

## **Politicised Intervention: Private Security Companies and Armed Conflicts in Africa**

**By**

**Olajide O. Akanji**

Department of Political Science, University of Ibadan, Email:  
[akanjijide@yahoo.com](mailto:akanjijide@yahoo.com)

### **Abstract**

Private security companies (PSCs) have recently become a component of international peacekeeping operations. In Africa, a number of these private security companies have been used in humanitarian operations in some of the continent's conflict spots. This raises a number of questions: Why are private security companies being used in peacekeeping operations? What has been the trend, dynamics and pattern of private security companies' involvement in peacekeeping operations in Africa? How has the private security companies performed in peacekeeping operations in Africa? This paper interrogates these questions within the context of the activities of some of the notable PSCs that have been used by the UN, AU and ECOWAS in peacekeeping operations in Africa. The paper argues that there are evidences that some private security companies complicated the management of armed conflicts in certain parts of Africa. Nonetheless, it argues that the activities of some private security companies facilitated peace process in certain cases. It concludes that there is the need for an international legal framework to address the issue of PSCs involvement in peace operations.

### **Introduction**

In recent international peacekeeping operations, the involvements of private security companies [hereafter PSCs] have become very common. In Africa, the UN, AU and ECOWAS, as well the United State and some African States, have all engaged the services of PSCs in humanitarian operations in different conflict spots. But much as this has been the trend, the argument in certain quarters is that the management of armed conflicts in Africa have been complicated by the role and activities of private security companies; though in some quarters the activities of some private security companies have been identified to have facilitated peace processes and implementations. This raises the need to interrogate the rationale, nature, and the future of the use of private security companies in conflict management. This paper

thus analyses the role of private security companies in conflict management and resolution in Africa. It interrogates how their involvements have shaped the nature of armed conflict, and facilitated or undermined the management and resolution of conflicts in the continent. It also focuses on the nature of the services provided by private security companies and how such services are qualified to be considered as humanitarian. This paper is divided into five parts. Following the introduction, the second section is an attempt to conceptualise the term private security companies. This is followed by the analyses of armed conflicts in Africa. The fourth section discusses the role of PSCs in armed conflicts across Africa. The last section analyses the role of PSCs in order to determine whether their interventions in armed conflicts in Africa have indeed been humanitarian or otherwise.

### **Conceptualizing Private Security Companies (PSCs)**

The term private security companies (PSCs) is characterized by conceptual and operational ambiguities. It is a contested concept involving arguments about its proper meaning, scope, constituents, legality, and functions. There are different issues in the contestation over the actual meaning, proper constituents and use of the concept of private security companies. Some of the issues border on a neat, universal conceptualization of the concept, the relationship, albeit the dichotomy, between private security companies (PSCs) and private military companies (PMCs), and whether PSCs are mercenaries or militias. For instance, while some considered PSCs as ‘mercenaries’, others see them as the world’s future peacekeepers (Lilly 2000; Cameron 2006). In the area of nomenclature, the term private security companies (PSCs) has also been described as private security contractors (PSCs) (see Bosch 2007). As regards the place of PSCs under international humanitarian law; whether

they are mercenaries or illegal bodies, and whether their activities are legal or not, the conclusion by Bosch (2007) answers it all. According to Bosch (2007:47),

“PSCs would, depending on their particular actions, most likely be categorised as civilians (sometimes ‘accompanying the armed forces’). Their degree of participation in hostilities will determine whether they retain their civilian status or are considered to be unlawful belligerents.”

Similarly, there is the ‘dichotomy’ between private security companies (PSCs) and private military companies (PMCs) in the literature. Some scholars, including Zedeck (2007), and Baker and Gumedze (2007), lumped both PSCs and PMCs together by referring to them as private military/security companies (PMSCs), others such as Brooks (2002) consider them as two distinct entities. According to Brooks (2002:2-3), “Private security companies (PSCs) are companies that provide defensive armed protection for premises or people, capable of defending against guerrilla forces, or serving as personal bodyguards; while private military companies (PMCs) include both active private military contractors willing to carry weapons into combat, and passive contractors that focus on training and organizational issues.” In the same vein, the official website of both PMCs and PSCs differentiate between PMCs and PSCs. The website describes PSCs as companies that are “contracted to render tasks in conflict and post-conflict environments”, while PMCs are described as “firms offering security and military-related services that up to the 1980s used to be the preserve of the state” ([www.privatemilitary.org](http://www.privatemilitary.org)). Generally speaking, private security companies (PSCs), at least in grammar, are non-state security service providers. This definition is however restrictive when one considers the broad range of activities that PSCs undertake. This, for example, can be gleaned from the objectives of Blackwater Worldwide, one of the notable private security companies involved in peacekeeping operations in the world. The company describes itself as a

“turnkey solution provider for the 4<sup>th</sup> generation warfare, assisting in the development of national and global security plans, trains, equip and deploy public safety and military warriors, build combat live-fire indoor/outdoor ranges, MOU facilities and shoot houses, create ground and aviation operations and logistics supports packages, develop and execute canine solutions for patrol and explosive detection, and can design and build facilities both domestically and in austere environment abroad.” (Blackwater Worldwide, 2005)

According to the International Committee of the Red Cross (ICRC 2006: 1), the activities of PSCs include ‘logistical support, military operations, maintenance of weapons systems, protection of persons, training of military and police force at home or abroad, intelligence gathering, custody and interrogation of prisoners and, on some occasions, participation in combat’. These functions help to give wide ranging definitions to private security companies.

For the purposes of this paper, the generic term of PSCs as profit-oriented, commercially registered non-state security service providers is used. This conceptualisation clearly suggests that PSCs are neither militias nor mercenaries. This is because while PSCs are registered security companies, having rules of operations and offering specialised and professional security services to States, international, regional and sub-regional organisations; both mercenaries and militias are ‘irregular’ and ‘auxiliary’ forces often used by States as illegal proxies in wars. Unlike mercenaries and militias, international organisations, including the UNHCR, UNICEF, UNDP and WFP have all used PSCs for protection (Hull 2008:11) and armed PSCs contractors have been used to secure aid delivery (Avant 2005:238). Also, PSCs have been employed by the UN peacekeeping missions to provide a number of services including logistical support and transportation of troops and equipment. The US and ECOWAS have equally relied, for example, on the US company, the International Charter Incorporated (ICI), for transportation services in

West Africa. According to the company, ‘In West Africa and elsewhere, we have worked closely with international peacekeeping forces on behalf of the US government’. The implication of the foregoing is that PSCs actually perform a broad range of security related services for peacekeeping purposes. This makes apt and correct the description of PMSCs by Wright and Brooke (2007) as the ‘peace and stability operations industry’ (PSOI).

### **Armed Conflicts in Africa: an overview of causes and character**

Armed conflicts are widespread and pervasive in Africa. It has been contended that majority of the total global conflicts occurred in Africa. Kofi Annan, in his report to the United Nations Security Council (UNSC) titled: ‘The causes of conflict and the promotion of durable peace and sustainable development in Africa,’ noted that, “... 14 of the continent’s 53 countries were afflicted by armed conflicts in 1996 alone, and over 30 wars have occurred...since 1970, mostly within states. These accounted for more than half of all the war-related deaths worldwide...” (cited in Aboagye, 2009:1)” Armed conflicts in Africa are underpinned by a number of factors. These include the arbitrary nature of the colonially drawn boundaries and borders of African states; weak and poor border control; migrant flow; pastoralism along borderlines of states, arms proliferation, and the proxy activities of mercenaries, rebel groups and militias. These factors, on the one hand, underpinned the proxy cross-border nature of Africa’s conflicts. On the other hand, however, the factor of proxy actors/activities constitutes a fundamental dynamics of the continent’s numerous conflicts. Scholars, including Nugent and Asiwaju (1996), Herbst (2000), Clapham (1996), and Aghemelo and Ibhasebhor (2006), for instance, argued that the nature of borders and boundaries of states is the cause of political instability, civil war, secession

movements, and a number of other issues in Africa. This, it is argued, is because borders of African states were arbitrarily drawn by the colonial powers for the sole purpose of administrative convenience.

The colonial powers drew the borders without any regard for the ethnic affinity and cultural compatibility of the people. As a result, post-colonial African states are characterized by borders that divide related ethnic groups into different sovereign political units. For example, members of the Yoruba ethnic group are found in both Nigeria and Benin Republic; much the same way members of the Tutsi are in Rwanda and Burundi. The arbitrary nature of the colonially drawn boundaries accounts for the multiethnic nature of contemporary African states, and the problem of inter-ethnic rivalries which often snowball into political crisis, civil war and other forms of armed conflicts. The Rwanda genocide of 1994, the Biafra-Nigeria civil war of 1967-1970, the Sudan civil war and the Casamance insurgence in Senegal, for example, are traceable to nature of the colonially drawn borders of states in Africa.

Also, the problem of porous borders, which stems from weak and poor border control, promote the cross-border nature of armed conflicts in Africa. This is an important factor in understanding armed conflicts in Africa. Porous border is often as a result of the fact that states have limited control or capacity over their borders; since borders are shared by two or more states. This situation is often capitalized upon by armed groups to establish military bases in the neighbouring states. In some cases, conflicts ensued because of the inability of the states, particularly the receiving or neighbouring states, to forestall the spread of the conflicts into their territories. The conflicts in the Casamance region of Senegal and Darfur in Sudan are classic examples. Though a number of other factors, including ethnicity, account for the spread of the Casamance conflict in Senegal to Gambia and Guinea Bissau, and the

conflict in Darfur to Chad and the Central African Republic, yet the inability of the governments of the receiving countries (Gambia and Guinea Bissau on one hand and Chad and CAR on the other hand) to maintain tight border control was an adjunct factor. The issue of porous borders and weak border control has also accentuated for the problem of arms proliferation and arms smuggling in the continent, thus aggravating and heightening tensions in many states.

Similarly, migration flow has contributed to the complex nature of armed conflicts in Africa. In the first place, migration scholars have established a strong link between the flow of migrants; whether refugees, internally displaced persons, asylum seekers or labour migrants, and conflicts both in the countries of origin and countries of destination. Barret (1993: 159), for example, argued that when migrants stay for extended periods they become more assertive of their economic, political and social rights which may evoke a reaction from the host community. Mabogunje (1979: 9) also averred that once migration has taken place, adjustments occur in both the areas of origin and destination. These adjustments could however be positive or negative as in encouraging more flow from the area of origin or conflicts between the migrants and the host community respectively. Consequently, the conflicts in the country of origin of migrants can be carried over into the neighbouring countries which have received the migrants.

Conflicts resulting from migration have often created links between conflicts in one country and people in the other. The conflict in Chad and Central African Republic (CAR), for example, was attributed in part to the inflow of refugees from Darfur (Lattimer 2008: 45). Alongside migratory flow, the widespread practice of pastoralism, particularly along state's borders also underpins the ubiquity of conflicts in Africa. This is because many ethnic groups in Africa are nomadic groups, moving

from place to place in search of pasture for their animals. The nomadic groups are however often oblivious of official state boundaries/borders in their pastoral activities. As a result, the activities of the groups, particularly the habitual crossing of national borders, often challenge state control and the notion of citizenship. It is around this issue of pastoralism that the settler-native dichotomy, which has been identified as the root cause of many communal, ethnic and sub-ethnic conflicts in Africa, revolves (Mamdani 1998; 2004). The conflicts in the Horn of Africa buttress this thesis.

### **PSCs and Peacekeeping Operations in Africa: some selected cases**

Since the 1990s, private security companies (PSCs) have been used in peacekeeping operations across Africa by the UN, AU, and sub-regional organisations including ECOWAS, as well as the United States of America and some States in the continent. Some of the notable PSCs that have been deployed in Africa are DynCorp, Brown and Root, Executive Outcomes (EO), Sandline International (SI), Blackwater Worldwide, International Charter Incorporated (ICI), PAE, Top Cat Maritime, and Hart Security. Generally speaking, the involvement of PSCs in peacekeeping operations in Africa started in the early 1990s in West Africa and the Horn of Africa.

In West Africa, civil war ravaged a number of countries including Liberia, Sierra Leone, and Guinea Bissau between 1991 and 2003. However, during the civil war in Sierra Leone, two private security companies, namely, the Executive Outcomes (EO) and Sandline International (SI) were contracted at different times by the government of Sierra Leone between 1992 and 1997. In 1992, when the National Provisional Ruling Council (NPRC) assumed power the EO was contracted by the provisional government to counter the rebel activities of the Charles Taylor-backed Revolutionary United Front (RUF). The contract ended in 1997 following the election



of Alhmed Tedjan Kabbah and the Abidjan peace agreement. But when there was resurgence in May 1997 of rebel activities, Kabbah had to contract the services of Sandline International (SI) in an agreement which involved the British. From then on, the SI fought alongside ECOMOG troops in the bid to restore normalcy and stability back to the war torn country. The use of the EO and SI by the Sierra Leonean government of Dr. Alhmed Tejan Kabbah, and especially the fact that the SI fought alongside ECOMOG troop without objection from governments of West African states was an acceptance of the relevance and importance of PSCs in restoring order in conflict situations. This, according to Emro (2000), appeared to legitimise the industry's role in peacekeeping missions in Africa. Justifying the action of the Kabbah government, the Sierra Leonean ambassador to the UN, Sylvester Rowe, explained that '...the legitimate government of Dr Kabbah did what it had to' (quoted in Percy 2007: 219). Furthermore, between 2002 and 2003, the US contributed to the UN Operation in Cote d'Ivoire (UNOCI), by using PAE for the transfer of arms (Malan 2008:4).

Even in post-conflict peacebuilding situations, PSCs have been used on a number of occasions. In September 2009, PAE, DynCorp, Protection Strategies Inc. and AECOM were selected for a five year contract, not exceeding US\$ 375 million for each company. Through this mechanism, the post-conflict activities of DynCorp in Liberia was extended in January 2010 with the task order worth up to US\$ 20 million covering issues of maintenance and operation of military facilities, provision of transportation, power and water related services (Bennett 2009).

In the Horn of Africa, the use of PSCs has become more pronounced than in any other part of Africa. In Somalia in 1992, Rwanda in 1994, DR Congo in 2003, and Sudan 2005, among others, PSCs were deployed to perform one form of

humanitarian assistance or the other. For example, Brown and Root Company was reportedly present in Somalia as soon as the US troops arrived the country. The company was responsible for logistical and supply duties to the American troops. In the same vein, the company was involved in the provision of logistics and supply for Operation Support Hope in Rwanda in 1994 (Singer 2002:143).

Also, PSCs were an important element in the activities of the AU-UN Operation in Darfur (UNAMID). In 2003, the US State Department contracted DynCorp to provide transportation for Sudanese delegates in Kenya during the negotiations which led to the Comprehensive Peace Accords (CPA). Even after the peace accord, DynCorp secured another contracts with the US State Department for African Peacekeeping involving the Assessment and Evaluation Commission (AEC) over the monitoring of the government of Sudan and the Sudan People's Liberation Movement/Army for compliance with the 2005 CPA. Together with Norway, Italy, the Netherlands and UK, the company was contracted to provide training for SPLA officers and assist the Government of Southern Sudan in Security Sector Transformation (SST) in support of SPLA management capacity development; civil engineering for the headquarters and camps, and maintaining equipment, communications and vehicles (see DynCorp International). Apart from DynCorp, PAE also provided personnel for the monitoring of human rights through a Civilian Protection Team for Sudan (Aning et. al. 2008: 264).

Similarly, PSCs played a significant role in the attempt to manage the conflict in Somalia. Unlike in many other conflict zones, only Brown and Root and DynCorp International seemed to have successfully entered into the country. This was made possible due to their close relationship with the US State Department. DynCorp, for example, was part of the Operation Restore Hope in Somalia in the early 1990s. In the

same vein, Brown and Root was involved in peacekeeping, especially in the provision of logistic and supply in Somalia in 1992 and during Operation Support Hope in Rwanda in 1994 (Singer 2002). Between 2006 and 2007, several PSCs including Northbridge, ATS Worldwide, SelectArmour and DynCorp made efforts to obtain contracts in Somalia from the US government. DynCorp was however contracted to provide logistical support for the African Union Mission in Somalia (Hansen 2008: 593-594). Also, both PAE and DynCorp were involved in Burundi and Sierra Leone between 2002 and 2003, while PAE operated in Congo in 2001 (Chaterjee 2004).

A major reason for the upsurge in the use of PSCs in international peacekeeping operations can be linked to several factors, two of which are: the burgeoning nature of international peacekeeping operations and the recognition of the importance of PSCs by the US State Department in meeting the increasing complexity of peace operations. In recent time, the State Department has been making use of PSCs through AFRICAP (African Peacekeeping Program), which identifies contractors (private security companies) with the capacity to implement large-scale peacekeeping programs in Africa. This strategy, according to Brian Boquist the executive vice president of ICI (cited in Howe 2004: 191), has saved the United States millions of dollars while effectively pursuing peaceful resolution of conflicts that save lives and promote democracy. The practice by the State Department of applying an Indefinite Delivery/Indefinite Quantity (IDIQ) contracting system with AFRICAP contractors, which ensures a five year continuity for the employer, and guarantees a monopoly for the contractors who bid for specific tasks within the larger contract, has encouraged PSCs' involvement in international peacekeeping operations in Africa.

### **Humanitarian Intervention or What: Issues against PSCs in Peace Operations in Africa**

The activities of PSCs have had major impact on the course of armed conflicts and peace processes and implementations in Africa. The intervention of the UN and AU peacekeeping missions was facilitated by the activities of some of private security companies (PSCs). The services provided by the Executive Outcome (EO) and Sandline International (SI), two of the foreign private security companies in West Africa, in the form of countering the threats posed by the RUF/SL to the government of Sierra Leone, hindered the rebels from overrunning the country, and paved way for the peace agreements which ended the conflicts between the government and the rebels. Similarly, DynCorp, a US private security company, contributed to the process leading up to the Sudan Comprehensive Peace Accords (CPA) in 2005. The company, for instance, provided transportation for Sudanese delegates in Kenya during the negotiations stage of the accord in 2003, and has since the drawing up of the accord in 2005 been involved in monitoring the compliance of both parties, the government of Sudan and the Sudan People's Liberation Movement/Army, with the accord (DynCorp International). Though private security companies are profit making organizations, which are contracted and whose services are paid for, yet their services have been crucial to the success of the peacekeeping, peacemaking and peacebuilding efforts of the UN, AU and the government that contracted them.

However, the involvement of PSCs in international peacekeeping operations across Africa has been laced with criticisms. The criticisms border on a wide range of issues. These criticisms cast aspersion on the relevance and reliability of PSCs as a key component in international peace operations. For example, in 2001, PAE was charged and subsequently investigated for overcharging for its services in DR Congo

(Chaterjee 2004). Another problem with PSCs is the allegation of subcontracting portions of their contracts to less known contractors, some of whom failed to deliver as expected. DynCorp, for example was accused of subcontracting portions of its contracts with the State Department to some other companies. One of the companies contracted for the transport of AU peacekeepers and humanitarian aid was however later accused by the UN of supplying an array of weaponry to *al-Shabaab*, an organization cited by the US as a Global Terrorist.

A more serious problem with involvement of PSCs in peace operations in Africa is in their meddling in the domestic affairs of some of the countries where they operated. This was evident in the activities of some PSCs employed to provide security services in some countries in the Horn of Africa. In Somalia, for example, PSCs have been involved in the country's complex network of security governance (Kinsey et. al 2009:148), albeit as service providers for 'substate actors'. The security complexity of Somalia borders on the fact that a combination of clans, tribal militias, vigilante groups and Sharia Courts compete for power in the country. This internal division and the lack of central authority made some of the PSCs that operated in the country to be loyal to and identified with the group/ 'government' that employed their services. For example, in 1998, Puntland declared itself an autonomous region within Somalia, and established some basics of modern statehood (Kinsey et. al 2009). The 'government' of Puntland then contracted Hart Security in 1999 for the purpose of training of coast guards, in exchange for the collection of fishing licenses. Though the company was able to ward off illegal fishing by foreign vessels, it proved incapable of preventing pirate activities due to clan politics. However, the extent of partisanship of the employees of the company in the local political conflict in Puntland resulted in the revocation of its contract, and the transfer of same to SMOCAN, a PSC registered in

the United Arab Emirate, by the Puntland government under Adullahi Yusuf. Like the case of Hart Security, SMOCAN got involved in the local politics of Puntland to the detriment of its services to the region. First, the head of the company, who was based in Canada, had his authority exercised in Puntland by a relative who was a military advisor to President Abdullahi Yusuf the head of the TFG (Kinsey et. al 2009:154). The SMOCAN contract was however voided in 2005 when a rival clan took control of the leadership of the TFG. This followed an armed confrontation between personnel of the company and security officials of the new government. On another occasion, three of SMOCAN employees were sentenced to a ten-year jail term in Thailand for piracy for attempting to extract \$800 000 from a ship (Hansen 2008).

### **Concluding remarks**

This paper has demonstrated that private security companies have become a regular feature of international peacekeeping operations in Africa since the 1990s. Sandline International and Executive Outcomes, for example, were two private security companies that were involved in humanitarian operations in Sierra Leone and Liberia during the civil wars in both countries. Similarly, Brown and Root, Blackwater, DynCorp, PAE, TopCat Maritime and Hart Security have been involved in peace missions across Africa. The activities of these PSCs cover peacekeeping, peace support and peace enforcement. Interestingly, the use of private security companies cut across the United Nations, African Union and even ECOWAS. However, the activities of the companies have been laced with series of allegations from different quarters. The allegations range from politicisation of PSC activities, and partisanship and profiteering by some of the PSCs, all of which seems to have undermined the credibility of the use of private security companies in Africa's

conflicts. Indeed, the neutrality and independence of actions of private security companies is doubtful, given the fact that most private security companies are protégés of vested interests. A pointer to this is the close relationship between the US government and a number of private security companies, including International Charter Incorporation and DynCorp. Similarly, Spearin (2008) noted that the International Crisis Group identified PSC personnel as perpetrators of crimes such as drug trafficking. Nonetheless, the interventions of the private security companies have contributed a no small measure to the management, particularly the de-escalation of armed conflicts. For example, the activities of the Executive Outcome (EO), for instance, stabilised Freetown by curtailing the military incursion of the Revolutionary United Front (RUF) into the city, and by destroying the headquarters of the rebel group. DynCorp equally contributed to the Sudan Comprehensive Peace Accord (CPA); it facilitated the signing of the CPA through the provision of transport and logistics support for some of the delegates to the peace accord, and also by being part of the Assessment and Evaluation Commission monitoring compliance of the government of Sudan and the Sudan People's Liberation Movement/Army with the CPA.

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