

## EDITORIAL

### **The privatisation of security: a trend in the present, a challenge in the future**

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A review of what has been written about the Post-Cold War turns up many references to the changing nature of armed conflicts, states' loss of the monopoly of legal mass violence, the convergence between the agendas of peace, development and human rights, and the privatisation of security in the North and South.

Issue 9 of *Peace in Progress* looks at just one aspect of this modern trend - the relationship between security and private companies, particularly in conflict situations, in preparation for the international symposium that the ICIP is preparing on the subject.

First, since the Post-Cold War, security has evolved in two directions that are to some extent contradictory. On the one hand, it is now a multidimensional, people-centered process, in which the challenges and threats and the subjects of protection have changed. The result was an increasing demilitarisation of the concept of security, at least until September 11, 2001, and the central importance of approaches along the lines of human development, such as human security and the responsibility to protect. Meanwhile, security, including domestic security, has gradually ceased to be a public good, or a basic service that states have to provide for their citizens (to guarantee their physical integrity), and has become - de facto albeit not de jure - a private commodity only available to those who can pay for it.

The clearest example is security in many countries in the South and in some emerging countries, where there has been a proliferation of private "armies," private armed agents that are ubiquitous in both public and private establishments, special forces responsible for the security of the president or senior figures in regime, resources contracted to mercenaries, etc. It is important to be aware of the contradictions that this dual development creates, as it even affects the discussions related to sensitive issues such as United Nations peacekeeping operations: where it maintains the non-authorisation of the use of private companies on missions with a direct mandate from the Security Council, as well as the existence of documents prepared by private companies that argue for the advantages involved in using their services (I remember the case of the United Nations operation in Congo, Monuc, in 2003). In addition, the figures in operations that are not under the United Nations mandate, such as Iraq and Afghanistan, give pause for thought: in Iraq, the maximum number of U.S. personnel was 185,000 employees of private security companies, compared to 165,000 soldiers; in Afghanistan, the number of private personnel has fluctuated between 130,000 and 160,000.

Second, the subject requires a very conceptually precise and open approach, analysing the advantages and disadvantages, and highlighting the viewpoint of plural actors and interests. With respect to plurality, you can see that this issue features both military professionals and private companies, as will be the case in the seminar.

As for the need to be conceptually precise, a few examples will suffice. These companies are not a uniquely American or Western phenomenon. Some of the leading private security companies are owned and operated in the South, such as the famous Executive Outcomes, founded in South Africa in 1989, by soldiers and demobilised personnel (including a considerable number of people with links to the armed wing of the African National Congress), and who were also equipped with heavy and sophisticated combat and transport equipment. In 1993, the Angolan government hired them to fight against the Unita rebels and to recover the diamond mines controlled by the rebels; they were hired in 1995 by the government of Sierra Leone to fight the RUF. In addition to this and other cases, the interests of private security companies are linked to mining companies, or others: there is clear evidence of the existence of structural links between the company and Heritage Oil and Gas and Branch Energy.

A second example is the debate over whether to make a distinction between "private security companies" and "private

military companies”: the former basically provide services such as risk analysis, protection and security for people and places and strategic institutions, while the latter provide well-trained staff for training troops or for deployment in specific areas, on their own or accompanying other units. The term “private military companies” is now in common use, but the truth is that they do not all do everything.

A final example is all the problems of accountability and transparency, or those arising from the legal status of private security personnel assigned to missions in the field. In Iraq, they were granted immunity by an order from Paul Bremer, the head of the Coalition Provisional Authority (Order 17). Subsequent developments, such as codes of conduct and self-regulation produced by associations of companies in the sector (the International Peace Operations Association; British Association of Private and Security Companies; Global Peace and Security Operations Institute) do not provide sufficient guarantees.

The current trend towards the privatisation of security will increase in the future, due to the importance of peace-building operations and the tendency to reduce the number of troops in professional armies. The subject must be considered carefully, and thought of as a challenge for the future, in both senses of the word - as a danger and an opportunity.

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## IN DEPTH

### INTRODUCTION

#### Tica Font

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In 2003, a soldier disseminated photographs of abuse at Abu Ghraib prison. A prisoner said he had been beaten, threatened with dogs and given electric shocks; another said that he had been electrocuted, beaten and hung from a pole for seven days; a third said he was forced to drink gallons of water while his penis was tied to prevent him from urinating, etc.

L-3 Communications, a company founded in 1997, is one of the leading private military and security companies (PMSC). L-3 is a spin-off of the American defense industry giants (Lockheed Martin), and its subsidiaries include Titan Corp and Military Professional Resources Inc. (MPRI). Its turnover in 2010 was \$15,680 million, and 81% of this turnover was from U.S. government contracts. The most important contracts were in the intelligence field.

L-3/Titan must be the second largest employer in Iraq, after Halliburton / KBR; it employs some 7,000 translators and 300 intelligence specialists. The USA's Department of Defense hired its translation services for \$112.1 million in 2003. But it appears that some of the 31 translators that the company provided took part in the torture in Abu Ghraib<sup>1</sup>.

CACI is a services company specialising in information technology, intelligence, surveillance and reconnaissance. Its revenue in 2009 amounted to \$2,730 million. 79% of its turnover comes from the U.S. government, and most of that comes from the Department of Defense. Its most important contract, worth \$450 million, is linked to electronic warfare. CACI became involved in Abu Ghraib in 2003, when it acquired the company Premier Technology Group (PTG) and subsequently its contracts. PTG was created in the late 1990s by a group of former army intelligence agents who had worked in Bosnia.

Four former Abu Ghraib prisoners have filed suit before courts in the USA as a result of the torture they experienced while they were detained between 2003 and 2004.

According to the CACI spokesman, the plaintiffs' claims of abuse during interrogations are unfounded and baseless. CACI's lawyer said that the allegations were false and that his client has served his country honorably while it had worked in Iraq<sup>2</sup>.

Three soldiers have been charged, tried on criminal charges and are in prison for committing abuses during interrogations. No employee of these companies has been prosecuted for the allegations.

This issue of the magazine wants to address the challenges that these private military and private security companies are creating from different points of view, in terms of their work, how they can be monitored, human rights violations, the conditions of impunity under which they operate, their participation in combat missions, their relationships with the regular armies and the erosion of the state's roles, such as the legitimate use of violence, among other issues.

1. <http://www.l-3com.com/> Anual report 2010

2. <http://news.bbc.co.uk/2/hi/americas/7482617.stm> [1-7-2008]

## CENTRAL ARTICLES

### Private military and security companies. Distinguishing features

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There is no legal definition of private military and security companies (PMSCs) due to the absence of a category that specifically describes them in the applicable legal instruments. However, due to their characteristics, they can be considered private companies, which are legally established to provide assistance, advice and armed security services, either as a substitute or as a complement to regular armed forces operating in areas that are in a situation of armed conflict<sup>1</sup>. Despite the varied nature of the services they offer, the common feature of PMSCs is the extraterritorial nature of the services rendered in relation to the party hiring them, and their willingness to resort to the use of force in order to fulfil the contract.

In 2003, the United Nations Special Rapporteur on the issue of the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination, warned that in addition to individual mercenaries, the soldiers of fortune generally recruited by unstable and repressive governments to ensure their hold on power, a

new form of mercenary work appeared to be emerging, consisting of the presence of private multiservice companies which are attractive for other markets. The phenomenon has increased exponentially since then, both in terms of those hiring them (their clients include states with stable political structures, NGOs and the United Nations itself), in terms of units deployed in the field (a total of 207,600 private contractors has been estimated in Iraq and Afghanistan, compared to the 175,000 troops deployed in the area), and in terms of the estimated turnover of 210,000 million dollars in 2010.

There are many factors that point to the immediate causes of the proliferation of these companies, but some stand out in particular: the new trends towards outsourcing in the public sector, the availability of weapons and unemployed skilled personnel, the high cost of new international missions for armies, the very competitive level of value for money and the lack of political cost to the contracting government in the event of casualties<sup>2</sup>.

Regardless of the debate on the implications of the expansion of PMSCs for the principle of the state monopoly on the use of force, there are some issues of particular concern, namely the evidence for violations of international humanitarian law and human rights and the opaque nature of the contractual relationship that seems to be a factor in the high level of impunity as regards liability for these crimes.

There are also many risks that are created on the ground and make serious reflection necessary about the advisability of contracting these companies, and where appropriate, the need to establish strong regulatory mechanisms for their activities, the qualifications of their staff and a clear determination of the scope of their work<sup>3</sup>.

In particular, the risks of most concern affect the operational level, due to the lack of a connection between private employees and the chain of command of the armed forces on the ground, which leads to their involvement in hostilities creating very serious risks for the official mission. This is in addition to the risks to the security of the contracting State, because as soon as the contract is formalised and as a result of the logic inherent in the assignment, it is to be anticipated that they will require sensitive information related to strategic positions of regular troops, quartermastering, communications and arms supply systems, which is ultimately valuable information that can be traded on the private market in violence, including terrorist violence.

1. Meanwhile, the United Nations Working Group on the Use of Mercenaries defines them as *private companies which perform all kinds of security assistance, training, provision and consulting services, including unarmed logistical support, armed security guards and those involved in defensive or offensive military activities*. A/HRC/4/42 of February 7, 2007, para. 3.

2. See *La privatización del uso de la fuerza armada. Política y derecho ante el fenómeno de las empresas militares y de seguridad privadas*. TORROJA, H (Dir), GÜELL, S (coord), Bosch Editor, Barcelona 2009.

3. See *Hacia la regulación internacional de las empresas militares y de seguridad privadas*. Fundación Privada CEI, Marcial Pons, Madrid, 2011.

## The rule of law, the market and armies: conceptual incompatibility and legal challenges

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A consideration of the legal challenges involved in the phenomenon of private military and security companies leads us to various state and social scenarios<sup>1</sup>. These companies are a phenomenon promoted by a small but significant group of Western states (USA, UK, etc.); they are in turn tacitly accepted by another important group of (also Western) states (those in the European Union, including Spain, have not openly opposed these companies, and have passed minimal and tenuous international *soft law* regulation<sup>2</sup>). Meanwhile, they are allowed under the jurisdiction of other states (Afghanistan, Iraq, Libya) or suffered by the population and society of states that cannot control the exodus of personnel from their armies or who are not strong enough to stop it (Fiji, South Africa, Chile, Somalia, etc.). This is true to such an extent that the expression PMSCs hides a major casuistry, with countless legal ramifications.

However they are addressed, their response requires prior consideration: a serious matter such as this one – *the privatisation of the legitimate use of armed force* – must be considered from a global, universal perspective, rather than based on *ad hoc* sectorial and partial approaches. In other words, it should be possible to consider the issue objectively, avoiding the relativism of each state, each society, or each company. Only a proper approach to the issue will enable the problem to be addressed with the appropriate legal responses.

In my view, the underlying legal issue is: are **democracy and the trading of legitimate use of force** compatible? As it is readily apparent, there are three concepts around which this consideration is based: *democracy*, the *market* and the *army*. It is well-known that the first of these implies other basic ideas – a democratic system with a separation of powers, the rule of law and respect for human rights. With this in mind, some guidelines for resolving the question follow.

The form of political organisation that is the *State*, emerged in Europe in the late Middle Ages, and was finally consolidated in the first half of the seventeenth century, after the end of the Thirty Years' War. One of its cornerstones was the centralisation of the legitimate use of force. This meant that the basic notion of *sovereignty* (*ad intra* and *ad extra*), was based on the exclusiveness, plenitude and autonomy of competences regarding the legitimate use of force, as well as other elements. The use of mercenaries was last openly rejected, leading to the creation of armies, *which were always subject to the sovereign*. From this perspective, today, democracy involves the submission of the army to civilian authorities, which is directly related to the following point.

It should also be remembered that the Western European-inspired State gave legal status to the protection of *human rights*. The pillars for respecting them have since been based on the submission of the power of coercion that the executive branch possessed (by the use of force by police and the army) to the legislative and judicial branches. Human rights and the centralisation of the legitimate use of force thus became inseparable ideas.

It is at this point where the question arises as to whether the *trade* in the *legitimate use of force* is compatible with respect for and protection of human rights. When we talk about privatising legitimate armed force, we are acknowledging the right to form private companies with products or services that involve the possession and use of military arms, that are freely available to anyone who wants it for a certain price, which will be established by the market. It seems obvious that this violates the principle of subjecting the power of coercion to the legislative and judicial branches, or that its submission will at least be difficult, as legitimate coercion will be arbitrated by the *invisible hand of the market*. As a result, weakening the centralisation of coercive power goes directly against the enjoyment of human rights.

The issue can be considered from other perspectives, or the conceptual exposition of the underlying problem may be considered exaggerated. However, any State which in its legal arrangements includes the constitution, acquisition or work of service companies that trade in the *legitimate use of military force* must accept that it is opening the way to the legalisation of the new mercenaries, the new privateers, of the twenty-first century.

In conceptual terms, the privatisation of the legitimate use of force can only be seen as a direct attack on the foundations of the modern state and the principles of democracy; the concepts of democracy and trading of the legitimate uses of armed force are therefore difficult to reconcile.

However, this is now the reality in some States and the trend seems to be on the increase, and the international community is silent. As a result, it is no longer possible to halt the phenomenon, but there must at least be some hope of regulating it internationally, and to impose limits and obligations on States when they delegate powers to and / or hire these companies. This initiative must come from the international arena and that is the great contemporary legal challenge which faces us.



Indeed, the current process towards international legal regulation in the strictest sense (*hard law*) of state practices with regard to these companies is based on the efforts of the United Nations Organisation's Working Group on the use of mercenaries, which is currently chaired by José Luis Gomez del Prado. The Working Group has written a possible draft convention for the regulation, monitoring and supervision of the activities of private military and security companies, which was submitted to the Human Rights Council in September 2010. From there, an intergovernmental group with an open remit must continue the Group's work, negotiating and adopting an international treaty on this issue. It is too early to reach a verdict on the future, but opposition from the the United States, the United Kingdom and the European Union suggests that it will be difficult for the project to succeed<sup>3</sup>.

The greatest legal challenge that arises is therefore for States to agree to establish a minimum level of international obligations to limit the scope of this privatisation (prohibiting the privatisation of *inherently governmental functions*); which also limit the work of these companies (establishing *national regulation and control obligations* thereof, and mechanisms for *specific judicial sanctions for human rights violations, humanitarian law and other crimes* that they commit).

Given the uncertainty about the future of this international regulation, and in view of the doubts regarding our leaders' political responsibility, our last resort is to mobilise to demand that our Western states, which devised democracy and say that they lead the way in implementing its principles, must at least define its boundaries, if they do not want to prohibit it completely. The baton has therefore been passed on to civil society.

1. These considerations reflections are from the perspective of companies that provide heavily armed protection services, i.e. services normally provided by armies. For the moment, we will leave the (police) work of the private security companies covered by many legislations, including our own, to one side.
2. Initiatives such as the Montreux document on pertinent international legal obligations and good practices for States related to operations of private military and security companies during armed conflict, adopted in Montreux on September 17, 2008, or the International Code of Conduct for Private Security Service Providers, adopted in Geneva on November 9, 2010, although the process is not yet complete.
3. For a detailed commentary on the Draft International Convention and an overview of *soft law* initiatives, see Gomez del Prado, JL, and Torroja Mateu, H., *Hacia la regulación internacional de las empresas militares y de seguridad privadas* (Towards the international regulation of private military and private security companies), Tribuna internacional CEI, Marcial Pons, 2011.

## The impact on human rights of a new non-state actor: private military and security companies

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Heavily armed and operating in armed or low-intensity conflicts, private military and security companies can easily violate the human rights of civilians. These companies also violate the human rights of the "security guards" they recruit and employ to operate in these confusing situations. Among the serious human rights violations allegedly committed by private military and security companies that the United Nations Working Group on the use of mercenaries has examined are cases of extrajudicial killings, torture, arbitrary and illegal arrest, human trafficking, discrimination and illness in the population as a result of these companies' activities and attacks on the right of peoples to self-determination. In their desire for profit, private military and security companies do not hesitate to put the safety of their employees at risk or to fail to grant them their most basic rights, placing them in situations of risk and extreme vulnerability.

The scope of this article is limited to highlighting some of the extrajudicial killings that violate the most fundamental right of the individual: the right to life. Despite their involvement in these violations, private military and security companies neither assume responsibility or are accountable to justice.

On September 16, 2007, employees of the U.S. company Blackwater<sup>1</sup> were involved in the incident in Baghdad's Nisoor Square that killed 17 Iraqi civilians and left over 20 others injured, including women and children. The testimonies of numerous witnesses to the incident indicate that arms were used, as well as bullets fired from a helicopter

belonging to the company. This is not the only incident in which the company Blackwater has been involved. The company's employees were directly involved in hostilities in Najaf, in April 2004 and on numerous other occasions. To date, nearly eight years after the incident, it has not been punished by any court. There is also evidence of other incidents in which employees of this company have been involved; for example, the incident between forces of the Iraqi Ministry of Interior and Blackwater contractors.

In central Baghdad, on October 9, 2007, employees of the Australian company Unity Resources Group (URG), who were protecting a convoy, fired at a car carrying two Armenian women, Genevieve Antranick and Mary Awanis, killing them. Reports indicate that between 20 and 40 shots were fired against the two women<sup>2</sup>. The company URG claims that the car carrying the two women was heading for their employees at top speed and did not stop when they received signals to do so<sup>3</sup>. Genevieve Antranick's family, who have not received any compensation, have filed suit against the company URG in a United States court. This same company was also involved in the shooting that killed the 72-year old Australian university professor Kays Juma, as he approached an intersection blocked by a convoy that URG was protecting. According to the company's version of events, professor Juma, who had been a Baghdad resident for 25 years and drove in the city every day, did not stop when signalled to do so<sup>4</sup>.

The example that best illustrates the consequences that can arise from the activities of private military and security companies is undoubtedly what happened following the killing of four employees of the security company Blackwater by Iraqi insurgents in Fallujah. According to some sources, this took place because to save money, the company failed to provide the appropriate safeguards for protecting a military convoy that needed to pass through an area controlled by insurgents.

That incident dramatically changed the course of the war, and is regarded as the turning point in the U.S. occupation in Iraq. Following that incident the U.S. army, after an initial failed attempt, unleashed Operation Phantom Fury and recaptured the city of Fallujah in November 2004. That operation led to the death of more than 1,350 insurgents. Approximately 95 U.S. soldiers were killed and 560 were wounded. The reports recounting the events of November 2004 mention crimes such as indiscriminate violence against civilians and children<sup>5</sup>. In 2010, the International Journal of Environmental Research and Public Health, a prestigious medical journal, published a study showing that rates of cancer, infant mortality and leukemia exceed those of Hiroshima y Nagasaki ([http://en.wikipedia.org/wiki/Atomic\\_bombings\\_of\\_Hiroshima\\_and\\_Nagasaki](http://en.wikipedia.org/wiki/Atomic_bombings_of_Hiroshima_and_Nagasaki))<sup>6</sup>. More than 300 000 classified military documents made public by Wikileaks, which have received extensive coverage in the international press, show that *"the use of private contractors contributed greatly to the chaos of the war in Iraq."*

1. Blackwater Worldwide stopped using its discredited name to shed its bad reputation as a result of the incidents in which the company became embroiled in Iraq, and brought together the business that includes about two dozen subsidiary companies under the name Xe. See Baker, M., "Blackwater dumps tarnished brand name", *AP News Break*, 13 February 2009. See the images at: [http://www.google.com/images?q=nisour+square&hl=en&rlz=1D2WDIA\\_enFR388FR389&um=1&ie=UTF-8&source=univ&ei=-IVBT-bW8Elao8APA6rIT&sa=X&oi=image\\_result\\_group&ct=title&resnum=12&ved=0CHwQsAQwCw&biw=981&bih=568](http://www.google.com/images?q=nisour+square&hl=en&rlz=1D2WDIA_enFR388FR389&um=1&ie=UTF-8&source=univ&ei=-IVBT-bW8Elao8APA6rIT&sa=X&oi=image_result_group&ct=title&resnum=12&ved=0CHwQsAQwCw&biw=981&bih=568).

2. URG, an Australian company, uses many former Chilean soldiers to provide security for the Australian Embassy in Baghdad. One of these Chilean guards recently shot himself. See ABC News and La Tercera (Chile), September 16, 2010.

3. Cases referred to in the Report of the United Nations Working Group on claims submitted to the Human Rights Council, A/HRC/7/7 / Add.1.

4. Mendes, J., and Mitchell, S., "Who is Unity Resources Group?", *ABC News Australia*, 16 September 2010.

5. 2005 documentary film, "Fallujah, the Hidden Massacre".

6. Wikipedia

## The defense and security market

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The end of the Cold War marked a change in the nature of armed conflicts. First, conflicts have become largely internal, and second, new fronts for military involvement have opened up, which have led to an increase in military missions abroad and changes in military management and technology. The conflicts in Iraq and Afghanistan have been a test bank for military strategies and technologies. Some analysts describe them as “fourth generation wars” and as wars with a quick victory, but with no defeating of the enemy, and a long post-war with a permanent military presence.

In military terms, the problem of how to maintain military superiority in the theatre of new operations in a context of lower budgets has been under consideration since the 1990s. The solution will be sought on two fronts. The first focuses on technology, and the increased use of high technology, information technology, unmanned systems and greater precision in weapons. The second focuses on military organisation and management, downsizing, lightening structures, privatizing much of its work and including law enforcement duties.

The privatisation that we are witnessing is taking place in context of global change in political and economic thought dating back to the 1980s, when neoliberal philosophy created a desire to privatise all public activities, including defense and security. In this privatising context, governments leave many tasks that were previously undertaken by the military to the market. This trend towards privatisation has a long history. The first major privatisation came after the Second World War, in the field of military equipment and weapons production, when publicly-owned weapons manufacturers were taken into private ownership. The second wave of privatisation involved military R+D and the development of new weapons systems, which also passed into the hands of the private military industry and finally, the fall of the Berlin Wall and the attacks of September 11 led to a restructuring of the military-industrial sector. Investments in new projects fell considerably between 1989 and 2003. The military industry dealt with this crisis by expanding its market, and including in it all the military tasks that were not part of the core or essentially “military.” After 9/11, this outsourcing process was extended to the field of homeland security, and led to the creation of a new industrial sector linking the military industry to the new technologies industry.

As mentioned above, there was a reduction in defence budgets in the 1990s, development programmes for new weapons were cancelled, etc. This decline in the turnover of the military market, and the reconsideration of new strategies and military technologies in view of the new emerging conflicts, led to pressure from the military-industrial sector on governments for military activities to be outsourced to the private sector. The private sector of the military industry argues that privatisation of non-essential military work cuts costs, improves quality, provides access to new knowledge, experience and skills, and in short increases efficiency and cuts costs for the state. The governments most heavily influenced by the neoliberal philosophy of privatisation have encouraged the emergence of this new sector and have transferred some military tasks to it.

New companies appeared during the 1990s, many of which were linked to the arms production industry. They offered services including maintenance, supplies, equipment and weapons upgrades, logistical support, military and police training, base construction and maintenance, intelligence and counterintelligence services, special operations, strategic and technical advice for governments and armies, translation services, protection for individuals, buildings and infrastructure, humanitarian aid, rapid response to disasters, peacekeeping operations support, weapons destruction, conflict management, peace negotiations, political transitions, and so on. In short, they are companies that work on “the battlefield”.

Some of the tasks performed by these companies can be considered “essential” military tasks: the management of facilities (bases, prisons, barracks, etc..) supply systems, and military training and intelligence. As a result, the first question that warrants consideration is the definition of tasks that are “not essentially” military, as otherwise these companies, due to the scale and intensity of the service they provide, could be considered as a duplication of the armed forces - in short, private armies.

The legal creation of these private armies leads to another important issue, which is democratic control of the legal use of violence. In modern states, only the state is legitimately entitled to the exclusive use of violence. The involvement of these companies in violent work ends the monopoly of the state, increases the distance between decision-making and the implementation of force, and introduces a private actor which may have its own agenda, is only accountable to the party contracting it and which seeks to maximise profits, while ignoring any democratic monitoring of its activities.

In the case of Libya there is a paradox. Gaddafi hires “mercenaries” to crush the popular revolt against his political regime and the rebels contract military service companies to train today’s militias and the future soldiers to overthrow



Gaddafi's regime. In this debate, the pragmatism of the market should not be ignored. Companies are loyal to and act in the interests of their shareholders. Their loyalty is not to the common good or the public interest.

Finally, as many of these companies are closely linked to the arms-producing companies, it may be that their economic interests encourage or facilitate the perpetuation of some conflicts or generate new needs that require their services.

## Armies for hire

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Last May, the international media announced that the private security services company "Reflex Responses" had been hired by the Crown Prince of Abu Dhabi in order to form a battalion consisting of 800 foreign soldiers. The contract, worth 500 million euros, specifies that this force will be used for special operations missions inside and outside the country, to defend the oil pipelines and other infrastructures from possible terrorist attacks and to quell internal revolts. If there was still any doubt, this announcement confirmed how multinational companies exporting security-related services are increasingly involved in areas that have to date been classified as inherently a matter for states and reserved for regular national armies.

The shift away from the state and the privatisation of services has been boosted by the dynamics of globalisation and on the grounds of economic efficiency. Almost all the Armed Forces in the countries around us have not been immune to these changes. The large reduction of troops in recent decades, drastic reductions in defence budgets, particularly in Europe, together with the increasing number and complexity of military operations abroad have made it imperative to resort to private security companies. As a consequence, the private security market is currently experiencing a golden age.

Indeed, all Western armies today require support to a greater or lesser extent from contractors to carry out their missions. The catalogue of services offered by private companies includes all military tasks, ranging from those related to direct combat to purely logistical work. These companies are extremely flexible in their operations, able to create customised solutions for each specific situation, act quickly, and knowledge of the theatre of operations, operational experience, work confidentially and advertise themselves as a cheaper alternative. Outsourcing facilitates the Armed Forces' specialisation in the areas that are their *raison d'être*, freeing personnel and resources from work that could be done efficiently outside the military structure.

However, despite these advantages, these companies' activities have a distorting effect on national armies that warrants careful analysis. On a practical level, there is evidence that the contractors' activities can to some extent interfere with decision-making and compromise the combat actions of regular forces in armed conflict scenarios.

But at a higher level, most of the fears that arise are related to the privatisation of some tasks that are "state-inherent", i.e. intrinsically linked to the public interest. While it is true that there is no consensus on which areas should not be privatised because of their unarguably public nature, what is widely accepted is that there is nothing more inherent to States than the legitimate use of armed force. Indeed, as Max Weber wrote, the state would not exist as such if it was unable to retain a monopoly on violence. Within the democratic paradigm, the State is the only agent that can be trusted with the proper control and authorisation of the use of force, which is the justification for its monopoly by legitimate governments and their basic task, above and beyond any other that they may have.

Accordingly, the army, as the armed organisation that guarantees the legitimate application of force according to the principles emanating from the democratic state, is undoubtedly the institution that is most affected by the work of these companies that see security in terms of a business area. In theory, the Armed Forces only outsource tasks that are not essentially military tasks, as military tasks are deemed inherently governmental. However, in practice, the line has become blurred between essentially state activities, which should under no circumstances be outsourced, and the commercial activities that may be entrusted to the private sector. The example of Abu Dhabi speaks volumes - an armed force, trained and equipped by a private company, is placed at the disposal of the country's government, replacing the army. Although this is an extreme case, there is no doubt that this is a trend that seems to be taking

shape on a global scale.

In conclusion, in the current situation, in which economic factors seem to prevail over other considerations, hiring private security companies offers new possibilities that cannot be ignored. However, which tasks should not be outsourced is a matter for careful consideration, as the potential short-term benefits may conceal long-term disadvantages. Any action that weakens the role of the armed forces within the democratic state increases the likelihood of other agents challenging the primacy of the “public” sphere over the “private”. Robust regulation of this market is therefore essential.

## FINDING OUT MORE

### Fernando Javier Padilla Angulo

In this issue, we provide you with materials to find out more in-depth information on private military services companies (hereinafter PMSCs) and their employees, known as security contractors. For many people, this is a euphemism for a word with which we are much more familiar: mercenaries. To that end, we offer you three important legal documents on mercenaries and we suggest some examples of relevant academic literature in order to obtain an overview of mercenaries in the twenty-first century. First, however, you can read a brief historical outline of their origin.

Mercenaries are recorded as having existed since ancient Egyptian times, and there are numerous examples of their use throughout history, from the Balearic slingshot warriors who participated in the Punic Wars between Carthage and Rome, to the soldiers of fortune who are fighting in Iraq and Afghanistan today. In brief terms, the heyday of mercenaries was in the sixteenth and seventeenth centuries, and to a lesser extent, the eighteenth century. Examples include the Swiss mercenaries and the German Landsknechts who offered their services to the highest bidder all over Renaissance Europe, the private armies that took centre stage in the conquest of Latin America, the regiments of General Wallenstein in the Thirty Years' War and the armies and navies of the Dutch and British East India companies maintained in India and Indonesia, respectively.

In the nineteenth century, as a result of the triumph of the nation-state as a political model after the French Revolution, standing armies of citizens became established, and replaced armies based on professional soldiers and mercenaries. However, this model proved to be out of date in many Western countries in the late twentieth century, when the majority of the armed forces in our hemisphere began to operate on a professional basis, leading to the recreation of the niche for the reappearance of the soldier for hire, the mercenary, to carry out tasks assigned as auxiliary to those of uniformed soldiers. However, the current role of mercenaries is very different from that of their predecessors in past centuries.

### Legal documents

The definition of the mercenary according to the additional Protocol of the Geneva Conventions of August 12, 1949 on the Protection of Victims of International Armed Conflicts (Protocol I), June 8, 1977 (<http://www.icr.org/web/spa/sitespa0.nsf/htmlall/protocolo-I>)

#### Article 47 - Mercenaries

1. A mercenary shall not have the right to be a combatant or a prisoner of war.
2. A mercenary is any person who:
  - (a) is specially recruited locally or abroad in order to fight in an armed conflict;
  - (b) does, in fact, take a direct part in the hostilities;
  - (c) is motivated to take part in the hostilities essentially by the desire for private gain and, in fact, is promised, by or on behalf of a Party to the conflict, material compensation substantially in excess of that promised or paid to combatants of similar ranks and functions in the armed forces of that Party;
  - (d) is neither a national of a Party to the conflict nor a resident of territory controlled by a Party to the conflict;
  - (e) is not a member of the armed forces of a Party to the conflict; and
  - (f) has not been sent by a State which is not a Party to the conflict on official duty as a member of its armed forces.

The definition of a mercenary according to Resolution 44/34 of the United Nations General Assembly is: International Convention against the Recruitment, Use, Financing and Training of Mercenaries, 4 December 1989 (<http://daccess-dds-ny.un.org/doc/RESOLUTION/GEN/NR0/555/16/IMG/NR055516.pdf?OpenElement>)

#### Article I

For the purposes of the present Convention,

1. A mercenary is any person who:

- (a) Is specially recruited locally or abroad in order to fight in an armed conflict;
- (b) Is motivated to take part in the hostilities essentially by the desire for private gain and, in fact, is promised, by or on behalf of a party to the conflict, material compensation substantially in excess of that promised or paid to combatants of similar rank and functions in the armed forces of that party;
- (c) Is neither a national of a party to the conflict nor a resident of territory controlled by a party to the conflict;
- (d) Is not a member of the armed forces of a party to the conflict;
- (e) Has not been sent by a State which is not a party to the conflict on official duty as a member of its armed forces.

2. A mercenary is also any person who, in any other situation:

- (a) Is specially recruited locally or abroad for the purpose of participating in a concerted act of violence aimed at:
  - (i) Overthrowing a Government or otherwise undermining the constitutional order of a State; or
  - (ii) Undermining the territorial integrity of a State;
- (b) Is motivated to take part therein essentially by the desire for significant private gain and is prompted by the promise or payment of material compensation;
- (c) Is neither a national nor a resident of the State against which such an act is directed;
- (d) Has not been sent by a State on official duty; and
- (e) Is not a member of the armed forces of the State on whose territory the act is undertaken.

**The Montreux Document** ([http://www.icrc.org/eng/assets/files/other/icrc\\_002\\_0996.pdf](http://www.icrc.org/eng/assets/files/other/icrc_002_0996.pdf)) (en castellà). This document of 2008, promoted by the Government of the Swiss Confederation and the International Committee of the Red Cross, includes a series of standards and best practices to be implemented by the signatory States with regard to hiring private military and security companies operating in situations of armed conflict. There are seventeen signatory countries: Afghanistan, Angola, Australia, Austria, Canada, France, Germany, Iraq, China, Poland, Sierra Leone, South Africa, Sweden, Switzerland, Ukraine, the United Kingdom and the United States.

### Recommended reading

From the vast amount of literature on the subject, we have selected some articles and books, ranging from general works on PMSCs to more specific issues, such as their role as peace-builders, their involvement in civil wars in Africa, the extensive use made of them by the United States Government in Iraq and Afghanistan and the ongoing lack of effective regulation for these “private armies.”

**Abrahamsen, R., & Williams, M. C. (2007). Introduction: The Privatisation and Globalisation of Security in Africa. *International Relations*, 21(2), 131-141.** The authors of this article discuss the process and the impact of the privatisation of security in Africa, and attempt to distinguish between the classic figure of the mercenary and “security contractors,” who provide their services legally, helping to cover security shortcomings in many African states.

**Avant, D. (2005). Private security companies. *New Political Economy*, 10(1), 121-131.** In just a few pages, the author gives us the keys to understanding what PMSCs are, why they emerged and the main risks and benefits arising from their use by States.

**Barbara, J. (2006). Nation building and the role of the private sector as a political peace-builder. *Conflict, Security and Development*, 6(4), 581-594.** In countries undergoing a process of nation-building like post-Saddam Hussein Iraq, DSSCs can play an important role in peace-building and peacekeeping, as outlined in this article.

**Bjork, K., & Jones, R. (2005). Overcoming Dilemmas Created by the 21st Century Mercenaries: conceptualising the use of private security companies in Iraq. *Third World Quarterly*, 26(4), 777-796.** This article stresses the need to conceptualise the work of PMSCs to give them autonomy from the Armed Forces. When the border between the two is poorly defined, as was the case in Iraq during the early years of the US-led occupation, the population’s perception worsens and asymmetric conflict intensifies.

**Dokubo, C. (2000). “An Army for Rent”, Private Military Corporations and Civil Conflicts in Africa, The Case of Sierra Leone. *Civil Wars*, 3(2), 51-64.** This article gives an overview of the activities of mercenaries in the civil war in Sierra Leone (1991-2002), which highlighted the need to regulate PMSCs, especially in a context as conducive to their activities as Africa.

**Kinsey, C. (2007). Problematising the Role of Private Security Companies in Small Wars. *Small Wars and Insurgencies*, 18(4), 584.** The author notes three trends in the presence of mercenaries in civil wars: they can act as auxiliaries to the armed forces, shore up the State or replace it in the security sphere. Starting with this assumption, he considers the Afghan and Iraqi cases.

**Kinsey, Christopher. *Corporate soldiers and international security: the rise of private military companies*. London: Routledge, 2007.** This book provides a general overview of the dramatic growth of DSSCs in recent years, and especially as a result of the wars in Iraq and Afghanistan.

**Leander, a. (2010). *The Paradoxical Impunity of Private Military Companies: Authority and the Limits to Legal Accountability*. *Security Dialogue*, 41(5), 467-490.** The legal regulation of DSSC's activities is still in an embryonic stage, with many loopholes. According to the author, this is due to the exceptional nature of the situations of risk, market imperatives and inconsistencies within the discourse of the state monopoly of violence by the States themselves.

**Pereyra, Daniel. *Mercenarios guerreros del imperio: los ejércitos privados y el negocio de la guerra (Mercenary warriors of the empire: private armies and the business of war)*. Barcelona: El Viejo Topo, 2007.** This book looks at the history of mercenaries during the conflicts of the twentieth and early twenty-first century, and emphasises their role as a key player in the hugely lucrative business of war.

**Schwartz, M. (2010). *The Department of Defense's Use of Private Security Contractors in Iraq and Afghanistan: Background, Analysis, and Options for Congress*. Iraq (pp. 1-24).** This report, which was presented to the United States Congress, proposes guidelines to be followed by the Government in the use of DSSCs in Iraq and Afghanistan during the coming years.

## INTERVIEW

### Interview with Eduardo Gutiérrez Bueno

Fernando Javier Padilla Angulo

ICIP



In this issue, we interview Mr. Eduardo Gutiérrez Bueno, Operations Manager of the Segur Group. The company was founded in 1978 and today it is among the top three private security companies in Spain. We were particularly interested in its work defending Spanish fishing vessels against piracy in Somalian waters since November 2009.

#### Can briefly you describe Segur Ibérica's work in the fight against piracy in the waters around the Horn of Africa?

Segur Ibérica has security teams on board all the tuna fishing vessels flying the Spanish flag operating in the Indian Ocean, which guarantee the ship's defence against any pirate attack. The service began in November 2009 and has so far been carried out under normal conditions.

Segur Ibérica has developed a procedure manual governing the work of the various protection teams, and its effectiveness so far has been proven as all the incidents to date - a total of fifty-five incidents, in eleven of which gunfire was exchanged - have been resolved.

#### Taking into account the nature of the delicate work you do there, what is the average profile of the personnel you recruit to garrison the fishing ships?

Segur Ibérica assigns personnel to the ships who meet all the requirements stipulated set out by law. They are security guards with Grade C firearms licenses. However, due to the specific nature of the mission, we recruit personnel who meet the

requirements, who have prior military experience, preferably in the various missions that our armed forces have carried out or are carrying out abroad. This is in addition to the psychometric tests we perform and a prior course on maritime security, which takes place at our training centre.

**To date, what type of company hires the Segur Ibérica's services?**

In the case that concerns us here, shipowners whose craft are fishing in the Indian Ocean.

**As a military operation directed by the European Union (Operation Atalanta) is taking place the region, in which Spain is a leading participant, what type of relationship do you have with the Ministry of Defence?**

Obviously, we have a close relationship since in many cases we rely on the information they give us.

**Finally, and as the Operations Manager of Segur Ibérica, what is your overall assessment of security guards' involvement in the fight against Somali piracy?**

We consider our participation to date to be a total success, as we have prevented at least fifteen kidnappings without our staff suffering from any accident.

We know that the fishermen feel protected and the owners feel satisfied.

## PLATFORM

### Anti-globalisation + alter-mundialisation + 15-M

Jordi Calvo

Member and researcher of the Delàs Centre for Peace and Justice Studies, the Centre of Social Movement Studies (UPF) and the Interuniversity Institute of Social Development and Peace (UJI, Castellón)



The 15-M movement has a number of features which may have made it a natural development of the *modus operandi* of the recent social movements - the anti-globalisation and alter-mundialisation movements.

The labour movement, which has mainly been channelled through the traditional trade unions, has suffered from a clear loss of legitimacy in the twenty-first century. However, it is still alive and before the 15-M movement, it was the only movement capable of showing any degree of resistance to the new liberalising reforms. The new social movements, which are mainly identified with environmentalism, pacifism and feminism, have entered the new century in rude health, and this has enabled them to place their sectorial demands on the political agenda, after having done so within society as a whole. A great deal of legislative and cultural progress has been towards women's equality, environmental sustainability and the rejection of war and violence. There are also many other movements that remain strong to a greater or lesser extent, depending on the circumstances, such as the student and neighborhood residents movement, the fight against racism and xenophobia, and international solidarity. There are many others that came together in the so-called antiglobalisation

movement in the 1990s, which sought to provide an answer the neoliberal offensive that took place after the fall of the Berlin Wall by combining their efforts as much as possible.

The various groups involved in the anti-globalisation protests joined forces. They called for fairer trading and economic relationships in a world in which the free-market trend towards globalisation was leading to states losing political control over their own destiny. Their protests mobilised a generation which at one point, like the 15-M generation, had been written off, and to a certain extent succeeded in halting the wave of deregulation and including criticism of capitalism's neoliberal globalisation in political discourse. In response to the criticism that it was only a protest movement, a means of creating ideas was established that led to the World Social Forum (WSF) and to the thousands of social forums that have been created since. Old and new movements came together in the social forums, establishing schools of activists who merged their strategies for protest and created a political discourse. The World Social Forum has made great strides in coordinating movements in different parts of the world, helping them to learn from each other and presenting alternatives to neoliberalism and capitalism, but its media impact has lessened with the passing of time and its main achievement has been to have ended the paradigm that there is no alternative to the policies of ever-increasing neo-liberal globalisation, with its familiar



slogan of “another world is possible”, which is no mean feat. However, its impact has perhaps been more of a cultural nature within the movements themselves, because with its new *modus operandi*, the WSF has encouraged what we might call “alter-mundialisation”, which may at least be based on the emancipation of the human being, the praxis or implementation of systemic alternatives, respect and even reverence for diversity and nonviolence as the only consistent way to build an alternative to today’s violent capitalism.

If we consider what has taken place so far in the streets of Spain and in some parts of the world, the 15-M movement undoubtedly incorporates these four items. Diversity was an essential factor among who camped in the squares and took part in the movement’s protest initiatives. They have even gone further, and included people with a perhaps more moderate outlook (politically speaking) than the Social Forums attract. The implementation of alternatives to the system that they question and that angers them is emerging in the squares and now in the decentralised assemblies which are based on horizontality, solidarity and gender equality. Emancipation is based on their proposal for a more direct and participatory democracy, or on the self-management of the squares, which resemble the existing social forums (or vice versa). Finally, the assumption of non-violent methods in all their actions and for the organisation of their own space is essential. The 15-M movement is facing a new neoliberal offensive, which is exploiting the crisis, and is being undertaken in order to undertake a final assault on the last redoubt that is not totally controlled by the markets - the European welfare state.

The 15-M movement appears to have learnt from recent social movements and has also achieved what they did not - a huge media impact. Perhaps the best way to make the 15-M movement and the social forums into a long-term movement is to consider how they can merge. The social forums can provide content, learning and critical coordination to the 15-M movement. The 15-M movement can bring our new angry citizens to the social forums and use their media impact to raise the profile of their proposals for change. This combination may be the basis for the much-needed transformation of the current system.

## The long shadow of Mubarak

Maria Fanlo

International Catalan Institute for Peace



Half a year ago, the invasion of streets and squares by the Egyptian population attracted the attention of the entire world. Encouraged by the success of the revolt in the neighboring country and a profound feeling of exhaustion, they decided enough was enough, and cried out against authoritarianism and their lack of freedom and faced down an entrenched and corrupt 30-year regime.

They were eighteen intense days in the streets of Cairo, in Tahrir Square and in other Egyptian cities, but they were also intense days for all those who were excitedly watching them thanks to a flood of news items which delighted television viewers, of various shades and nuances, as if they were part of a newspaper serial. In any event, the coverage of the eighteen days of a historical event that will certainly be a milestone in the region’s history cannot be denied. Furthermore, despite this situation simmering under the surface in recent years, when discontent was widespread, when sections of the population had already been trying to take over the streets and had been harshly repressed, when censorship was the order of the day and abuse and torture were systematic, Egypt often did not even merit a short news items in the international sections.

I mention this because the non-violent struggle of the young protagonists of the Revolution of January 25 which encouraged other sectors of the population, with various demands, differing contexts but a common goal, did not end after 18 days. Despite the lack of news, perhaps due to a lack of stirring images, the struggle in Egypt has continued and will continue because the revolution is not over. And the fact of the matter is that it is currently at a crucial and delicate stage - one that is full of hope but also of uncertainty.

Egypt is in a period of transition towards legislative elections to be held next September, and is led by a Supreme Council of the Armed Forces. Despite the image disseminated by the army recently of the revolt and its “supposed” communion with the people in Tahrir, the existence of suspicion and distrust of the army’s “savoir faire” is quite understandable in any context of a democratic process.

The harshness with which this transition is being implemented is not too distant from the iron fist policy that appears not to have disappeared along with Mubarak. The country has been governed by a state of emergency since

1981, which into force after the assassination of Sadat, and continues to be applied with inertia and impunity. It has been and remains a weapon with unlimited powers.

It is the repeal of this law that is one of the main demands of the opposition. Despite the army's promises to repeal it when the situation returns to normal, in the first four months of the transition there have been 5,600 trials of civilians in military courts. A Cairo resident, with the irony that characterises the people of the city, told me that *"we asked the Supreme Council of the Armed Forces to judge the oppressors and Mubarak's men quickly and now it turns out that we ourselves are the victims of the express trials."*

There have been military trials and detention without charge with abuse and torture. These include some outrageous cases confirmed by the army such as the "virginity test" that eighteen women were forced to undergo after being arrested after a demonstration in Tahrir Square last March. There are many such cases, according to Human Rights Watch, which is also calling on the Armed Forces Supreme Council to implement a firm policy of zero tolerance of torture and sexual abuse, starting with its own police officers.

In this scenario, perhaps more attention should be paid to the situation. This is a transitional period that will lay the foundations for the country's future political and social construction and reconciliation. And that is not all. During the so-called Arab Spring, the outcome of this process in a country that has historically been a touchstone for the region will have an impact and will certainly set the tone for future developments in other countries in the Middle East.

Ultimately, this is a country and a civil society that has cried out for the need and the possibility of rebirth. The architects of a revolution, as the Egyptians themselves say, run the dangerous risk of being kidnapped.

## One year away from the Arms Trade Treaty: moderate optimism

Javier Alcalde

International Catalan Institute for Peace



In a year's time, in July 2012, the final negotiations for the first International Arms Trade Treaty will take place in New York. To mark this event, the ICIP has created a virtual space to provide a forum for information and debate on everything related to the ATT.

It should be remembered that it will not be a disarmament treaty in the strictest sense, because it will not prohibit any type of weapon (as opposed to the landmine or cluster bomb treaty), but it will regulate their transfer and trade, as is the case with commercial exchanges of any other product, from tomatoes to music players, cars to apartments or even the controversial issue of intellectual property, which is often considered as a commodity.

It should also be remembered that it will be a treaty that will cover all conventional weapons, i.e. the light weapons responsible for most of the armed violence that occurs in the world every day, and the heavy weapons such as aircraft or tanks, which account for a great deal of money and which is used by the SIPRI yearbook to produce the lists of major weapons producers, exporters and importers.

At the top of this list, year after year, is the United States of America, one of the countries that has been least enthusiastic about signing a possible ATT. These countries are known as skeptics. And while the change from Bush to Obama has been very apparent in terms of the attitude of the United States' representatives at the United Nations, the fact is that it remains within this group of skeptics. And in negotiations where decisions are taken unanimously, this means that each of the countries in this group in theory has a power of veto that allows it to impose its own interests.

However, in practice, the threat by other countries to resort to a faster and more efficient parallel process (like the recent Oslo process for cluster munitions or the Ottawa process for anti-personnel mines), in which only the favourable states take part, and where there is no unanimity rule and where the result may be a more ambitious document with stricter standards than those expected from the current process, can facilitate agreements within the framework of the United Nations; something which was unthinkable a few years ago.

As for the United States, it will essential to convey the message that the possession of guns by civilians is not being called into question (this aspect has been beyond the scope of the treaty negotiations from the outset, since it only seeks

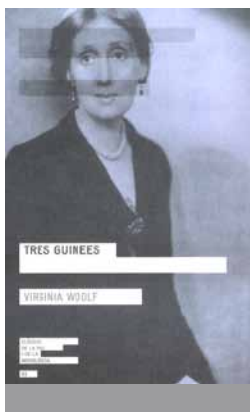
to regulate international trade). This is a key issue for the influential American lobby NRA (National Rifle Association), which often influences public opinion in the United States, and maintains that the ATT would endanger the possession of weapons by American citizens.

As of today, both activists and diplomats are cautiously optimistic about achieving the ATT. Some countries have shown leadership since the beginning of the process, such as the United Kingdom, which has also succeeded in including much of its domestic industry among those supporting this treaty. And that has been possible because the arms trade *per se* is not being challenged, but only the part of it which is considered illicit. This is the part that allows arms to be transferred to countries that will use them for internal repression or external aggression against other states.

Similarly, the arms manufacturing and exporting industry is unconcerned, because it is confident, as with the existing national and regional regulations (such as those in the European Union), that each state will have the last word on the implementation of the treaty by means of their respective national laws, and civil society will therefore not be granted a role that is active or even dominant, like the one it has in monitoring the application of the landmines treaty.

These are key aspects in understanding the limited scope of a treaty that would nonetheless be progress, given that there is as yet no regulation on the global arms trade. We can therefore be optimistic, albeit moderately so. We can assume that there will be a treaty (fingers crossed), but a lot remains to be done.

## RECOMMENDATIONS



### **Three guineas**

Virginia Woolf. *Tres guineas*. Barcelona: Institut Català Internacional per la Pau; Angle, 2011

The renowned literary author Virginia Woolf decided to write a pamphlet against militarist fascism as a way of taking action against prevailing opinion, in the context of the Spanish civil war and in view of the threat of another war in Europe that was soon to begin.

*Tres guineas* (1938) is an essay on women's contribution to peacekeeping. The text is written from the privileged vantage point of the outsider; the outsider who has been deprived of participation in the male spheres of power, wealth and prestige, who is able to observe them from the outside and understand their connections with war. For the author, the outsider's position is therefore a source of freedom that women can creatively bring into play in order to contribute to peace.

E.G.



### A hidden crisis

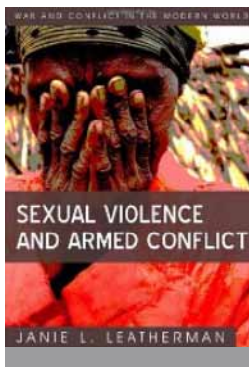
Education for All Global Monitoring Report 2011: 'A hidden crisis: armed conflicts and education'  
<http://www.unescocat.org>.

The UNESCO Education Monitoring annual report this year focuses on the direct relationship between armed conflicts in the literacy of the population and is based on a revealing statistic: in poor countries plagued by armed conflicts, 28 million children do not attend school, a figure which amounts to 42% of the world's children who do not receive an education.

The report notes that violent conflicts exacerbate poverty and increase economic disparities and gender inequalities, and shift public funds away from education and towards military expenditure. This is an obstacle to achieving the goals of Education for All goals set in Dakar (Senegal) in 2000 and indeed, UNESCO predicts that most of the milestones will

not be achieved on time, in 2015, because governments are not meeting their commitments. The report therefore calls for more determination among the international community, especially in the humanitarian aid system: if the rich countries assigned the equivalent to six days of their military expenditure to development linked to basic education, they could cover the deficit of 16,000 million dollars required to achieve universal primary education every year. It is basically a matter of priorities.

E.R.



### Sexual violence and Armed Conflict

Janie L. Leatherman. *Sexual violence and Armed Conflict*. Cambridge: Polity Press, 2011.

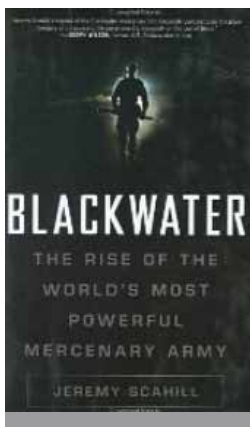
Sexual violence in times of war and peace is one of the biggest taboos. However, given its prevalence, it needs to be analysed, explained, understood and remedied.

This book examines the functions and effects of sexual violence in wartime as part of a global political economy of violence. According to the author, one of the most troubling aspects of militarised globalisation is the use of sexual violence in contemporary armed conflicts as a weapon to destroy reproductive economies and to benefit from looting. The book also analyses the role of patriarchy and militarised masculinity within a framework of plunder and profiteering, in order to understand the motivations of men (and sometimes the women) who perpetrate violence.

Janie L. Leatherman says the remedies must address the root causes of gender inequality and gender-based violence, within communities throughout the world, in order to transform both its direct and structural causes. This requires a dismantling of the aggressive foundations of the social construction of hegemonic masculinity, and the promotion of a leadership that cares for the community instead of exploiting it.

The book concludes by seeking strategies for prevention and protection and an ethic of care, in order to support survivors' rehabilitation and their reintegration into their families and community life.

E.G.



## **Blackwater**

Jeremy Scahill. *Blackwater: the rise of the world's most powerful mercenary army*. Nation Books, 2007.

Mercenaries are in Iraq and wherever else they are needed, such as in New Orleans; they come from the United States and from wherever else they can be recruited, such as Pinochet's Chile.

What is Blackwater? It is the transformation of military combat forces into a profit-making venture. It is also a private army controlled by a single person: Erik Prince, an ultra-conservative Christian billionaire.

How important is it? Blackwater has the capacity to overthrow many governments in the world today. It is the U.S.A.'s most important partner in Iraq, with more troops than the total forces deployed by Britain in the Arab country. What rules do they follow? Private security companies are virtually unaccountable to the public, from whom they make their profits. Blackwater has openly declared that its forces are above the law.

In this book, Jeremy Scahill, a correspondent for The Nation and Democracy Now! discusses Blackwater's development since it was established in 1996. In other words, this is the past and present, but also the future of the military-industrial complex. By doing so, he helps us to unravel the relationships between war, democracy and our governments. This is investigative journalism in its purest form, and is also very well written. It is a terrifying story. And the worst thing is that it is true.

J.A.

## NEWS

### ICIP NEWS

#### **The ICIP President presents the 2010 Activities Report in Parliament**

In compliance with Law 14/2007 creating the ICIP, the Institute's president, Rafael Grasa, appeared before on the Catalan Parliament's Cooperation and Solidarity committee on July 1 to give an account of the work done in recent months, with the presentation of the Annual Activity Report - ICIP Report 2010. The president highlighted the three areas in which the ICIP works (research, training and dissemination, peace building and conflict prevention) and said that 80% of the action plan had been completed in 2010. The spokespersons for the various parliamentary groups congratulated the ICIP team on its work in the fields of training, research and knowledge transfer, and encouraged the institution to continue working in the same vein to become a benchmark not only for Catalonia and Spain, but also internationally.

#### **The ICIP opens a forum for information and debate on the Arms Trade Treaty**

The ICIP website has a new space (Home > Library > Thematic Dossiers > Arms Trade Treaty) containing all the information relating to the International Arms Trade Treaty (ATT) which states are scheduled to sign at the United Nations headquarters in the summer of 2012. It is a forum with updated news related to the Spanish and international arms trade; relevant academic material; documents from the United Nations Institute conducting research into disarmament issues (UNIDIR); and an agenda of activities for keeping abreast of major events in this field. In addition, the ICIP will be producing regular analysis and documents on this topic. All the texts are available in Catalan and will also soon be available for consultation in Spanish and English.



### **Policy Papers, a new ICIP publication**

The ICIP has begun a new series of publications analysing and discussing issues related to public policy in the field of peace and security, *Policy Papers*. The first issue in the series, published in June, is entitled *At the forefront or drifting? Ten years on from the European Union's Conflict Prevention Programme*. The analysis, by the researcher Julia Schünemann, assesses the programme over its 10 years of implementation, highlighting its shortcomings, and including recommendations to improve it and move towards a real policy of prevention rather than mere crisis management. The *Policy Papers* are published electronically in Spanish, Catalan and English.

### **Series of discussions on the peace process in the Basque Country**

In May and June, the ICIP organised the series of discussions *An end to violence: a challenge in the Basque country*, to discuss the state of the peace process and the personnel changes in the Basque councils, which were heavily influenced by the strong electoral showing by Bildu. Among the participants in the discussion were the Professor of Political Science Pedro Ibarra, the physician and psychologist Carlos Martín Beristain, the lawyer Gemma Calvet and the Professor of Political Science Joan Tobella.

### **'Barefoot words. Women building peace' continues its journey**

The exhibition by the photographer Dani Lagarto Fernández, produced by the ICIP, has recently been exhibited in the Rambla Sant Sebastia in Santa Coloma de Gramenet, near Barcelona, and the Culture of Peace Centre - Can Jonch, in the town of Granollers in the Vallès Oriental region. The display consists of thirteen portraits of thirteen women, Israelis and Palestinians, who are actively working to achieve peace in the Middle East.

### **A good public response to the performances in the ESCOLTA project**

The ESCOLTA public art project, by the artists Josep Asunción and Gemma Guasch (CREART) ended the series of four performances with a strong turnout from the public. Over a hundred people participated in the activities organised at the ICIP headquarters, the photos of which are on display in the headquarters. The project consists of pairs of participants listening to each others' hearts and thinking about the listening process as a condition for peace. In addition to the participants in the performances, several well-known figures from the world of communication and culture joined the project. The entire process will culminate on the International Day of Peace on September 21, when there will be a final performance and a catalogue of materials designed during the experience will be presented.

## INTERNATIONAL NEWS

### **Finland will host the Biennial Conference of the European Peace Research Association (EUPRA)**

The seventh general conference of the European Association for Peace Research will be held in Tampere (Finland) from 20 to 22 July. The theme on this occasion will be "Europe and the World." This is the only European-level meeting on these issues and the presence of researchers from leading centres in the Union (TAPRI, SIPRI, PRIO, the University of Bradford and the Flemish Institute for Peace) is anticipated, as well as individuals from other countries including the United States, Australia, India and Algeria.

The various panels will focus on peaceful mediation; armaments, disarmament and conversion; EU-Russia relations; the Euro-Mediterranean region; the Balkans; gender and peacekeeping operations; environmental conflicts; Turkey, Europe and the Middle East; migration and identity; visual research on peace; critical studies of security; human rights, human security and the responsibility to protect; and peace research and peace movements. Those attending will present their research studies, making the event an excellent opportunity to witness European level developments in the field of research for peace at first hand.

More information on the website: <http://www.uta.fi/yky/en/research/tapri/activities/events/EuPRA2011.html?id=54757>

### **The Caravan for Peace travels around northern Mexico**

The Caravan for Peace - Justice and Dignity, a citizens' movement against drug-related violence led by the poet Javier Sicilia, travelled around three thousand kilometers in northern Mexico in July, from Cuernavaca in central Mexico, to Ciudad Juarez, the country's most violent city, on the border with the United States. The Caravan, which is supported by 180 social organizations, is seeking justice for the 35,000 victims of the drug war in the last five years and is demanding a change in the anti-drug strategy of Felipe Calderón's government, which is based on the deployment of 50,000 soldiers. The demonstrators' journey ended with the signing of a Partnership for Peace which among other things, demands demilitarisation, an end to corruption and impunity, the reconstruction of the social fabric and recovery of the memory of the victims.

### **The Chinese activist Hu Jia is freed after three years in prison**

The China's authorities have released one of the country's most well-known dissidents, the human rights activist Hu Jia, who had been imprisoned since April 2008 after having denounced the Chinese regime's repression and criticising the Chinese Communist Party's mismanagement of the environment. He was released just a few days after the release of another human rights activist, the artist Ai Weiwei. However, human rights groups say that there are still dozens of dissidents under arbitrary arrest in China.

### **The trial of Cambodia's Khmer Rouge leaders begins**

More than 30 years after the downfall of the brutal Maoist Khmer Rouge regime led by Pol Pot, the trial of four of the major leaders of the repression who are still alive, Nuon Chea, Ieng Sary, Khieu Samphan and Ieng Thirith, has begun in Cambodia. They are all accused of genocide, and specifically the killing of two million people between 1975 and 1979, by torture, starvation and executions. The trial is taking place at the international tribunal created by the United Nations.

### **A new architecture prize for projects in conflict or post-conflict situations**

The EME3 International City Award, which seeks to promote and disseminate best practices in urban planning in countries in the South, has created a new category for architectural projects that are the result of the demands of organised indigenous people and which are the result from post-conflict situations with municipal disintegration. This time around, the award focused on the Mediterranean, and the three finalists were the refugee camps in Tindouf (Algeria), the Rafha Mapping Project (Palestine/Egypt) and the School for Bedouin children on the West Bank (Palestine). The latter was the winner and the prize was awarded in Barcelona to the Italian NGO Vento di Terra (<http://www.ventoditerra.org/>) and the group ARCò - Architettura e Cooperazione (<http://www.ar-co.org/>).

The unusual feature of these schools is that they were self-built by local people, using simple techniques and mostly recycled materials. They are built based on sustainability criteria, with minimal environmental impact and enable the buildings to be dismantled without generating any waste, and reusing all the materials. Its architectural quality led to the receiving an Honorable Mention from the Renzo Piano Foundation.

The Israeli army has repeatedly called for its destruction to take over the territory, which has received media coverage in numerous international media such as the *Washington Post*, *Haaretz*, Al Jazeera and *El Mundo*. It is to be hoped that this award will ensure the project's continuity.

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