

**Summary of Recommendations to the Council of Europe
Parliamentary Assembly for Effective Regulation of
Private Military and Security Companies**

**Hans Born and Anne-Marie Buzatu
DCAF, Geneva**

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Summary

The last thirty years have witnessed a paradigm shift of the provision of security from public to private actors, some 1,5 million of which are estimated to be CoE nationals sharing in the \$20-100 billion spent annually on their services. This shift has called into question whether existing laws can effectively regulate these private actors, leading to problems of democratic accountability, impunity and the rule of law. This report considers the current state of private military and security company (PMSC) regulation relative to CoE member states. While most attention is devoted to the more difficult problem of PMSCs exporting security services activities across territorial borders, the problem of domestic private security provision within CoE member states is also considered. After identifying key challenges and good practices in current PMSC regulation, essential elements for the effective regulation of PMSCs are presented using the CoE's concept of 'democratic security' as the point of departure. The report closes with recommendations to the CoE for effective PMSC regulation on both the domestic and international levels.

The authors recommend that:

1. CoE member States reach consensus on those duties which are and are **not** appropriate for PMSCs to perform, such as those that are 'inherently governmental.'
2. Any form of regulation should include the following elements: common standards for obligations and duties of PMSCs; an effective vetting system; licensing and training; effective oversight and investigatory system; effective enforcement system.
3. The CoE draws up non-binding guidelines for regulating private security within CoE member States as a first step for regulating private security within the CoE area.
4. The CoE calls upon member States to regulate the export of private military and security services, such as by including PMSCs in existing arms export regimes.
5. The CoE calls upon its member states to contribute to the formulation of an international convention on PMSC regulation.
6. The CoE calls upon the private security industry and other relevant stakeholders to set up a 'private framework' for regulating PMSCs, such as by creating a PMSC court of arbitration and a PMSC violations investigation team/Ombudsman.