

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

The items included below are from April 2013 to October 2013.

*In the last six months we have seen some new trends and the continuation of older ones; these are reflected in the items included in this bulletin.*

*In relation to reported negative human rights impacts by PMSCs, these continue to occur mostly in areas of conflict or weak governance, although we have also seen recent reports of alleged abuses in UK & South African prisons run by private firm G4S. The item on Zimbabwe highlights the alleged involvement of PMSCs in a previously unknown but crucial field: alleged vote rigging. Other recent reports raised concerns about PMSCs' involvement in the arms trade to countries with poor human rights records, such as Bahrain.*

*Some older patterns persist: alleged abuses involving PMSCs continue to happen in Afghanistan and Israel & Palestine; lack of regulation of PMSCs operating in Latin America and South Africa leading to human rights abuses; developments on PMSCs' legal accountability happened mainly in US courts. On the latter issue, there have been mixed outcomes recently: a case against CACI over alleged involvement in torture at Abu Ghraib prison in Iraq was dismissed as the Supreme Court found that it lacked jurisdiction because the incidents happened outside the USA; another court accepted claims against KBR over alleged trafficking of Nepali men to Iraq.*

*At the international level, we note the start of operations of the oversight mechanism of the Intl. Code of Conduct for Private Security Service Providers ("ICoC Association"); over the coming months, this new body will develop certification, monitoring and grievance systems. The ICoC also provided a welcome and significant positive development since (as of 30 Oct.) 708 PMSCs have become signatories to it, and 135 companies have joined the ICoC Association. The UN Working Group on the use of mercenaries is focusing on the use of PMSCs by the UN itself.*

### **1. Key alleged abuses by PMSCs & concerns**

- Afghanistan: Analyst says that the presence of private security companies [contributes to on-going violence](#).
- Angola: Guards from private security company **Bicuar** [reportedly killed a diamond digger](#) while providing security for diamond firm **Sociedade Mineira do Cuango**; seven Bicuar guards were arrested. We invited Sociedade Mineira do Cuango, as well as **Teleservice** and **Endiama**, two companies against which human rights concerns were also raised, to respond; none of the companies responded.
- Bahrain: **BAE Systems** reportedly negotiates to [sell 12 Typhoon fighter jets to Bahrain](#), despite that country's weak human rights record. We invited BAE Systems to respond; the company's response is provided.
- Colombia & Mexico: [Two academic papers](#) analyse risks on the application of intl. humanitarian law and on the respect of human rights by the so-called "privatisation of the war on drugs" – the increased use of PMSCs by the governments in these countries.
- Israel & Palestine: Norwegian trade union Industri Energi terminates contract with **G4S** over its [involvement in Israeli prison system and settlements](#). At the same time, the UK teachers association calls on local authority to withdraw from school contracts with G4S. We invited G4S to respond; G4S referred us to a previous statement.

- Mexico: Employees of security company **Eulen** [reportedly run over a man](#), apparently without any reason, leaving him seriously injured (*article in Spanish*). We invited Eulen to respond; the company's response is provided (*in Spanish & English*).
- South Africa: Govt. report alleges that [prison run by G4S illegally holds inmates in isolation & denies medication](#); article includes G4S comments. Five months later, the government temporarily took over the management of the maximum security prison and launched an official investigation due to [safety & security concerns](#); the BBC obtained leaked footage from the prison allegedly showing [inmates subjected to electric shocks and forced injections](#) - G4S denies claims.
- South Africa: Five private security guards arrested over [assault of elderly woman](#) suspected of stealing at Jane Furse clothing shop.
- Spain: Union asks for better working conditions for security guards after incidents in a health centre in Seville; [authorities say companies are responsible for providing safety equipment to their workers](#) (*article in Spanish*).
- UK: Arms fair excludes **MagForce, Tian Jin MyWay** amid [allegations that the firms promoted equipment that "could be used in torture"](#); article includes companies' comments.
- UK: Govt. inspectorate says that [prison run by G4S fails to provide prisoners basic healthcare & sanitation](#); article includes G4S' comments.
- Zimbabwe: Israeli security company **Nikuv Intl. Projects**, which managed the lists of registered voters and the handling of election results in the country's last elections, [accused of rigging vote to re-elect Mugabe](#). The incumbent president has a record of human rights abuses. We invited Nikuv Intl. Projects to respond; the company did not respond.

## 2. Lawsuits against PMSCs

- US court [dismisses case against CACI](#) over alleged involvement in torture at Abu Ghraib prison in Iraq; plaintiffs have appealed the dismissal. Court adds that [Iraqi plaintiffs should pay CACI's legal fees](#) (our case profile is available [here](#)). Lawyers for certain Abu Ghraib prisoners [filed a new lawsuit against CACI](#) in US federal court.
- US Department of Justice [filed new charges against four former Blackwater guards](#) over 2007 shootings of civilians in Baghdad (our case profile is [here](#)).
- US court accepts claim against defence contractor **KBR** over [alleged trafficking of Nepali men to Iraq](#); lawsuit will go to trial in 2014 (our case profile is available [here](#)).
- UK: Family of man who died after being restrained on a plane by **G4S** guards during forced deportation and becoming ill [sues G4S](#). [Inquest jury finds G4S guards acted in "unlawful manner"](#).
- USA: Security guards file [charges against AlliedBarton & local union](#) over alleged union membership discrimination & threats.
- Mexico: Workers file charges against security firm **Servicios Especiales de Seguridad Privada** over [alleged sexual harassment & exploitative working conditions](#) (*article in Spanish*).

## 3. International initiatives & positive steps

- Oversight mechanism of Intl. Code of Conduct for Private Security Service Providers (ICoC) – the “Association” – [began operations](#) on 20 September 2013; the Association will be mandated with overseeing companies' adherence to the ICoC guidelines (*article also in French*).

- As of 30 Oct 2013, [708 security companies](#) have signed the ICoC.
- [135 security companies](#), 13 civil society organizations and 5 governments become founding members of the ICoC Association.
- NGO War on Want says [ICoC lacks teeth & fails to tackle privatisation of war](#). The NGO fears it will be used to legitimise further privatisation of security, and side-step proper controls.
- Amid human rights concerns, [UN General Assembly resolution](#) says UN use of private security companies should only be "last resort".
- UN Working Group on the use of mercenaries hosts expert meeting on [use of PMSCs by UN](#).
  - [Panel](#) calls for more transparency on use of private security companies by UN.
  - José Luis Gómez del Prado, former chairperson of the Working Group, criticises use of private security companies by UN in [video interview](#) (*video also in French & Spanish*).
- [Intl. Organization for Standardization \(ISO\)](#) announces it will develop new international standard for private security companies in line with human rights standards.
- ASIS Intl. releases [two new standards for private security companies](#) following its previous PSC.1 and PSC.2 standards: PSC.3, which is a guidance tool for implementing PSC.1, and PSC.4. The new series aims to help private security companies protect human rights in areas where rule of law has been undermined due to war or natural disaster, as well as in the maritime environment.
- USA: **Bryant Security** [trains South Florida schools' students & teachers](#) on safety measures, violence & bullying prevention.

#### 4. Regulatory and other developments

- Egypt: [Draft law](#) aims to regulate private security companies amid concerns of use of excessive force and insufficient employee training.
- Switzerland: [Parliament votes on law](#) prohibiting Swiss private security companies to conduct activities that are likely to lead to serious human rights abuses abroad (*article in French*).
- UK Govt. releases its [National Action Plan to implement the UN Guiding Principles on Business & Human Rights](#); the plan includes references to ICoC, British security service providers signed up to ICoC, certification of British PMSCs, and to the Voluntary Principles on Security and Human Rights initiative.
- [US State Department](#) says it will incorporate ICoC into protective security services contracts, as long as the process continues and if there is enough industry participation.

The principal author of this bulletin is Irene Pietropaoli, Researcher, with cooperation from other [Business & Human Rights Resource Centre](#) colleagues. Business & Human Rights Resource Centre would like to express its gratitude to [DCAF, the Geneva Centre for the Democratic Control of Armed Forces](#), for its contribution to this bulletin.

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