

SHORT BIBLIOGRAPHY

ON PRIVATE MILITARY AND SECURITY COMPANIES

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This bibliography refers to a handful of academic contributions and other documents on the topic of private military / security contractors operating in conflict situations.

1) INTRODUCTIONS

1. Avant, Deborah: *The Market for Force: The Consequences of Privatizing Security*, Cambridge University Press, Cambridge / New York, August 2005.

Industry Analysis – Economics – Comparative Analysis – Policy Analysis

2. Cockayne, James: *Neither Monopoly, nor Market: Towards the Global Administration of Commercial Coercion*, in: *European Journal International Law* (forthcoming, TBD, approx. 51 pages).

3. Creutz, Katja: *Transnational Privatised Security and the International Protection of Human Rights*, The Erik Castrén Institute Research reports 19/2006, Hakapaino, Helsinki, 2006.

Legal Analysis – Human Rights – International Humanitarian Law – Options for Improving Respect for Human Rights and International Humanitarian Law

4. Bryden, Alan; Caparini Marina (eds.): *Private Actors and Security Governance*, Geneva Centre for the Democratic Control of Armed Forces (DCAF), Yearbook 4, LIT/DCAF, Zürich, 2006.

Policy Context - Regulation – Regional and National Perspectives

Link: <http://www.dcaf.ch/publications/kms/details.cfm?lng=en&id=25736&nav1=4>

5. Holmqvist, Caroline: *Private Security Companies. The Case for Regulation*, SIPRI Policy Paper No. 9, January 2005 (59 pages).
Link: http://www.sipri.org/contents/conflict/SIPRI_PolicyPaper9.pdf
Comparative Analysis - Regulation – Options for Regulation – Policy Analysis – Industry Analysis

6. International Review of the Red Cross, Theme: *Private Military Companies*, Vol. 88 Nr. 863, September 2006
Link:
http://www.icrc.org/Web/Eng/siteeng0.nsf/htmlall/section_review_2006_863?OpenDocument#!-%20b%20-->Private%20military%20companies
International Humanitarian Law – Human Rights – National Legislation – Regulations – National Regulation – Options for Regulation

7. Singer, Peter Warren: *Corporate Warriors. The Rise of the Privatized Military Industry*, Cornell University Press, Ithaca, 2003.
Industry Analysis – Economics – Comparative Analysis – Policy Analysis

8. Schaller, Christian: *Private Sicherheits- und Militärfirmen in bewaffneten Konflikten. Völkerrechtliche Einsatzbedingungen und Kontrollmöglichkeiten*, SWP-Studie 2005/S24, September 2005 (31 pages).
Link: http://www.swp-berlin.org/common/get_document.php?id=1387
International Humanitarian Law – Human Rights – State Responsibility – Options for Regulation – Comparative Analysis

2) REGULATION

9. Abrahams, Désirée: *Regulating Corporations. A Resource guide*, UNRISD Geneva, December 2004 (51 pages)
Link:
[http://www.unrisd.org/80256B3C005BCCF9/\(httpPublications\)/81A67BDFE6D6E4A9C1256EED005041F8?OpenDocument&panel=seriespapers](http://www.unrisd.org/80256B3C005BCCF9/(httpPublications)/81A67BDFE6D6E4A9C1256EED005041F8?OpenDocument&panel=seriespapers)
Regulation – National Regulation – Options for Regulation

SWISS INITIATIVE IN COOPERATION WITH THE ICRC WITH REGARD
TO PRIVATE MILITARY / SECURITY COMPANIES

10. Forcese, Craig: *Deterring “Militarized Commerce”: The Prospect of Liability for “Privatized” Human Rights Abuses*, in: *Ottawa Law Review* 31(1999/2000), pp. 171-211.

National Regulation – *Human Rights – Policy Analysis – Economics – Humanitarian Aid – Industry Analysis*

11. Garmon, Tina: *Domesticating International Corporate Responsibility: Holding Private Military Firms Accountable Under the Alien Tort Claim Act*, in: *Tulane Journal of International and Comparative Law* 11(2003), pp. 325-354.

National Regulation – *Human Rights – State Responsibility – International Humanitarian Law*

12. Kathleen M. Jennings / FAFO: *Armed Services: Regulating the Private Military Industry*, New Security Programme FAFO report 532 (2006).

Link: <http://www.fafno.no/pub/rapp/532/532.pdf>

Regulation – *Options for Regulation*

13. Krahmman, Elke: *Regulating Private Military Companies: What Role for the EU?*, in: *Contemporary Security Policy* 26(2005)1, pp. 1-23.

Options for Regulation – Regulation – *Comparative Analysis – Industry Analysis*

14. Percy, Sarah: *Regulating the Private Security Industry*, Adelphi Paper 384 for the International Institute for Strategic Studies, 2006 (76 pages).

Options for Regulation – Regulation – *Domestic Regulation – International Regulation – Informal Regulation - Analysis*

15. Schmitt, Glenn R.: *Closing the Gap in Criminal Jurisdiction Over Civilians Accompanying the Armed Forces – A First Person Account of the Creation of the Military Extraterritorial Jurisdiction Act of 2000*, in: *Catholic University Law Review* 51(2001)55, pp. 55-134.

National Regulation – *Regulation – International Humanitarian Law – Human Rights – Industry Analysis*

16. Walker, Clive / Whyte, Dave: *Contracting out War?: Private Military Companies, Law and Regulation in the United Kingdom*, in: *International and Comparative Law Quarterly* 54(2005), pp. 651-690.

National Regulation – *Comparative Analysis – National Legislation – International Humanitarian Law*

3) **INTERNATIONAL LAW**

17. Boldt, Nicki: *Outsourcing War – Private Military Companies and International Humanitarian Law*, in: *German Yearbook of International Law* 47(2004), pp. 502-544.

International Humanitarian Law – *State Responsibility – Human Rights*

18. Hampson, Françoise: *Mercenaries: Diagnosis before Proscription*, in: *Netherlands Yearbook of International Law* 22(1991), pp. 4-38.

International Humanitarian Law – *Human Rights – State Responsibility*

19. Sarnoski, Stephen R.: *The Status under International Law of Civilian Persons serving with or accompanying Armed Forces in the Field*, in: *Army Lawyer* (1994), pp. 29-34.

International Humanitarian Law

20. Schmitt, Michael: *Humanitarian Law and Direct Participation in Hostilities by Private Contractors or Civilian Employees*, in: *Chicago Journal of International Law* 5(2005), pp. 511-546.

Link: <http://www.michaelschmitt.org/images/Schmitfinal.pdf>

International Humanitarian Law

21. Townsend, Gregory: *State Responsibility for Acts of de facto Agents*, in: *Arizona Journal of International and Comparative Law* 14(1997), pp. 635-678.

State Responsibility – *International Humanitarian Law – Human Rights*

22. University Centre for International Humanitarian Law (UCIHL): *Expert Meeting on Private Military Contractors: Status and State Responsibility for Their Actions*, Geneva, August 2005.

Link: http://www.ucihl.org/communication/private_military_contractors_report.pdf

State Responsibility - Human Rights – International Humanitarian Law

4) VARIOUS ISSUES

23. Bures, Oldrich: *Private military companies: A second best peacekeeping option?*, in: *International Peacekeeping* 12(2005)4, pp. 533-546.

Peace Keeping

24. Cockayne James: *Commercial Security in Humanitarian and Post-Conflict Settings: An Exploratory Study*, IPA report, March 2006 (32 pages).

Link: http://www.ipacademy.org/PDF_Reports/COMMERCIAL_SECURITY_FINAL.pdf

Humanitarian Actors and Private Security Services - International Humanitarian Law – Human Rights – National Legislation – Regulations – National Regulation – Options for Regulation – Policy Analysis

25. Leander, Anna: *The Market for Force and Public Security: The Destabilizing Consequences of Private Military Companies*, in: *Journal of Peace Research* 42(2005)5, pp. 605-622.

Economics – Policy Analysis – Comparative Analysis – Humanitarian Aid – Industry Analysis – Security Sector Reform

26. UNDP SEESAC: *SALW and Private Security Companies in South East Europe: A Cause or Effect of Insecurity?*, (written by International Alert and Saferworld, commissioned by UNDP) August 2005 (133 pages).

Link: <http://www.seesac.org/reports/psc.pdf>

Security Sector Reform – Comparative Analysis – National Regulation – Industry Analysis – Economics

27. Uttley, Matthew: *Private Contractors on Deployed Operations: The United Kingdom Experience*, in: *Defence Studies* 4(2004), pp. 145-165.

Policy Analysis – Economics – Industry Analysis

5) UNITED NATIONS AND OTHER DOCUMENTS

28. UN Code of Conduct for Law Enforcement Officials 1979

Link: http://193.194.138.190/html/menu3/b/h_comp42.htm

29. UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials 1990

Link: http://www.unhchr.ch/html/menu3/b/h_comp43.htm

30. UN OCHA: *OCHA Discussion Paper and Non-Binding Guidelines for the Use of Military or Armed Escorts for Humanitarian Convoys*, September 14, 2001 (15 pages).

Link: <http://ochaonline.un.org/DocView.asp?DocID=872>

Humanitarian Aid – Regulation – Option for Regulation - Policy Analysis

31. UN DSRSG of UNAMI: *Guidelines for Humanitarian Organisations on Interacting with Military and Other Security Actors in Iraq*, October 20, 2004 (9 pages).

Link: <http://ochaonline.un.org/DocView.asp?DocID=2071>

Humanitarian Aid – Policy Analysis – Regulation – Option for Regulation

32. UN Doc. E/CN.4/2005/14 (8 December 2004): The right of people to self-determination and its application to peoples under colonial or alien domination or foreign occupation. Use of mercenaries as a means of violating Human Rights and impeding the exercise of the right of peoples to self-determination. Report by the Special Rapporteur (16 pages).

Link: <http://www.ohchr.org/english/bodies/chr/sessions/61/lisdocs.htm>

Human Rights

33. EU Code of Conduct on Arms Transfers 1998

Link: <http://ue.eu.int/uedocs/cmsUpload/08675r2en8.pdf>

34. Voluntary Principles on Security and Human Rights, February 2001.

Link: <http://www.state.gov/g/drl/rls/2931.htm>

Options for Regulation – Regulation

35. Foreign and Commonwealth Office: HC 577 *Private Military Companies: Options for Regulation 2001-02*, London, February 2002 (48 pages).

Link: <http://www.fco.gov.uk/Files/kfile/mercenaries.0.pdf>

Options for Regulation – Regulation – Industry Analysis

36. UNDP SEESAC: *The ‘Sarajevo Process Code of Conduct’ for Private Security Companies*, SEESAC Activity Report AR/076, August 2006.

Link <http://www.seesac.org/acreports/AR%2076%20-%20PSC%20Code%20of%20Conduct.doc>

Code of Conduct - Security Sector Reform

37. UNDP SEESAC: *The ‘Sarajevo Process’ Client Procurement Guidelines for Private Security Companies*, SEESAC Activity Report AR/077, August 2006.

Link: <http://www.seesac.org/acreports/AR%2077%20-%20PSC%20Procurement%20Guidelines.doc>

Guidelines - Security Sector Reform