



PRIVATE SECURITY COMPANIES

ISS (AHSI) and HANNS SEIDEL FOUNDATION HUMAN SECURITY SEMINAR SERIES

CONCEPT NOTE

By invitation only. The Chatham House Rule will apply to this seminar.
Serena Hotel, Amani Room
November 6, 2008

Summary

The Institute for Security Studies [ISS-AHSI] and the Hanns Seidel Foundation are organising a high level closed door roundtable conference on Private Security Companies (PSCs) that have become an 'unavoidable' force to be reckoned with on Africa's security landscape. African states, both at the individual and regional level have not moved to regulate the environment in which the PSCs operate and this compromises the citizens' human security. This is complicated by the fact that international law has not defined the concept in a manner that would make states respond with appropriate legislation. African states continue to witness a massive growth of the private security sector and the absence of regulation for this industry raises issues of utmost concern when it comes to respecting and upholding the rule of law. A large part of the problem is that the work of PSCs tends to be associated with mercenary activities and with the violent nature of political competition on the continent, the public thus become the victims of violent political manoeuvring.

Key questions the conference aims to answer are: what is the anatomy of local PSCs, how do they emerge and how are they financed (mobilised)? What role do they play in conflict situations? What role have they played in post-conflict Kenya in particular? What is their potential for fuelling violence in the event of disagreements and discontent? What do these largely 'political warriors' have to contribute to the policing of the nation? To get a clearer understanding of PSCs implies setting the debate in a regional context. This is because many international aid agencies have resorted to hiring PSCs to protect them during their humanitarian sojourns. Though such agencies may have valid arguments such as the absence of state security services in the marginalized regions where most of the work is done, this action does not go unnoticed by local elites who can form PSCs for their own protection and in the absence of legislation or a regulatory framework, can wreak havoc on their political opponents, real and imaginary. Aid agencies have also watched and learnt the value of PSCs from commercial activities that go on successfully in war zones. The acceptance of these PSCs imply a regulatory framework that has to start at the international level and filter down to the regional bodies and finally, to the nation states. However, the

countries plagued by these problems have to define the PSCs as a public problem especially in the absence of guiding principles.

Objectives

This roundtable conference thus aims at defining the presence and use of PSCs in Kenya and in the region as a public problem that merits both local and international recognition and action. The aim is partly to exchange ideas and experiences on the extent of the problem and the state's efforts to contain the problem. The conference also aims to raise awareness on the impact of PSCs on development and governance in Kenya.

Participants and experts:

Experts are expected to deliberate on the phenomenon and come up with some recommendations for effective regulation of the sector. The workshop will take place for a day in Nairobi from 8:30 am to 2:00pm on the 6th of November, 2008 and it is estimated that at most **30 participants** will attend. Invitations will be selective and only high level personnel/officers working on security will be invited.

Participants will be drawn from the following institutions:

Defense ministry
Internal Security ministry
The Police
The Intelligence service
CID
Military attaches
Foreign diplomats
Institute of Diplomacy- Nairobi University
Researchers on security in Kenya

Outputs

The outputs are intended to feed into the process of articulating a local/regional regulatory framework to control the presence and activities of PSCs. There will be 2 main outputs:

- a. A set of recommendations that would be given to the Parliamentary Security Committees in Kenya and in the East African Countries and a
- b. Conference report