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IRAQ: AN UNCERTAIN FUTURE FOR THE PRIVATE MILITARY INDUSTRY

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THE successful completion of elections in Iraq is a long-anticipated victory for the United States. While the Bush administration has rhetorically maintained its continuing resolve and determination to bring democracy to the country and the wider Middle East, it should not come as a surprise if Washington would see the elections as a window of opportunity to finally establish and implement an exit strategy for the US. This proposition has ramifications not only for Iraq but also a new security actor in international conflict – the privatised military industry.

The Privatised Military Industry in Iraq

Most estimations suggest that between 15,000 and 20,000 private security contractors are currently operating in Iraq. This makes the industry the second-largest force contributor in the country, outnumbering the British troops. The private companies that employ these operators offer services ranging from the protection of fixed installations (such as oil facilities, diplomatic buildings, air- and seaports), armed escorts and close protection of dignitaries (including Iraqi government officials), to translation as well as interrogation services. The range of services suggests that the outsourcing of military services has expanded from primarily providing logistical and technological support (as has been the case since the early 1990s' peacekeeping operations in the Balkans) to include operational support to national militaries. This evolution is, arguably, the result of the increasing difficulty for nation-states to bear the political costs of casualties in foreign interventions that are on the periphery of national interests.

So far, the privatised military industry in Iraq has operated within the legal jurisdictions of their contracts, most of which have been issued through the US Defence Department. These contracts have established a situation where contractors are in the unusual situation of being regarded as legitimate allies of coalition forces, but exempt from some of the obligations (e.g. Geneva Convention) to which national military forces are subject. Examples where the differences between coalition forces and private operators are evident include the behaviour regarding accidental killing or injuring of civilian Iraqis. In the case where such accidents are the result of US troops, the family members of the victims will receive compensation, whereas the private operators are not required to do so. Even if they should choose to pay compensation, it is unlikely that it will amount to the same as their national counterparts. Such examples are likely to create a situation where even local Iraqis who accept US presence will favour national troops, and the privatised military operators will be met with increased scepticism.

Modus operandi of the privatised military

Most private military outfits in Iraq are contractually obligated not to divulge information about their tactical modus operandi since this would increase operational vulnerability and the effectiveness of insurgents' and terrorist attacks. Occasionally, however, information gets out due to the new phenomenon of 'blogging', that is, private persons sharing their experiences over the internet. In a recent example, a private security operator expressed his views of the various tactical manoeuvres that are applied in relation to armed escorts, which in military jargon are referred to as private security details or PSDs.

In his account, the private security operator compares two types of PSDs conducted in and around Baghdad. The less violent escort was conducted by three armoured SUVs and private security operators equipped with AK-47s. The PSD moved in a courteous fashion, abiding by simple traffic laws, in an attempt to proceed unnoticed to its destination. At the other end of the spectrum, he recalls a far more visible PSD consisting of three armoured SUVs, two armoured Humvees as well as two helicopters for air support. Driving south on the northbound lane, the escort was extremely noticeable with both Humvees and helicopters blocking traffic and forcing civilian cars to the side. At times, a security operator would wave an assault rifle or throw water bottles at opposing drivers failing to clear the road in time. The security operator recalled how the end effect of the more aggressive PSD was that "you feel like a VIP, but also guilty for the impact this must have on the Iraqi people."

William Langewiesche, a correspondent for *The Atlantic Monthly*, has argued that "personal-security details, made up of the private contract warriors who have been such a visible part of the American presence, and who operate outside any effective control, often in a hostile and undisciplined manner, [are] sowing hatred wherever they move. With every trip to or from a reconstruction site, they threaten and anger untold numbers of Iraqis on the streets. If the purpose of the infrastructure projects was to win the sympathy of Iraq, then this is one important reason why we have sunk into war instead."

While this statement is not appreciative of the benefits of the overall presence of the privatised military industry in Iraq, Langewiesche's points remain valid and deserve to be addressed as they will go far in explaining the post-election security environment in Iraq.

Post-election security environment in Iraq

The Labor Department, according to Bloomberg News, has reported that contractor casualties in Iraq have risen from 23 in 2003 to 181 last year. While the numbers are not definitive, they are in line with most experts who suggest that more than 200 contractors have died in Iraq. Arguably, the skyrocketing of casualties is the result of a deteriorating security environment, but it could also be explained by the move towards more combat assignments for the privatised military industry.

Moreover, there are grounds to argue that the post-election environment in Iraq will make life even harder for the private operators. While it is debatable whether the recent elections will lead to an improvement in the overall security situation in Iraq, the question of legal jurisdiction over private forces has to be addressed. There is today no or extremely limited legislation regarding the tactics of private security forces in Iraq, although this is likely to change in the near future.

For this reason, it is possible that the use of excessive force when conducting the more visible security operations such as armed escorts, could possibly backfire. The privatised military industry will suddenly be accountable to the Iraqi government and will no longer enjoy the protection of the Coalition forces. The question then remains, whether Iraqi government officials, legislators and law enforcement officers will use this window of opportunity to strengthen the grip on private security operators, and ensure that the more visible security operations are conducted in a less violent or interruptive fashion.

One thing is for sure, extreme arrogance and the continued use of excessive force is likely to increase people's scepticism toward a privatised military industry that occupies, as it is, a vulnerable spot on the international conflict agenda.

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