

# Private Security Companies are here to stay

**Andrew Bearpark is the Director General of the British Association of Private Security Companies (BAPSC), an independent trade association representing the leading UK companies of the private security and private military sector. Before his appointment in this position Mr. Bearpark held various senior positions with Her Majesty's Government. Most notably he was Head of the Information and Emergency Aid Departments of the Overseas Development Administration from 1991 to 1997. Later he was gathering a strong international record being in charge of major humanitarian projects, including for the UN, in ex-Yugoslavia and Kosovo. In 2003 Mr. Bearpark was appointed for one year Director of Operations and Infrastructure for the Coalition Provisional Authority (CPA) in Iraq. Mr. Bearpark is a recognized expert on security issues, post-conflict management and reconstruction.**

**This interview was conducted by Laurent Joachim for Politique Internationale in May 2011. Cet entretien a été conduit pour Politique Internationale par Laurent Joachim en Mai 2011.**

**Politique Internationale :** Mr. Bearpark, you held many senior positions with the British Government. Why did you feel there was a need for launching the British Association of Private Security Companies (BAPSC)<sup>1</sup>.

**Andrew Bearpark :** Already in the Balkan I became familiar with Private Security Companies (PSCs)<sup>2</sup>, which were present in Bosnia, for example the US company MPRI and the British company DSL<sup>3</sup>. 2003 I moved to Iraq for 12 months where I was, responsible for the security of infrastructure of the CPA and in this capacity I got to know all the major PSCs. My experience in Iraq leads me to the conclusion that some companies were „good companies“, which operated very professionally and had high standards of behavior, while other company were „cow-boys“ and had no standards of any description. So as I returned to the UK in 2004, I met with some company-representatives and they agreed, that it would be a good idea if I formed the British Association of Private Security Companies (BAPSC) because I understood the industry but I was not part of the industry myself, which made me a neutral person to talk to. The decision to launch the association was taken in January 2005 and it was founded with the initial backing of eight companies. The BAPSC is founded only by the companies; we receive no money from the government.

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<sup>1</sup> [www.bapsc.org.uk](http://www.bapsc.org.uk).

<sup>2</sup> It is the policy of BAPSC to speak of PSCs instead of PMCs (Private Military Companies) emphasizing thus the defensive character of the actions undertaken by those companies.

<sup>3</sup> Now ArmorGroup.

**Politique Internationale :** Sir, would you tell us what was the primary goal of the BAPSC ?

**Andrew Bearpark :** The BAPSC had two goals. The first goal was to improved standard in the industry for everybody and the other one was to expose the companies that weren't behaving properly to try to drive them out of the industry.

**Politique Internationale :** Who are the members the BAPSC?

**Andrew Bearpark :** To fulfill the criteria of membership the companies have to work overseas, be UK-based and "carry weapons". At the very moment the BAPSC is currently going through a restructuration process but at his peak 22 companies were members.

**Politique Internationale :** How many PSCs are based in the UK?

**Andrew Bearpark :** There are thought to be around 60 security companies in the UK but most of them are formed for a single job and disband again shortly after having done this one job. The British government thinks there are around 30 serious PSCs.

**Politique Internationale :** Does that mean that the BAPSC has to be regarded as a public relation and lobbying agency of the biggest PSCs?

**Andrew Bearpark :** No, absolutely not. The BAPSC was formed to act as a link between the industry and the British government, as well as other governments. Furthermore the association was formed as a self-regulatory association to try to bring self-regulation into an industry in a period governments failed to regulate. That's why we immediately adopted a charter, also already in 2006. That charter was the only document<sup>4</sup> at that time giving an indication of the sort of principles companies should observe. Thus it was an essential document because the International Code of Conduct was first approved in Geneva in November 2010<sup>5</sup>.

**Politique Internationale :** What is the International Code of Conduct?

**Andrew Bearpark :** The International Code of Conduct is a self-regulatory document elaborated "with the objectives of improving industries' standards and ensuring respect for human rights and humanitarian law by private security service providers" as it stated in it's preamble.

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<sup>4</sup> The International Peace Operations Association, IPOA (now ISOA), is an American non-profit trade association created 2001 to support the development of Private Military Companies and it adopted a succinct Code of Conduct already 2001.

<sup>5</sup> The International Code of Conduct can be downloaded from [www.admin.ch](http://www.admin.ch), the Website of the Swiss Confederation.

**Politique Internationale :** Who wrote the International Code of Conduct?

**Andrew Bearpark :** The BAPSC was very closely associated to the process but officially the International Code of Conduct was written by the Swiss Government, the British government and the American Government. It is now signed by close to 60 companies<sup>6</sup>.

**Politique Internationale :** Does the Code of Conduct extend legal liabilities?

**Andrew Bearpark :** No. The Code of Conduct does not impose any new liabilities what so ever. It relies on existing laws.

**Politique Internationale :** How close is the BAPSC to the British government?

**Andrew Bearpark :** We worked very closely with the British government at all time especially with the Foreign Office, which is the department responsible for policies on PMC, but also the Ministry of Defense because of the way PSCs may or may not work with the Military and we work with the Department for International Development, because of the implications for security policies in developing countries.

**Politique Internationale :** So you helped defining a regulation-framework for the trade but there are obviously still legal and political issues. Would you say that you represent mercenaries?

**Andrew Bearpark :** No. Absolutely not! I have no problem with the question but mercenaries are a specific group of people, the BAPSC members are no mercenary. That is as simple as that.

**Politique Internationale :** Why?

**Andrew Bearpark :** Private Security Companies undertake defensive operations only, in terms of assess protection. Private Military Companies, in theory at least, are prepared to undertake offensive operations. Mercenaries are individuals, not companies, employed by countries to fight their wars for them or are renegades who are trying to overthrow another government. There are no connections between Private Security Companies and mercenaries.

**Politique Internationale :** So they are no mercenary-companies, but in Iraq and Afghanistan those people are running all over the place with loaded guns, aren't they?

**Andrew Bearpark :** People often totally misunderstand and underestimate the complexity of the business. The use of KBR to deliver the fuel to the US Army does not imply so much of

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<sup>6</sup> As of 04.11.2010.

a moral dimension and KBR can't be described as a Private Security Company by any mean. KBR is simply a logistic company providing goods and services for the US military. That's it. The use of other companies "embedded in the military" certainly raise further questions but the fact is also that Private Security Companies do offer a very wide range of services, so it's totally wrong to imagine that every "contractors" is carrying a gun! Armed personnel are a small minority of all "contractors". For example the British company Control Risk had indeed a contract to protect British officials in Iraq but it's not their core business. The core business of Control Risk is to negotiate the liberation of hostages.

**Politique Internationale :** There is also an American professional association representing the trade, it is called ISOA<sup>7</sup>. What is the difference between the ISOA and the BAPSC?

**Andrew Bearpark :** First difference: the BAPSC only represents UK-based companies, while the ISOA is an international organization. Second difference: the BAPSC only deals with PSCs, while the ISOA deals with a wider peacekeeping industry (mine clearing, medical assistance, logistic, etc..). Third difference: the ISOA is a straight forward lobbying organization and not only a self-regulation body.

**Politique Internationale :** Your association emphasizes the importance of self-regulation. What are the standards you want to make sure the industry adopts?

**Andrew Bearpark :** The most important standard is training. People on the ground need proper training, not only to do their jobs, but although in international humanitarian law, so that they understand the implications of their actions. The second point is that companies must have in place first-class screening procedures to make sure that the people they recruit are not suffering of post-traumatic stress disorder (PTSD) or any problem like that. The third point is that companies must have transparent and adequate control procedures for people affected by their actions.

**Politique Internationale :** Do you reckon that companies hiring employees from "third world countries" might jeopardize many efforts made to create a reputable industry?

**Andrew Bearpark :** Well it is a concern indeed. It is the responsibility of the companies to recruit only people who meet a certain standard or to give them training to bring them up the necessary standard. Unfortunately not all companies are reputable and problems are caused by companies which recruit inappropriate staff. Anyway the problem is not so much the availability of people but the cost of people: very crudely, companies try to reduce costs and it is simply cheaper to employ a Ugandan than to employ a Frenchman. Let me be straight forward: all the problem of the industry is actually that some companies don't behave properly for commercial reasons. They will employ people simply on the basis of cost and therefore they will not employ people with the right training. That's a financial issue and

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<sup>7</sup> The ISOA is the The Association of the Stability Operations Industry (earlier called The Association of the Peace Operations Industry or IPOA).

one of the goal of the International Code of Conduct, is that by accepting strong standards the companies will not be anymore allowed to do that.

**Politique Internationale :** What should happen with those “bad companies”.

**Andrew Bearpark :** The BAPSC has no sympathy with those companies and we think that they should be forced to close business. That’s as simply as that.

**Politique Internationale :** But even reputable companies, employing well equipped and properly trained soldiers, have been involved in major incidents including the killing of innocent civilians. Do you think that „contractors“ are generally trigger-happy?

**Andrew Bearpark :** Well there are two separate issues. One of them is that a company will behave in accordance with its contract. Please don’t forget that important point: they are commercial companies operating under contract. So if you look at Blackwater<sup>8</sup> for example, you will see that they were under contract with the Department of Defense, the State Department, and for all I know the CIA and those contracts will require them to behave in a certain way. People may or may not approve the behavior of Blackwater but if the contract does require such a behavior, it’s the company’s job to deliver it. The other issue is that it is important to make a difference between the behavior of single people on the ground and the general behavior of the companies. A proper company has clear rules of engagement, exactly like in the State’s military and every man of the company is required to perform his duty according to those rules of engagement and according to well trained standard operating procedures, exactly like in the State’s military.

**Politique Internationale :** But let’s take a practical example. Isn’t it a problem if „contractors“ are underway in a war zone inside unarmored SUVs instead of Armored Personnel Carriers, unlike military personnel? Aren’t they prone to open fire more aggressively if they are short of armor?

**Andrew Bearpark :** I can’t comment on single cases but it is part of the International Code of Conduct, that a company should equipped its personnel according to the mission because indeed if a company expects its personal to work in a risk-zone without the proper equipment, yes indeed that might be for those on the ground a reason to shot more quickly to preserve their own lives. But it would be wrong to say that companies do not equip their teams with armored vehicles on purpose. The fact is that unarmored SUVs are first much faster than armored SUVs – and speed might be very important under fire – and secondly unarmored SUVs allow returning fire, which is not the case with armored vehicles because you simply can’t shot through the windows. So PSCs often use a mix of armored and unarmored SUVs for tactical reasons and not for economical reasons.

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<sup>8</sup> Now “Xe”.

**Politique Internationale :** Would you say that a properly equipped PSC-detail is as efficient as the military would be?

**Andrew Bearpark :** Yes provided their contract allow them to equip themselves like the military would do, there is no reason why they wouldn't be as efficient as the military.

**Politique Internationale :** But in that case they can't be cheaper than the military. Can they?

**Andrew Bearpark :** Well there are two sides of the equation. PSCs exist to make profits, so by definition there is an element of profit build in the contract and that's true that the State's military is not required to make any profit. However, a government buys the service of PSCs only for the period needed, while the same government has to support the infrastructure of the army at any time, hence the possibility to save money with PSCs.

**Politique Internationale :** Why do you think there were so many proven issues with corruption and overcharging, especially in Iraq?

**Andrew Bearpark :** Until 2005 the Coalition Provisional Authority (CPA) in Iraq, the US Department of Defense, the British Ministry of Defense and many other agencies were buying very large amount of services and products from the private sector but at the same time they were not use to do business with commercial companies and there was very little oversight, so certain companies were able to overcharge by phenomenal amounts of money. It took several years to bring this issue under control. Corruption is different. It is a widely spread problem all over the world but it's a particularly obvious problem if vast amounts of money are involved because the incentive is much higher. Especially in a war zone corruption is an issue because it's often impossible to take the appropriate measures against it. Those conditions were met in Iraq 2004-2006. But the truth is that PSCs are in no way more or less corrupt than other business companies. If you look closely at the facts, military personnel could be tempted by corruption as well, so the risk of corruption is no valid argument against the use of PSCs. The point is much more how to set-up a well adapted supervision body, able to deter corruption as a whole, and that is difficult in a war zone.

**Politique Internationale :** The PSCs seem to be so implicated in the military operations in Iraq and Afghanistan, that one might really wonder whether it could be possible for a Western government to go to war without them?

**Andrew Bearpark :** That's an important question. The State's military of the USA or the UK could go to war without any PSC whatsoever because they can provide all those services by themselves if needed but what the State's military of those countries can't do anymore is to go to war without the logistic companies. Let me give you a single example: the American army can't go to war alone because it can't deliver the fuel needed for its vehicles, the fuel being provided by a private company. But then again, it was the very choice of an elected government to choose that option: the US armed forces have been downsized so radically that they simply no longer can have this capability.

**Politique Internationale :** So there is an economical agenda about privatizing but isn't it as well very convenient for a government to hire PSCs instead of the State's military to avoid embarrassment in some tight situations?

**Andrew Bearpark :** Certainly it is, because a sovereign government might have a legitimate interest to hide from some people what it is doing, at least at some extent. The most largely known example is the difference in media coverage if a US-soldier is killed or if a „contractor“ is killed: everybody knows the exact number of US-soldier killed in action in Afghanistan and Iraq and even their name are publicly released but nobody knows the exact number of „contractors“ killed in action, never mind their names.

**Politique Internationale :** So the actions of PSCs are extremely deniable. Is that a problem for democracy?

**Andrew Bearpark :** Well, I don't think that it is ultimately healthy for democracy, and that's one of the reasons, why the BAPSC is so strongly in favor of transparency.

**Politique Internationale :** Do you think that PSCs are here to stay, or are they just an ad-hoc reaction to the deterioration of the global security situation after 9/11?

**Andrew Bearpark :** Private Security Companies are here to stay. Probably forever. The first reason is the evolution of the picture of conflicts around the world. The total number of interstate wars is decreasing but on the other side, the number of low intensity conflicts is increasing. At the same time, because of the globalization, a number of international business companies have to operate in places where they wouldn't have operated 20 or 30 years ago. Just one example in the 1980s or even in the 1990s, you could be a big oil company and only drill in North America, nowadays you can't be a big oil company without drilling in remote places where the security can't be guaranteed in the long term by the State's military of the western countries and certainly can't be provided by the failing states where those companies have to do business. So commercial operations in certain places include a major security issue and those companies need the back-up of PSCs in order to do business. That's a simple need. The second reason is that following 9/11 the concept of neutrality deteriorated heavily for non-combatants. For example journalists, aid-workers and UN-employees are in fact more and more considered being legitimate targets by insurgents and so they can't any longer operate safely in many places around the world. To meet those challenges the State's military would have to sensibly increase their size and widen their engagement but there are absolutely no evidences that the Western governments are prepared to do that. Therefore and by definition, the job has to be done by PSCs.

**Politique Internationale :** Do you mean that the primary clients of PSCs will be in the future much more businessmen, NGOs, journalist, etc... than sovereign governments?

**Andrew Bearpark :** Yes especially because there is a big distinction between the US and the rest of the world. In the US, outsourcing by the Department of Defense is a particular way of operating, which means that they have enormous contracts with private military

companies for training, logistics and so on, but that is a very particular situation to the US. If you look at the rest of the world, the primary clients are from the extractive industry, the oil and the mine companies.

**Politique Internationale :** Your analysis is that the responsibility to organize security is dramatically and ineluctably shifting from the public-state sector to the private sector. Is that correct?

**Andrew Bearpark :** Yes absolutely.

**Politique Internationale :** Let's move forward. The UK has unquestionably taken the European leadership in term of the number of PSCs registered in the country and in term of turnover generated by those companies. How do you explain this situation?

**Andrew Bearpark :** One of the reasons is that PSCs are formed by ex-military personal and since the UK has one of the largest military in Europe, it has a fairly big pool of ex-soldier willing to commercialize their skills. The second point is that the UK-military has a greater involvement in recent military operations and peace keeping operations, in numerical terms, that any other European country, and a consequence to that is that the PSC-sector in the UK has grown faster than elsewhere in Europe but recently we saw an increasing number of European, non UK, PSCs being formed. For example in Germany, two or three years ago there was not a single PSC, now there are at least two. A further reason is that English is the international language for business and those companies operate internationally, outside their borders, so English speaking countries had a linguistic advantage in the beginning but in 10 or 15 year other European countries will take their share of the market. At the end of the day it's a business and the PSC with the best business offer to a client will win the contract irrespective of its origin, there is no question about it.

**Politique Internationale :** Did the War in Iraq help UK-Companies to grow-up so rapidly?

**Andrew Bearpark :** Yes of course it helped but you don't not need a big capital to start a PSC. Therefore a new company could basically start business tomorrow with only one contract and a pool of ex-soldiers or law-enforcement officers to draw from. The reality is that if you look forward over a 10 year period, the British military will certainly use the PSCs more and more and that has nothing to do with the war in Iraq.

**Politique Internationale :** But for those companies, if they are privately owned and run, it's all about making money, so they shouldn't be interested in "making peace" because if a deteriorated security situation is coming to an end, the profits of those companies are bound to decrease. Could the trade possibly be a danger for peace and freedom?

**Andrew Bearpark :** No that's not an argument. It's like to say, it's in the interest of the doctor to make people ill. It's nonsense. PSCs are involved in protecting assets and

remember, they are not making war, so they don't have any advantage in making a situation worse. The fact is that the world is simply unsecure and if an area becomes more secure, business certainly will open up in another area of the world, therefore the PSCs will just relocate according to the need of their clients and according to the global security situation to provide the required level of security in other places. The best example is that business in Iraq is far less now than at its peak around 2005-2006 but nowadays business in the Gulf is excellent, while there was practically no business three or four years ago.

**Politique Internationale :** You made clear that a strong but reputable security-business will help more than it could possibly harm and if Private Security Companies are here to stay, the interest of anybody is certainly to make sure that they are properly controlled and regulated. Thus, what are the appropriate actions to be taken to make sure that PSCs contribute to make the world a more secure place without taking the risk to see them being a threat to people and democracy?

**Andrew Bearpark :** The answer is that there is not just one answer; you need a network of activities on the international level, on the level of the countries where the companies are operating in, on the level of the countries where the companies come from, and you need some regionally based activities in some cases as well. The second thing is that you can't solve the problem alone through legislation, legislation may be part of the control but it's not a final solution to the problem. What you need is a combination of law or regulation enforcement activities, standards of accountability, and also transparency because if an industry is allowed to operate without transparency it's much easier for bad things to happen.

**Politique Internationale :** Mr. Bearpark, thank you so much for speaking to us.