

Role of Private Military Security Companies in  
Counter-Insurgency Operations.

By Michelle Lynette Jones.

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Department of International Politics,

Aberystwyth University.

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## **Abstract**

*The emergence of Private Military Security Companies has altered the way in which security has been perceived and delivered. Prior to the Cold War, security had fallen within the state's domain and the deliverance of military services was a purely state-centric affair. Military downsizing has resulted in certain tasks and services being out-sourced to private entities. Within the last decade, these companies have grown in size and broadened the range of services they offer. States opting to partake in long-term military operations have contracted Private Military Security Companies in order to provide a troop surge and enhance their presence in the region. However, devolving security to a non-state entity has sparked concern, and options regarding methods of regulation and accountability have plagued the academic and policy world.*

*With states now opting to conduct military operations with a lighter footprint, the option to out-source certain tasks and services has provided great relief to states and granted certain strategic advantages. The benefits include the hiring of personnel when needed, contracting specialists in order to carry out certain tasks and using these companies as force multipliers to complete reconstruction and development projects. However, the utilisation of these companies can also provide serious strategic implications for states. When conducting counter-insurgency operations, the ability to successfully win over the local population via a dedicated 'hearts and minds' campaign is a vital aspect of the operation. The employment of Private Military Security Companies during the recent counter-insurgency operations in Afghanistan and Iraq has sparked great debate regarding the implications of using these actors during conflicts where sensitivity and active engagement are key operational components. If regulated successfully and held accountable for their actions, Private Military Security Companies could provide substantial strategic benefits to counter-insurgent forces who desire cultural and linguistic specialists, and a reconstruction workforce in order to build support from the local populations and win the desired 'hearts and minds' campaigns.*

## Acknowledgements

Appreciation is due to Professor Campbell Craig for his support and guidance during the completion of this dissertation.

To my parents, Alan and Mair Jones, for another year of love, support and understanding.

## **List of Acronyms:**

|          |  |
|----------|--|
| BAPSC    | British Association of Private Security Companies. |
| COIN Ops | Counter Insurgency Operations.                     |
| CPA      | Coalition Provisional Authority.                   |
| DoD      | Department of Defense.                             |
| GWOT     | Global War on Terror.                              |
| HUMINT   | Human Intelligence.                                |
| ICRC     | International Committee of the Red Cross.          |
| IMINT    | Imagery Intelligence.                              |
| ISAC     | Inter- Agency Standing Committee.                  |
| ISAF     | International Security Assistance Force.           |
| NATO     | North Atlantic Treaty Organisation.                |
| NGOs     | Non Governmental Organisations.                    |
| OSINT    | Open Source Intelligence.                          |
| PMC      | Private Military Company.                          |
| PMF      | Private Military Firm.                             |
| PMSC     | Private Military Security Company.                 |
| PSC      | Private Security Company.                          |
| RMA      | Revolution in Military Affairs.                    |
| RUSI     | Royal United Services Institute.                   |
| SIGINT   | Signals Intelligence.                              |
| SIGIR    | Special Inspector General for Iraq Reconstruction. |
| START    | Specific Task Augmentation Readiness Training.     |
| TECHINT  | Technical Intelligence.                            |
| UN       | United Nations.                                    |

## **List of PMSCs**

NB. The following is by no means a comprehensive list as private companies are constantly changing their business names or creating sub-companies. The aim of this list is to provide names of companies that may be mentioned intermittently throughout this thesis. The majority of these companies operated in the 2003 Iraq conflict.

Academi

Aegis

Armour Holdings

ArmourGroup International

Blackwater

CACI

Custer Battles

Dyncorp

G4S

Kellogg-Brown & Root (KBR)

MPRI

Olive Security

Phoenix

Sandline International

SecureRisks

Securitas

Tactical Solutions International

The Risk Advisory Group

Titan

Triple Canopy

Trojan Security

Zapata



## **Introduction:**

### Main Research Question:

Can Private Military Security Companies play a beneficial role in aiding counter-insurgent forces achieve success in ‘hearts and minds’ campaigns?

### Sub-questions:

Who are Private Military Security Companies, and what do they do?

What issues are likely to arise when outsourcing roles in military operations?

With the progression towards utilising a lighter footprint, are Private Military Security Companies the answer for future counter-insurgency operations?

The end of the Cold War altered the manner in which Western states deployed their military personnel. By 1990, the threat of the Cold War turning hot had been extinguished and many Western states began to downsize their military forces and cut their defence budgets. Rather than maintaining a large standing army, Western states chose to use advanced technology alongside smaller military forces which minimized risk to their own troops and enhanced the speed in which military operations could be conducted. This new approach was known as the “Revolution in Military Affairs”<sup>1</sup> and dominated strategic thought throughout the 1990s. However, a new phenomenon also began to emerge during the same period, yet didn’t receive the same academic or media attention until the start of the twenty-first century. Due to mass demobilization, large numbers of professional soldiers were now unemployed, and with military weaponry readily available on the open market, this combination led to a new actor emerging in the international sphere: the Private Military Security Company<sup>2</sup>.

Although PMSCs had “*provided services in over 110 countries since 1990*”<sup>3</sup>, they failed to capture the world’s attention until their role in the 2003 Iraq War. This conflict saw an unprecedented amount of PMSCs being utilised to help coalition forces provide stability to

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<sup>1</sup> From this point forward referred to as RMA.

<sup>2</sup> From this point forward referred to as PMSC. Please see chapter one for further discussion on the definition and roles of PMSCs.

<sup>3</sup> Tripoldi, P. and Wolfendale, J. “*New Wars and New Soldiers: Military Ethics in the Contemporary World*”, (Ashgate, Surrey, 2011), p.137.

the region. It has been estimated that 68,200 contractors were deployed in 2009 alone.<sup>4</sup> Although “*Operation Enduring Freedom*<sup>5</sup> and *Iraqi Freedom*<sup>6</sup> showcased the dazzling technological capability and professional prowess of the US military in conventional operations,”<sup>7</sup> coalition forces had failed to plan and prepare for the reconstruction effort needed in the aftermath of war. The failure to provide security and stability in these regions allowed insurgencies to develop. Insurgent forces used the disaffected local populations as a means for gathering supplies, intelligence and support. Insurgents infamously use hit and run tactics, choosing to surprise their enemy with sharp attacks on infrastructure and bases, before melting back under the cover of the local population in order to avoid active engagement. Coalition forces struggled to counter the insurgencies of the twenty-first century due to a shortage of manpower. Large troop numbers were needed to defeat the insurgency, to protect the local population and to aid the reconstruction effort. Yet Western militaries had recently down-sized both their standing armies and defence budgets, therefore modern counter-insurgency operations were forced to acquire the expertise of PMSCs who could carry out traditional military tasks and provide a troop surge when needed.

This decision was heavily criticised by the media and military practitioners who argued that “*they (PMSCs) have hindered efforts to end wars and broker peace.*”<sup>8</sup> Other sceptics believe that “*these new actors are an impediment to the success of the very same operations they are meant to support.*”<sup>9</sup> Despite this new actor existing for nearly twenty years, a distinct “*lack of clarity remains over the exact relationship between states and PMSCs.*”<sup>10</sup> Confusion surrounding these groups and the role they play in modern military operations is highly contested yet often overlooked in academic literature. Critics argue that outsourcing traditional military tasks to a non-state entity reduces the state’s monopoly on violence<sup>11</sup>, leading to situations of distrust amongst nation states and a failure of democracy, whilst enhancing the possibility of error and abuses. Hoyne argues that the “*use of PMSCs is*

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<sup>4</sup> Extract from the American Congressional Research Service Report (2009), taken from Polman, L. “*War Games: The Story of Aid and War in Modern Times*”, (Viking Press, London, 2010), p.137.

<sup>5</sup> The US led operation began in October 2001 and was designed to eradicate Al Qaeda, the group responsible for the terrorist attacks on September 11<sup>th</sup> 2001, and remove the Taliban from power in Afghanistan.

<sup>6</sup> The US and British led operation designed to liberate Iraq from Saddam Hussein’s dictatorship in March 2003.

<sup>7</sup> Long, A. “*On Other War: Lessons from five decades of RAND Counterinsurgency Research*”, (RAND, USA, 2006), p.ix.

<sup>8</sup> Shearer, D. “Outsourcing War”, *Foreign Policy*, No: 112, Autumn 1998, p.69.

<sup>9</sup> Petersohn, U. “The Other Side of the COIN: Private Security Companies and Counter-Insurgency Operations”, *Studies in Conflict and Terrorism*, Volume: 34, No: 10, 2011, p.782.

<sup>10</sup> Isenberg, D. “Private Military Contractors and US Grand Strategy”, *PIRO*, Oslo, Report, No: 1, 2009, p.37.

<sup>11</sup> See Avant, D. “*The Market for Force: Consequences of Privatising Security*”, (Cambridge University Press, Cambridge, 2005) and Singer, P. W. “*Corporate Warriors: The Rise of the Privatised Military Industry*”, (Cornell University, USA, 2008).

*not necessarily at odds with COIN<sup>12</sup> strategy.”<sup>13</sup> Although incidents<sup>14</sup> have occurred in modern operations which highlighted the need for greater regulation within the private military sector, it has become apparent that, if regulated and utilised effectively, PMSCs could offer a strategic advantage when attempting to counter an insurgency. PMSCs and military forces operate in the same environment, which enhances the security presence in the region and creates greater opportunities for intelligence collection which could be beneficial in aiding both the ‘hearts and minds’ campaign and the counter-insurgency.*

This thesis seeks to outline the advantages and disadvantages regarding the utilisation of PMSCs in counter-insurgent operations and their role within ‘hearts and minds’ campaigns. For the purpose of this thesis, ‘hearts and minds’ is understood as “*a tactic which sees the exchange of material rewards for information, co-operation and political support.*”<sup>15</sup> The first chapter will define what is meant by a PMSC, as well as defining the roles and characteristics of these groups. The chapter will briefly highlight conflicting debates regarding the definition of these groups, but the main aim is to provide a comprehensive understanding of the term which will act as a platform in which the remainder of the thesis will be built upon. The second chapter will highlight the positive roles PMSCs can play in counter-insurgent operations. Throughout this chapter, examples will be given demonstrating how their approaches and skills could be beneficial to ‘hearts and minds’ campaigns. The following chapter will then examine some of the main problems caused by outsourcing; many examples have been drawn from the recent conflict in Iraq but could be issues typical of any operation. The final chapter analyses recommendations put forward by academics and practitioners regarding the best methods to solve issues regarding the outsourcing of military tasks. Having examined the pros and cons, as well as possible recommendations, the concluding chapter will seek to determine whether PMSCs can play a role in modern counter-insurgency operations.

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<sup>12</sup> From this point forward counter-insurgency may be referred to as COIN.

<sup>13</sup> Hoyne, A. “*Navigating the Blackwater: Private Security Contractors and Iraqi Counter-Insurgency*”, published at the College of William and Mary, Williamsburg, USA, Volume: 8, 2010, taken from <http://www.dartmouth.edu/~worldoutlook/archives/winter10/blackwater.pdf> accessed 13th February 2012, p.53.

<sup>14</sup> Infamous incidents involving PMSCs include the 2004 Abu Ghraib prison abuse scandal and 2007 Nisour Square tragedy. In 2004, a number of Iraqi detainees were subjected to horrific acts of abuse and interrogation by coalition forces and private military contractors. At Nisour Square, Blackwater contractors fired upon and killed 17 Iraqi civilians when they believed a potential ambush situation was unfolding. Reports later confirmed all civilians were unarmed.

<sup>15</sup> Wheeler, V. and Harmer, A. “Resetting the Rules of Engagement: Trends and Issues in Military-Humanitarian Relations”, *Humanitarian Policy Group Report 21*, March 2006, p.2.

## Justification:

Insurgency warfare is likely to remain the chosen method used by weaker groups hoping to achieve strategic success against their stronger, technologically advanced enemy. It is vital to gain a comprehensive understanding of this type of warfare and the role that new actors play. With Western forces utilising a lighter footprint, and with no ambitions to increase their force size, PMSCs are likely to remain within the operational field. General David Petraeus spoke before Congress in January 2007 stating that “*the US military would not be able to function in Iraq at all without contract personnel.*”<sup>16</sup> As the phenomena is showing no signs of receding, it is important to gain a greater understanding of these groups and their position in the international and strategic landscape.

The key to countering an insurgency is to win the ‘hearts and minds’ of the local population, as it is this group that provides the support, supplies and cover for the insurgent to operate. Although Galula<sup>17</sup> coined the phrase ‘hearts and minds’ during the Malayan campaign, the importance of gaining the population’s support in order to stem the insurgency is widely acknowledged. Mao “*characterized the relationship between the local population and the fighters as water to fish, and he stressed the need to go to extraordinary lengths to maintain the people’s goodwill.*”<sup>18</sup> Contemporary theorists now acknowledge that the bid to win the ‘hearts and minds’ of the local population needs to be undertaken by all actors working within the field, not just military forces. Mackinlay recognises that “*the population is the vital ground; winning their support is a key objective for the military, the insurgents and the humanitarian actors.*”<sup>19</sup> Recent operations in Iraq and Afghanistan have included a multitude of actors including humanitarian groups, military personnel and PMSCs. With winning the ‘hearts and minds’ campaign the key strategic objective for counter-insurgent forces, it is crucial that the role PMSCs play in modern counter-insurgency operations is analysed and understood. In-depth analysis is needed to determine whether it is possible for PMSCs to work alongside military forces in a holistic manner, providing a strategic advantage for counter-insurgent forces, or whether the use of these groups has an adverse effect when attempting to gain support from the local population.

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<sup>16</sup> Petraeus, D. Lt. Gen., January 2007. In answer to a question put forward by Senator John McCain at the hearing before the United States Armed Service Command, 110<sup>th</sup> Congress, Washington D.C. 2007.

<sup>17</sup> Galula, D. “*Pacification in Algeria, 1956-8*”, (RAND, Pittsburgh, 2006).

<sup>18</sup> Tse-Tsung, M. “*On Guerrilla War*”, translated by Samuel B Griffith, (Fort Bragg, NC – Army Special Warfare School, 1989), p.132.

<sup>19</sup> Mackinlay, J. “*Defeating Complex Insurgency: Beyond Iraq and Afghanistan*”, (RUSI Whitehall Paper No: 64, Great Britain, 2005), p.vi.

## Methodology:

A multitude of sources have been examined in order to provide a comprehensive account of the role PMSCs play in modern counter-insurgency efforts and their effect on ‘hearts and minds’ campaigns. Although PMSCs have been heavily used in modern operations, little statistical data was collated until 2007<sup>20</sup>, therefore it is exceptionally difficult to access and interpret quantitative data. The majority of data used for this thesis is qualitative with the central portion of the literature being derived from secondary sources.

The topic’s focus on modern counter-insurgency operations resulted in sources being derived from the recent conflicts in Afghanistan and Iraq. Although literature on both conflicts acknowledges PMSCs play a role, the 2003 Iraq War was chosen to be used as a running case-study throughout this thesis. The conflict in Iraq saw an unprecedented amount of PMSCs being utilised, therefore a large body of literature exists. Rather than dedicate a chapter of the thesis to the conflict in Iraq, the decision was made to run the theme throughout the thesis, thereby highlighting the benefits or ramifications of using PMSCs in counter-insurgency operations alongside wider discussions. Highlighting the context in which these issues have emerged is critical to understanding the topic, and producing analytical assessments detailing the role of the private industry in modern operations.

Although conducting my own interviews would have been interesting and possibly provided new information relating to the topic, the practicalities such as limited timeframes prevented this from occurring. Due to the nature of the topic, interviews with contractors would have been difficult, as the industry still retains an element of secrecy and contracted personnel are often forbidden to disclose information or provide interviews, except in closely monitored circumstances. However interviews documented by Nick Bicanic<sup>21</sup> have provided an insightful look into the industry and the populations they work within.

Since 2002 academic work relating to the topic of PMSCs has increased and provides a useful, comprehensive understanding of the industry. Most of the works published are descriptive rather than analytical, but remain relevant due to highlighting the main debates within the field and conflicting definitions. Reports by the UN and other legal institutions are

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<sup>20</sup> The Nisour Square Incident in 2007 prompted the US government to take greater responsibility and gather data in relation to contractors working in Iraq. Although figures were produced by the Department of Defense detailing the number of contractors operating in the region, these figures were often estimated and lacked validity therefore would need to be analysed with caution.

<sup>21</sup> Purpose films (2006), “*Shadow Company: The Rules of War have Changed*”, directed by Nick Bicanic and Jason Bourque, DVD.

beneficial when contemplating the legal frameworks and definitional debates on the subject matter. Websites have been an excellent resource with regard to understanding the private military industry. Their mission statements or job vacancies advertised online provide an insightful look into the industry. The use of manuals and reviews provide an invaluable insight into a country's military outlook on the topic, and how training has adapted to incorporate these groups or methods used to operate alongside private forces. These sources are vital for understanding different perspectives and relationships between PMSCs and military forces. Journals and newspaper articles are crucial resources as the media plays a detrimental role in 'hearts and minds' campaigns. Close analysis of the incidents, and the way in which they are reported, is valuable for my research. Biographical works, memoirs and journals by company executives, contracted personnel and military forces, provide a realistic cultural and strategic outlook on the difficulties of operating within a counter-insurgency environment, and the varying roles within 'hearts and minds' campaigns.

Close analysis needs to be made with regard to any of the above sources. The audience in which they were written for needs to be understood and analysed accordingly. With two forces operating within the same environment, bias and animosity is a recurring issue when researching the topic. Both groups attribute blame to the other and justify their failures based on the shortfalls of others. However, these issues also provide a unique perspective on how groups view the topic, relationships within the operational sphere and possible avenues for further research. The consultation of a wide variety of sources was needed in order to outweigh the negatives of certain sources with the positives of another, whilst also ensuring an in-depth and comprehensive analysis resulted on the topic in question.

#### Literature Review:

Due to the nature of my topic, no single piece of literature has provided relevance. Instead a number of sources have been examined in order to provide a comprehensive account detailing the role PMSCs play in counter-insurgency operations, and whether they can aid counter-insurgent's efforts to win 'hearts and minds' campaigns. Academic literature on the topic of PMSCs was scarce during the 1990s. However in 2002, there was a sudden interest and influx in the amount of academic works being published. Academics began to discuss the emergence of these new actors and a great debate regarding the definition of these groups ensued. In 2006, literature on the topic was enhanced again when, based on the role of PMSCs in Iraq, academics began to discuss methods of regulation and issues regarding

accountability. Although literature on the topic has emerged slowly in the last decade, there still remains a distinct lack of works analysing the impact of PMSCs operating in counter-insurgency operations. Practitioners have noted that most academic literature on the topic is descriptive and not analytical.<sup>22</sup>

Academic literature on the topic is divided into two main schools of thought; the Abolitionist or Pessimist School, and the Optimist School. Both schools have been useful in gauging the diversity of viewpoints surrounding the topic. Prior to 2004, the majority of academic works produced on the topic focused on the negative implications of PMSCs and sought ways to eradicate these groups from international society. This school of thought was known as the Abolitionist or Pessimist School, labelling PMSCs as mercenaries in order to attract public support for their cause. Pessimist scholars, such as Verkuil<sup>23</sup> advocate that the military is part of the government's sovereignty and should not be privatised. The outsourcing of military tasks and services were deemed morally problematic. By 2004, the Optimist School began to emerge, arguing PMSCs could play a role in international society, if they were properly regulated and made accountable for their actions. Optimists believed PMSCs were "*a provider of strategic advantage*"<sup>24</sup> if utilised accordingly. They were aware changes needed to be made within the industry but, as these companies were new, they were still evolving and finding a balance suitable for themselves and their clients. Mandel claims there is too much negativity within the field with many academics calling for the dismissal of these companies rather than seeking to analyse their importance and role they play.<sup>25</sup> Other Optimists believe that states have a new foreign policy tool in the shape of PMSCs, and that market incentives will help to regulate these groups.<sup>26</sup> Many Optimists such as Avant, place a heavy focus upon issues regarding regulation and accountability rather than providing a comprehensive guide to the roles conducted by PMSCs. A comprehensive guide regarding the composition of these groups and the roles they play is distinctly absent from academic literature on the topic. This thesis falls within the Optimist School, claiming that PMSCs can aid counter-insurgent's efforts to win 'hearts and minds' campaigns, but serious consideration needs to be made before deploying these forces.

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<sup>22</sup> Singer, P. "*Corporate Warriors: The Rise of the Privatized Military Industry*" (Cornell University Press, London, 2008), p. vii.

<sup>23</sup> Verkuil, P. "*Outsourcing Sovereignty: Why Privatization of Government Functions threatens democracy and what we can do about it*", (Cambridge University Press, Cambridge, 2007).

<sup>24</sup> Sheehy, B. Maogoto, J. and Newell, V. "*Legal Control of the Private Military Corporation*", (Palgrave, New York, 2009), p.173.

<sup>25</sup> Mandel, R. "*Armies without States: The Privatization of Security*", (Lynne Renner Publishers, London, 2002).

<sup>26</sup> Avant, D. "Mercenaries", *Foreign Policy*. No: 143, July 2004.

In order to gain a deeper understanding of the PMSC industry, works by Engbrecht<sup>27</sup>, Isenberg<sup>28</sup> and Jeremy Scahill<sup>29</sup> have proved invaluable. They provide detailed accounts regarding certain private companies, some of the roles undertaken and methods they employ during operations. Scahill and Isenberg both provide detailed accounts concerning PMSCs and their role in the recent conflict in Iraq. Their aim was to remove some of the secrecy surrounding the industry and enhance the corporate identity of these groups. These works were particularly useful when conducting research for the Iraq case-study. However, they only provide accounts regarding the company in which they are attached, and the descriptions cannot be applicable to all groups operating under the PMSC label. Literature by military personnel also provided an invaluable insight into the role of PMSCs during modern operations. Personal accounts from military personnel such as Colby Buzzell<sup>30</sup> and James Fergusson<sup>31</sup> are excellent resources, highlighting the complex relationship between the private industry and military sector.

Although literature surrounding the private industry is vital for my topic, the importance of strategic and counter-insurgent theorists must not be overlooked. The ability to recognise the key failings regarding counter-insurgency operations is paramount when analysing whether PMSCs can play a role. Clausewitz's notion that "*in war one should ensure not to take the first step without considering the last,*"<sup>32</sup> remains relevant to modern counter-insurgency operations where coalition forces failed to plan for reconstruction efforts, and had to draft PMSCs at an alarming rate to make up for their own shortfalls. The importance of prior preparation and planning is crucial to any military operation and must not be forgotten. Machiavelli's work also bears relevance, as he claimed that "*in order to prevent tyranny, the army should be recruited from and at one with the local people.*"<sup>33</sup> With PMSCs now recruiting from the countries in which they operate, it is interesting to note how Machiavelli's understanding of the army recruiting from the population is relevant for the

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<sup>27</sup> Engbrecht, S. "*America's Covert Warriors: Inside the World of Private Military Contractors*", (Potomac Books Inc., Washington DC, 2011).

<sup>28</sup> Isenberg, D. "*Shadow Force: Private Security Contractors in Iraq*", (Praeger Security International, Westport, 2009).

<sup>29</sup> Scahill, J. "*Blackwater: The Rise of the World's Most Powerful Mercenary Army*", (Nation Books, USA, 2007).

<sup>30</sup> Buzzell, C. "*My War: Killing Time in Iraq*", (Transworld Publishers, UK, 2006).

<sup>31</sup> Fergusson, J. "*A Million Bullets: The Real Story of the British Army in Afghanistan*", (Transworld Publishers, UK, 2008).

<sup>32</sup> Clausewitz, C. quote taken from Department of the Army, "*Logistics: Army Contractors on the Battlefield*", Regulation 715, 31<sup>st</sup> January 1999.

<sup>33</sup> Machiavelli, N. taken from Grundy, K.W. "On Machiavelli and the Mercenaries", *Journal of Modern African Studies*, Volume:6, No:3, 1968.



private sector, and whether his recommendation has proved to be successful. Recent counter-insurgent theorists such as Galula<sup>34</sup> and Thompson<sup>35</sup> highlight the importance of winning the local population's support. The strategist, Colin Gray, also understands the importance regarding host-nation support, but claims that "you don't win 'hearts and minds' with soldiers; you need engineers, builders and development people."<sup>36</sup> Modern counter-insurgent theorists claim that the holistic or comprehensive approach is crucial when embarking on a counter-insurgency operation. The holistic or comprehensive approach combines both military and reconstruction efforts in order to flush out the insurgent, whilst providing security and development opportunities for the local population. Understanding the importance of the 'hearts and minds' campaign, as well as reasons the local population feel alienated, are vital for my topic. As Boyle notes "counter-insurgency has a long history of theoretical approaches built on best practice from the direct battle experience."<sup>37</sup> Therefore combining personal accounts alongside strategic thought provides an analytical and deeper understanding of the role PMSCs can play in counter-insurgency operations.

Military reviews have provided further information regarding the advantages and disadvantages of using PMSCs in counter-insurgent operations. These reviews and manuals provide practical guides to operating within a counter-insurgent environment, as well as highlighting military attitudes and grievances. Bias and animosity between the military and private sectors remains apparent, but using sources from both groups will help to alleviate this issue. The *DIIS Policy Brief*<sup>38</sup> places PMSCs within the counter-insurgency environment, but fails to provide an in-depth analysis regarding the implications of using these groups. Instead, the short document provides bullet point recommendations with no causal link to the effect on 'hearts and minds' campaigns. Isenberg's military review entitled "*Private Military Contractors and US Grand Strategy*"<sup>39</sup> provides a good analysis regarding US efforts to integrate the private military industry into their military ethos. "*Contractors on the Battlefield*"<sup>40</sup> is an excellent piece of literature detailing the role of contractors during modern operations. The manual recommends greater cohesion between the regular and

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<sup>34</sup> Galula, D. "*Counter-Insurgency Warfare: Theory and Practice*", (Westport, Connecticut, 2007).

<sup>35</sup> Thompson, R. "*Defeating Communist Insurgency: Lessons learned from Malaya and Vietnam*", (Palgrave, London, 1978).

<sup>36</sup> Gray, C. "*Strategy and History: Essays on Theory and Practice*", (Routledge, Oxon, 2006), p. 231.

<sup>37</sup> Boyle, M. "Terrorism and Insurgency", taken from "*Contemporary Security and Strategy*" ed. Snyder, C. (Palgrave, New York, 2008), p.186.

<sup>38</sup> Moesgaard, C. "Private Military Companies in Counter-Insurgency Strategy", *DIIS Policy Brief*, March 2011.

<sup>39</sup> Isenberg, D. "Private Military Contractors and U.S. Grand Strategy", *PIRO*, Oslo, Report, No: 1, 2009.

<sup>40</sup> "*Contractors on the Battlefield*", HQ Department of the Army, January 2003, Field Manual 3-100.21, Washington DC.

private military industry, and is useful in examining US military understanding of the topic prior to the PMSC boom in 2006. Singer's policy paper "*Can't win with 'em, can't go to war without 'em*"<sup>41</sup> is perhaps the most comprehensive piece of literature surrounding the topic. He examines the roles played by contractors and whether they are helping the US win the war in Iraq, coining the term the "ultimate enabler" in the process. However, a heavy focus on the actions of Blackwater is evident, and Singer fails to give a balanced analysis of the PMSC industry itself, rather attributing blame and failure purely to contractors. Singer, however, does understand the importance of further research, as the US is locked in a vicious cycle in which they can't operate 'with them or without them'.

The final chapter in this thesis examines recommendations, including debates by different bodies regarding appropriate methods of regulation. Most literature surrounding the topic incorporates a chapter analysing the possible methods of regulation. Avant believes that as PMSCs are business entities, market incentives are the best way to regulate the industry.<sup>42</sup> Singer suggests that international and domestic norms are not enough to provide accountability.<sup>43</sup> He highlights the scope of military privatisation and his work remains modern in outlook. The ethical debate surrounding the military industry is discussed within a collection of essays edited by Tripoldi and Wolfendale<sup>44</sup> and Eric Heinze.<sup>45</sup> Carmola<sup>46</sup> also examines the ethical debate, yet is more concerned about the impact on state sovereignty and the state losing their monopoly on violence, rather than analysing the ethical role of PMSCs. The concluding chapter draws together a range of sources in order to provide an analytical response to the central research question.

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<sup>41</sup> Singer, P. "*Can't Win With 'Em, Can't Go To War Without 'Em: Private Military Contractors and Counter-Insurgency*", Washington D.C., Brookings Institute, Policy Paper No: 4, September 2007.

<sup>42</sup> Avant, D. "*The Market for Force: Consequences of Privatising Security*", (Cambridge University Press, Cambridge, 2005).

<sup>43</sup> Singer, P. "*Corporate Warriors*" (London, 2008).

<sup>44</sup> Tripoldi, P. and Wolfendale, J. "*New Wars and New Soldiers: Military Ethics in the Contemporary World*", (Ashgate, Surrey, 2011).

<sup>45</sup> Heinze, E. and Steele, B. "*Ethics and War: Non-State Actors and the Just War Tradition*", (Palgrave, New York, 2009).

<sup>46</sup> Carmola, K. "*Private Security Contractors and New Wars: Risk, Law and Ethics*", (Routledge, London, 2010).

## **Chapter One: Private Military Security Companies in the Twenty- First Century.**

Fighting for your country is seen as noble and patriotic, whilst fighting for a non-state entity is seen as immoral and perverse. Those fighting for a country or group in which they do not hold national or residential allegiance often choose to participate for financial gain. This motivation leads to heavy criticism suggesting that the individuals are lacking morals due to the ability to kill for financial reasons. Labels such as “dogs of war” or the “whores of war” are used to describe these groups, and are often ill-received within society and military spheres. Officially known as mercenaries, these groups are commonly described as “*individuals who fight for financial gain in foreign conflicts that are primarily used by non-state armed groups.*”<sup>47</sup> Although “*hiring outsiders to fight battles is as old as war itself,*”<sup>48</sup> the emergence of a new actor during the 1990s sparked further debates regarding the sale of services and the outsourcing phenomenon. Certain academics refute the idea that a new actor has emerged, claiming that they are merely sophisticated mercenaries<sup>49</sup> whilst others recognise a new actor exists which needs to be categorized appropriately.<sup>50</sup>

During the 1990s, Western states downsized their military forces leaving large amounts of personnel unemployed, facing a job market which didn't require the military combat skills they possessed. After the breakup of the Soviet Union, small inter-state conflicts broke out, but Western militaries were reluctant to send peace-keeping forces, so newly formed private military companies rushed to fill the security gap. In the twenty-first century, Western militaries were over-stretched trying to conduct counter-insurgency operations and reconstruction tasks in both Afghanistan and Iraq, resulting in the private military industry emerging once again to offer their services. These groups offered military and security services for a price and were often attributed the term “mercenary”, yet many academics and the companies themselves, adamantly argue that they are a new security actor with different values to the blood-thirsty mercenaries of the past.

Unlike mercenaries these new actors do not operate alone, instead they work in groups for large companies who have a hierarchical chain of command. They are hired by

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<sup>47</sup> Makki, S., Meek, S. Musah, A., and Lilly, D. “Private Military Companies and the Proliferation of Small Arms: Regulating the Actors”, Briefing 10, *Basic International Alert*, Saferworld, 2004, p.4.

<sup>48</sup> Singer, P. “*Corporate Warrior*” (London, 2008), p. 19.

<sup>49</sup> Voegeli, E. “Private Military Companies-Mercenaries of the Present”, *Current Concerns*, No:1/2, 2008.

<sup>50</sup> Kinsey, C. “*Corporate Soldiers and International Security: The Rise of Private Military Companies*”, (Routledge, London, 2006).

companies who understand the security gap, and select teams of individuals with certain skills sets, to act as a solution to the client's problem. For many academics, the vital difference between mercenaries and the new actors is the structure of the groups. Mercenaries are "*individuals who fights for a state other than his own, or for a non state entity to which he has no direct tie, for financial gain*"<sup>51</sup> whereas the new actor offering security, works within a corporate multi-national company with a board of directors and established hiring criteria. Individuals working for these companies are listed on a database alongside their specific skills set, then carefully selected and hired based on the specific needs of the operation in question. This allows the companies to "*target market niches by offering packaged services covering a wide variety of military skills sets.*"<sup>52</sup>

Academics within the Optimist School regard the difference in clientele as a distinguishing factor between mercenaries and these groups. Mercenaries often work for the highest bidder with little link or care for the background of the operation. This new actor has traditionally only worked for states, and the company usually "*only accepts contracts from the state in which they operate.*"<sup>53</sup> Therefore, as a large amount of the companies offering military and security services operate out of the US and UK, they tend to have a stronger allegiance to, and work for, these countries. As reputation is a vital component within the business world, these companies are conscious of their image and choose to work only for reputable clients. Tonkin notes that "*tens of thousands of contractors working for private military and security companies (PMSCs) now provide a wide range of services to states, international organisations, corporations and non-governmental organisations around the world.*"<sup>54</sup> Generally speaking "*most have refrained from signing contracts with non-state armed actors stating they will only work for internationally recognised governments.*"<sup>55</sup> In their mission statement, Academi claim to work only for the US and their clients, "*we provide risk and threat assessment services in support of US government clients.*"<sup>56</sup> Those supporting the notion that a new security actor has emerged, claim that the financial reasoning also differentiates these actors from mercenaries. Singer states that these new

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<sup>51</sup> Chesterman, S. and Lehnhardt, C. "*From Mercenaries to Market: The Rise and Regulation of Private Military Companies*", (Oxford University Press, Oxford, 2007), p.12.

<sup>52</sup> Singer, P. "*Corporate Warriors*", (London, 2008), p.46.

<sup>53</sup> Tonkin, H. "*State Control over Private Military and Security Companies in Armed Conflict*", (Cambridge University Press, Cambridge, 2011), p.31.

<sup>54</sup> Tonkin, H. "*State Control*", (Cambridge, 2011), p.1.

<sup>55</sup> Makki, S., Meek, S. Musah, A., and Lilly, D. "Private Military Companies and the Proliferation of Small Arms", *Basic International Alert*, 2004, p.5.

<sup>56</sup> ACADEMI mission statement, taken from [www.academi.com/pages/assessment/government](http://www.academi.com/pages/assessment/government), accessed on 15<sup>th</sup> April 2012.

actors are “*driven by business profit not individual profit.*”<sup>57</sup> Enhancing their reputation, and providing a good service, are important factors as it increases their chance of being hired again which makes good business sense and improves profits.

The types of services these companies provide have also increased in scope. The majority of these companies claim to offer combat service support which entails a range of services from logistics, interrogation services and security duties. The types of services offered fall into three broad categories of external security support; operational support, military advice and training, and logistical support.<sup>58</sup> Mercenaries tend to only offer combat military services, whereas this new actor identifies gaps within state capabilities and offers support services which would enhance their military capacity. This can include “*site security, international civilian police, police training, crime prevention and intelligence.*”<sup>59</sup> Other tasks often seen as non-military assignments, such as “*transportation, telecommunications, food, laundry, and other administrative services as well as setting up and taking down temporary bases and camps,*”<sup>60</sup> can all be outsourced and conducted by these new actors. Due to military overstretch; some of the basic roles traditionally carried out by military personnel are now outsourced to private companies, allowing the military to focus on other tasks which could be detrimental to operational success. Due to the highly technical nature of modern warfare, companies are able to provide personnel who specialise in operating or fixing modern weapons systems. As many of the individuals working for these companies are ex-military or police, they already possess a range of security and military skills, and are often used to train people in similar professions. The company Trojan “*distinguishes itself by recruiting highly motivated and professional personnel, drawn from various international military, special operations, law enforcement and commercial agencies. These personnel have exceptional worldwide experience and are renowned for dealing with high-risk situations and complex operations.*”<sup>61</sup> Other companies such as MPRI claim to “*help develop resources and establish sustainable infrastructures to promote and support human rights...we evaluate situations, then we design and conduct training that helps individuals take charge of their future.*”<sup>62</sup>

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<sup>57</sup> Singer, P. “*Corporate Warriors*”, (London, 2008), p.46.

<sup>58</sup> Williams, P. “*Security Studies: An Introduction*”, (Routledge, New York, 2008), p.443.

<sup>59</sup> Williams, P. “*Security Studies*”, (New York, 2008), p.444.

<sup>60</sup> Williams, P. “*Security Studies*”, (New York, 2008), p.444.

<sup>61</sup> Trojan Mission Statement, taken from [www.trojansecurities.com/trojan-about-us](http://www.trojansecurities.com/trojan-about-us), accessed on 15<sup>th</sup> April 2012.

<sup>62</sup> Mission Statement for MPRI Company, taken from [www.mpri.com/web/](http://www.mpri.com/web/), accessed on 15<sup>th</sup> April 2012.

The term given to this new actor has sparked great debate and is constantly being adapted. Although it has become commonly assumed that a new actor has emerged based on the characteristics determined above, the inability to provide a name that can be used to describe this new actor has plagued the field. Private Military Company (PMC), Private Security Company (PSC), Private Military Firm (PMF) and Private Military Security Company (PMSC) are all used within the field, often describing the same groups who complete similar tasks, yet academics continue to produce new acronyms in order to describe these actors adding to the confusion. Williams argues that there “*is a clear distinction between PMCs and PSCs- PMCs do military tasks, PSCs do policing tasks.*”<sup>63</sup> In reality this distinction is not so clear, as many companies offer to carry out both tasks. The term Private Military Security Company (PMSC) has recently been put forward by a number of academics who wish to create one acronym that can be universally applied to cover the outsourcing of military and security tasks to the private sector. PMSC will be used throughout this thesis as the term is the most comprehensive and appropriate title for the actors I wish to analyse. Although the acronyms PSC, PMF and PMC may be used throughout this thesis, when quoting directly from academic literature, it is commonly assumed within the field that these terms are used to describe members of the newly formed acronym PMSC.

After 2002, PMSCs were recognised as a new actor and further debates regarding their place within international frameworks began to emerge. Article 4.(A).(1) of the Third Geneva Convention states that “*unless PMSCs are incorporated into the armed forces of a state, they are not lawful combatants and could be individually prosecuted for participating.*”<sup>64</sup> A lack of clarity regarding their position within legal frameworks continues to prove problematic. Singer highlights this issue, claiming that “*on the contractor side, the lack of clarity means that if they are captured, it is up to their adversaries to define their status.*”<sup>65</sup> If the enemy classifies them as prisoners of war (POW), then they will be held until hostilities end and be immune from persecution. Yet if the enemy claims they are unlawful combatants or civilians, they are liable for prosecution under domestic law and have less immunity in cases of abuse. The lack of accountability measures and control mechanisms faced by PMSCs highlights the need for legal frameworks to evolve and incorporate these new actors so that abuses, both by and against private contractors, are removed.

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<sup>63</sup> Williams, P. “*Security Studies*”, (New York, 2008), p.451.

<sup>64</sup> Taken from Article 4(A) (1) of the Third Geneva Convention taken from Heinze, E. and Steele, B. “*Ethics, Authority and War: Non-State Actors and the Just War Tradition*”, (Palgrave, New York, 2009), p.137.

<sup>65</sup> Singer, P. “The Private Military Industry and Iraq: What have we learned and where to next?”, *Centre for the Democratic Control of Armed Forces Policy Paper*, Geneva, November 2004, p.12.

Private Military Security Companies (PMSCs) is the name given to companies that seek to provide states or other governmental organisations with enhanced military or security capabilities. These companies operate as businesses, identifying a market niche and choosing the best contractors for the job from a database listing their specific skills set. This package is then sold to clients in need of military or security services. These companies have increased in size and broadened the range of skills on offer, and many claim that “*the regular armed forces are now so dependent upon private contractors that the US Army would break down without them.*”<sup>66</sup> Between 2003 and 2007, the US awarded around US \$85 billion to PMSCs to carry out contracts in the Iraqi theatre alone.<sup>67</sup> As the market and needs of clients evolve, the range of services on offer from these companies will also expand. PMSCs are considered more legitimate than mercenaries, due to their business-like structures and the notion that market incentives, such as the need to maintain good public relations and positive reputation, are key factors in regulating their behaviour. Chesterman summarises the definition of, and roles these actors play, as “*firms providing services outside their home states with the potential for use of lethal force, as well as training of and advice to militaries that substantially affects their war-fighting capacities.*”<sup>68</sup>

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<sup>66</sup> Engbrecht, S. “*America’s Covert Warriors*”, (Washington DC, 2011), p.4.

<sup>67</sup> US Congressional Budget Office, “*Contractors Support of US Operations in Iraq*”, USA, August 2008, p.3.

<sup>68</sup> Chesterman, S. and Lehnhardt, C. “*From Mercenaries to Market*”, (Oxford, 2007), p.3.

## **Chapter Two: The Missing Puzzle Piece: Private Military Security Companies and their role in Hearts and Minds Campaigns**

The local population is the centre of gravity for both the insurgent and counter-insurgent force therefore, in order to achieve success on the battlefield; each force must strive to win the 'hearts and minds' of the people in order to deny his enemy any strategic advantage. Eyal states "*the only reliable means of winning 'hearts and minds' is to play to the pragmatism of insecure and unhappy people by providing for their basic needs: first the cessation of violence and imposition of law and order; and then shelter, food and water, medicine and hygiene, and power.*"<sup>69</sup> Counter-insurgent forces often find themselves overstretched due to attempting to defeat an insurgency, whilst providing manpower for reconstruction projects, and dedicating time and effort to a 'hearts and minds' campaign. PMSCs have been recognised for providing troop surges as and when needed, but they also offer a wealth of skills and services that, if utilised correctly, could prove advantageous to counter-insurgent forces struggling to maintain 'hearts and minds' campaigns during COIN operations.

The inability to conduct their daily routines without the fear of threat and violence is a serious grievance felt by local populations during times of conflict. A key objective when conducting a 'hearts and minds' campaign, is the ability to provide security to the people. Military planners in Iraq and Afghanistan failed to foresee the need for large quantities of ground troops. In Iraq, there was a significant lack of troops to secure the region and, coupled with the disbandment of the Iraqi Army and Police forces, resulted in the insurgency taking hold. Ledwidge noted "*there were simply too few soldiers to have more than the slightest occasional effect on security at a local level.*"<sup>70</sup> The coalition forces contracted PMSCs to provide a troop surge, and to enhance the security presence in the region. A greater security presence will help the local population feel safe and bolster support for the counter-insurgent. By portraying a degree of normality and strength, communities will continue with their social and commercial routines, denying insurgent forces a chance to feed from the local populations.

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<sup>69</sup> Eyal, J. "*War in Iraq: Combat and Consequence*", (RUSI Whitehall Paper No: 59, Great Britain, 2003), p.19.

<sup>70</sup> Ledwidge, F. "*Losing Small Wars: British Military Failure in Iraq and Afghanistan*", (Yale University Press, New Haven, 2011), p.36.



Due to a shortage of ground troops, coalition forces operating in Iraq failed to tackle the insurgency whole-heartedly due to the need to sacrifice troops to provide security at bases and other installations. The extra personnel provided by PMSCs allow counter-insurgent forces to conduct a more efficient COIN campaign, rather than providing a half-hearted approach which lengthens the conflict and furthers grievances with the local population. PMSCs help free up resources and allow troops to focus on their war fighting competencies. When interviewing military personnel operating in Iraq, Singer found that many were “grateful to have someone help them bear the burden.”<sup>71</sup> PMSCs could be used to seal the borders and limit insurgent forces entering the region. They are “not just force multipliers, but also effective counter-insurgent forces in their own right.”<sup>72</sup> Contractors usually have a military or security background, therefore are able to pass on vital information to the military regarding suspicious behaviour, or use tried and tested methods to limit the impact of the insurgency on the local populations. Isenberg discovered that many contractors are “veterans of anti-insurgency conflicts in Colombia, Algeria...or who fought in the Russian government’s war in Chechnya,”<sup>73</sup> therefore hold operational knowledge. The Security Companies Association regularly met in Iraq to exchange information regarding the conflict. The SCA provided greater cohesion amongst contractors and demonstrated to local populations and the military that they took their roles seriously and cared about the outcome of operations.

Security is also provided to non-governmental organisations<sup>74</sup> and other humanitarian actors. These groups need to reach the local populations to provide aid or complete reconstruction projects, but are unable to, due to the threat of violence. Eyal discovered that “outside NGOs seemed rather hide-bound in their insistence on having all security in place before they got on with business.”<sup>75</sup> In Iraq, NGOs already working within the field threatened to abandon projects due to the fear of violence, “development companies say they will need to cancel the contracts because their employees cannot work safely.”<sup>76</sup> This has an adverse effect on the local population, who grow to resent the forces operating within their

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<sup>71</sup> Singer, P. “Outsourcing War”, *Foreign Affairs*, Volume:84, No:2, April 2005, p.126.

<sup>72</sup> Spearin, C. “Contracting a Counter-Insurgency? Implications for US Policy in Iraq and Beyond”, *Small Wars and Insurgencies*, Volume: 18, No: 4, 2007, p.542.

<sup>73</sup> Isenberg, D. “A Fistful of Contractors: The Case for a Pragmatic Assessment of Private Military Companies in Iraq”, *British American Security Information Council Research Report*, Volume: 4, September 2004, p.24.

<sup>74</sup> From here on known as NGOs.

<sup>75</sup> Eyal, J. “War in Iraq”, (Great Britain, 2003), p.4.

<sup>76</sup> Rubin, A. “Afghan Projects may stop when security ban begins”, *The New York Times*, 22<sup>nd</sup> October 2010, available from <http://www.nytimes.com/2010/10/23/world/asia/23afghan.html>, accessed on 11th June 2012.

country, for not being able to provide security and denying them their basic resources and needs. PMSCs can play a vital role in counter-insurgency operations, as they are able to provide security to humanitarian actors which do not detract resources from the military forces, and ensures the delivery of aid and continuance of reconstruction efforts in the region. This will then have a positive impact on the ‘hearts and minds’ campaign, as the local populations approve of the effort made to provide stability and support. The International Committee of the Red Cross (ICRC) has used PMSCs throughout the Iraq War, in order to ensure their workers have a safe passage when delivering aid throughout the country. PMSCs have also received contracts to deliver humanitarian aid themselves, “*private companies are increasingly moving into NGOs areas of competence, where they have taken on the reconstruction of schools, hospitals, providing water as well as the distribution of vaccines and food.*”<sup>77</sup> This builds a stronger relationship between the private industry and the local population due to heightened interaction between the two groups and the knowledge that these groups do care about well-being. Combining civilian and military personnel offered a degree of legitimacy that insurgent forces failed to provide, as they could not rely on civilian forces to provide external services. Civilian and military factions working together became known as the Provincial Reconstruction Team Model and, according to Long, “*should be expanded and made the basis for current and future COIN efforts.*”<sup>78</sup> Ensuring provisions reach their destination and reconstruction projects are completed, is vital when attempting to provide stability and reassurance to the local populations and win ‘hearts and minds’ campaigns.

Security is also provided through the reestablishment of law and order. In Afghanistan and Iraq, PMSCs were used by coalition forces to train local nationals in policing and military duties. This is a key process of any counter-insurgency campaign, as it allows the local population and government to reinstall authority, normality and legitimacy throughout the country. The PMSC industry broadened their services and increased “*their involvement in the Security Sector Reform programmes by training police, military and government officials for the home state.*”<sup>79</sup> Isenberg noted that contractors working for PMSCs were “*far more likely to have a background in the combat arms sector, or policing at a minimum, if not*

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<sup>77</sup> Mackinlay, J. “*Defeating Complex Insurgency: Beyond Iraq and Afghanistan*”, (RUSI Whitehall Paper No:64, 2005, Great Britain), p.44.

<sup>78</sup> Long, A. “*On ‘Other War’: Lessons from Five Decades of RAND Counter-Insurgency Research*”, (RAND, USA, 2006), p.xii.

<sup>79</sup> Mackinlay, J. “*Defeating Complex Insurgency*”, (Great Britain, 2005), p.44.

*special operations training and experience.*”<sup>80</sup> This is advantageous for counter-insurgent forces, as they can outsource the training of new military and police forces to PMSCs, who have a wealth of experience and knowledge, ensuring continuance of the core objective of defeating the insurgent. Rebuilding the military and police force increases law and order throughout the region, whilst encouraging the population to return to normality after a bloody conflict. As the provider of such training, PMSCs are helping the counter-insurgent force to be seen as the legitimate provider of security, with the local population more likely to ally their support to this force rather than the insurgent.

The inclusion of high-end technical weapon systems has enhanced pressure on an already stretched and limited military force. The counter-insurgent force needs to ensure a maximum force presence is felt so that the local population feels secure and the insurgency can be controlled and stemmed quickly. Rather than commit military personnel, it would be beneficial to outsource the operation and maintenance tasks needed for these weapons systems to civilians. Civilians operating in Iraq helped provide operational support for B-2 stealth bombers, F-117 stealth fighters, Global Hawks, UAVs, U-2 reconnaissance aircraft, the M-1 tanks, the Apache helicopters, and many Navy ships.<sup>81</sup> Although outsourcing incurs financial costs, the figures associated with investing and training military personnel are high, as they are more at risk of being killed or leaving the military sector. Not only do these companies provide employees with the latest training and understanding with regard to these systems, they also provide a maintenance team which also reduces the need to constantly retrain military personnel to deal with mechanical issues. As *“most of the information systems used by the world’s modern forces are designed, developed, and managed by civilians,”*<sup>82</sup> it has become common business sense to use the expertise of these civilians, rather than waste financial and military resources. Some policymakers believe that outsourcing could limit collateral damage. Incidents of UAVs and drone attacks accidentally targeting civilians can have a detrimental impact on ‘hearts and minds’ campaigns. Investigative reports have often attributed error to personnel feeling under stress or long working hours within the military sphere. Hiring civilians to complete these, and *only* these tasks, could reduce the margin of error and avoid alienating the population further. It is vital to *“not kill the innocent if you can possibly avoid it, do not unnecessarily damage their property, and certainly do not wreck the*

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<sup>80</sup> Isenberg, D. “A Fistful of Contractors”, *British American Security Information Council Research Report*, 2004, p.24.

<sup>81</sup> Williams, P. *“Security Studies”*, (New York, 2008), p.42.

<sup>82</sup> Singer, P. *“Corporate Warriors”*, (London, 2008), p.63.

*infrastructures of their society.*”<sup>83</sup> The outsourcing of certain weapons systems can alleviate stress and pressure on an already fraught military sector, as well as inducing cost-effective benefits.

Individuals working for PMSCs can provide a wealth of skills and benefits to a counter-insurgency campaign. Many contractors are ex-Special Forces, therefore have experience operating amongst the people, specialist combat training, desirable language skills and cultural awareness. Military personnel have been criticised for their lack of cultural understanding during the recent conflicts in Iraq and Afghanistan, with offending local cultures and the failure to learn language skills prior to deployment noted as the main charges. The diversity of PMSCs produces greater cultural awareness and enhanced language capabilities. These skills are often placed within a database, therefore it is possible to “*list individuals by experience and speciality so contractors can custom-fit each job with qualified employees.*”<sup>84</sup> Due to the geographic uncertainty of future operations, PMSCs are a useful tool when language skills or interpreters are needed at short notice. Good military interpreters take at least three years to train<sup>85</sup>, therefore the ability to hire people when needed is beneficial. The cosmopolitan make-up of these groups can help develop relations with the local population. The local populace are more likely to support and communicate with someone who shares a similar cultural outlook or national appearance. The use of the Ghurkhas by the British Military has always proven to be strategically effective as they “*are very good at public interface...they are naturally friendly, and being non-Europeans they are often more easily accepted.*”<sup>86</sup> Having a similar cultural understanding to the population you are working within can help contractors empathise with local populations, and this will open up lines of communication. The multi-cultural make-up of PMSCs can also enhance contractor’s cultural awareness and knowledge. As Donald Rumsfeld noted “*private contractors come from many different backgrounds, they provide a different outlook*”<sup>87</sup> which can be useful in assessing situations, and providing training and advice to others operating within the same environment. Many “*advocates of privatization argue that, because of their greater experience and specialization, military contractors are far more efficient than their*

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<sup>83</sup> Howard, M. “A Long War”, *Survival*, Volume: 48, No:4, Winter 2006, p.13.

<sup>84</sup> Avant, D. “Mercenaries”, *Foreign Policy*, 2004, p.21.

<sup>85</sup> Ledwidge, F. “*Losing Small Wars*”, (New Haven, 2011), p.197.

<sup>86</sup> Fergusson, J. “*A Million Bullets*”, (Great Britain, 2008), p.79.

<sup>87</sup> Rumsfeld, D. “*The Future of Iraq*”, Speech at John Hopkins University, UK, 15<sup>th</sup> December 2005.

*uniformed counterparts*”<sup>88</sup> in providing cultural understanding and respect which is a vital component when attempting to win the support of local populations. Understanding and communicating with the local population is a core strategic objective when hoping to conduct a successful ‘hearts and minds’ campaign.

The ability to converse with the local population and understand their customs, culture and values, is a crucial factor when attempting to gather intelligence. Counter-insurgency campaigns in Iraq and Afghanistan saw an over-reliance on technological sources<sup>89</sup> when collecting intelligence data. As the centre of gravity is the population, intelligence gathered on the enemy via the local people is crucial to the success of the campaign. As PMSCs also operate amongst the local population, they are subject to a wealth of open source<sup>90</sup> intelligence which can be collected from human sources<sup>91</sup> during routine tasks. PMSCs also have a greater “*freedom of movement often denied to armed forces*”<sup>92</sup> which gives them greater opportunities to collect intelligence for counter-insurgent forces. Mackinlay noted that PMSCs were “*likely to have a wider footprint than UK forces – British PSCs operate throughout Iraq, conventional forces do not.*”<sup>93</sup> PMSCs are therefore able to provide a better geographic and cultural understanding of the region, and have the ability to provide country reports which can be used by counter-insurgent forces. PMSCs spend more time operating within the local populations, therefore have more opportunities to engage with people and gather intelligence. The local populace are more likely to approach PMSCs to offer information, as many do not wear a national uniform; there is less of a risk than providing information to a military force. As one contractor noted, “*our intel was usually more accurate and up to date than the military’s.*”<sup>94</sup> Counter-insurgent forces could gain greater insight into the region in which they are operating, and the population in which they are working amongst, if they liaise with PMSCs. Contractors are excellent resources and have the ability to provide a wealth of open source intelligence, but greater cohesion with the military is needed to ensure intelligence provided is timely and relevant.

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<sup>88</sup> Moyer, R. “*Soldiers for Hire: The Role of Private Military Contractors in Iraq*”, University of Southern Maine, 2009, taken from <http://www.anselm.edu/Documents/NHIOP/Global%20Topics/Archive/Moyerfinal09.pdf>, p.14.

<sup>89</sup> Intelligence gathered from technical sources will now be referred to as TECHINT.

<sup>90</sup> Open source intelligence now referred to as OSINT.

<sup>91</sup> Intelligence gathered from human sources will now be referred to as HUMINT.

<sup>92</sup> Mackinlay, J. “*Defeating Complex Insurgency*”, (Great Britain, 2005), p.33.

<sup>93</sup> Mackinlay, J. “*Defeating Complex Insurgency*”, (Great Britain, 2005), p.33.

<sup>94</sup> Jon Tripp, Private Contractor, describing relations in Iraq, August 2003. Taken from Engbrecht, S. “*America’s Covert Warriors*”, (Washington DC, 2011), p.31.

PMSCs also opt to hire nationals from the country in which they are operating. Although hiring personnel from the local population needs to be thoughtfully considered, this process can also enhance relations between the counter-insurgent force and the local populace. The decision to hire local contractors provides a workforce with knowledge of the local customs and regions. They are able to act as a ‘middle-man’ between the local population and counter-insurgent force, thus building relations and trust between the two groups. Hoyne discovered that “*private contractors’ ability to hire local personnel allows for a lower profile, which only enhances everyone’s safety.*”<sup>95</sup> Enhancing the safety of the local population is advantageous when building relations. Employing nationals provides the local population with employment, whilst also helping to kick-start the local economy. The Wartime Contracting Review noted that “*using local contractors not only supports the local economy, but often helps the United States develop a good rapport with the host nation.*”<sup>96</sup> A study by Isenberg found that local nationals employed within the private industry have “*conducted themselves professionally and are more in tune with the local culture than are regular US military forces.*”<sup>97</sup> In Iraq, as of March 2011, “*from approximately 90,000 contractors, 20,000 were US citizens, 24,000 were third-country nationals, and 46,000 were local nationals.*”<sup>98</sup> Not only does the employment of nationals encourage support from the local population, it also enhances support from outside nations, who are less likely to see the counter-insurgency as a neo-colonialist expedition. The US COIN Doctrine recognised that a “*multi-national approach...is an aspect of counter-insurgency which is most likely to get the support of other nations.*”<sup>99</sup>

Military forces complete rotational tours of duty, with each tour lasting a maximum of twelve months. Frequent rotations were criticised as counter-insurgent forces were unable to build relationships with the communities in which they operated, “*many soldiers were*

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<sup>95</sup> Hoyne, A. “*Navigating the Blackwater: Private Security Contractors and Iraqi Counter-Insurgency*”, published at the College of William and Mary, Williamsburg, USA, Volume: 8, 2010, taken from <http://www.dartmouth.edu/~worldoutlook/archives/winter10/blackwater.pdf> accessed 13th February 2012, p.58.

<sup>96</sup> “*Transforming Wartime Contracting: Controlling Costs, Reducing Risks*”, Report to Congress, August 2011, Commission on Wartime Contracting in Iraq and Afghanistan, available at [www.wartimecontracting.gov](http://www.wartimecontracting.gov), accessed 12<sup>th</sup> December 2011.

<sup>97</sup> Isenberg, D. “A Fistful of Contractors”, *British American Security Information Council Research Report*, 2004, p.67.

<sup>98</sup> Dunigan, M. “*Considerations for the Civilian Expeditionary Workforce: Preparing to Operate Amidst Private Security Contractors*”, (RAND, Santa Monica, 2012), p.5.

<sup>99</sup> “Rethinking US Army Counter-Insurgency Doctrine”, *Contemporary Security Policy*, Volume: 28, No:1, 2007, p.137.

*leaving the theatre just as they were becoming proficient at their assignment.”*<sup>100</sup> As the next wave of counter-insurgent forces moved into the operational space, new relationships had to be forged and winning the support of the locals was exceptionally difficult. Academics acknowledged that as *“contractors generally continue in the same position for longer periods than troops, there is less need for constant retraining”*<sup>101</sup> and greater possibilities for building long-term relationships with the local population. Contractors tended to live amongst the local population, unlike military forces who lived on bases, sharing their environment and creating more opportunities to actively engage with them. Mackinlay believed PMSCs offered an advantage to ‘hearts and minds’ campaigns, as it *“made sense to contract a PSC whose sub-contractors would be able to allocate eleven months rather than one, and who would have operational experience and thus be able to read the local security picture.”*<sup>102</sup>

As counter-insurgency operations are lengthy, the ability to sustain a conflict and good relations with the local population are important considerations. It is also essential that the ‘hearts and minds’ of the home population are acknowledged. This aspect is often forgotten, as Spear notes *“the second front in the battle for ‘hearts and minds’ that is sometimes under-appreciated: the battle on the home front in the state conducting the counter-insurgency.”*<sup>103</sup> The home state provides the money and personnel needed to fight the conflict which, if lengthy, can cause great resentment and have enormous political costs for the government involved. The Vietnam War demonstrated how the ‘body bag’ syndrome<sup>104</sup> could have a detrimental effect on public support, altering the outcome of a conflict. Yet PMSCs are often over-looked by home populations, who fail to recognise this force exists, or that they operate under their country’s domain. There is a distinct lack of *“public outcry when contractors are called up and deployed.”*<sup>105</sup> Carmola found that military deaths spark outrage and can lose the support of the home nation, but the *“benefit of the use of contractors is that their casualties go unrecognised or unreported.”*<sup>106</sup> Cockburn claimed that PMSCs *“are quite literally cannon fodder since nobody in their home countries either*

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<sup>100</sup> Haney, E. *“Beyond Shock and Awe: Warfare in the Twenty-First Century”*, (Berkley Publishing Group, New York, 2006), p.155.

<sup>101</sup> Dickinson, L. *“Outsourcing War and Peace: Preserving Public Values in a World of Privatized Foreign Affairs”*, (Yale University Press, New Haven, 2011), p.35.

<sup>102</sup> Mackinlay, J. *“Defeating Complex Insurgency”*, (Great Britain, 2005), p.59.

<sup>103</sup> Spear, J. “Counter-Insurgency”, taken from, *“Security Studies”* ed. by Williams, P. (New York, 2008), p.397.

<sup>104</sup> During the Vietnam War, the media televised pictures of the deceased soldiers returning home in body bags this caused public outrage and support for the war diminished.

<sup>105</sup> Singer, P. *“Corporate Warriors”*, (London, 2008), p.244.

<sup>106</sup> Carmola, K. *“Private Security Contractors and New Wars”*, Contemporary Security Studies Series, (2010), p. 89.

*knew or cared if they were killed.*”<sup>107</sup> When conducting lengthy operations, it is vital to ensure that troop casualties are minimised in order to maintain public support. As Isenberg notes, “*the use of PMCs receives less attention than the use of regular troops, which reduces the political costs of using force.*”<sup>108</sup> Contractor casualties are not included in official tolls; therefore they do not command the same implications as military deaths. For counter-insurgent forces, the use of PMSCs is seen as beneficial when trying to pacify the ‘hearts and minds’ of the home population.

The recent conflicts in Iraq and Afghanistan highlighted many issues faced by counter-insurgent forces. The need for quick troop surges, longer tours of duty, enhanced security presence, and greater cultural awareness, and HUMINT collection have all been acknowledged as serious contentions needing to be dealt with. Although PMSCs are new actors, still evolving within the international sphere, they can play a beneficial role by providing services to counter-insurgent forces which remove the above issues. They “*offer the potential backdrop of additional forces but at no political cost,*”<sup>109</sup> command a wide variety of cultural skills and security experience, and can be utilised when the military option is no longer sustainable. PMSCs provide services that can enhance the counter-insurgent’s war-fighting capabilities, but can also enhance security and active engagement with the local populations which is a crucial objective of a ‘hearts and minds’ campaign. PMSCs can be regarded as the ‘missing puzzle piece’, as they provide a wealth of benefits countering the issues faced by counter-insurgent forces. By enhancing cohesion between the two groups, and adopting a more holistic approach, PMSCs could play a beneficial role during counter-insurgency operations.

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<sup>107</sup> Cockburn, P. “*The Occupation War and Resistance in Iraq*”, (Verso, London, 2006), p.175.

<sup>108</sup> Isenberg, D. “Private Military Contractors and U.S. Grand Strategy”, *PIRO*, 2009, p.45.

<sup>109</sup> Singer, P. “*Corporate Warriors*”, (London, 2008), p.245.



## **Chapter Three: Implications for using Private Military Security Contractors during Counter-Insurgency Operations.**

For counter-insurgent forces, a successful ‘hearts and minds’ campaign is a crucial objective requiring careful attention and sensitivity. Success depends on the ability to provide security and support to the local people without causing harm, damaging their property or ruining their infrastructure. Critics argue that using PMSCs during sensitive campaigns just adds friction to the already complex counter-insurgency operation. Singer noted that the “*use of private military contractors appears to have harmed, rather than helped the counter-insurgency efforts of the US mission in Iraq.*”<sup>110</sup> The Abu Ghraib and Nisour Square incidents caused serious implications for counter-insurgent forces operating within Iraq. Whilst the previous chapter attempted to highlight the advantages of using PMSC forces within population-centric warfare, it is crucial to examine the implications of using these groups to determine whether they can play a role in counter-insurgency operations.

A key contestation regarding the use of private forces is the lack of accountability and professionalism within the industry. When PMSCs first emerged they sought hard to prove their professionalism, and only employed personnel with a strong, specialised skills set and relevant field experience. As these companies increased the number of contracts and introduced competitive pricing strategies, the hiring process became more relaxed. Engbrecht noticed that contracts were signed with “*more spaces available than competent personnel to fill them.*”<sup>111</sup> This led to people with little experience, and questionable motives offering their services to the once, professional private industry. Previously, PMSCs “*had been heavily dependent on former Special Forces personnel, and now had to cast its net much wider to recruit cheaper but perhaps not as qualified operators.*”<sup>112</sup> The perception of the PMSC industry had changed and they were no longer seen as legitimate service providers. PMSCs began to be associated with “*the wild west, with people just jumping in on these multi-million dollar contracts.*”<sup>113</sup> An Iraqi insurgent described the new type of contractors as working “*in Iraq to get large salaries and to help the American and Jewish pigs destroy Iraq.*”<sup>114</sup> The

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<sup>110</sup> Singer, P. “Can’t Win With ‘Em, Can’t Go To War Without ‘Em:”, *Brookings Institute*, 2007, p.111.

<sup>111</sup> Engbrecht, S. “*America’s Covert Warriors*”, (2011), p.113.

<sup>112</sup> Dean of US Army War College, Colonel Kevin Cunningham, during a speech made at a statement panel on “*New Directions in Civil-Military Relations*”, at the International Studies Association Meeting, March 2002, New Orleans, p.17.

<sup>113</sup> Interview with Robert Young Pelton, taken from DVD, “*Shadow Company*”, A Purpose Built Film by Nick Bicanic and Jason Bourque, 2006, 23 minutes and 16 seconds.

<sup>114</sup> Interview with S. Mustafa (Iraqi Insurgent), taken from DVD, “*Shadow Company*”, A Purpose Built Film by Nick Bicanic and Jason Bourque, 2006, 31 minutes and 26 seconds.

professional ethos that PMSCs had worked hard to achieve and portray to the wider international world was quickly dissolving, as the need to fill contracts took priority over the standards in which they had aimed to build their foundations.

The lack of cohesion between PMSCs and the military sector can also have an adverse effect on counter-insurgency operations. The main objective of the ‘hearts and minds’ campaign is to provide security to the vulnerable populations, therefore the private industry and military sphere must work together and provide a united front in order to ensure they are seen as legitimate providers of security. The recent conflict in Iraq illustrated how poor relations between the two groups harmed relationships with the local population. A lack of unity was evident between the groups, “*they do not communicate in the same network (and) they do not get the same intelligence information, which carries obvious implications for the effectiveness of their role in counter-insurgency operations.*”<sup>115</sup> This heightened the distance between the two groups, and caused further friction within the operational space. The failure to present a united front adds greater confusion to the already complex counter-insurgency, pushing the ‘hearts and minds’ of the local population further away from the counter-insurgent’s grasp.

The military perceive PMSCs with a degree of hostility, which creates further divisions between the two sectors. Contractors work in the same operational space, yet enjoy greater financial rewards and have more choices regarding the environment in which they work. The resentment felt by military personnel heightens hostilities between the two groups, which can be perceived by the local population as a lack of commitment. Many soldiers “*resent the way these firms exploit skills learned at public expense for private profit,*”<sup>116</sup> they have great discontent for personnel who originally served in the military sphere before transferring to the private sector. The “*sense of double standards for contractors is not helpful for morale*”<sup>117</sup>, as military personnel “*hear about the ‘cowboy’ attitude of security contractors, endangering regular military forces with their bravado, or hearing of contractors under-performing doing an incomplete or substandard job, and then running away with the money.*”<sup>118</sup> Lehran found that “*military were often outright hostile to*

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<sup>115</sup> Moyer, R. “*Soldiers for Hire: The Role of Private Military Contractors in Iraq*”, University of Southern Maine, 2009, taken from <http://www.anselm.edu/Documents/NHIOP/Global%20Topics/Archive/Moyerfinal09.pdf>, p.12.

<sup>116</sup> Singer, P. “Outsourcing War”, *Foreign Affairs*, Volume: 84, 2005, p.128.

<sup>117</sup> Singer, P. “Can’t Win With ‘Em, Can’t Go To War Without ‘Em”, *Brookings Institute*, 2007, p.13.

<sup>118</sup> Carmola, K. “*Private Security Contractors and New Wars*”, (Routledge, London, 2010), p. 13.

*contractors for being amateurish, overpaid and often, trigger-happy.*"<sup>119</sup>The distinct lack of cohesion is evident, as one US Private claims he "*knew very little about the global security guys, we never worked with them, they did their thing and we did ours.*"<sup>120</sup> Colonel Cunningham admitted that "*other commanders have refused to have anything to do with the sector at all, insisting that personnel under their command have no contact with them.*"<sup>121</sup> Divisions between the counter-insurgent actors fuels the feeling of insecurity amongst the local population, which can impact 'hearts and minds' operations and lose public support. Avant discovered that "*when the US sends PSCs and not military personnel, the host country perceives a lower level of US commitment.*"<sup>122</sup> This also has an adverse affect on the 'hearts and minds' campaign, as the local population will not lend their support to the counter-insurgent force if they do not perceive a sense of commitment or security.

The difference in operational objectives can have serious implications for counter-insurgent forces. The objective of the military force is to counter the insurgency, and win over the local population through political incentives. The PMSC has been contracted into the operational space to complete a diverse range of tasks. These tasks can include guarding bases, acting as bodyguards for important political figures, or ensuring the safe passage of convoy patrols through dangerous areas. Critics argue that PMSCs only care about the task they are contracted to complete, and have little consideration for the wider operation. Staden states the "*main objective of private companies is to serve the interests of shareholders, not the general interest in the sense of the success of the military operation, regardless of the risks involved.*"<sup>123</sup> However, Singer claims that "*their general goal is not violence for its own sake, but rather to achieve the task for which it was hired.*"<sup>124</sup> This view is evident amongst contractors who, when interviewed, admit to employing stronger tactics or confrontational behaviour in order to ensure their task is completed. Pelton stated "*you can watch the TV blurbs about 'hearts and minds', but it is crap! When you are driving from the airport through the green zone you don't give a shit about 'hearts and minds' you just want to get*

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<sup>119</sup> Lehen, A. "Use of Contractors Added to War's Chaos in Iraq", *The War Logs*, *New York Times*, October 23<sup>rd</sup> 2010, taken from <http://www.nytimes.com/2010/10/24/world/middleeast/24contractors.html?pagewanted=all>, accessed on 13<sup>th</sup> June 2012.

<sup>120</sup> Buzzell, C. "*My War*", (New York, 2005), p.162.

<sup>121</sup> Dean of US Army War College, Colonel Kevin Cunningham, during a speech made at a statement panel on "*New Directions in Civil-Military Relations*", 2002, New Orleans, p.33.

<sup>122</sup> Avant, D. "*The Market for Force*", (Cambridge, 2005), p.127.

<sup>123</sup> Staden, A. "The Irresistible Temptation of Privatizing Security: A Dutch Perspective", *Security and Human Rights*, Volume: 19, No:3, 2008, p.203.

<sup>124</sup> Singer, P. "*Corporate Warriors*", (London, 2008), p.217.

through and back alive.”<sup>125</sup> Another contractor, when questioned about the possibility of alienating the local population, claimed “if that means pissing off the Iraqis, too bad!”<sup>126</sup> Erratic behaviour alienated the local populations and caused greater resentment towards the counter-insurgent forces who had hired these companies. Chandrasekaran, an Iraqi living in Baghdad, highlighted how “they drove like they owned the place, sometimes crossing the median and barrelling towards oncoming traffic,”<sup>127</sup> causing fear and intimidation. Another account recalls how “they tear around in bullet proof Land Cruisers with tinted windows and no number plates... anyone getting too close may find the car door flies open and a Western Wildman points a machine-gun at him yelling ‘fuck off or I’ll shoot!’”<sup>128</sup> Lack of consideration for the wider operation is having a detrimental effect on the counter-insurgent’s aims of winning over the local population. Confrontational and erratic behaviour is alienating the population who believe these groups are working under the counter-insurgent’s command. With different operational objectives, and no unified goal for peace, PMSCs “only concern is to complete that mission and they will run cars off the road, stop the traffic and annoy Iraqis and not worry about it, even though it counteracts the larger counter-insurgency mission of winning ‘hearts and minds’ by treating the locals with respect and minimum inconvenience.”<sup>129</sup>

The notion that PMSCs operate directly under the command of the counter-insurgent is a myth that can have devastating consequences. The Iraq War highlighted how counter-insurgent forces were perceived as being accountable for all the wrong-doings committed by PMSCs. Both the media and the local population held this view, which had serious implications for counter-insurgents hoping to win a ‘hearts and minds’ campaign. Thurner discovered that “the local populace does not distinguish the military from contractors involved in operations.”<sup>130</sup> This resulted in military forces often facing greater animosity from the local populations, because “in their eyes, an American with a gun is an American with a

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<sup>125</sup> Interview with Robert Young Pelton, taken from DVD, “Shadow Company”, A Purpose Built Film by Nick Bicanic and Jason Bourque, 2006, 33 minutes and 36 seconds.

<sup>126</sup> Steve Fainaru, “Where Military Rules Don’t Apply”, *The Washington Post*, September 20<sup>th</sup> 2007, [http://www.washingtonpost.com/wp-dyn/content/article/2007/09/19/AR2007091902503\\_pf.html](http://www.washingtonpost.com/wp-dyn/content/article/2007/09/19/AR2007091902503_pf.html), accessed on 20<sup>th</sup> July 2012.

<sup>127</sup> Chandrasekaran, R. “Imperial Life in the Emerald City: Inside Iraq’s Green Zone”, (Vintage Books, New York, 2007), p.25.

<sup>128</sup> Polman, L. “War Games”, (London, 2010), p.137.

<sup>129</sup> Williams, P. “Security Studies”, (New York, 2008), p.397.

<sup>130</sup> Thurner, J. Maj. “Drowning in Blackwater: How Weak Accountability over Private Security Contractors significantly undermines counter-insurgency efforts”, *Army Law*, Volume: 64, 2008, p. 66.

gun.”<sup>131</sup> Any incident which harms the local population will have a devastating impact on ‘hearts and minds’, as the Abu Ghraib and Nisour Square incidents in Iraq demonstrated. Shimko recalls a group of soldiers watching the television as the Abu Ghraib news story was breaking, “when he asked what was happening, a private turned and told him that some ‘assholes had just lost the war for us’.”<sup>132</sup> Whilst Buzzell reported after the Nisour Square incident, “this would totally fuck us up, because our job was to basically win the ‘hearts and minds’ of the Iraqi people. Now we had to start all over again!”<sup>133</sup> The military were aware that such incidents were harmful to their ‘hearts and minds’ campaigns but, with no accountability measures, they had no control over the matter and were simply “stuck with the consequences.”<sup>134</sup> Singer noted that contractors, “while they may not be part of the actual occupying force, they are still perceived as such.”<sup>135</sup> Too many actors working within the same operational space caused greater confusion, resulting in local populations attributing the blame for contractor’s misdeeds to counter-insurgent forces. The failure to distinguish between the different groups caused counter-insurgent forces to lose legitimacy and support from the population that they were operating amongst, their home country and the wider international world. Particular incidents can also be used by the insurgent force to turn the local population’s support away from the counter-insurgent and towards their own cause. The use of PMSCs can destabilise trust, and undermine relations between the civilians and military forces as seen in Iraq, “the failure of contractors to safeguard Iraqi lives have been perceived as American failures.”<sup>136</sup>

Accusations of profiteering and corruption have plagued the PMSC industry, and questioned whether they are suitable to play a role in modern military operations. Certain PMSCs have been accused of partaking in financial scams and failing to provide the service they were contracted for. In 2005, Custer Battles won a \$16.8 million deal to secure Baghdad Airport; they were “paid up front for x-ray equipment which they failed to acquire.”<sup>137</sup> Other

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<sup>131</sup> Hoyne, A. “*Navigating the Blackwater: Private Security Contractors and Iraqi Counter-Insurgency*”, published at the College of William and Mary, Williamsburg, USA, Volume: 8, 2010, taken from <http://www.dartmouth.edu/~worldoutlook/archives/winter10/blackwater.pdf> accessed 13th February 2012, p.57.

<sup>132</sup> Shimko, K. “*The Iraq Wars and America’s Military Revolution*”, (Cambridge University Press, Cambridge, 2010), p.183.

<sup>133</sup> Buzzell, C. “*My War*”, (New York, 2005), p.155.

<sup>134</sup> Interview with JAG Officer, October 16<sup>th</sup> 2007, taken from Dickinson, L. “*Outsourcing War and Peace: Preserving Public Values in a World of Privatized Foreign Affairs*”, (Yale University Press, New Haven, 2011), p.178.

<sup>135</sup> Singer, P. “Can’t Win With ‘Em, Can’t Go To War Without ‘Em”, *Brookings Institute*, 2007, p.11.

<sup>136</sup> Thurner, J. Maj. “Drowning in Blackwater”, *Army Law*, Volume: 64, 2008, p. 66.

<sup>137</sup> Cockburn, P. “*The Occupation War and Resistance in Iraq*”, (Verso, London, 2006), p.174.

criticisms centre on the lack of reliability within the PMSC sector. Contracts have been abandoned, leaving those reliant on the PMSC stranded. The Wartime Commission estimates that “at least \$31 billion and possibly as much as \$60 billion have been lost to contract waste and fraud in America’s contingency operations in Iraq and Afghanistan.”<sup>138</sup> Polman discovered that due to PMSCs abandoning missions, large quantities of supplies and aid were left, which helped bolster the insurgency and created further implications for the counter-insurgent. He notes, “unsupervised aid invites theft and corruption, which strengthens and multiplies Taliban support, leading to greater insecurity, which brings in more security companies, prompting even more hostility towards foreigners.”<sup>139</sup> PMSCs have also been linked to allegations of corruption and bribery during the recent conflicts in Iraq and Afghanistan. Singer claims that Iraqi nationals working as “private military contractors helped free Iraqi citizens from Iraqi jails.”<sup>140</sup> Other critics suggest that contractors are paying local warlords or insurgents for a safe passage, in order to pass through certain regions, so that they can complete their missions successfully. The Wartime Commission claimed “their use for convoy security in parts of Afghanistan invites pay-for-protection extortion that diverts taxpayers’ funds to local warlords and insurgents.”<sup>141</sup> Rather than helping to counter the insurgency, PMSCs partaking in actions of bribery and corruption are fuelling the enemy’s strength and capabilities. PMSCs have also been accused of providing false measurements of success during the training of local army and police forces, which does little to provide a realistic understanding of the operation, leading to inaccurate assessments which impact the overall operation. Allegations have also been made regarding the notion that PMSCs will purposely prolong a campaign in order to ensure greater financial benefits. Savage discovered that “President Karzai has voiced concern that extensive recruiting of local people in Afghanistan has undermined the national police and armed forces, as the best recruits join a highly paying European or American PMC,”<sup>142</sup> highlighting the damaging effect these groups can have on a country’s infrastructure. Enhancing the insurgency, abandoning missions and wasting financial resources all have a detrimental effect on a

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<sup>138</sup> “Transforming Wartime Contracting: Controlling Costs, Reducing Risks”, *Final Report to Congress*, August 2011, Commission on Wartime Contracting in Iraq and Afghanistan, [www.wartimecontracting.gov](http://www.wartimecontracting.gov), accessed on 13<sup>th</sup> June 2012, p.7.

<sup>139</sup> Polman, L. “*War Games: The Story of Aid and War in Modern Times*”, (Viking, London, 2010), p.140.

<sup>140</sup> Singer, P. “Can’t Win With ‘Em, Can’t Go To War Without ‘Em”, *Brookings Institute*, 2007, p.12.

<sup>141</sup> “Transforming Wartime Contracting”, *Final Report to Congress*, 2011, p.10.

<sup>142</sup> Savage, L. “The Trouble with Security: Leaked Documents Reignite the Debate”, 2010. Taken from *Maclean’s Canada’s National News Magazine*, Volume:123, 9/11/10.

counter-insurgency operation, therefore serious consideration needs to be made prior to contracting PMSCs and deploying them in this environment.

The decision to contract PMSCs during COIN operations can have serious implications for the counter-insurgent force. The lack of cohesion between the two groups can undermine the sense of security and unity which is needed to gain support from the local population. Issues concerning financial waste and unreliability have dominated public debates, and have a severe impact on the strategic success of an operation. The “*use of overwhelming military force is inevitably counter-productive in counter-insurgency operations.*”<sup>143</sup> This notion is also relevant to those operating within the PMSC sector. Incidents of abuse by PMSCs have serious implications for counter-insurgent forces attempting to win the ‘hearts and minds’ of the local populace. Those working alongside counter-insurgent forces must be aware, that even the smallest errors can have a devastating impact on public opinion, and be used as ammunition by the media. This was highlighted during the Iraq campaign when Tatham “*suggested that the Arab press would be naturally critical of the coalition, and would choose to focus on failures and setbacks, rather than positive achievements.*”<sup>144</sup> As Engbrecht noted “*a failure in one area creates a ripple effect across the entire occupied population and reduces the overall chance of success.*”<sup>145</sup> Careful consideration needs to be made prior to contracting PMSCs; accusations of adventurous foreign policies and the benefits of ‘plausible deniability’ can be harmful to states. If the local population view the counter-insurgent’s use of PMSCs as a neo-colonialist excursion, then they are unlikely to offer their support, preferring to ally themselves with the insurgency. Outsourcing tasks to the private sector deprives the counter-insurgent force opportunities for active engagement with the local population; this fuels dissatisfaction and increases the feeling of alienation felt by the people. Due to outsourcing, the counter-insurgent force is losing the monopoly on violence and power within the region, with more actors operating within the field, the possibilities of abuse and error are enhanced, which could alienate the local population and cause a detrimental effect to the ‘hearts and minds’ campaign they are so eager to win.

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<sup>143</sup> Rose, M. “*Washington’s War*”, (Great Britain, 2007), p.21.

<sup>144</sup> Tatham, S. “*Losing Arab Hearts and Minds: The Coalition, Al Jazeera and Muslim Public Opinion*”, (Hurst and Company, London, 2006), p.199.

<sup>145</sup> Engbrecht, S. “*America’s Covert Warriors*”, (Washington DC, 2011), p.21.

## **Chapter Four: An Uncut Diamond: Recommendations for utilising Private Military Security Companies in future Hearts and Minds Campaigns**

Whether PMSCs are able to play a role in modern counter-insurgency operations depends entirely on the ability to regulate these groups effectively, and make them accountable for their actions. Through initial research it has become evident that PMSCs could play an advantageous role in counter-insurgency operations, as they possess a range of skills that could benefit ‘hearts and minds’ campaigns. The current conflicts in Iraq and Afghanistan have illustrated particular disadvantages associated with the use of these groups. Many of the implications associated with the private industry are based on the failure to regulate these groups, or the lack of reliable accountability measures. Therefore the ability to regulate these groups effectively, and implement a suitable accountability framework could improve the overall effectiveness of PMSCs, and enhance their position as a provider of strategic advantage for counter-insurgent forces. Academics have issued a range of recommendations they believe could be the key to regulating these groups, integrating them effectively into the wider international community.

The contracting process needs to be formalised in order to ensure legitimate companies are hired, and a regulatory framework exists from the beginning. Companies would need to prove they satisfy certain criteria prior to being accepted into the hiring process. The criteria should include background checks regarding the history of the company and detailed assessments of personnel operating for the company. Companies should also state whether they have previously operated under another business name. In 2007, Blackwater was banned from operating in Iraq, but company directors changed the company name to Xe, and they returned to Iraq with little resistance. Detailed background checks need to be completed on all personnel who could potentially be operating within the operational sphere. Stringent checks need to be in place regarding information on the following topics; criminal record, security, financial and medical conditions. Current regulations stipulate that background checks need to be completed prior to deployment. However this is too late as, once contracted, companies have no incentive to complete checks. Better screening and background checks need to be completed with plenty of time so that, if any irregularities or issues arise, the company can eradicate the problem prior to offering their services and entering the operational space. Isenberg suggested that, “*firms that have been found to have overcharged governments in the past or have committed crimes in the contracting process*



*should be banned from applying for future contracts.*"<sup>146</sup> Singer proposed "*subjecting PMF personnel databases to appraisal for past violations of human rights,*"<sup>147</sup> highlighting how both contract personnel and the company need to be subjected to more stringent background checks. Only legitimate companies would be able to enter the contracting process reducing the possibility of errors and abuses. If PMSCs wish to operate as a business, they should provide portfolios which list the range of services they are capable of conducting, detailed reports of past contractual assignments and completion rates. PMSCs should also provide detailed accounts regarding their code of conduct and contingency plans for instances when contracts could be abandoned or possibly fail. They should satisfy these criteria prior to entering the contractual process, so that clients can examine and compare different companies, making informed decisions based on a range of factors, and not just the market price. By establishing a list of criteria which all companies must adhere to prior to entering the contractual process, will enhance transparency within the industry and formalise the hiring process for all actors involved.

A framework needs to be established in order to ensure states do not overspend or allow financial resources to be wasted. Due to the failure of an oversight process in Iraq, financial corruption and the disappearance of aid blighted the counter-insurgency effort, damaging relations with the local population. The hiring state needs to create a competitive market so PMSCs cannot take advantage by expecting their initial offer to be accepted. The US handed large sums of money to PMSCs operating in Iraq, without questioning the initial price or attempting to analyse whether the service was value for money. For many PMSCs, the ease of extracting large sums of money from states, without needing to provide justification, was too good an opportunity to miss. States need to implement a competitive pricing strategy to ensure the use of PMSCs offered "*a cost-saving advantage, for that was the very reason private sphere services were sought in the first place.*"<sup>148</sup> By ensuring a competitive pricing framework is installed into the contracting process, a set criterion will be established in order to ensure professionalism within the industry, removing the potential for financial waste.

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<sup>146</sup> Isenberg, D. "A Government in Search of Cover: PMCs in Iraq", *British American Security Information Council*, March 23<sup>rd</sup>-24<sup>th</sup> 2006, Institute of International Law and Justice, New York University, School of Law Conference, p.16.

<sup>147</sup> Singer, P. "*Corporate Warriors*", (London, 2008), p.241.

<sup>148</sup> Singer, P. "*Corporate Warriors*", (London, 2008), p.235.

Contemporary academics propose that PMSCs could regulate themselves and do not need external regulation frameworks. Due to their corporate structure, PMSCs need to maintain a good reputation in order to gain employment and ensure high profit margins; therefore the companies will regulate themselves to ensure these objectives are met. Completing a contract successfully will enhance the company's portfolio, thereby increasing the possibility for further contracts and greater profit margins. PMSCs are trying to promote a business identity, therefore those "*who show high levels of professionalism will get more contracts.*"<sup>149</sup> Isenberg noted that "*if a for-profit company were to lose money as a result of its employees' behaviour, it will have more incentive to ensure its employees perform according to legal standards and contractual obligations.*"<sup>150</sup> Whilst certain companies within the industry may be able to regulate themselves and care for their long-term corporate reputations, companies that enter the private sphere with short-term objectives and questionable financial motives will always exist. The option for self-regulation cannot be solely relied upon. Instead, hiring states should understand the business' motivations and seek regulatory frameworks based on financial incentives. Academics, such as Avant, believe that profit is the life-blood of PMSCs;<sup>151</sup> therefore the hiring state is best positioned to regulate these companies as they control the financial resources. Within the policy and academic world, it has become widely acknowledged that "*private security providers respond more to market incentives than to governmental priorities.*"<sup>152</sup> The option to reward and regulate these companies via financial incentives is an alternative worth exploring.

As well as regulating PMSC forces, academics and practitioners have suggested improving the training of PMSCs, and methods to promote greater cohesion with military forces. During the last decade, US and UK military forces have been heavily criticised for their lack of cultural training prior to deployment. PMSCs could also benefit from co-ordinated cultural training, especially contractors who have limited cultural awareness of a particular region. Cultural training prior to deployment would enhance their understanding of the population in which they will operate, as well as providing basic language skills which would aid relations with the local communities. They also need to be familiar with host nation laws, international treaties and other codes of conduct. Military forces are subject to

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<sup>149</sup> Interview with Robert Young Pelton, taken from DVD, "*Shadow Company*", A Purpose Built Film by Nick Bicanic and Jason Bourque, 2006, 1 hour 19 minutes.

<sup>150</sup> Isenberg, D. "Private Military Contractors and US Grand Strategy", *PIRO*, 2009, p.48.

<sup>151</sup> For further information regarding this debate see, Avant, D. "*The Market for Force: Consequences of Privatising Security*", (Cambridge University Press, Cambridge, 2005).

<sup>152</sup> Mandel, R. "*Armies without States*", (London, 2002), p.23.

training and lessons regarding the importance of ‘hearts and minds’ within population centric warfare, as well as methods and approaches used to interact with the people. Contractors could also benefit from this type of training, which would enhance their role and purpose within the counter-insurgency. Dickinson suggested that “*anti-corruption training would also be useful for foreign affairs contractors,*”<sup>153</sup> and helps promote similar objectives between the military sector and private industry. As the operational sphere is constantly evolving, training needs to be completed prior to and during deployment. Phinney stated that “*PMCs should take steps to ensure that the personnel recruited from third countries receive the same notifications and training as those recruited from the PMC home country.*”<sup>154</sup> All actors working within the counter-insurgency must be trained regardless of the task they are contracted to complete. The ‘hearts and minds’ campaign needs to be won by all actors, therefore anyone operating within the operational realm must understand the cultural situation, and the importance of such campaigns. Co-ordinating the training of personnel from both the military and PMSC industry, would also promote cohesion between the two groups, which would be beneficial in demonstrating a united front to the host population.

Promoting cohesion between the military and PMSC industry is a core objective for those hoping to utilise contractors in future counter-insurgency campaigns. Lack of cohesion between the two groups can leave the population feeling insecure and has resulted in a number of blue-on-blue incidents<sup>155</sup>, jeopardising support from the local communities and the home population of the counter-insurgent. In order to ensure co-operation between the two sectors, academics and practitioners have recommended that the military bring PMSCs into the planning process. The military can establish which tasks they need PMSCs to complete, as well as outlining the involvement of the PMSC prior to deployment. Greater unity during the planning process will give the different groups an opportunity to discuss their objectives, and eradicate any potential issues likely to occur. Working together during the planning process and prior to deployment is beneficial for all involved, as it allows both groups to amend or regulate any issues outside the operational space, where their actions and failures are likely to be scrutinised by the local population. Moesgaard highlighted the importance of interaction between the two groups in the planning stages, as it “*ensures that private actors act according to, and support the overall strategy and tactics, so that they do not undermine*

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<sup>153</sup> Dickinson, L. “*Outsourcing War and Peace*”, (New Haven, 2011), p.81.

<sup>154</sup> Phinney, D. “DoD Drafting New Rules for Wartime Contractors”, *Federal Times*, 9<sup>th</sup> February 2004, taken from [www.federaltimes.com/index.php?S=2624168](http://www.federaltimes.com/index.php?S=2624168), accessed on 13<sup>th</sup> June 2012.

<sup>155</sup> Blue-on-blue incidents refer to acts in warfare where allies inadvertently engage with and fire upon their own personnel rather than the enemy.

*the over-arching aims.*"<sup>156</sup> Regular interaction between the two forces is needed as the operational landscape is constantly changing, therefore the military need to be able to "communicate new strategies to the private military companies so they can act in accordance with these strategies,"<sup>157</sup> and allow PMSCs to develop alongside the military force. Communication methods need to be accessible to both the military sector and private industry. Many of the issues during the Iraq conflict arose due to a lack of communication or mixed signals between the two groups. The sharing of certain communication lines and radio signals could bolster relations between the two forces. Many academics have also suggested that PMSCs sign an obligatory contractual agreement to ensure compliance with military initiatives. As well as signing a contract with the hiring state, they also sign an agreement with the state's military force to formally regulate them into the military's domain. It has been suggested that, once in the operational field, military commanders need to ensure the oversight of contractors working for PMSCs, stipulating these new actors fall under the military chain of command.<sup>158</sup> Shevlin notes that "contractors should also have rules of engagement, codes of conduct and share the responsibilities that forces of the US government have entrusted to them in a combat structure."<sup>159</sup> Sharing regulatory frameworks with the military would promote unity between the two groups, reducing the risk of confusion within the operational landscape. It would also ensure the military's strategic objectives of winning the 'hearts and minds' were complied with. It has become widely accepted within the policy and academic field that "positive in-theatre management of contractors begins with the proper integration of contractors into the operational flow."<sup>160</sup>

Despite PMSCs existing for nearly twenty years, international and domestic law has failed to incorporate these groups into legal frameworks. Whilst legal debates on the subject matter are ongoing, academics and practitioners have suggested a range of interim measures which could be implemented to provide accountability. The International Peace Operations Association (IOPA) is currently working on a document, establishing an ethical framework which they hope to be adopted by all companies operating in conflicts. Jackson suggested that "international tribunals are best positioned to convey a clear message that the

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<sup>156</sup> Moesgaard, C. "Private Military Companies in Counter-Insurgency Strategy", *DIIS Policy Brief*, March 2011, p.1.

<sup>157</sup> Moesgaard, C. "Private Military Companies", *DIIS Policy Brief*, 2011, p.1.

<sup>158</sup> Singer, P. "Can't Win With 'Em, Can't Go To War Without 'Em", *Brookings Institute*, 2007.

<sup>159</sup> Shevlin, J. "Reconsidering Battlefield Contractors", *Journal of International Affairs*, Volume: 103, No:6, 2005, p.111.

<sup>160</sup> "Contractors on the Battlefield", HQ Department of the Army, *Field Manual 3-100.21* (100-21), January 2003, Washington DC, p.65.

*international community will not tolerate human rights violations and war crimes.”*<sup>161</sup>

International courts and tribunals enhance the idea that responsibility needs to be shared by all within the international community. Prior to 2007, contractors who committed crimes in Iraq were susceptible to prosecution in their home country. As many of the contractors originated from the USA and, despite inquiries, few were prosecuted; the wider communities perceived the legal framework as biased and viewed the lack of criminal proceedings as ‘victor’s justice’. This angered Iraqis who perceived the USA to be condoning the lawlessness of PMSCs. The use of international tribunals promotes fairness and “*allows governments to prosecute perpetrators of human rights abuses even when their crimes were committed in other countries, thereby universalizing responsibility.*”<sup>162</sup> Other academics believe a Global Licensing Scheme would promote accountability providing regulation for these groups. Companies would have to apply to the state in which they operate from, asking for a licence so that they can complete contracts abroad.<sup>163</sup> PMSCs would only be licensed to conduct the tasks in which their home government’s had permitted. If the PMSC committed an illegal act, as long as they had not strayed from their licensing agreements, they would be tried at an international court. If a PMSC was found to be operating outside of their licensing agreement, or without a license, then they would be subjected to the court system of the country in which they operated in. This process would incorporate legal incentives into the PMSC framework, as well as ensuring regulation by the home state and enhancing accountability measures. Kinsey suggested that the “*licensing regime appears to have the support of many of those connected to the industry.*”<sup>164</sup> States, PMSCs and legal bodies need to implement, promote and enforce legal, ethical and regulatory frameworks to ensure these new actors are made accountable for their actions, and can work within the international community effectively.

In order to ensure accountability and regulation, the PMSC industry could hire a Contract Manager. This position would hold great responsibility, ensuring all PMSCs working within a particular region are legitimate, abide by national and international laws, and act as an interim between the industry and other actors. Isenberg claimed that a Contract

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<sup>161</sup> Bercovitch, J. and Jackson, R. “*Conflict Resolution in the Twenty-First Century: Principles, Methods and Approaches*”, (University of Michigan Press, USA, 2009), p.160.

<sup>162</sup> Bercovitch, J. and Jackson, R. “*Conflict Resolution in the Twenty-First Century*”, (USA, 2009), p.160.

<sup>163</sup> For a more detailed account please see Isenberg, D. “A Government in Search of Cover: PMCs in Iraq”, *British American Security Information Council*, March 23<sup>rd</sup>-24<sup>th</sup> 2006, Institute of International Law and Justice, New York University, School of Law Conference, p.16.

<sup>164</sup> Kinsey, C. “Private Military Companies: Options for Regulation”, *Conflict, Security and Development*, Volume: 2, No:3, 2002, p.130.

Manager would be useful to ensure compliance and also help the new actor to lose the ‘mercenary’ stigma.<sup>165</sup> During the Iraq conflict, a Special Inspector General for Iraq Reconstruction was established to ensure cohesion and compliance between the different humanitarian actors. The Contract Manager’s position would be based on and have a similar role, but focus purely on the PMSC sector. The position would also be responsible for conducting internal investigations and audits. Although the position would be beneficial to both the international community and the PMSC industry, problems arise regarding the employment of the individual. The individual would need to be separate from the conflict, the nation states, and the PMSCs operating within the field in order to ensure independence.

PMSCs need to be regulated efficiently so that they can play a role within, and be accepted by the international community. Practitioners are currently defining the industry and attempting to insert these new actors into international and national legal frameworks. Academics and policymakers have highlighted other recommendations, that if implemented and are attributable to all PMSCs, would prove beneficial in enhancing accountability measures, and ensuring regulatory frameworks are adhered to. As PMSCs are fairly new actors, they have yet to establish a firm legislative or regulatory criterion, therefore errors and confusion within the field remain. Sheehy noted there is “*no silver bullet of regulatory innovation that will solve these issues,*”<sup>166</sup> instead practitioners need to amalgamate a range of recommendations and frameworks, in order to create a suitable supervisory code of conduct that will draft these groups into international society. Improving the investigations process and formalising discipline procedures will demonstrate to the local populations, and the international audience, that these new actors are legitimate service providers who are able to provide a range of services beneficial to modern counter-insurgency operations, if effectively regulated and integrated into the operational sphere.

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<sup>165</sup> Isenberg, D. “Private Military Contractors and US Grand Strategy”, *PIRO*, 2009.

<sup>166</sup> Sheehy, B., Maogoto, J., and Newell, V. “*Legal Control of the Private Military Corporation*”, (Palgrave, New York, 2009), p.174.

## **Conclusion:**

The corporate identity and choice of clientele has provided Private Military Security Companies with a sense of legitimacy, which has enhanced their position within the international arena. Those critical of the industry refer to the groups as mercenaries, claiming they operate within conflict zones purely for financial purposes and fail to possess any legitimate objectives. However, the vast majority of nation states, policy-makers and academics recognised that a new actor had emerged and increased their reliance on this force in the twenty-first century. Current military operations conducted by the US and her allies have struggled to achieve success due to the lack of personnel able to commit to lengthy, complex counter-insurgency campaigns. PMSCs were contracted during the Iraq and Afghanistan counter-insurgency operations in order to provide a much-needed troop surge, and enhance the counter-insurgent's presence within the region. However, the most challenging aspect of a counter-insurgency operation is the ability to win the support of the local population through a dedicated 'hearts and minds' campaign. As PMSCs are operating in the same environment as counter-insurgents, they have the ability to provide a number of beneficial services to both the local community, and the counter-insurgent force, in which they work for. Recent conflicts demonstrated that these companies cannot operate independently without error, therefore careful consideration and planning is needed, which includes the implementation of strong regulatory frameworks, to allow PMSCs to operate in the operational space alongside counter-insurgent forces, and play a beneficial role in modern military operations.

Modern military operations have been conducted by coalition forces, which have been acknowledged to be beneficial to campaigns due to the international outlook and varying approaches of the contingency. Coalition forces provide a multitude of different styles, experiences, approaches and varying skill sets, which can enhance military operations and conduct. Using PMSCs to operate alongside military forces provides similar advantages to the use of coalition forces. PMSCs provide a range of personnel with different experiences and skills that could also enhance military operations. However, mechanisms need to be implemented within the contractual process to ensure PMSCs only offer professional personnel and services. Counter-insurgencies require more than a military presence; they also need personnel to provide security, aid and reconstruction duties. Therefore contracting personnel to complete these tasks can aid the overall counter-insurgency mission. PMSCs

offer these services whilst also adding to the military's desire for a broad range of approaches, skills and experiences needed to conduct modern operations.

Both the military force and PMSC work in the same environment and canvas the same populations, yet previous conflicts have highlighted how the military have failed to acknowledge these forces and reap the benefits they provide. PMSCs provide valuable open source intelligence and are able to produce extensive information on the local population, their geography and customs. This information is crucial when attempting to understand the local communities and win their support. PMSCs have greater opportunities to engage with the local people, often already possessing language skills or a similar identity, therefore are more likely to be treated as allies than the military, who have been suggested to promote fear. The knowledge that these companies have been drafted into the region to provide security to, and help the local community, also raises support and morale amongst the host nation. The force that provides security and stability in conflict will enhance their chances of being seen as legitimate, and ensure support from the local population. Contractors are often specialised in either security, or military fields, having a range of experiences and skills, and knowledge of operating amongst the people. Military forces need to open up channels of communication and training to ensure these benefits can be taken advantage of, and used by the military. Donald highlighted how PMSCs “*provided a new boost to the process with translation, intelligence and protective security services, all increasingly vital to the heavier, wider and more vulnerable US military footprint.*”<sup>167</sup> PMSCs can provide a range of benefits; but it is up to the military to utilise and integrate these advantages into the operational field effectively.

New businesses take time to establish their position within the market, and often experiment until their product is good, and suitable for the demands of their clients. PMSCs are no different; they are still evolving in the corporate world and learning from their experiences and mistakes. The conflicts in Iraq and Afghanistan were effectively trial-runs as to how they could operate, and the ability to learn and adapt from experience is paramount. After each conflict, military forces and their actions are heavily scrutinised in order to understand failings, and how they can be prevented in future operations. Learning from experience is a key process for the military, and the actions of PMSCs should be subjected to the same critical analysis. Pelton notes that PMSCs are “*evolutionary like any other*

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<sup>167</sup> Donald, D. “*After the Bubble: British Private Security Companies after Iraq*”, (RUSI Whitehall Paper No:66, Great Britain, 2006), p.9.



company,”<sup>168</sup> therefore branding them unworkable after their first operational experience is problematic. Critical analysis of these groups, both by company directors and military forces, needs to be made in order to ensure mistakes made during the conflicts in Iraq and Afghanistan are not repeated again. All “*successful COIN operations are grounded in a cycle of ‘learning and adaptation’*,”<sup>169</sup> and PMSCs should not be excluded from this process.

A number of issues exist that suggest the use of these companies is problematic for counter-insurgent forces. Aggressive and confrontational attitudes are likely to have a devastating impact on the counter-insurgent’s objective for winning ‘hearts and minds’. Incidents such as the Abu Ghraib prison scandal and Nisour Square incident damaged the ‘hearts and minds’ campaign for counter-insurgents working within the region. Although committed by PMSCs, the blame was placed firmly at the door of the counter-insurgent forces, which were criticised for allowing these situations to unfold. However, research has shown that such incidents in which PMSCs assert their aggressive behaviour towards the local population have been suggested to be quite low<sup>170</sup>. Appendix one suggests that only 3.21% of military personnel had seen contractors commit threatening or belligerent actions, with 67.07% stating they had never seen contractors commit such actions.<sup>171</sup> Any actor operating within a conflict could commit an act which can have a detrimental impact on support levels. As PMSCs are new actors, the media has asserted more attention to their actions, and press coverage has been negative in outlook. Unfortunately aggressive and hostile acts will always occur in a conflict environment; however, they are not solely committed by PMSCs, therefore rather than dismissing the utilisation of the companies, it would be beneficial to enhance accountability and regulatory measures to remove the possibilities of these acts happening again. “*The privatization of security holds the potential to reduce fear as well as to enhance it.*”<sup>172</sup> These companies need to enhance their reputation as a legitimate service provider, and distance themselves away from the mercenary label. States need to ensure they do not over-rely on PMSCs to provide services, as this could lead to a significant weakening of the state’s monopoly on violence. Instead, states need to ensure

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<sup>168</sup> Interview with Robert Young Pelton, taken from DVD, “*Shadow Company*”, A Purpose Built Film by Nick Bicanic and Jason Bourque, 2006, 1 hour 19 minutes.

<sup>169</sup> Hoyne, A. “*Navigating the Blackwater: Private Security Contractors and Iraqi Counter-Insurgency*”, 2010, taken from <http://www.dartmouth.edu/~worldoutlook/archives/winter10/blackwater.pdf> accessed 13th February 2012, p.57.

<sup>170</sup> Please see Appendix 1.1 and 1.2 for further information.

<sup>171</sup> Petersohn, U. and Dunigan, M. Discussed at the Presentation at the Academics and Industry Conference, 20<sup>th</sup> October 2010, Washington D.C. Taken from Cotton, S., Petersohn, U. eds, “*Hired Guns: Views about Armed Contractors in Operation Iraqi Freedom*”, (RAND Corporation, Santa Monica, 2010), p. 791.

<sup>172</sup> Mandel, R. “*Armies without States*”, (London, 2002), p.75.

they opt for a framework and partnership with PMSCs in which they have the ability to use these groups, if and when needed, and the groups work harmoniously alongside their military forces towards a common objective. It is vital to ensure that states do not become “*over-outsourced to the point that it is unable to imagine carrying out its most basic operations without them.*”<sup>173</sup> Further checks and balances need to be implemented to ensure PMSCs are not used by strong states, who do not wish to risk their reputation or desire the need for plausible deniability when conducting operations. Tonkin fears that the PMSC industry will transpire into “*Swiss Cheese security coverage – full of holes – where security is covered only for those who have the means to pay for it.*”<sup>174</sup> States need to maintain their sovereignty on violence, and ensure a breakdown of democratic values does not occur when integrating these private actors into the wider international community.

Military forces operating in modern counter-insurgency conflicts do not possess enough personnel to conduct operations effectively, nor do they have the breadth of cultural and language skills needed to operate amongst the people. PMSCs are able to offer skills and services which can augment the military’s capabilities when conducting operations in a counter-insurgency environment. For many, these groups are seen as the missing puzzle piece, as they offer a range of competencies which integrated effectively, will allow the military to continue operating with a light footprint, but through contracting, have the ability, skills and manpower to conduct a successful counter-insurgency operation. As Hoyne suggests, PMSCs should “*not be at odds with a counter-insurgency strategy and should, in fact, enhance it.*”<sup>175</sup> PMSCs also have the potential to liaise with the local population and provide them with security; both will aid relations with the people and bolster the counter-insurgent’s efforts in the ‘hearts and minds’ campaign. However, PMSCs must understand that winning the ‘hearts and minds’ is a core objective for counter-insurgent forces and adapt their behaviour and processes to fit. Moesgaard acknowledged that “*winning the hearts and minds’ of the local peoples- must be supported by all actors.*”<sup>176</sup> Greater cohesion with military forces, commonly assumed objectives and ensuring PMSCs are accounted for in the planning process of a counter-insurgency operation, will enhance the success of these groups within the operational field. Whilst the recent conflicts in Iraq and Afghanistan have

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<sup>173</sup> Singer, P. “Can’t Win With ‘Em, Can’t Go To War Without ‘Em”, *Brookings Institute*, 2007, p.17.

<sup>174</sup> Tonkin, H. “*State Control over Private Military and Security Companies in Armed Conflict*”, (Cambridge, 2011), p.38.

<sup>175</sup> Hoyne, A. “*Navigating the Blackwater: Private Security Contractors and Iraqi Counter-Insurgency*”, 2010, taken from <http://www.dartmouth.edu/~worldoutlook/archives/winter10/blackwater.pdf> accessed 13th February 2012, p.58.

<sup>176</sup> Moesgaard, C. “Private Military Companies in Counter-Insurgency Strategy”, *DIIS Policy Brief*, 2011, p.1.

highlighted causes for concern, PMSCs are new actors and are still evolving; therefore the ability to acknowledge mistakes and create a dynamic learning process is critical. Private Military Security Companies have the ability to play a beneficial role in counter-insurgency operations, as they provide a range of beneficial attributes that can be used by counter-insurgent forces, to conduct a successful ‘hearts and minds’ campaign. Stringent regulatory and accountability frameworks need to be developed to ensure compliance with counter-insurgent objectives, whilst minimising any margins of error which could impact the local communities and, thus ruin efforts made to win popular support. Moesgaard notes, “*nothing suggests that the private military companies undermine COIN, simply because they are private and fall outside the chain of command... it is a question of involving them in the right way and ensuring a coherent strategy and structure.*”<sup>177</sup> Careful consideration needs to be made regarding the deployment of any actor into a complex counter-insurgency environment; therefore the deployment of PMSCs bears little difference. As a new actor, the Private Military Security Company offers a range of benefits for the counter-insurgent force, but the ability to regulate these groups effectively, and ensure accountability measures are in place, is paramount for the success of this actor in both the counter-insurgency field and the international arena.

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<sup>177</sup> Moesgaard, C. “Private Military Companies in Counter-Insurgency Strategy”, *DIIS Policy Brief*, 2011, p.2.

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## **Appendix 1.1**

**Table 2**

During your time in the region during OIF, how often did you have firsthand knowledge of armed contractors performing an unnecessarily threatening, arrogant, or belligerent action?

| <i>N</i> = 249 | Frequency | Percent |
|----------------|-----------|---------|
| Never          | 167       | 67.07   |
| Rarely         | 38        | 15.26   |
| Sometimes      | 36        | 14.46   |
| Often          | 8         | 3.21    |

Source: Sarah Cotton, Ulrich Petersohn, Molly Dunigan, A. K. Burkhart, and Ed O'Connell. (2010). *Hired Guns: Views about Armed Contractors in Operation Iraqi Freedom* (Santa Monica and Arlington: RAND Corporation), chapter 4; Ulrich Petersohn and Molly Dunigan, Presentation at the Academics and Industry Conference, 20 October 2010, Washington, DC.

## **Appendix 1.2**

**Table 1**

During your service in OIF, how often did you observe armed contractors hindering the operations of active duty military personnel trying to perform their job?

| <i>N</i> = 249 | Frequency | Percent |
|----------------|-----------|---------|
| Never          | 145       | 58.23   |
| Rarely         | 63        | 25.30   |
| Sometimes      | 32        | 12.85   |
| Often          | 9         | 3.61    |

Source: Sarah Cotton, Ulrich Petersohn, Molly Dunigan, A. K. Burkhart, and Ed O'Connell. (2010). *Hired Guns: Views about Armed Contractors in Operation Iraqi Freedom* (Santa Monica and Arlington: RAND Corporation), chapter 5; Ulrich Petersohn and Molly Dunigan, Presentation at the Academics and Industry Conference, 20 October 2010, Washington, DC.