



War and Peace Inc. The Privatization of Security

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1. Introduction

Their Staff Members' names can be read like the "who's who" of the world's general staffs. Their activities are estimated at 90 companies engaged in about 110 countries all over the world¹. With an estimated turnover of 100 billion USD in 2002² and 200 billion USD in 2005³, they can be said to be presently the sole winners of the war on terror: they are Private Military and Security Companies (PMSCs).

From the beginning of the 1990s the wave of privatization of former governmental competences and responsibilities, initiated by the transfer of postal and communication services, public utilities and public transport systems into private hands, spilled over into the field of classical state-functions. Specifically, it spilled over into the core functions of governmental administration. The fact that privatization did not shrink back from touching those core-functions is impressive, but so is the unusual agreement of many states to press ahead with softening their monopolies on force to reduce costs and increase efficiency. Especially seen in the light of the latest reproaches addressed to the world's governments, which said that states were tending towards extending their influences on numerous fields of public life, this development is all the more remarkable.

¹ Azzellini, Dario/Kanzleiter, Boris (Hrsg.): Das Unternehmen Krieg – Paramilitärs, Warlords und Privatarmeen als Akteure der Neuen Kriegsordnung, Berlin, 2003, p. 175.

The numerical data date from 2002 and have been published in a series of articles of the Centre for Public Integrity/Washington D.C. It is safe to assume that the number of Private Military and Security Companies has increased since then.

² Kanzleiter, in: Azzellini/Kanzleiter, p. 177.

³ Uessler, Rolf: Krieg als Dienstleistung – Private Militärfirmen zerstören die Demokratie, 2. Auflage, Berlin, 2006, p. 36.

The states that distinguished themselves by pursuing the most liberal privatization policies in their security sectors are the United States of America and the United Kingdom⁴. In consequence, both of these states handed over, for instance, the whole logistic and combat support of their troops in Iraq to private companies. An alarming fact in that context is that – despite the fact that they are regularly acting on behalf of states – these companies keep their private status. As such they are managed like any conventional firm, not seldom by large holdings quoted on stock exchanges as well. Some PMSCs are even joint-stock companies⁵. In particular, companies that are quoted on stock exchanges are primarily answerable to their share-holders, and if they are dexterous in negotiating the conditions of their contracts, they are able to reduce their secondary duties of reporting to their clients to an absolute minimum⁶.

The reproach that results from this is that PMSCs could not actually have genuine interests in settling conflicts⁷, because their economic character forces them to act profitably. The fact that they cannot earn money either in times without or between contracts⁸ might not encourage them to do more than what is fixed in

⁴ Wulf, Herbert: Internationalisierung von Krieg und Frieden, Baden-Baden, 2005, pp. 50, 175 Uesseler, p. 30.

⁵ Uesseler, p. 36.

⁶ Wulf, p. 73.

⁷ Chojnacki, Sven: Gewaltakteure und Gewaltmärkte: Wandel der Kriegsformen?, in: Frech, Siegfried/Trummer, Peter I.: Neue Kriege – Akteure, Gewaltmärkte, Ökonomie, Schwalbach/Taunus, 2005, p. 73

„[...] auf vielen Kriegsschauplätzen der Gegenwart zunehmend nicht-staatliche, private Akteure für die Eskalation und Verstetigung von Gewaltkonflikten verantwortlich [...]“.

[CM: ...on many current battlefields non-governmental private actors are more and more responsible for the escalation and the continuation of violent conflicts...].

⁸ Kanzleiter quotes David des Roches, a spokesman of the Defense Security Cooperation Agency, which is a department of the US Ministry of Defense, responsible for negotiating contracts and cooperation with those PMSCs, that are having a status of legality in the United States of America: “The War against Terrorism is a full employment for those guys.” p. 177

The identical quotation can be found in Uesseler, p. 49.

their contracts. And since it is quite difficult to measure the effects of their work on the situation in crisis areas, it is as difficult to prove anything against them. This is a fact that has to be discussed and is taken in account in the title of this paper.

It is regrettable that, aside from disgraces like Abu Ghraib and Bagram, information about PMSCs are scarcely provided to the public. Despite the swift and extensive succession of evolutionary steps in the private security sector, scientific advances have failed to keep abreast⁹. Within this paper, the areas of security competences will be analyzed along with the scopes of duties in which PMSCs are working nowadays. In addition, a general typology of PMSCs shall be developed. For these purposes, the focus of the discussion here surrounds the PMSCs' offers of service, and international law shall just be taken into consideration where implicitly necessary.

It shall be demonstrated that the typology regularly used in the current literature must be understood to be inadequate. Since it only distinguishes between three types of PMSCs¹⁰, that typology cannot cover all of the PMSCs' current characteristics and specializations. If a clear typology is still practicable to be set

⁹ Therefore, the discussion is based on information and service offers of the PMSCs which are public available, usually quoted from their websites.

¹⁰ Singer, Peter Warren: *Corporate Warriors – The Rise of the Privatized Military Industry*, Ithaca, 2003, p. 93

Azzellini, in: *Azzellini/Kanzleiter*, p. 30/31

Kanzleiter, in: *Azzellini/Kanzleiter*, p. 178

Uesseler, pp. 34 ff., 67 ff.

Kümmel modifies the triple-typology, adding Security Provider Firms. However, he describes that fourth type as a preliminary stage of Military Provider Firms. He always maintains the foreign activities as the main focus of those companies. Looking at the actual activities and offers of both types it must be said, that Kümmel's addition does not give a higher level of sharpness, his fourth type is not functional.

Kümmel, Gerhard: *Die Privatisierung von Sicherheit: Fluch oder Segen?*, Strausberg, 2004, p. 13.

up at all¹¹, then this triple-typology must be completed by adding a fourth character-type of PMSCs. Since the PMSCs are anxious to offer their clients a wide array of security services, it must be noted that today, the borders between the different types are blurred more than ever before.

In analyzing the activities of PMSCs, it is not unproblematic that PMSCs and their clients do not want to uncover their activities. Often contracts are given to PMSCs because of the high level of anonymity they can guarantee. Thus, scientific analyses of this subject are necessarily interspersed with a high degree of speculation. Nevertheless it is important to get involved in these speculations to be able to identify all of the latest developments in the sphere of privatization of security and elementary state functions. Since speculations are not a good foundation for an analytical discussion, they must not be seen as evidence, but as guiding indications.

¹¹ Ruf, Werner: Private Militärische Unternehmen (PMU), in: Ruf, Werner (Hrsg.): Politische Ökonomie der Gewalt – Staatszerfall und die Privatisierung von Gewalt und Krieg, Opladen, 2003, p. 76.

2. History of PMSCs

The history of mercenaries is as long as mankind's. Since the human society is functional as much differentiated that the old structure of hunters and gatherers is relieved by an all-embracing network of different jobs, there are members of society who are serving as specialized guarantors of society's safety¹². Whichever were not linked to state structures may have been described as early forms of private security servants.

From antiquity until the end of the 18th century private mercenary corps have had a lot of opportunities to serve in (civil) wars or to take over guarding missions. In 1506 pope Julius II. considerably reinforced his own troops with members of the Swiss Guards and laid the foundation of a tradition lasting until today¹³. Albrecht von Wallenstein must be identified as the most famous leader of a mercenary corps. During the Thirty Years' War Wallenstein obtained success from his lucrative contracts with the German emperor Ferdinand II and from the high standards of training and equipment of his troops. The war made him the richest man in Europe¹⁴. The Peace of Westphalia signed in 1648 put an end to the mercenaries of Europe - temporarily - as it forbade private offers of war services and arms without governmental authorization, emphasizing the states' monopolies of force.

¹² A more detailed description of the history of mercenaries shall not be presented here. Uessler, pp. 81-98, gives an excellent overview from the Hoplites of Ancient Greece until the East Indian Company.

¹³ Shearer, David: *Private Armies and Military Intervention*, Oxford, 1998, p. 14.

Rosen, p. 94: "The pope has a Swiss Guard of 100, including 23 noncommissioned officers and 1 chaplain."

¹⁴ Uessler, p. 92.

But in the colonies, especially in those of the British Empire, mercenary corps, like the East Indian Company or ten-thousands of Hessian men¹⁵ sold to the British Empire in order to fight in North America, continued their services until the end of the 18th century.

After the end of the Cold War, mercenaries experienced an unexpected renaissance under their new name Private Military Companies (PMCs)¹⁶. The basic conditions for these recent developments were the end of the East-West-Dispute, the globalization of the world economy, the new National Energy Policy of the USA and its allies from 2001¹⁷ and the technological and electronic revolution¹⁸. The companies received backing from the neoliberal privatization offensive of the 1970s and 80s.

After the years of the bipolar confrontation of East and West, British, South-African and US-American companies especially developed offers of private military services. As a rule, most founders of such companies were officers and

¹⁵ Hesse sold approximately 30.000 men to the British King George III. who sought to suppress the early American Revolutionary War by reinforcing his troops.

Merz, Johannes Helmut: *The Hessians of Upper Canada*, Hamilton, 1997

Rosen, p. 86: “[...], about 18.000 Hessians arrived at Staten Island on August 15, 1776.”

¹⁶ The term was for the first time used by the former British SAS-Soldier and head of the mercenary-companies Sandline Int. and Executive Outcomes (EO) Tim Spicer, who – using the support of a marketing expert from London – tried to find a socially acceptable term for his activities. The new term should have helped to get rid of the negative corset of the mercenary-image and to invent a clear differentiation between PMCs and night-watchmen or guard-services.

Today the term is used in nearly all scientific works, but it has to be marked, that, because of its routes, it is still not unproblematic, and that it describes just three of the four types that are to be discussed here. Therefore, the term shall not be used again.

Rosen, Fred: *Contract Warriors – How mercenaries changed history and the war on terrorism*, New York, 2005, pp. 19-30, 143.

¹⁷ <http://www.whitehouse.gov/infocus/energy>.

¹⁸ Chojnacki, in: Frech/Trummer, p. 75

Wulf, pp. 51-54

Eppler sees the decisive aspect for the wave of the privatization and commercialization of security and force in the occurrences of 11th September 2001.

Eppler, Erhard: *Vom Gewaltmonopol zum Gewaltmarkt?* Frankfurt/Main, 2002.

senior noncommissioned officers¹⁹ who were left unemployed when many states reduced the sizes of their conventional armed forces²⁰ or because of the end of apartheid. These accurately predicted developments within the security spheres of the superpowers after the end of the bipolar world order, and evolved conceptions and ideas how possible gaps of governmental security services could be filled²¹. At least concerning their external appearances they became respectable, economically hard calculating companies, which achieved great successes on the world's stock markets, which can only be compared to successes in the high-tech sector. During times of crisis, their stocks are used to show anti-cyclical trends²².

Meanwhile the PMSCs take action on all continents. Priorities of their current efforts are:

- a. In Iraq. They are involved in the sectors of pipeline security, bodyguard services, convoy security, translation services, language training, communication services, training of Iraqi armed forces and police. The main sector of their activities in Iraq is providing any form of logistics²³.

¹⁹ Singer, p. 53.

²⁰ Shearer, pp. 23/24.

²¹ Ruf, p. 78

Kümmel, p. 16.

²² While the stocks of traditional companies went down in a nosedive after 11th September 2001, the share-holders of the PMSCs achieved their greatest benefits.

Uessler, pp. 7, 49.

²³ Rosen, p. 1: "[...] the second largest fighting force in Iraq was composed of 50.000 mercenaries, a.k.a. "security contractors" in the employ of private military companies."

- b. In Afghanistan. PMSCs are guarding members of the Afghan Government including the president, they are protecting governmental and non-governmental infrastructure, embassies and international companies which are involved in the reconstruction of the country.
- c. In South-East-Asia and Latin America. They are providing security services for the prosperous parts of the population. They are involved in combat missions against rebels, drug cartels²⁴ and warlords at different places of the named regions, partially even by order and for account of states. In South-East-Asia especially PMSCs are guarding ships against piracy²⁵.
- d. In Africa. PMSCs are securing diamond mines and oil wells²⁶. In addition, they are guarding better residential areas against inhabitants of the slums who could try to get in.
- e. PMSCs are supporting US-authorities keeping the US-Mexican-border under surveillance.
- f. In Eastern Europe. PMSCs are securing crude oil deposits and pipelines²⁷ between Asia and Europe, especially in the Caucasian trouble spots. Furthermore they support peacekeeping operations on the Balkans.

²⁴ The US-government is actively involved in fighting against Colombian drug cartels for years, and also employs PMSCs.

Azzellini, in: Azzellini/Kanzleiter, pp. 29ff.

²⁵ In 2001, the insurance company Lloyds made guarding sailing and putting in ships by Trident Maritime – a company founded by Tim Spicer – a condition for the government of Sri Lanka. If Sri Lanka had not agreed to employ Trident Maritime, Lloyds would not have paid compensations for pirate's attacks.

Uesseler, p. 16.

²⁶ Ruf, p. 78

Companies like EO and Sandline Int. were founded just for these special tasks. Having a look at the organizational structures especially of EO, Uesseler, p.78, it must be marked, that a lot of the numerous subsidiary companies are aimed at the exploitative of mineral resources. Examples for such subsidiary companies – their names are usually containing their special tasks – are Afro Minero, Diamond Works Vancouver, Branch Minerals, Ranger Oil, Trans Africa Logistics etc.

²⁷ Lock, Peter: Ökonomie der neuen Kriege, in: Frech/Trummer, p. 66.

Since only a few of them are still offering traditional mercenary services, the term inadequately describes the large sector of private security services. Especially concerning the legal circumstances set up by international law and UN resolution 44/34 from 4th December 1989²⁸, it can be noted that most of the PMSCs do not correspond to the definition of mercenaries²⁹. Actually, they are usually brought into action far away from the front lines or the areas that are defined as the front lines of current conflicts.

It must be emphasized that a deduction from the history of mercenaries is quite functional for the discussion, since the facts of the case of takeover of governmental cover- and security-functions must be noticed for PMSCs as well. As the term “mercenary” is not adaptable for most of the contemporary companies³⁰ it shall not be used again, unless it must be used to describe such companies that are acting far outside the legal circumstances and that are approximately in conformity with the definition of mercenaries³¹. Hereafter the term PMSC shall be used because it comprises all of the numerous forms of the present companies³².

²⁸ <http://www.un.org/documents/ga/res/44/a44r034.htm>.

²⁹ E.g., most of the PMSCs usually do not participate in combat missions and – on the contrary of the definition made by UN resolution 44/34 – they have strictly organized working and executive structures, and they are legally bound by the contracts they sign.

A more detailed discussion of the differences between classical mercenaries and PMSCs would go beyond the scope of that work. Shearer, pp. 11-22, presents applicable marks for distinguishing between mercenaries and PMSCs.

³⁰ Kanzleiter, in: Azzellini/Kanzleiter, p. 175.

³¹ EO and Sandline Int. have to be marked as the most famous negative examples for that kind of companies.

³² Seen in the light of the structures and the legal obligations of PMSCs, the definition made by Eppler, p. 55, which says that privatized force always is lawless, must be revised in its claim to be valid in general.

3. Members, founders, fields of activities and employment spectrum of PMSCs – advantages compared to governmental institutions

As briefly stated above, PMSCs used to recruit their personnel out of governmental institutions. Mainly former, but also active, members³³ of police and armed forces are to be found in the staffs of PMSCs.

After the Cold War ended with the collapse of the Soviet Union, about 6 million soldiers around the world, who often had not learned anything but how to be a soldier³⁴, or officers of higher ranks who did not want to give up their social status, were left unemployed. They realized their chances for profitable participation in the wave of privatizations at the beginning of the 1990s by founding PMSCs. Thus, most of the founders of the PMSCs are (former) officers, members of special forces and members of (military) intelligence services of all nationalities. Furthermore the PMSCs were successful in contracting generals who were suspended from their offices or retired. Particularly in the sector of military attendances, huge amount of military notables is determining the performance of a company and for the confidence of its clients³⁵. In addition to their basic personnel, most PMSCs can reinforce themselves flexibly from a pool of temporary employees who are always on call. Thus, estimating the numbers of their members leads to unreliable results. They are said to alternate between a couple of dozen in the cases of smaller companies and up to tens of thousands in the cases of the brand leaders.

³³ Ruf, p. 77.

³⁴ Singer, p. 76, quotes a member of a London-based PMSC: "I joined the army at 18 and left at 42. What else could I do but be a soldier? ... What choice do I have?"

³⁵ MPRI advertizes using the catchphrase that they were having more generals/m² than the Pentagon. Kanzleiter, in: Azzellini/Kanzleiter, p. 182.

Thereby the personnel structure is as wide ranging as the product portfolios of the PMSCs are. Members are of all citizenships, age-groups (officially starting from the age of 18), social classes, educational levels and of all skin colors. The spread of job specializations ranges from clerks, cooks and electricians to former soldiers and policemen as well as computer programmers, architects, doctors and engineers³⁶. Since PMSCs, in the majority of cases, are paying more than governmental institutions are able to pay for the same activities, being employed by one of them can be tempting.

PMSCs provide their clients a variety of advantages over the regular providers of governmental functions. Since they offer all services including the necessary equipment and personnel with very short pre-schedule work, they are not only attractive for outsourcing but also for being more and more functionally integrated in the activities of governmental institutions. They work in collaboration with (or even instead of) conventional armed forces, intelligence services, police and border guard. Basically, the activities of PMSCs are focused on training-, security-, logistics-, information- and intelligence-services³⁷.

³⁶ Details regarding the personnel and its specializations can be looked up in offers of the PMSCs on their websites. As well, the job offers on the websites provide some good information about the specializations in demand.

³⁷ Ruf, p. 77.

In doing so, PMSCs are ensuring optimal standards. They are operating private universities for educating their command personnel³⁸ and drill camps where they train all their members.

The product catalogues of PMSCs are unlimited. They offer logistics for whole missions³⁹, they manage drill camps and the most modern simulation centers⁴⁰, they provide translators, interpreters and language teachers for all kinds of languages and dialects, they provide specialists for interrogations⁴¹, they manage communication systems and they offer personal protection for diplomats and politicians⁴². Principally, it can be noted that PMSCs are offering everything that could be demanded. For them, the main issue is converting the challenges and risks into charges to be paid by the client. If the client agrees to pay, any mission could be put into practice.

³⁸ E.g., the Dukes School in Freiburg/GER, where EUBSA has established special branches of studies called "Schutzoffizier" [CM: *protection officer*] and "Risiko Manager" [CM: *risk manager*]. These courses can be attended by employees of EUBSA, as well as by newcomers without employment contracts. Drill camps are located in Israel, England, France and in the USA.

For details about the tuition offers of the Dukes School:

<http://www.sudons.org/lawschool/home1.htm>

After 20 seconds automatic redirection to EUBSA where the tuitions offers are shown as well:

<http://www.bs-academy.com/home.htm>.

³⁹ The armed forces of the UK have handed over 100% of their logistics to KBR.

⁴⁰ MPRI offers the most extensive simulation centers:

<http://www.mpri.com/main/simgroup.html> and

<http://www.mpri.com/main/prodservices.html>.

⁴¹ In the discussion of cases of torture in Abu Ghraib and Bagram the media reproached these specialists to be deeply involved.

⁴² DynCorp provides bodyguards for the Afghan president Hamid Karsai, and uses pictures of its personnel and Karsai for advertising bodyguard services on its website:

<http://www.dyn-intl.com/subpage.aspx?id=36>.

PMSCs are operating their registered central offices in close proximity to the centers of political life, which gives them all opportunities to stay in close contact with their potential clients. For example, in the case of the US-American companies, the locations of the central offices in the Greater Washington D.C. area are significant⁴³.

Compared with governmental institutions, PMSCs provide a lot of advantages to their clients⁴⁴. Those advantages can be differentiated in two dimensions: economic and political.

It is obvious that the economic advantages are those that can be communicated in public by PMSCs and their clients. They are manifest functions and can be used by governments to justify commissioning PMSCs, or the PMSCs themselves can utilize them to promote their services. In the case of the economic dimension, the argument of the substantial cost savings for taxpayers is also brought forward.

a. Since they just have to be paid for the time of their services, contracting PMSCs is less expensive than those of governmental institutions that have to be maintained throughout daily routines, training and preparation periods. Governmental institutions contract their employees for long periods, while PMSCs rely on giving temporary work contracts to their members, depending on the length of the respective missions. Besides that, PMSCs just have to

⁴³ MPRI operates its central office in Alexandria/VA. Distance to the White House/the Pentagon: about 20km. DynCorp is led from Reston/VA. Distance to the White House/the Pentagon: about 35km.

Distances calculated using:

<http://www.ca.map24.com>.

⁴⁴ Several of those advantages are very problematic, especially discussed in the light of decision-making and controlling processes concerning internal politics and the rules of international law, which to follow could be evaded by contracting PMSCs. Hereby, this fact shall be emphasized. Problematic cases shall be addressed indeed, but a detailed discussion cannot be the subject.

pay their core personnel. Thus, they have a much better cost-structure than their governmental equivalents⁴⁵; the effective potential for savings lies here.

- b. PMSCs offer the highest standards and are able to substitute for costly development programs. In addition they offer an ongoing support service for their products. Their common status as subsidiaries of large holdings make them the ideal interfaces between providers of the latest technology and customers. Especially where highest technological standards and remaining up-to-date are required, they are vastly superior to governmental institutions.
- c. PMSCs can reduce the prices for their services because they often do not have to pay for the expensive training of their employees themselves. Since a lot of their members have received a military and/or academic education, PMSCs can draw their benefits from the preparatory work of third parties. Especially, enlisting fully qualified experts helps reduce internal costs.
- d. PMSCs provide short- and medium-term opportunities to compensate gaps in governmental security systems with solutions of high quality⁴⁶.
- e. PMSCs offer their services to anyone who is able to pay for them. They address states, companies and private persons. Therefore, everybody who conceives of an individual need for security can directly ask for PMSC's services. It is not necessary to take long ways through juristic and democratic instances to get protection by governmental institutions and the service

⁴⁵ Depending on their places of action and their activities factors like high payroll taxes, class-rates, labor unions, controlling authorities etc. are irrelevant for PMSCs.

⁴⁶ After 9/11, PMSCs were asked to support governmental institutions e.g. by providing observation equipment and manpower.

delivery does not depend on the importance of a single person or a company to state and society⁴⁷.

- f. PMSCs can take over missions for international organizations for which no troop providers within the organizations can be found. After international organizations first struggled against contracting PMSCs, there are regions in the world where there are no alternatives to such arrangements. Since the former troop providers seem to have lost interest in, for example, African or Eastern Asian countries⁴⁸, or since they are so intensively committed elsewhere that they do not have any further capacities, international organizations are more and more dependent on the services of PMSCs.

The opportunity of communicating the advances of PMSCs is not given in the sphere of the political dimension. These are the latent functions of contracting PMSCs.

- a. The death of a PMSC employee does not cause as much furor as the death of a soldier, policeman or diplomat. By contracting PMSCs the political and moral costs of missions can be reduced and the military risks can be passed from governmental to private actors.

⁴⁷ According to this non-governmental clients of PMSCs are European or Russian oil companies, which try to secure their Caucasian pipelines, shipping companies trying to secure their freighter against pirate's attacks or affluent businessmen in cities like Rio de Janeiro or Mexico City searching for protection of themselves and their families. Also diplomats ask for the services of PMSCs.

⁴⁸ Eppler, p. 16.

- b. PMSCs do not make their contracts with parliaments but with governmental institutions. Thus the decisions for their missions are made without any kind of supervision being executed by those central control organs of democratic states⁴⁹. Delicate missions can be designed without any time-consuming debates.
- c. Since PMSCs maintain their private status even if they execute military tasks; they are not to be added to the force levels of regular armed forces. Therefore governments obtain the opportunity to send more troops than stated by parliaments or the UN Security Council⁵⁰.

⁴⁹ Shearer, p. 62: "MPRI serves US goals without Congressional approval."

In the USA contracts with a volume of less than 50 million USD do not have to be presented to the Congress.

Uessler, p. 25

Having a look at the average volumes of contracts between US-authorities and PMSCs, it must be marked, that they are, especially in the cases of hotly debated missions, in the most cases barely below the limit. E.g., the mission of 1000 DynCorp employees in Iraq (supporting penal system and further justice services) has a volume of estimated 50 million USD.

Rosen, p. 153

If bigger PMSCs distributed the delivery of their products between their subsidiaries before they make their contracts with the US-government, or if US-authorities decided to contract many PMSCs instead of a single one, the realization of whole missions is possible without debating any issues with the Congress in advance.

⁵⁰ The US Congress has limited the force level for the US mission in Columbia to 400 soldiers and 400 civilians of US citizenship. Since DynCorp is an US company but employing personnel of all nationalities, it can be supposed that the congressional-limit must have been exceeded considerably.

Azzellini, Dario: Kolumbien – 100 Jahre Krieg gegen die Bevölkerung, in: Ruf, p. 252

Azzellini, in: Azzellini/Kanzleiter, p. 32: "Ein Ex-Mitarbeiter [der Firma DynCorp] erklärte, „als ich dort arbeitete stieg unsere Anzahl von 120 auf 450.“, „Zwar sind es nach Angaben von George W. Bush insgesamt nur 208 [US-Soldaten], doch selbst die Washington Post kommt auf 411 Soldaten.“

[CM: "A former employee of DynCorp explained: "When I was working there, our number rose from 120 to 450." , "According to statements of George W. Bush, there are just 208 US-soldiers, but even the Washington Post has counted 411."].

For the US-mission in Bosnia the Congress has set up a limit of 20000 soldiers, which was supplemented with 2000 additional employees of PMSCs by the US-government.

Wulf, p. 73.

- d. PMSCs can be sent on missions which would be declarations of war when carried out by conventional armed forces. Since only private and non-governmental companies are acting, governments do not have to be in participating themselves. In cases of flops they can attribute the responsibility to the private companies. Such missions are conceivable for securing pipelines in troubled regions or for freeing hostages.
- e. Contracts with PMSCs can be financed by other budgets than the military's⁵¹.
- f. PMSCs can help to increase military capacities soon. They can be used to reinforce military units or to take over services like logistics. Whatever their mission is, their action vacates conventional forces for new orders.

⁵¹ The usual way in the USA is the redistribution on budgets for Internal Affairs, Development, Justice etc. That way, the mission of CACI interrogation experts in Abu Ghraib could be financed. A contract between CACI and the Pentagon did never exist, but one containing a budget of several million USD between CACI and the Department of the Interior for the provision of translators.

Most prominent politicians that championed employing PMSCs are the former US-American Secretary of Defense Donald Rumsfeld, the former British Foreign Secretary Jack Straw and US-Vice-President Richard Cheney. While Straw mainly focuses on the PMSCs' cost and time advantages for UN peacekeeping-missions⁵², Rumsfeld⁵³ and Cheney⁵⁴ argued principally for the advantages for the US-missions in Iraq and Afghanistan. US President George W. Bush, in addition, came out in favor of the complete privatization of peace-keeping tasks⁵⁵.

⁵² Ruf, p. 88: "Außenminister Straw begründete dies damit, daß es für solche Firmen eine "legitime Aufgabe" gäbe, die die schnelle Reaktionen von PMU als realistische Option betreffen, insbesondere wenn bewaffnete Angriffe oder kriminelle Banden bekämpft werden müßten und es zu lange dauern würde, die öffentliche Meinung zu mobilisieren und geeignete Kräfte bereit zu stellen."

[CM: "Foreign Secretary Straw justified, that there were "lawful tasks" for such companies concerning the fast reactions of PMSCs as realistic options, especially if armed attacks or criminal gangs had to be fought against, and it took too much time to mobilize own troops and the verdict of the public.]

⁵³ Kanzleiter, in: Azzellini/Kanzleiter, p. 176: „Rumsfeld: „nur Funktionen, die unbedingt vom Verteidigungsministerium selbst erfüllt werden müssen, sollen dort angesiedelt bleiben. [...] Alle Funktionen, die vom privaten Sektor erfüllt werden können, zählen nicht zu den Kernaufgaben der Regierungsinstitutionen.“

[CM: „Rumsfeld: "Only functions which must be executed by the Department of Defense itself shall be located there. [...] All functions that could be executed by the private sector are no core-functions of governmental institutions."]

Uesseler, p. 47: "Rumsfeld: "Alles, was nicht zum Kernbereich des Militärs gehört, muß ausgelagert werden.“

[CM: „Everything that does not belong to governmental core-functions has to be outsourced.“]

For detailed information about British and US-American privatization initiatives see:

Pint, Ellen M.: Public-Private Partnerships – Background Papers for the U.S.-U.K. Conference on Military Installation – Assets, Operations, and Services, Santa Monica, 2001.

[CM: "Rumsfeld: "Everything that does not belong to the core area of the military must be outsourced."]

⁵⁴ As it has to be shown while discussing KBR, Cheney plays a very special role in the interaction of PMSCs and politics.

⁵⁵ Kümmel, p. 27.

4. Types and examples of PMSCs

After history, activities and versatilities of PMSCs have been presented, a typology on the basis of case studies of the four most famous companies after their main activities and specializations shall be developed. As said in the introduction, current literature just focuses on the PMSCs that are involved in the world's regions of crisis and war. Those that are working inland, which is to say in the sectors of personal protection, cash transport or sentry, are usually omitted from in academic discussions. Right that kind of companies constitutes the fourth group of PMSCs which has to be kept in mind, because it demonstrates better than any other type of PMSCs how near the privatization of security *de facto* approaches society not only in regions of crisis and war. PMSCs are not working out their entire turnovers in those regions – although the biggest profits still are being made there.

In consequence of their main activities, the four types of PMSCs shall be defined as follows⁵⁶:

a. **Military Provider Firms (MPF):**

MPFs are companies involved in combat missions equal to conventional armed forces. They constitute the smallest group of PMSCs and the common literature calls them PMCs, using the term developed by Tim Spicer. The typical clients of these companies are states with very weak security agencies

⁵⁶ Types a, b and c can be found in the common literature. If at all type d is mentioned, then only in footnotes, whereby there usually is not bestowed an adequate consideration upon the latest developments of governmental withdrawal from the domestic security sectors. Wulf, table 2.1, pp. 56-59, defines six types of private actors, including armaments manufacturers, rebels, warlords and organized crime.

of their own⁵⁷ and as such, they try to reinforce their already existing military potential. Calling the black sheeps of that type – most famous examples are Executive Outcomes and Sandline Int. – mercenaries is (conditioned) possible.

b. Military and Security Consultant Firms (MSCF):

MSCFs are companies that advise governmental and non-governmental institutions on security issues. They also provide of training facilities and simulation centers. Clients of these companies are mainly states that need advice and support while reforming their security systems⁵⁸.

c. Military and Security Support Firms (MSSF):

This type constitutes the biggest branch of the business⁵⁹. MSSFs provide any conceivable form of logistical services for governmental or private actors. By contracting MSSFs conventional armed forces can concentrate on their original tasks of fighting.

d. Security Provider Firms (SPF)⁶⁰:

This type is an aggregate of those companies supporting governmental institutions in the sector of inner security. Their activities range from assistance services to autonomous tasks. Their services include facilities management, operating prisons, border patrol, airport security services, etc.

⁵⁷ Singer, p. 93.

⁵⁸ Singer, p. 96.

⁵⁹ Schaller, Christian: Private Sicherheits- und Militärfirmen in bewaffneten Konflikten – Völkerrechtliche Einsatzbedingungen und Kontrollmöglichkeiten, SWP-Studie, S24, Berlin, 2005, p. 8.

⁶⁰ Like argued above, the term is introduced by Kümmel, but with an exclusive reference to missions abroad. That way, he does not achieve a definite differentiation between MPFs and SPFs. Since the term exactly describes the fourth type of PMSCs, it shall be used in the following.

Compared to the total numbers of PMSCs of other types, they are not of a smaller number.

In some countries the numbers of employees in the private sector is greater than the numbers of employees serving in governmental institutions⁶¹.

Contracting SPFs is not as problematic as in the cases of the other types of PMSCs because of the many opportunities for controlling their activities.

Hereafter the most famous PMSCs shall be presented in the order of the developed typology.

a. DynCorp Int.

At this point, the common literature introduces the South-African company Executive Outcomes as the prototype of an MPF. Since EO rather measures up to the criteria describing classical mercenaries than to those for MPFs, DynCorp Int. shall be presented below.

In 1946 DynCorp was founded by former military pilots in the USA. It presented itself by providing support services for the US Air Force during the Korean War for the first time⁶². According to its own statements, DynCorp

⁶¹ First of all, the USA and the UK have to be named as such.

Eick, Volker: Policing for Profit, in: Azzellini/Kanzleiter, pp.204/205, table I „Private Sicherheitsdienste und Polizei in Europa“ [CM: *“Private security services and police in Europe”*]

Wulf, p. 59: “Auf jeden Polizisten entfallen heute in den USA inzwischen drei Beschäftigte privater Wach- und Schutzdienste.Ä

[CM: *“Today, for each policeman there have to be detected three employees of private sentry and security services in the USA.”*]

Eppler, p. 28: “In Deutschland kommt heute auf einen Polizisten ein Angestellter privater Sicherheitsdienste. Im Durchschnitt der USA ist das Verhältnis bereits 1:3 für die Privaten, in Kalifornien 1:4. Und es verschiebt sich weiter zu deren gunsten, auch in Deutschland.“

[CM: *“Today, for each policeman there has to be detected one employee of private security services in Germany. In the USA, the average ratio already is 1:3 for the privates, in California 1:4. And it is shifting in their favor, even in Germany.”*].

⁶² <http://www.dyn-intl.com/subpage.aspx?id=54>.

currently employs about 14,000 employees in more than 30 countries⁶³. In March 2003 the company, which had been independent until then, changed ownership for a purchase price of 950 million USD⁶⁴. Since then, DynCorp has been a subsidiary of the IT-concern Computer Sciences Corporation (CSC).

Its mandates DynCorp receives nearly exclusive from, or because upon the recommendation and procurement of, the US-government. The spectrum of offers ranges from facilities management for US-troops in supporting border patrol between the USA and Mexico, to combat missions. Furthermore, DynCorp provides personal security for the Afghan president Hamid Karsai. During the latest Iraq war, DynCorp was charged with the logistical preparation of the US-invasion, and after the overthrow of Saddam Hussein's regime, with training Iraqi police forces. In addition, the company executes security checks for civil servants and soldiers serving for the Pentagon, provides the hardware for the global computer network of the FBI (Trilogy),⁶⁵ and administrates the strategic oil reserves of the USA⁶⁶.

In the long run, the company's involvement in the war in Columbia – which qualifies DynCorp as an MPF as well – must be considered its most profitable commitment. Within the Plan Colombia⁶⁷, which has been supported by the US government for years, DynCorp employees are flying spray-planes to

⁶³ <http://www.dyn-intl.com/subpage.aspx?id=76>

Drüssel, Dieter: DynCorp – Ein globaler Gewaltkonzern, in: Azzellini/Kanzleiter, p. 193, estimates the total number of DynCorp employees at 23.000. Whereas a lot of subsidiaries are working for DynCorp, this number should not be unrealistic.

⁶⁴ Drüssel, in: Azzellini/Kanzleiter, p. 197.

⁶⁵ <http://www.fbi.gov/pressrel/pressrel05/response.htm>.

⁶⁶ Drüssel, in: Azzellini/Kanzleiter, pp. 193/194.

⁶⁷ Project of the Columbian government from 2000 which organizes the fight against the Pan-American drug problem.

exterminate coca fields, and DynCorp special units are fighting against drug cartels and guerillas. Those special units usually consist of former elite soldiers and are being set up as Search and Rescue Teams (SAR). Their official task is evacuating citizens of the USA and its allies⁶⁸. It is said that the company has received more than 300 million USD from different US governments and institutions since 1991⁶⁹.

Frequently, negative headlines have been dedicated to DynCorp. The company was blamed for employing personnel involved with drug trafficking and forced prostitution. Trails against DynCorp and its employees usually have been concluded without any effect⁷⁰.

b. MPRI – Military Professional Resources Inc.

MPRI is a subsidiary of the biggest US armament manufacturer, Lockheed Martin, and was founded by eight former US officers of higher ranks in 1987. Its first mission was advising the Croatian Armed Forces which fought against the Serb invasion in the Krajina. Besides the tactical education of Croatian generals, the main task of MPRI was the basic training of the Croatian Armed Forces and police that had been decimated by previous defeats. As international military observers noted, the Croatian reconquest⁷¹ of the Krajina

⁶⁸ Azzellini, in Azzellini/Kanzleiter, p. 33, quotes former DynCorp employees, who confirm offensive operations of the SAR-Teams involved in the Plan Colombia. Furthermore, he gives an outline of spray-missions, that were secured by preventive machinegun and shell-fire. Because of a congressional condition, US-soldiers are only allowed to be involved in (military) intelligence services, certainly not in offensive military operations. By contracting DynCorp a way has been found to bypass those conditions.

Azzellini, in: Ruf, p. 251.

⁶⁹ Azzellini, in: Azzellini/Kanzleiter, p.32.

⁷⁰ Drüssel, in Azzellini/Kanzleiter, p. 195.

⁷¹ Codename "Operation Storm".

was executed following the standards of the NATO-handbook⁷². The business relations between MPRI and Croatia continue today.

After this success, MPRI received contracts for domestic services. In 1996 the company entered into its first contract with an US government organization; thereafter, MPRI took over the education of reserve officers at military academies⁷³. What had started with a single academy has been expanded to a project including about 200 academies⁷⁴. Furthermore MPRI operates the training of the Civil Air Patrol⁷⁵ and the management school of the US Army⁷⁶.

At the end of the 1990s, MPRI received a considerable number of contracts for missions abroad, first mainly in Africa. Its main activity was educating the armed forces of Benin, Ethiopia, Ghana, Kenya, Mali, Malawi and Senegal. With the beginning of the wars in Iraq and Afghanistan, MPRI displaced its main focus to these new, extraordinary lucrative regions. In Afghanistan, the company has been ordered to develop a national security plan and a new defense system. In Iraq, MPRI educates the army and police, and is charged with advising the Iraqi government.

⁷² Singer, p. 127: "The British colonel in charge of the UN observer mission in Krajina at the time stated, "it was a textbook operation, though not a JNA [Yugoslav army] textbook. Whoever wrote that plan of attack could have gone to any NATO staff college in North America or Western Europe and scored an A-plus."

⁷³ Shearer, p. 57.

⁷⁴ Singer, p. 123.

⁷⁵ CAP officially published rates concerning the contract with MPRI on its website:

<http://level2.cap.gov/downloads/curriculumrationale.pdf>.

⁷⁶ Already on the main website of the Army Force Management School a link to the MPRI website can be found (on the bottom of the left frame – difficult to see with regular display-resolution/internet explorer settings):

<http://afms1.belvoir.army.mil>.

According to official statements, MPRI employs about 3,000 associates in the USA and more than 40 countries overseas⁷⁷. The company especially advertises by emphasizing the impressive number of active or former generals listed in its filing cabinets⁷⁸.

Until now, the highlight for MPRI is not in its missions, but in its work as a developer of the internal instructions and regulations of the US Department of Defense. The company developed the field manuals 100-10-2⁷⁹ and 100-21⁸⁰, which regulate the conditions for contracts between the USA and PMSCs. Thus MPRI itself has created the conditions for its own contracts with the US government.

c. KBR – Kellogg, Brown & Root⁸¹

The Texan company Kellogg, Brown & Root is the brand leader in the area of outsourced military logistics and has been working for US-governments since the 1960s. Every conceivable service is offered by KBR, from the first minute

⁷⁷ <http://mpri.com/main/profile.html>.

Singer, p. 96, estimates just the number of former officers employed by MPRI in the area of thousands. The potential to grow up, if required for extensive missions, might be located in the lower area of ten-thousands. Singer, p. 120, estimates 12.500 employees being “on-call” for the year 2002. Singer estimated the increase of personnel numbers at some hundreds yearly.

⁷⁸ General Harry E. Soyster (former Commander of the military intelligence service of the USA): “Here we have got more generals per square foot than the Pentagon.”

<http://www.globalpolicy.org/security/peacekpg/training/pmc.htm>.

⁷⁹ Contracting Support on the Battlefield:

http://www.army.mil/usapa/epubs/pdf/p700_33.pdf, pp. 12, 16

The whole field-manual can be found:

<http://www.globalsecurity.org/military/library/policy/army/fm/100-10-2>.

⁸⁰ Contractors on the Battlefield:

<http://www.army.mil/features/modplan/2003/mp03epersonnelweb.pdf>, p. 11

The whole field-manual can be found:

<http://www.globalsecurity.org/military/library/policy/army/fm/3-100-21>.

⁸¹ In the common literature sometimes the former name BRS – Brown and Root Systems (until 1998) can be found. In 1998 the M.W.Kellogg-successor Dresser Industries and BRS have been coalesced under the umbrella of their parent company Halliburton.

http://kbr.com/corporate/kbr_history/index.aspx.

of a mission until the last⁸². The company manages all logistics of the British Armed Forces in Iraq, and a large amount of the US troops, as well. While KBR first exclusively worked for the USA, it has since come to offer its services to many other states, too⁸³. Russia contracted KBR to salvage the atomic submarine Kursk from the bottom of the Barents Sea, which was sunk on 12 August 2000⁸⁴. According to KBR statements, currently about 50,000 employees are on duty for the company. Until April 2007, like DynCorp and MPRI, KBR was a subsidiary of a huge enterprise as well⁸⁵. This parent company was Halliburton, one of the biggest producers of oil production equipment.

Members of Halliburton's and KBR's executive board are mainly high-ranking active and retired politicians and soldiers. Since it used to associate with government circles, KBR can be assured of receiving follow-up jobs. As will become apparent, just the way KBR used to recruit its personnel for leading positions is a very fascinating aspect while looking at business relations between US governments, particularly US Armed Forces, and the company during the last years. Indeed, after the separation from Halliburton, KBR calls itself independent, but already the design of the KBR-website, which is identical to Halliburton, is a strong indicator of continued connections.

⁸² Uessler, p. 48, "Dick Cheney: "Wir von Halliburton sind die Ersten, die unsere Soldaten auf den Basen begrüßen und wir sind die letzten, die ihnen Adieu sagen."

[CM: "Cheney: "We of Halliburton are the first that welcome our soldiers on the bases, and we are the last who wish them good bye."]

⁸³ E.g. Afghanistan, Albania, Bosnia and Herzegovina, Croatia, Democratic Republic of Congo, Former Yugoslav Republic of Macedonia, Greece, Haiti, Hungary, Italy, Kuwait, Saudi Arabia, Somalia, Turkey and Uzbekistan.

Singer, p. 136.

⁸⁴ Kümmel, p.24/25.

⁸⁵ http://www.kbr.com/corporate/kbr_history/index.aspx.

The Balkan Wars were an important step forward for KBR. In 1994 the supply of the Italian NATO air force base Aviano was delegated to KBR. After US troops were sent to the Balkans in 1995, the company took over all logistics and received lucrative follow-up contracts until 1999, which were continued and extended to the territories of Albania and Macedonia after the beginning of the Kosovo War. Furthermore, KBR was able to acquire contracts with international aid organizations.

From the beginning of the 1990s, KBR has had to face negative headlines several times as well. The company has been accused of balance manipulation, inflated bills addressed to the Pentagon, not executing services that had been paid before, paying bribes to subcontractors and nepotism with members of the US government; the last reproach might be the most conspicuous.

Currently Richard Cheney is in the eye of the media and authorities. In 1992 as George Bush Senior's Secretary of Defense, he ordered KBR to run a survey that cost the American taxpayer 8.9 million USD⁸⁶. The company was asked to identify opportunities for privatization of the US Army's routine work. Quite similar to the case of MPRI and its field-manuals, KBR is the main profiteer of the outcome of its work. Since it could link the results of its surveys

⁸⁶ In early 1992, 3,9 million USD have been stipulated for an abstract survey. At the end of the year KBR got a second mandate and additional 5 million USD for going into detail.
Singer, pp. 142/143
Rosen, p.150.

with offers to the US government, the company acquired tasks in the fields it had identified – the first contract was already in December 1992⁸⁷.

Cheney exchanged his office in the Pentagon for a new commission as Chief Executive Officer in the Halliburton executive committee – a position he held from 1995 until 2000⁸⁸. During his tenure, KBR supplied Iran, Libya and Iraq, which Cheney ordered to be bombed during his service as Secretary of Defense. In early 2000, Cheney joined George W. Bush's shadow cabinet and in July 2000 Halliburton allowed him to retire – with a package estimated at 20 million USD⁸⁹. In his current office he has had a significant share in governmental decisions concerning contracting PMSCs for missions in Iraq and Afghanistan and it is no wonder that KBR has received many such contracts.

d. Securitas

As cursorily mentioned, the privatization of security covers not only the sector of outer security but is also booming in the sector of inner security. One of the most famous PMSCs focused on services regarding inner security is Securitas.

⁸⁷ The US Army Corps of Engineers gave a five-year-contract to KBR. Singer, p. 143.

⁸⁸ For details of Cheney's service for Halliburton see CBS-News article from 26th September 2003: <http://www.cbsnews.com/stories/2003/09/26/politics/main575356.shtml>.

⁸⁹ Henriques, Diana B.: The 2000 campaign: The republican running mate – Cheney is said to be receiving \$20 million retirement package, in: The New York Times, 2000-08-12:

http://select.nytimes.com/auth/login?URI=http://select.nytimes.com/search/restricted/article&OQ=_rQ3D1Q26resQ3DFA081FFF395B0C718DDDA10894D8404482&OP=11cdab72Q2FGDQ7EAGFQ5EiQ7EQ5CYfG2iQ51Q5CRRFaGiFRMxiQ7E2iQ7EYJx2Q5CRGQ5CMiQ5E2sQ7EQ3FRQ5CQ20_8ifs (subscription is required to get access)

Singer, p. 140, estimates the total profit of Cheney's service for Halliburton at 33,7 million USD.

The parent company Securitas AB was founded in Helsingborg, Sweden in 1934, and by now it employs 215,000 fellows in more than 30 countries, mainly in Europe and North America⁹⁰. Thus, the company is divided into two subsidiaries each focusing on one of the continents. Furthermore it operates subsidiaries for development and marketing of alarm systems, processing money transactions and for performing internal management services⁹¹. The following will focus on the European branch.

Since Securitas took over DWS Security in 1996, the company has been nearly omnipresent on the German market. Employing about 14,000 fellows at securely established and flexible locations all over Germany, the company is the brand leader. Scarcely a public building, bank or event can be patronized without coming into contact with the company's employees. Even original tasks of police or municipal order offices are being executed by Securitas⁹². The total turnover was 409 million EURO in 2005⁹³ and 420 million EURO in 2006⁹⁴, calculated only for the German market.

The offers of the company do not leave out a single sector of private or public life. Securitas services range from individual security solutions for banks,

⁹⁰ <http://www.securitas.com/en/about-securitas/about-securitas/>.

⁹¹ For details organization chart on:

<http://www.securitas.com/en/about-securitas/organization>.

⁹² In Frankfurt/Main, employees of Securitas have been serving as assisting policemen for watching parking areas. They are active as temporary workers for the Frankfurt municipal order office, authorized to issue cautions, and they are patrolling (Securitas calls that kind of service "Revierservice" [CM: "district service"]). Since employees of Securitas are outnumbering members of the regular police in some parts of Frankfurt/Main – especially in the financial district – and since Securitas enjoys the public confidence, this arrangement must be considered as very functional.

⁹³ http://www.securitas.de/das_unternehmen.64.0.html.

⁹⁴ http://www.securitas.de/zahlen_und_fakten.35.0.html.

hotels, power plants, public transport⁹⁵ and port facilities⁹⁶, to universities⁹⁷, military facilities⁹⁸, museums and events of all kinds. Depending on their tasks, employees of Securitas can carry arms while executing their services.

To summarize, it can be said that Securitas offers security solutions for everyone who asks for more service than governmental institutions can provide. Compared to the other presented PMSCs, Securitas has a markedly clean slate that might have been allowed by the disparity of the spectra of their missions.

⁹⁵ Securitas is contractual partner of Hamburg's subway and city railway.

⁹⁶ Article in Ports Worldwide II 2007, pp. 132/133:

http://www.securitas.de/uploads/tx_fachbeitrag/19-6-07_Haefen_Weltweit_2_2007_Hafensicherheit_HCC_mit_Sicherheit_von_SECURITAS.pdf.

⁹⁷ E.g. Heinrich-Heine-Universität Düsseldorf.

⁹⁸ Since costs for extra payments for soldiers on special duties can be axed that way, numerous facilities of the German Federal Armed Forces are already being guarded by Securitas. Securitas' core business in that sector is guarding US-bases.

5. Conclusion

However the qualities and dimensions of their missions have increased contingent upon the technological progress, private actors in the sectors of security and warfare are no new phenomenon. The typology developed in section four focusing on the core business of PMSCs is possible, but, since the companies try to offer as many services as possible, it can only be a rough clue. Actually, many of the PMSCs are so flexible that they are able to change their focuses if needed. Since they can afford to focus on a long-term core business, only in the cases of the brand leaders can a clear typology be constructed.

PMSCs function as a continuation of domestic and foreign policies with different instruments and responsibilities. As non-governmental institutions they are not bound to many norms of public international law⁹⁹. Crucial determinants of the relations between contractors and clients are not loyalty and legitimacy, but professionalism and labor efficiency.

This fact absolutely makes an intensive political discussion of PMSCs, especially of types a to c, indispensable. Political acceptance of the branch by the international community, their explicit consideration by international conventions and an unequivocal differentiation from classical mercenaries might increase transparency and discipline, and could help to civilize the business. Furthermore, this might form the foundation of legal usages of the many obvious, but social acceptable, advantages of PMSCs.

⁹⁹ Ruf, pp. 78/79, 87: "Als nichtstaatliche Akteure sind die Firmen frei von allen vertraglichen Verpflichtungen, die sich aus internationalen Konventionen ergeben, denen sie als Nicht-Staaten ja nicht beitreten können."

[CM: "As non-governmental actors those companies are not bound by any contracts that result from international conventions and which they cannot accede to since they are not states."]

Since the possibility that governments and non-governmental institutions will abandon contracting PMSCs can be ruled out, a way has to be found to convince both contracting parties to agree to a definite frame of international law. A voluntary code of behavior might not be promising. In this context, key functions must be executed by the United Nations and international law. Only consulting them can help to fix legal twilight zones by developing a definite legal frame for contracting PMSCs.

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provides a large archive of articles about violation of human rights, bribery, environmental pollution etc. published in prestigious newspapers, magazines and scientific papers all over the world.

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<http://mpri.com/index.html>

<http://www.lockheedmartin.com/> (parent company Lockheed Martin).

Sandline Int.:

<http://www.sandline.com>

(meanwhile closed; interesting argumentation: “The general lack of governmental support for Private Military Companies willing to help end armed conflicts in places like Africa, in the absence of effective international intervention, is the reason for this decision. Without such support the ability of Sandline to make a positive difference in countries where there is widespread brutality and genocidal behaviour is materially diminished.”)

<http://www.sandline.com/site/index.html> (backdoor to old website).

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