

PMSC Bulletin

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Private Military & Security Companies and their impacts on human rights: Recent developments

The items included here are from September 2011 to March 2012.

1. Key alleged abuses by PMSCs & concerns

- Australia: Govt. has found [patterns of abuse at immigration detention facilities](#) run by GEO, G4S, Serco - includes statements by some of the firms. Report includes cases of widespread neglect, sometimes lethal; also refers to abuses in UK, USA.
- India: Threat of piracy in the Indian Ocean has led govts. and private firms to deploy armed guards on ships. Newspaper says the [killing of 2 fishermen](#) by Italian naval personnel on oil tanker has "focussed attention on the potentially lethal outcomes of the practice". [India's decision to allow armed private guards](#) on ships had been criticised prior to incident. An increasing number of countries are deciding to allow armed guards on ships, including [Philippines](#) and [United Kingdom](#).
- Indonesia: G4S officers accused of [intimidating striking workers](#) at Freeport Indonesia's Grabber mine. [G4S response](#).
- International: David Isenberg commentary argues [sexual violence by private military companies remains a problem](#); raises allegations against DynCorp. [DynCorp response](#) and [David Isenberg rejoinder](#).
- International: Rise in mercenary and PMSC activities threatens security, human rights & potentially the right of peoples to self-determination, says [UN Working Group on the use of mercenaries](#).
- Mexico: Private security industry has grown significantly during country's "drug war" and [human rights activists fear "unregulated gunmen"](#).
- Philippines: Amnesty Intl. asks govt. [not to deploy militias to support private security forces](#) at mining sites, citing militias' long record of human rights abuses.
- Swaziland: Private security firms allegedly closed business in order to [avoid prosecution for labour abuses](#), but re-opened once inspections were over.
- USA: Documents in court "illustrate in minute detail" how Richmor, Sportsflight & DynCorp (owned by CSC) [assisted the US Govt. with its rendition programme, flying terrorist suspects to "torture" sites around the world](#). Responses by [DynCorp International](#), [Sportsflight](#), [CSC](#); Richmor comments included in article.

2. Lawsuits against PMSCs

- Australia: G4S prisoner transport guard fined \$11,000 after pleading guilty to charges over [Aboriginal elders' death](#) in the back of a prison van.
- Academi (formerly Blackwater) [settles wrongful death lawsuit](#) brought in USA by families of four security contractors killed in 2004 ambush in Iraq.
- Three immigrant women sue Corrections Corporation of America & US immigration agency in US court alleging they were [sexually assaulted when taken from privately-owned detention facility to airport](#).
- Palestinian residents & Association for Civil Rights in Israel petition Israeli High Court of Justice demanding [end to use of private security guards](#) for protecting Jewish residential compounds in East Jerusalem – some guards have been involved in abuses.

- US federal court allows lawsuit filed by Serbs against defence contractor L-3 alleging the firm and its subsidiary MPRI [helped Croats commit genocide](#) in 1995.
- Lawsuits filed in 2004 in US court against CACI and Titan (now L-3) alleged complicity in the torture and mistreatment of prisoners at Abu Ghraib prison in Iraq. Following US Supreme Court announcement that it will not hear the plaintiffs' appeal, a full panel of the federal appeals court [reheard oral arguments in the case in January 2012](#).
- [Blackwater guards petition US Supreme Court](#) to reverse decision to reinstate charges against them for 2007 shooting in Nisoor Square, Baghdad, where 17 Iraqi civilians were killed and others injured.
- In December 2011 a lawsuit was filed against HudBay Minerals in Canada. The plaintiff alleges that he was [shot by the chief of security for HudBay's Fenix mining project](#) in Guatemala and became paraplegic as a result.

3. International initiatives & positive steps

- Public consultation on draft charter for an oversight mechanism for [Intl. Code of Conduct for Private Security Service Providers](#) (ICoC) was extended until 31 March 2012. An updated draft will likely be released mid-May and an adoption conference held in mid-June.
- [Save the Children](#) includes adherence and compliance with ICoC as essential criteria in tender to supply safety and security services.
- DynCorp updates its [non-discrimination policy to include protections for lesbian, gay, bisexual, and transgender \(LGBT\) workers](#) following online petition.
- PMSCs should [integrate gender perspective](#) in their operations, argues Anike Doherty of DCAF.
- [G4S Justice Services helps protect victims of domestic violence from repeat assaults](#). Its advanced electronic monitoring system provides information on offender's location, enabling early warning to victim and police.
- Wilton Park, in partnership with Geneva Academy of International Humanitarian Law and Human Rights and Geneva Centre for the Democratic Control of Armed Forces (DCAF) held a meeting entitled "[Countering piracy: what are the rights and obligations of states and private security providers](#)" in early 2012. A report of the meeting and briefing on the topic will be released in the coming months.

4. Regulatory and other developments

- [Afghanistan](#) to shut down private security companies and transfer their responsibilities to a government-run guard force; president argues that PMSCs "were flouting Afghan laws and creating the equivalent of paramilitary forces". [Companies are concerned](#) about security for their projects and personnel after nationalisation. On 18 March the govt. [extended deadline on private security ban](#), ranging "from a few weeks to 90 days". [ISOA \(a US association of private security contractors\) perspective](#).
- [China](#): Beijing to crack down on "black jails" - detention centres operated by private security firms to prevent people from petitioning govt.
- [Chinese private security firms](#) are starting to fill "security vacuum" around Chinese workers overseas.
- [EU](#) priorities at UN Human Rights Council include effective regulation to prevent human rights abuses linked to activities of PMSCs.
- [France](#): Parliamentary report calls for regulation and expansion of French private security industry to protect French interests and companies.
- [Guatemala](#) regulates growing private security industry, creates database to track employees and control their criminal records.

- [Iraq](#) intends to limit work of private security companies citing concerns over involvement in violent incidents. Official says companies are no longer exempted from application of Iraqi laws.
- [Switzerland](#): Govt. wants to tighten rules for private security companies and ban Swiss-based companies from direct participation in armed conflicts abroad.
- [UK](#): War on Want launches campaign for tougher legal regulation of PMSCs.
- [UK](#): Standards to ensure high levels of “quality and professionalism” of private security companies operating in maritime environment to be in place by end of 2012, announces Security in Complex Environments Group (SCEG).

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