

SOMALIA AS A MARKET FOR PRIVATE MILITARY AND SECURITY COMPANIES: DEFINITIONS, AGENTS AND SERVICES

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Introduction

The current academic debate around the private military and security companies (PMSCs) is intense and without consensus, starting with definitions. There is still no consensual answer to the question of what a PMSC is. In order to establish a comprehensive conceptual framework, this study examined the different definitions and identified divergences and convergences. This allowed us to formulate proposed definitions in order to contribute to the academic debate. It proved to be a fundamental tool in the characterization and comprehension of the object of study and its action in Somalia.

This study seeks to understand the impact of PMSCs in territorial states, which in the case study of Somalia is collapsed. According to Rotberg, the collapsed state has a power vacuum, political goods are obtained by private or ad hoc means and it is a mere geographical expression, a black hole into which a failed polity has fallen (Rotberg, 2004: 9). Rotberg also considers it a “rare and extreme” variation of the failed state, which cannot control its peripheral regions, especially those occupied by out-groups. They lose authority over large sections of territory and the expression of official power is often limited to a capital city and one or more ethnically specific zones (Rotberg, 2004: 6). This justifies the choice of this case study, which is complemented by the piracy phenomenon off the coast of Somalia and the consequent proliferation of PMSCs in the Horn of Africa region.

It is worth noting when the proliferation of PMSCs started. After the end of the Cold War, armed forces all over the world reduced their personnel – military downsizing – freeing manpower and equipment and creating a security gap and a power vacuum. In addition, the decline of outside intervention by “the major powers”, United Nations and regional organisations contributed to the development of the PMSC market (Singer, 2003: 58-60), generating niches that the companies exploited. An expression by the former senior American diplomat, Dennis Jett, translates the dynamics of the business: “the criticism for losing people in an African civil war is going to be a lot harsher than for not committing troops to that situation” (Chicago Tribune, 2000).

In order to clarify the concepts is important to define the states involved in contracting PMSCs services. In accordance with the Montreux Document, “Contracting States” are states that directly contract for the services of PMSCs, including, as appropriate, where such a PMSC subcontracts with another

PMSC. “Territorial States” are states on whose territory PMSCs operate and “Home States” are states of nationality of a PMSC, where a PMSC is registered or incorporated (General Assembly Security Council, 2008: 6). The Montreux Document was drafted on Switzerland’s initiative and made proposals to regulate the sector, emphasising the need to comply with international humanitarian law and human rights, as well as the domestic law of the contracting, territorial and home states.

The general goal of this analysis is to contribute to the study of the privatisation of security in the Horn of Africa and its impact on political, military and security structures, using Somalia as a case study. In specific terms, the study looks to determine the PMSCs’ areas of intervention in Somalia and understand their dynamics by analysing the types of services provided and the public and private beneficiaries of these services. It is also the result of field research in Addis Ababa in February 2013.

This chapter is divided in two main sections. To illustrate the local reality, it starts with empirical data considering both local and global agents – in The Horn of Africa as a Market. By making this distinction it is easier to contextualise the contracted services and understand their depth and scope in the field. The sections Private Military and Security Companies involvement at the Global Level and Private Military and Security Companies involvement at Local Level interpret the empirical evidence at global and local levels.

Private Military and Security Companies’ impact on the African State

In the African context, the most important factor underlying states’ international weakness and their vulnerability to internal fragmentation and external penetration is economic failure (Clapham, 2000: 163). In Sub-Saharan Africa, Peter Lock considers that most states appear to be moving along similar paths in varying degrees, at the brink of state failure. Clientelist political systems expand resulting in a steady flow of additional resources that the élite has to appropriate in order to stay in power, because clientelism carries steadily increasing costs. Under these conditions, the political power in control of the state is confronted by international pressures to accept the need for the structural adjustment of economies burdened by unaffordable debts. Under pressure to adjust, “the incumbent élite often abandoned their social obligations and concentrated on safeguarding their economic fiefdoms, while duly paying lip service to the imposed financial regime” (Lock, 1999: 19).

In Somalia, the state’s inability to rebuild the nation was structural, because local élites saw no benefits in institutional reconstruction and had local parallel structures based on clans that provided some kind of authority (Gómez-Benita, 2011: 29). Thus “clans became effectively self-governing entities throughout the Somali region as they carved out spheres of influence” (Lewis, 2008: 76). This study seeks to understand the influence and impact of PMSCs in Somalia under these conditions of state weakness.

The academic debate is divided in two interpretative lines. For some, PMSCs can be helpful in restoring public security and order in failing states because they make it possible to break vicious cycles of

violence, “either by compensating for political unwillingness to intervene militarily in a context of humanitarian emergency, or by serving as ‘force multipliers’ to local forces” (Branovic, 2011: 11). In addition, the protection provided to political elites by PMSCs has played a crucial role in denying warlords and strongmen access to strategic resource-laden enclaves. Without resources, they are unable to make profits from the sale of strategic resources that are crucial to continuing to fight. As an alternative, “such profit can go to rebuilding war torn economies, while also paying for the introduction of reform” (Kinsey, 2006: 123).

On the other hand, rulers in weak states face real internal security threats from rival warlords and strongmen. They meet these threats with whatever means they have at their disposal including using income from natural resources to hire PMSCs in order to remain in power (Reno, 1998: 3). The weaker the state and the more chaotic the situation and control over PMSCs is less effective. As a consequence the state may make concessions that would undermine national sovereignty (Sandoz, 1999: 205). As a consequence, the state cumulatively loses its role as a guarantor of security, and individual security becomes a function of disposable income (Lock, 1999: 26). This study aims to contribute to this academic debate by discussing the consequences of PMSC activity in Somalia.

Defining the object of study

Due to a lack of consensus, the study of private military and security companies is a challenge. Scholars have been debating the subject for years, proposing definitions and discussing conceptual frameworks. In order to illustrate the current debate it is important to bring the different perspectives to the table. Some authors use the term private military companies (PMCs). According to Chesterman and Lenhardt, the term denotes “firms providing services outside their home states with the potential for use of lethal force, as well as training of and advice to militaries that substantially affects their war-fighting capacities.” They prefer the term ‘military’ because “semantically, it better captures the nature of these services as it points to the qualitative difference between firms operating in conflict zones in a military environment and ‘security firms’ that primarily guard premises in a stable environment” (Chesterman and Lenhardt, 2007: 3).¹ This definition takes account of the distinction between ‘military’ and ‘security’ companies, a concern that is shared by other authors. Some define private security companies (PSCs) as “corporate entities providing defensive services to protect individuals and property, frequently used by multinational companies in the extractive sector, humanitarian agencies and individuals in situations of conflict or instability”, in contrast with PMCs – “corporate entities providing offensive services designed to have a military impact in a given situation that are generally contracted by governments” (Makki, Meek, Musah, *et al*, 2001: 4).²

¹ Other authors that use the term PMC: Ortiz (2010) and Bures (2005).

² Other authors that use the term PSC: Spearin (2008), and Kinsey, Hansey and Franklin (2009).

Although the authors make a distinction between “military” and “security” and separate the different types of clients, there is no clear dividing line between PMCs and PSCs. Most companies fit in both fields, because of their ability to provide a great variety of services, a situation that is stimulated by the growing mist between traditional military and other security tasks in current conflicts. For that reason, several authors prefer to use wider definitions for both PSCs and PMCs, and normally one includes the other. From this perspective, PSCs may represent a whole variety of for-profit security firms “because it aptly describes the range of services these companies provide” (Avant, 2005: 2), denoting all the companies within the industry (Holmqvist, 2005: 6). For other authors, PMCs may also include private security companies in its category, as a subset (House of Commons, 2002: 5; Isenberg, 2009: x). Although a broader definition better conveys the situation in the field, the acronyms PSCs or PMCs are not informative enough to illustrate the market’s reality.

In contrast, there are highly specialised conceptual options, which make a very restrictive framework. As Kinsey points out, proxy military companies are defined by their working relationship with their home state government, aligning themselves with the government’s external policy, while private combat companies only undertake combat operations, leaving support and logistics to other companies (Kinsey, 2006: 13-15).

This study uses a broader definition, private military and security companies (PMSCs) because it better illustrates the full spectrum of activities undertaken by these companies and denotes the multiple types of clients – ranging from governments, NGOs and multinational companies.³ This study therefore considers PMSCs to be private business entities that provide military and security services, or just one of them, sign contracts with public and private agents and implement internal and/or external security policy goals. This definition allows us to construct a broader conceptual framework, extending the spectrum of analysis and allowing a wider perception of the privatisation of security in Somalia.

A multiplicity of services

To illustrate their multiplicity of services, PMSCs provide logistics, intelligence, military support, equipment delivery, transport, crime prevention, military advice, military and technical training, close protection, mine clearance, management and so on. This great variety of services constitutes a research challenge due to the difficulty in categorising the situation in the field.

Nevertheless, there are some options on the table. Singer’s stratification is based on three levels – military provider firms, military consultant firms and military support firms – called the Tip of the Spear typology. In the forefront of the battle space, military provider firms are characterised by their focus on tactical environment and engage in actual fighting, “either as line units or specialists and/or direct

³ Other authors that use the term PMSCs: Carmola (2010) and Tonkin (2011). The acronym is also used in the Montreux Document.

command and control of field units". The firms included in the second type provide training and advisory services to the operation and restructure a client's armed forces, offering analysis at strategic, operational and organisational levels. Finally, military support firms provide supplementary military services, which include nonlethal aid and assistance, including logistics, intelligence, technical support, supply and transportation (Singer, 2003: 92 – 97).

On the other hand, Shearer expanded the categorisation of their services to five categories: I – direct support to military operations; II – military advice and training; III – logistics; IV – security services and political analysis; V – crime prevention (Shearer, 1998: 25). This study therefore uses the broader term PMSCs to describe all companies operating in the field, and then uses the Shearer's taxonomy to build an analytical framework in order to understand the companies' activities at local and global levels.

The Horn of Africa as a market

Piracy and state weakness stimulate the phenomenon by creating favourable conditions for the proliferation of private security responses. As a result, PMSCs have a market and a considerable variety of clients – ranging from governments, NGOs and multinational companies. In Somalia privatisation was evident and public and private actors hired security services from companies in order to fulfil a multiplicity of proposes. This phenomenon was not restricted to Somalia, and other countries throughout the Horn of Africa region witnessed the presence of these private actors. Although Somalia is the case study, it is pertinent to illustrate the privatisation process in other states of the region.

Starting with Djibouti, the PMSCs were a direct result of the international presence in the country, specifically US forces at the Camp Lemonnier military facilities. Companies like PAE Government Services provided harbour security, logistics, air operations support and base support vehicles and equipment (Defense Industry Daily, 2011). After the arrival of the U.S. forces in 2003, the presence of contractors was safeguarded in the Agreement Between the Government of the United States of America and the Government of the Republic of Djibouti on Access to and Use of Facilities, by stating that "U.S. personnel and U.S. contractors and vehicles, vessels, and aircraft operated by or for U.S. forces may use and have unimpeded access to these facilities and areas" (Agreement, 2003). From the start, the US military effort in the country included the employment of private contractors, outsourcing non-core functions and creating public and private commitments.

Kenya witnessed the proliferation of PMSCs, registered as business enterprises under the Companies Act of Kenya and therefore not categorised as security firms. Local companies provided individual private security guards, cash-in-transit security services to banks and delivery of registered mail to the general public. Additionally, national and international companies provided site protection to embassies, business, non-governmental organisations and humanitarian agencies, as well as risk analysis, staff training and professional advice in crisis management (Mkutu and Sabala, 2007: 395-396).

The situation in Somalia is different, as PMSCs have a heavier footprint in the country and have signed contracts with a wide variety of clients, ranging from global to local actors. Starting on the global level, DynCorp International, later replaced by PAE and AECOM, was hired by the US State Department to equip, deploy and train the African Union peacekeepers from Uganda and Burundi contingents of AMISOM, and provided logistics and equipment maintenance to that force (DynCorp International, s.a.). These services correspond to sector II and III in the Shearer categorisation. Selected Armor, also an American company, was involved in planning military operations in support of the former Transitional Federal Government (TFG) of President Abdullahi Yusuf Ahmed and got permission to use three bases in Somalia and the air access to reach them, apparently with CIA consent (The Guardian and The Observer, 2006). This service fits in the sector I in Shearer's categorisation. Salama Fikira had a contract with the Canadian company Africa Oil Corporation to protect its activities and interests in Puntland. In Shearer's categorisation, Salama Fikira fits into sector IV. With US support, Bancroft provided technical expertise to AMISOM and the TFG military, as well as the TFG President's personal guard (UN Security Council, 2011: 258-259). Bancroft's support fits in sector II of Shearer's scale.

Where anti-piracy is concerned, several companies were funded or refocused on maritime security in order to offer armed protection to ships and crews traversing the High Risk Area, which comprises the Red Sea, Gulf of Aden, Arabian Sea, Gulf of Oman and parts of the Indian Ocean (UN Security Council, 2012: 278). This privately contracted armed security personnel seems to be effective in repelling piracy attacks and so far no ship with armed guards has been taken by pirates. Thus, by contracting maritime security protection, multinational companies look to minimise risks and to maximise profits. They try to protect their human resources and cargo and avoid payments of ransoms and insurance complications. Anti-piracy efforts fit into two of Shearer's sectors, IV and V.

The above examples demonstrate that global actors with regional interests use PMSCs as operational mechanisms generating public and private commitments, in order to achieve political, military and economic goals.

In a different perspective, some local entities also signed contracts with PMSCs. Triton International was hired by Somaliland authorities to provide assistance to the local coastguard (UN Security Council, 2011: 258). Hart Group was hired by Puntland authorities in 2000 to build the capacity of the local "coast guard", to undertake anti-piracy operations and curtail illegal fishing. The company provided law enforcement, training, military support and security services (Kinsey, Hansen and Franklin, 2009: 153).

The best-known case is Saracen, rebranded as Sterling Corporate Services, which had a contract with Puntland authorities to develop, train and equip the Puntland Maritime Police Force (PMPF), a heavily armed 'coast guard' designed to fight piracy. The initiative's main donor was the United Arab Emirates, which were concerned about the impact of piracy activity on commercial shipping from and to the Middle

East. This effort involved setting up a training camp in Bosaaso, which became the best-equipped military facility in Somalia after the AMISOM bases in Mogadishu, creating a well equipped and trained force over 1000 strong that reports directly to the President of Puntland (UN Security Council, 2012: 22). It was used against non-pirate Galgala rebels as infantry (Hansen, 2012: 263). Between 2010 and 2012, Saracen developed a considerable military facility, provided training to a public force and was to develop a training program for TFG forces. However, due to the protests from AMISOM and pressure from the United Nations Monitoring Group on Somalia, the death of a South African trainer shot by a Somali trainee and lack of funding, Saracen was forced to depart, leaving behind a well equipped and trained but unpaid security force (New York Times, 2012). As seen above, local entities also sign contracts with PMSCs to strengthen their capacities, creating commercial networks able to operate without public scrutiny and be used by the political elites as coercion mechanisms. The services provided to local entities in all the examples fit in sector II of Shearer's categorisation.

Private Military and Security Companies' involvement at the global level

International actors, such as states and international organisations, often employ PMSCs to achieve foreign policy goals, seeking to reduce the political and financial cost. The United States of America is a considerable actor in Somalia, because it has outsourced AMISOM's training programs to American PMSCs and has provided assistance and training to the Somalia TFG. After Operation Restore Hope in Somalia, followed by the televised episode of Black Hawk Down and Presidential Decision Directive 25, enhancing a zero-casualties policy, the US approach towards Africa has tended to be centred on the development of African countries' capacities. Use of PMSCs needs to be understood in the context of US reluctance to get *boots on the ground* in African conflicts (Aning, Jaye and Atuobi, 2008: 615). In order to minimise risks, outsourcing can be regarded as the solution. By using an indirect mechanism, the US supported the African Union peacekeeping effort, AMISOM, and strengthened the operational capacities of the TFG, while avoiding the political cost of justifying direct commitments and making and contributing to the overseas stabilisation process (Reno, 1999: 38).

Governments are attracted by the privatisation process because it allows low-cost engagement. A state needs to recruit and train personnel in order to undertake intervention. It then needs to feed and pay them and provide transport and logistics to the theatre of operations. In addition, the state is responsible for the soldiers and has to send condolences to the family if anything goes wrong. Finally, the state is responsible for the soldiers' retirement. The state needs to make a considerable political and economic investment. On the other hand, PMSCs provide a cheaper solution that is limited in time, because there is a contract. The common feature with the first option is payment. PMSCs give the contracting state fast access to human resources, just-in-time performance and an attractive cost-benefit ratio, emphasising efficiency and effectiveness (Branovic, 2011: 6). In addition, "paying for specialists only when needed

saves considerable sums in salary, housing, and pensions while the leasing of private equipment, especially airplanes and helicopters, saves storage, insurance, and maintenance costs” (Howe, 1998: 4).

Contracting states have a direct impact on territorial states by using PMSCs as an indirect tool. This delegation of force and responsibility brings the issue of legitimacy to the table. According to Hall and Biersteker, “having legitimacy implies that there is some form of normative, uncoerced consent or recognition of authority on the part of the regulated or governed” (Hall and Biersteker, 2004: 4-5). Although it is difficult to prove that the PMSC activity fulfils these requirements, in fact they act in accordance with the contracting states interests and guidelines. In certain circumstances the state delegates authority by outsourcing functions where engagement in offensive operations and use of lethal force is a possibility, changing the balance of power in the territorial state and leaving a considerable footprint. This delegation of responsibilities by employing PMSCs as an indirect foreign policy mechanism helps to legitimise the companies’ activities because they have a legal, recognised contract and provide services that directly achieve the contracting state’s foreign policy goals. The US support to AMISOM and TFG through DynCorp International, PAE and AECOM is the empirical evidence that corroborates the argument.

Private Military and Security Companies’ involvement at local level

PMSCs also leave a considerable footprint at local level by establishing relations with the incumbent power and directly influencing the balance of power by developing operational capacities. This relationship is highly influenced by local dynamics and the development of the PMSC business also takes account of the clan phenomenon.

The Somali identity is characterised by patrilineal lineage, which determines each individual’s place in society. At the apex of this structure is the clan-family (Pham, 2012: 70). After the fall of Siad Barre in 1991 and the state’s collapse in the aftermath, “Somalia had fallen apart into the traditional clan and lineage divisions which, in the absence of other forms of law and order, alone offered some degree of security” (Lewis, 2002: 263). This model of societal and political organisation is the core of the local dynamics – “although clan-family membership has political implications, in the traditional structure of society the clan-families never act as united corporate groups for they are too large and unwieldy and their members too widely scattered” (Lewis, 1994: 20). Here is where the PMSCs exert a considerable local footprint by enhancing the capacities of a specific group. This changes the balance of power and the relationship between clans and increases the cleavages between them. This is boosted by what Robert Rotberg called the *collapsed state*, where “political goods are obtained through private or ad hoc means”, “security is equated with the rule of the strong”, and “the forces of entropy have overwhelmed the radiance that hitherto provided some semblance of order and other vital political goods to the inhabitants embraced by language or ethnic affinities or borders” (Rotberg, 2004: 10).

In Puntland, both Hart Security and Saracen International were careful to maintain clan balance between their employees and trainees and gather consensus among the different clans. But it is Hart Security departure's from Puntland that best illustrates the importance of clan dynamics in the PMSC business. According to Kinsey, Hansen and Franklin, during the conflict between Jama Ali Jama and President Abdullahi Yusuf Ahmed, who originally hired and paid for Hart services through fishing licenses, the Hart-trained coastguard split along tribal lines. Yusuf Ahmed won with the support of the Tarr family. This clan owned fishing boats that could readily lend themselves to conversion to coastguard vessels, and was looking to assume Hart's position through Somcan, the clan's company (Kinsey, Hansen and Franklin, 2009: 154). President Yusuf Ahmed changed service supplier and chose to replace Hart Security. The company lost the contract because of the Tarr family's influence over the president, and was forced to abandon Puntland, leaving behind its investments in the field.

Saracen International mainly financed by the United Arab Emirates, also left a considerable footprint in Puntland, because it provided services that helped develop specific mechanisms to strengthen the operational capacities of the incumbent political power. They installed a military facility in Bosaaso that was the most advanced in Puntland and the second in Somalia, after the AMISOM installations in Mogadishu. In Bosaaso, Saracen created and developed the Puntland Maritime Police Force, which provided the political power with anti-piracy capabilities and reinforced its armed capacity. This shows that the engagement of an external private entity resulted in the provision of certain skills that directly influenced local power. The employment of the PMPF against non-pirate Galgala rebels demonstrates that the Saracen-developed 'coastguard' force was used beyond its initial functions – to curtail piracy.

Conclusion

The empirical data demonstrate that the relationship between private and public agents in the security sector is effective, encompasses multiple services and pursues a considerable variety of goals. Due to its lack of formal authority, extensive coastline and desire to develop businesses, Somalia can provide a lucrative market for PMSCs.⁴ These companies' activity has a direct impact at political, military and security levels, both globally and locally. These changes correspond to the emergence of what Abrahamsen and Williams (2011: 3) called global security assemblages: new security structures and practices that are simultaneous public and private, local and global, where the local power is reconfigured.

We analysed PMSCs activity in Somalia at two levels, global and local. In the first dimension, the PMSCs contributed to the development of the Somali TFG's capacities through the involvement of foreign companies – DynCorp International, AECOM, PAE and Bancroft. The contracting state, the USA, had a direct impact on the territorial state, and the companies involved worked as indirect tools to achieve foreign policy goals. This was a way of providing assistance to the internationally recognised government

⁴ Interview in the United Nations delegation to African Union (Addis Ababa).

of Somalia. These services are in sector II of Shearer's categorisation. In a different area of intervention, Selected Armor provided direct military support, sector I in Shearer scale. In this case, the involvement of an external company in combat did not reinforce state capacities. Instead, it contributed to the delegitimisation of the incumbent power, by directly supporting the TFG against insurgents.

At local level, the contracting state and territorial state are the same, which means that a local entity directly contracts a foreign agent in order to reinforce its capacities. The services analysed dovetail in sector II of Shearer's categorisation. The companies involved reinforced the capacities of specific Somali clans, not the internationally recognised government of Somalia. Saracen International's involvement showed that an external private agent was able to change the local balance of power by developing the Puntland Maritime Police Force, thereby reinforcing the capacities of the incumbent local power.

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