to reflect an analysis of the root causes of a conflict or crisis and to engender goodwill on the part of the local population through *hearts and minds* strategies (Oxford Research Group 2007, par 17, 39). There are obvious implications on the human security of local populations stemming from the operations of PMSCs in Iraq, but it is easy to forget the indelible impression already stamped on Africa by such commercial entities. As conflicts within mineral-rich African states (Burundi, Sudan and the Democratic Republic of Congo (DRC)) escalate, motivated by the commercial development of the mineral wealth of these countries, there will be increased participation of PMSCs in these regions. The question is whether the operations of these commercial organisations will be advantageous to stabilising the human security of local populations, or will they reflect the impression left by their operations in Iraq – exploitive and destructive?

How do PMSCs affect the human security of local populations?

The operations of PMSCs in conflict regions have historically been problematic. Lack of transparency, democratic oversight and accountability inevitably lead to a decreased perception of legitimacy on the part of these actors in the eyes of local governments and civilian populations. Increasingly, civilian populations perceive PMSCs as showing disdain for human rights, operating outside the framework of the rule of law and without accountability to the state in which they operate or regulation by the state in which the company originates (predominately the United Kingdom and United States). This culture of impunity leads to resentment of PMSCs who profit from war in these regions.

The feeling of resentment is exacerbated by the fact that many employees of PMSCs receive neither proper screening nor training in understanding or asserting human rights within the frame of established, international legal standards. This fundamental set of rights was defined in the Universal Declaration of Human Rights of the United Nations in 1948. According to Laura Dickinson (2003:403, 405), a professor at the University of Connecticut School of Law, of the 60 publicly available Iraq contracts she examined, 'None contains specific provisions requiring contractors to obey human rights, anti-corruption, or transparency norms,' nor do they appear to require training concerning the appropriate 'use of force'. Dickinson cites an army inspector-general report on the conditions leading to the Abu Ghraib scandal which concluded that '35% of US contractor CACI's Iraqi interrogators had no formal training in military interrogation policies and techniques, let alone training in international legal norms'.

In its 2006 annual report, Amnesty International USA noted that civilians working for private military contractors in Iraq and Afghanistan are alleged to have committed serious incidents of abuse, including assault, torture and sexual abuse. While there have been hundreds of incidents of civilian contractors shooting at Iraqi civilians according to press reports, indictments and convictions of PMSC employees for violations of human rights are rare.¹ Similar events have occurred in Africa. In 2006, employees of three private security contractors in Angola – Alfa-5, Teleservice and K&P Mineira – employed by five diamond companies (headquartered in Angola, Brazil, Israel and the US) to guard their operations against illegal miners, were accused of killings, beatings, sexual abuse and torture, as well as using forced labour as a form of punishment (BHRRC 2006). Angolan journalist Rafael Marques (2006:5) reported that in some cases victims were beaten with shovels, clubs and machetes, and even forced to carry out homosexual acts.

The operation of certain PMSCs in the resource-rich countries of Angola, Sierra Leone and the DRC (then Zaire) over the last 30 years (Schreier & Caparini 2005:76) has damaged their reputations and they are perceived to have had no positive impact in these regions. Allegedly, many of these companies operating in African countries were (and presumably still are) paid with mining concessions and extraction rights. Peck noted in 2000, ‘Corporate concessions for mercenary protections are now “business as usual” throughout the continent’. Enrique Ballesteros, former special rapporteur for the Commission on Human Rights, reported in 2002 that there was a link between mercenaries and the illegal trafficking in diamonds and other gems in Africa (Ballesteros 2002).

At the same time, some of these PMSCs form subsidiaries and develop into corporations controlling multiple-service companies. Isenberg (1997) notes that, ‘groups entangled in a firm’s corporate web find quick deals among industry, mercenaries and arms dealers manoeuvring massive amounts of money, power and weapons’. The non-transparent nature of such corporate structures enables these firms to operate away from public scrutiny and to avoid accountability. While the use of ancillary companies may not seem problematic, ‘establishing associates in a diamond or oil region often gives the overseeing company a strong, perhaps dominant, foothold in the economy of that country’ (Isenberg 1997). As a result, PMSCs are often perceived by local populations as ‘neo-colonial exploiters’, hired by rich Western mining corporations with little interest in the well-being of the countries in which they are operating (Schreier & Caparini 2005:74).

Questions that need to be answered are: What message is conveyed to local populations? How do local populations perceive the operations of PMSCs? How do PMSCs affect human security?

- The lack of accountability, demonstrated by the immunity from prosecution granted to PMSC employees, is viewed as proof the Western (colonial) world uses double

standards when preaching ideals of freedom and democracy in support of Western values. Respect for human rights seems to apply only when it is convenient for Western states but can easily be ignored if political and economic interests so demand. Human rights violations and a lack of accountability lead to a 'sense of exclusion and worthlessness among affected populations' (Jennings 2006:43) and a feeling that their lives do not really matter but their oil and mineral wealth are the primary objective.

- The privatisation of the military industry signals a blurring of the lines between public and private interests. It is often uncertain whether a state acts out of principle or simply out of the desire to make a profit. As one commentator notes, 'when private and public lines are perceived to blur it also becomes difficult for states to claim their policy follows a general and justifiable interest beyond that of the specific contract or firm' (Leander 2006:125–126). This perception impacts on the legitimacy with which a security operation is viewed and leaves affected populations with feelings of injustice and resentment.
- As PMSCs develop into independent players in the market for force – and engage in extensive lobbying efforts – their interests are increasingly a decisive factor when determining the proper course of action in areas of conflict and crisis. As a result, policies focus on immediate security operations and military style solutions, in isolation from the social context and root causes of isolated or expanded conflict (Leander 2006:133–134). Social, economic and/or environmental issues are excluded from the analysis, providing additional justification for local populations to feel that the 'West' is less concerned about the human security and human rights of civilians and more about securing access to resources.
- Western states that hire PMSCs signal to the local population they are not willing to risk and commit their own troops to help stabilise these conflict regions. This instigates resentment in the local population who could consider it as an expression of an unwillingness to engage or even a lack of respect (Leander 2006:123).

In the light of the above it should come as no surprise that anti-American feelings among Muslims have reached unprecedented levels, according to a survey conducted in ten predominantly Muslim countries (Gledhill 2007; Esposito & Mogahed 2007:27). These opinions are not mirrored in most African countries, with Sub-Saharan Africa being 71,1 per cent positive about Americans (Pew Research Center for People and the Press 2002). This may be ascribed to the fact that only a small minority of Africans has access to satellite TV, in contrast with the Middle East, Europe and parts of Asia. As Moehler (2007) puts it: 'In essence, "the CNN effect" is more limited in Africa and "the Al Jazeera Effect" is non-existent. As a result, Africans probably have less access to information about American foreign policies, especially those policies which might detract from the US's positive image abroad.' Furthermore, many African countries are

desperate to achieve stabilisation and so may warmly welcome a 'Western' security force. The question is what the subsequent effect of PMSC commercial operations will have on African opinions when they realise that security contractors may not necessarily be mandated to stabilise their regional conflicts?

Critical analysis: Impact on state building – human security and human rights

The impact of PMSCs on human security should be carefully considered by states who wish to outsource military operations. The implications of the privatisation of warfare for state-building efforts cannot be underestimated. The potential loss of human life and suffering caused by PMSCs can breed bitterness and resentment eventually directed against the states employing them. The local populations in rural Africa where conflict is most prevalent cannot be expected to distinguish between a contractor and a soldier.

The role of public opinion and public support is critical in achieving success in state-building efforts. Such efforts will likely fail if public support is not guaranteed. Of course, many factors will determine whether public support can be assured. In this respect the perception of legitimacy attaching to commercial (military) intervention can play an important role, but it can have a negative impact on the implementation of effective models of human security.

PMSCs are often perceived as pursuing private interests only, and operating outside the rule of law and accountability. This is exacerbated when locals learn of the excessive salaries of security contractors while many Africans live on less than US\$1 per day. The ensuing resentment among local populations who feel their human rights are being disregarded and trampled by well-paid mercenaries does not bode well for any state's stabilisation efforts, particularly when they continue to struggle economically.

In Iraq, resentment towards PMSCs has helped institutionalise an insurgency, leading to a culture of violent instability in the country and preventing economic stabilisation. This directly affects the human security of the local population who are unable to support themselves within the local, economic framework. Doug Brooks, president of the International Peace Operations Association, a commercial organisation that supports the PMSC community, has recently advocated the use of PMSCs to stabilise the situation in Darfur. He focused on a technical evaluation of how PMSCs could be effectively deployed to stabilise the region. The lack of any regulation of the PMSC industry should not be supported by an expansion of their missions into Africa's most dire conflicts, particularly when less than transparent political regimes are not motivated to ensure or maintain the expense of these long-term operations (nor should it be for the budgets of the UN or AU).

The international community at large must be willing to commit to funding the stabilisation of regions not just through military intervention but through coordinated efforts to internalise democratic processes, state building and enhanced civil society initiatives. If PMSCs are allowed to dominate the stabilisation efforts in Africa among populations in the midst of perpetual conflict and crisis, state-building efforts are doomed to fail, with detrimental effects on the hope of ever establishing basic human security and human rights on the continent.

Note

- 1 'While reports of alleged incidents of abuse by civilians have been forwarded to the US Attorney's Office in Eastern Virginia, there have been no convictions and only one indictment, though at least 20 cases were forwarded by the Department of Defense and the CIA to the Department of Justice since the beginning of the conflict in Afghanistan' (Amnesty International 2006).

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