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PhD in political science

The Impact of Private Military and Security Companies on National Security

Introduction:

Private military and security companies have now become an integral part of modern warfare. These entities are established as commercial companies aiming to generate profit in exchange for providing military and security services to states that request such services. This has positioned them as one of the most significant actors in the realm of international relations. Modern wars are no longer confined to traditional armies; these private companies have also entered the field of irregular warfare, making their rise as non-state international actors a strong presence in international relations.

Currently, these companies have become unprecedentedly influential in impacting the national security of states. Despite the lack of agreement among the international community on a unified designation for these companies and the absence of a legal framework governing their operations, they have garnered global attention and are considered by most countries as one of the tools they employ to implement their foreign policies.

Research Problem:

The research problem revolves around monitoring a phenomenon that has recently spread widely within the international community private military and security companies that states have resorted to for achieving their objectives and interests without direct involvement. These companies have become tools of foreign policy for certain states. In the absence of a legal framework regulating these companies and as many states

seek to possess such private companies, there emerges a significant risk that greatly impacts the national security of states.

Research Objectives:

The objectives of the research are as follows:

- A-To identify private military and security companies and address the main issues related to these companies, as well as to differentiate between them and mercenaries.
- B-To monitor, analyze, and interpret the role played by private military and security companies in influencing the national security of states.
- C-To propose recommendations for addressing this phenomenon, which is currently spreading significantly.

Research Questions:

1. What are private military and security companies?



2. What are the main issues concerning private military and security companies?
3. To what extent does the proliferation of these companies impact the national security of states?

Research Methodology:

This research adopts the descriptive approach, which is one of the most important methodologies used to monitor and analyze phenomena as they exist in reality without introducing variables. It examines the essence of the subject without addressing the “how.” Therefore, this methodology was chosen to monitor, analyze, and interpret the phenomenon of private military and security companies as they exist in reality and their impact on the national security of states.

Research Contents:

A-The conceptual framework of the research.

B-The impact of the proliferation of private military and security companies on the national security of states.

C-Research findings and recommendations.

D-Conclusion.

First: The Conceptual Framework of the research:

1. Defining Private Military and Security Companies:

There is no unified definition of private military and security companies among all states globally, nor is there an agreement on the naming or classification of these companies. The United Nations defines private military and security companies as legal entities that provide services for financial compensation, whether military or security services, performed by individuals or legal entities. This includes strategic planning, information and intelligence consulting, investigations, and reconnaissance operations of all types. Security services involve guarding or protecting buildings, installations, properties, and individuals through armed personnel and any type of knowledge transfer via security applications or law enforcement measures, as well

as implementing and executing security measures for monitoring purposes ⁽¹⁾.

The Montreux Document defines private military and security companies as commercial private entities that provide military or security services, regardless of how they describe themselves. These services include, in particular, the provision of armed guarding and protection for individuals and properties, such as convoys, buildings, and other locations, as well as the maintenance and operation of weapon systems, detention of prisoners, and advising or training armed forces and security personnel ⁽²⁾.

In the draft convention prepared by the Working Group on Mercenaries, military services were defined as referring to specialized services related to military activities, including strategic planning, expertise, investigations, intelligence, and all forms of support, whether material or technical, to armed forces, among other related activities. Security services, on the other hand, refer to the armed guarding and protection of buildings, installations, properties, and individuals, as well as knowledge transfer in any form for security applications, policing practices, and the development and implementation of information security measures, among other related activities. It was also stated that these companies are legally registered companies that typically employ mercenaries hired by governments to provide public security ⁽³⁾.

It is evident that all the aforementioned definitions agree that private military and security companies are distinguished by being commercial companies offering a variety of services related to the military and security field, in addition to the high professionalism and discipline of their personnel in performing their assigned tasks. Most definitions focus on these companies based on the services they provide, which makes them lack precision, given the broad scope of these services, which vary from one company to another. It should be noted that a company is not required to provide all these services to be classified as a military company. In the absence of an adopted legal text defining these companies, the previous attempts remain the main references for those seeking to

determine the concept of private military and security companies. In summary, they are private, profit-oriented companies providing services of a military nature to national and foreign entities.

2- Issues Related to Private Military and Security Companies:

Private military and security companies (PMSCs) raise numerous issues across all levels since their emergence. Debates persist regarding their origins, nomenclature, relationships with sponsoring states, legality, connections to mercenaries, and other controversies and doubts surrounding this type of company.

A. Confusion Between the Terms “Private Security Companies” and “Private Military Companies”

The term “private military and security companies” encompasses two types of entities: companies providing security services and those offering military services. However, for the purposes of this research, a single term will be used to cover both sectors due to the significant overlap and blending of their activities and the inability to separate their roles, whether in armed conflicts or other contexts. Generally, there is no fundamental difference between the two concepts. Some describe these companies as “security,” while others refer to them as “military.” However, the more appropriate and comprehensive term is “private military and security companies.”

B. Confusion Between PMSCs and Mercenaries

The distinction between PMSCs and mercenaries is a common issue raised by many states. One of the most challenging questions often posed regarding the military activities these companies may or may not provide concerns understanding the difference between these services and traditional mercenary activities ⁽⁴⁾.

To clarify and understand the issues related to the concept, it is essential to define mercenaries to compare their concept with PMSCs, identify similarities and differences, and subsequently answer a critical question: Can PMSCs be described as mercenaries?

Definition of Mercenary

A mercenary is any person recruited specifically, locally or abroad, to fight in an armed conflict, whose primary motive for participating in hostilities is the desire for personal gain, and who is promised, by a party to the conflict or on its behalf, material compensation exceeding that promised to combatants of similar ranks and roles in the armed forces of that party. The mercenary must not be a national of a party to the conflict, a resident of a territory under the control of a party to the conflict, a member of the armed forces of a party to the conflict, or sent on an official mission by a state not party to the conflict as a member of its armed forces ⁽⁵⁾.

Similarities and Differences Between Mercenaries and PMSCs ⁽⁶⁾:

There is significant similarity between mercenaries and PMSCs, at least in terms of the objective of participating in military operations, which is financial gain. Certain conditions specific to mercenaries can apply to members of these companies, while other conditions are challenging to apply.

Conditions Applicable:

- **Material Compensation:** The goal is to obtain material compensation, though the criterion that it should be higher than what similar personnel in the state’s armed forces receive is problematic.
- **Non-membership in the Armed Forces and Lack of Official Mission:** The employees of these companies often are not members of the armed forces, nor are they sent on official missions.
- **Nationality and Residency:** Company members may not be nationals or residents of the state, a condition applicable in some cases but difficult to apply in others.

- Conditions Not Applicable to Security Company Members ⁽⁷⁾:

A-Specifically Recruited to Fight in Armed Conflicts: This condition is difficult to apply, as the primary purpose of these companies’



employees is to provide security and military services, not direct combat.

B-Direct and Active Participation in Hostilities: Much debate surrounds this condition, whether regarding remote services or remotely operated weaponry. Questions arise: Does this constitute direct participation and does providing military and security advice count as participation in operations.

By comparing PMSCs with mercenaries, it is evident that the definition of mercenaries is highly restrictive. Employees of PMSCs must meet specific, stringent, cumulative criteria to be classified as mercenaries. For instance, any person who is a national of a party to the conflict is not automatically considered a mercenary. They must be hired specifically for direct participation in combat, driven by personal financial gain, and actively and directly involved in hostilities. This means most employees of PMSCs are not classified as mercenaries, nor can this description be generalized. International law does not address the situation of a foreigner fighting in a state to which they do not belong, leaving it outside its jurisdiction ⁽⁸⁾.

C. Legal Status of PMSCs

It is evident that PMSCs operate in a context characterized by a complete absence of legal regulation of their activities. These companies impose their conditions on specific states that voluntarily relinquish sovereignty for costly security and defense services that could have been handled by the state's citizens instead of resorting to these companies. Assigning military activities to private companies raises many challenges for international humanitarian law, especially regarding the status of these companies and their personnel under this law, as well as the potential impact on the concept of command responsibility and state sovereignty ⁽⁹⁾.

While these companies are widely agreed upon as profit-oriented organizations based on the aforementioned United Nations definition,

the primary disagreement lies in describing their employees, which impedes the establishment of laws regulating their operations. Reaching an agreement on the definition and description is necessary before experts can draft governing laws ⁽¹⁰⁾.

• States' Positions on the Legality of PMSCs:

In general, there is a divergence in the positions of states, decision-makers, and international law scholars regarding PMSCs. Opinions range from support to opposition, and this is the primary reason for the absence of laws regulating their activities. Opinions are divided into two camps, each with its justifications:

- First Opinion: Supportive of PMSCs' existence:

Primarily composed of the companies' owners, founders, employees, and beneficiaries. They argue:

- There is no difference between PMSCs and companies operating in other economic sectors, as their activities are legitimate, evidenced by laws governing their establishment and operations in their countries of origin.
- There is a distinction between the services provided by PMSCs and mercenary activities.

- Second Opinion: Opposed to PMSCs' existence ⁽¹¹⁾:

Proponents of this view consider PMSCs illegitimate and their personnel mercenaries. They argue these companies threaten international peace and security, akin to mercenaries throughout history, and base their opposition on several arguments, including ⁽¹²⁾:

- PMSCs are profit-driven rather than bound by functional duty, with their commitment significantly limited compared to regular armed forces.
- Their personnel do not adhere to the chain of command established in regular armies, granting them considerable freedom that often leads to violations.

- National armed forces have laws ensuring discipline and adherence to international conventions, guaranteeing order and criminal accountability. Such systems are absent in PMSCs, making it nearly impossible to hold their members accountable.

researching the legal issues surrounding PMSCs is undoubtedly challenging, requiring continuous exploration of its various aspects. The challenges include disagreements over nomenclature—whether they are military or security companies, disputes over their status as mercenaries, soldiers, or civilians, and debates over whether the responsibility lies with the sponsoring states or the states contracting with the companies. These factors make reaching a binding legal framework to define their status and regulate their operations exceptionally difficult, though not impossible.

Second: The Impact of the Proliferation of Private Military and Security Companies on National Security:

Here, we examine the impact of these companies on national security through its various dimensions. We will address the political, military, security, and economic spheres, as these are the most affected by the proliferation of such companies, as follows:

1- The Political Sphere:

- A. States use private military and security companies as a tool to implement their foreign policies without incurring legal or ethical responsibilities. This is especially true when these companies engage in operations and activities that violate established laws and conventions, whether those of the host state or international society, without openly implicating the state in such unlawful behavior.
- B. When these companies infiltrate a country internally, they significantly influence the state's key institutions and control the decisions made by policymakers to avoid confrontations with them. Furthermore, granting these companies security information, privileges, and advantages within the state poses a threat to national security, as their primary objective is profit rather than patriotism.
- C. Weakening state sovereignty and independence, as these companies expose the vulnerabilities of certain states and details of their security and institutional structures, significantly affecting the state's control both domestically and in its external environment.
- D. The absence of ethical and humanitarian standards in these companies' operations, known as the moral hazard of using contractors, leads to human rights violations. Examples include the atrocities committed by the American company "Blackwater" against civilians in Iraq, and accusations against the Russian company "Wagner" of human rights violations in regions such as the Central African Republic, including mass executions, arbitrary arrests, torture, forced displacement of civilians, indiscriminate targeting of civilian facilities, and attacks on humanitarian aid workers.
- E. These companies have altered the nature of conflict in some countries and influenced others by providing protection and aiding stabilization. In Africa, for example, these companies play a prominent role in orchestrating coups in some nations and fueling conflicts in others, indicating their significant impact on the national security of states.
- F. These companies provide governments with a crucial tool related to the political impact of external conflicts on the domestic front. While a state may succeed in convincing its public of the need for war, popular support invariably declines as military casualties mount. Herein lies the importance of private companies: since their fighters are not part of the national army, casualty numbers are not recorded in official statistics, thereby minimizing negative domestic public opinion



one of the main reasons states resorts to such companies.

2- The Security and Military Sphere:

- A. These companies act as intelligence tools, executing the agendas of their affiliated states, imposing their conditions on weaker governments, and enforcing military plans aligned with their own objectives, undermining the sovereignty of the state, which traditionally monopolizes the use of violence.
- B. Heightening tensions: The involvement of these companies in conflict zones does not foster an environment conducive to de-escalation and resolution. Instead, these companies benefit from the continuation of conflicts, increasing their profits and expanding their workforce. Numerous examples include their control over oil fields, mining operations, and the extraction of gold and other minerals in many African and Middle Eastern countries. This dependence on instability enables these companies to maximize their gains, as seen in Syria, Libya, Sudan, and other African nations.
- C. The primary beneficiaries of these companies' services are states, followed by international organizations. This encourages states to privatize security within the international system, intervening in the internal affairs of other nations by fostering internal tensions, aiding military coups, and conducting assassinations and other illicit activities. One such example is the assassination of former Haitian President "Jovenel Moïse" in 2021. Through these companies, states shield their military personnel from engagement in hazardous operations resulting from these actions⁽¹³⁾.
- D. These companies may rebel against the governments and institutions under whose banners they operate if their interests conflict. They wield significant military and security power within the state, possess extensive authorities and capabilities, and can confront regular armies and inflict losses, potentially

even seizing control. For instance, Wagner's mutiny, while unprecedented in scale, represents the boldest rebellion by a private military and security company against its sponsoring state. Although Russia managed the situation with great professionalism, this incident underscores the significant threat these companies pose not only to national security but to state survival itself.

- E. A growing arms market has emerged globally, with exhibitions such as the IDEX Military Industry Exhibition dominated by these companies, showcasing their products and technologies. Concurrently, states actively encourage and support these companies to enhance their capabilities, enabling them to lead in this field. This trend negatively impacts the regular armies of states, as these companies motivated by profit lack allegiance, making their actions unpredictable.
- F. States increasingly seek the services of these companies due to their perceived advantages, leading to a reduction in military and security spending. Consequently, this results in a decline in the number of regular armed forces personnel in some countries, significantly affecting their national armies.
- G. The reliance on private military and security companies produces detrimental effects on internal security. States focus more on mitigating the consequences of threats rather than addressing their root causes.
- H. It is unlikely that these companies will prioritize preventive efforts, as their success is difficult to measure. Consequently, they tend to focus on short-term, inherently defensive measures, especially by meeting the immediate security needs of their clients. This leaves collective security issues to public forces and development agencies. However, the expansion of the private security market increasingly diverts resources from social and political collective efforts that promote positive peace, directly impacting national security.

3- The Economic Sphere:

- A. Draining state resources through inflated contracts for executing tasks beyond state borders, facilitated by corruption among those responsible for these agreements. Many leaders of these companies are former military personnel who held high-ranking positions, such as ministers of defense. Upon retirement, these companies recruit them to leverage their connections with state institutions and security leaders. An example is the contracts between the U.S. Department of Defense and Blackwater, amounting to millions of dollars, which leaked reports described as corrupt deals.
- B. Some states use these companies to exert control over oil, gas, and mining fields in other nations to secure their needs and sustain their economic growth. Official or semi-official state sponsorship of these companies significantly aids them in achieving external interests.
- C. In light of global economic pressures and crises, many states opt for lower-cost alternatives in all sectors, including security. Most states turn to these companies because they are less expensive than deploying regular armies. Additionally, states aim to reduce the size of their regular forces due to economic motives or reliance on advanced military technology.
- D. These companies, driven by profit, exploit the natural resources of targeted states, devastating their economies and ensuring continued instability. This enables them to extract and sell resources, benefiting both themselves and their sponsoring states, at the expense of the targeted states' economies. Examples include companies like Wagner and Blackwater.

Third: Results and Suggestions of the Research:

Results:

- 1- According to the concept of the modern state, which is considered a human community entrusted with the monopoly of the legitimate use of physical force within a specific area, the emergence of private military and security companies challenges this monopoly. Their spread may threaten the foundations of the modern nation-state, a fundamental element in its sovereignty.
- 2- These companies are rapidly spreading, and their services are expanding to include all sectors that should traditionally be under the responsibility of the state's armed forces. This has drawn the attention of the international community, making it a phenomenon worth Research ing and considering. These companies are considered non-state actors and have an impact on national security.
- 3- Private military and security companies have flourished in recent years, creating a strong global market capable of changing the balance of power in both public and private sectors, civil and military, on an international, regional, and national level.
- 4- The privatization of security and the reduction of military spending by many countries, as well as the demobilization of millions of soldiers worldwide, have contributed to the emergence and growth of these private companies.
- 5- The world, when it abandoned the traditional individual mercenaries, replaced them with another type of mercenaries that is more institutionalized and organized. This is because the traditional form of mercenaries is illegal under both international and national criminal laws, whereas the other form, private companies, is still accepted and has not yet been subject to mandatory legislation. The legislation that exists has not gone beyond regulatory oversight, which remains non-binding.
- 6- Private military and security companies are fundamentally profit-driven but operate under the sponsorship of a particular state. Most of these companies, being widespread, aim for profit without violating the objectives of the sponsoring states. They protect the interests of the sponsoring state while



making profits. Therefore, these companies are found in conflict zones, near oil and gas fields, and in areas with resources.

- 7- The rise of private military and security companies is linked to developments in countries and societies due to the discovery of oil and the involvement of these companies with national governments in sharing the revenues from oil sales. They benefit from these funds by expanding investments, which reflect on various economic sectors and the development of infrastructure, amid increased spending by these countries on military and technical arms. These developments, both a necessity and an investment, have increased the role of these private companies and significantly reduced the state's role.
- 8- States relinquish some of their functions in a desire to ease their executive responsibilities and focus on primary functions, a philosophy that has prevailed in Western states and societies. They resorted to private entities created under the legislation of a particular state to provide military or security services on a contractual basis.
- 9- It is difficult to reach an agreement among countries regarding the concept of private military and security companies, and it is unlikely in the near future to establish a law regulating these companies, because the countries responsible for creating such laws are the ones benefiting from these companies to protect their interests and objectives. They consider them as tools of their foreign policy, but it is not impossible.
- 10- The elements of these companies cannot be described as mercenaries, as international law has set conditions for mercenaries, and these usually do not apply to the members of these companies.
- 11- By utilizing these companies for military and security tasks, states can evade responsibility for any abuses or violations that may occur, which makes them one of the most dangerous forms of proxy wars.

- 12- Private military and security companies are on the verge of becoming small, flexible, and effective armies in achieving victory, more so than traditional armies, by employing former military officers and experts. However, this could lead to them encroaching on the state for the benefit of individuals or certain lobbies, especially if their interests conflict with state policy, which could significantly affect national security.

Suggestions:

- 1- There must be an agreement among states on the correct nomenclature for these companies, which is one of the most complex issues. This agreement is necessary to establish a law regulating these companies.
- 2- Establish an official body to monitor the activities of these companies, conduct a thorough investigation into their operations, address any violations, and create a mechanism for accountability through international cooperation, whether the countries rely on these companies or not.
- 3- Encourage the international community to create laws regulating the operation of private military and security companies at both the national and international levels, as well as the need to establish principles for guiding the security sector in the movement of international relations in general, and private military and security companies in particular.
- 4- Revitalize the initiative put forward by the Swiss government to promote the respect of international humanitarian law by these companies. The idea originated from the Swiss Ministry of Foreign Affairs due to the increasing presence of these companies in conflict-affected countries. States must take steps to enhance the respect of international law by these companies.
- 5- Develop a strategy through which states can enhance the respect of international law by these companies, whether when hiring these companies or when they operate on their

territories or when companies based in a state wish to offer their services outside the countries of origin. States might also adopt a national standard that provides a legal basis for dealing with these companies.

- 6- Exploit the violations committed by these companies in targeted countries, work to curb their spread, and create an agreement to regulate their operations and set standards to limit their intervention in the internal affairs of other countries.
- 7- Define the services these companies provide to states, whether military or security, within the framework of international humanitarian law and according to international conventions on this matter, and specify the services that companies cannot contract for. Additionally, establish standards for recruitment and limits on the use of weapons, both within and outside the state, with restrictions on the use of arms.
- 8- Encourage states to enact internal laws that regulate the use of these companies and place restrictions on contracting with them for all their activities, whether in training, consulting, or intelligence activities, and prohibit the military use of these companies. This will significantly help in curbing their work and spread.
- 9- It is essential to establish standards for selecting these companies and conditions for contracting with them in light of their vast spread. Ensure that companies hold the necessary registration certificates, licenses, and records about employees, assets, weapons, and equipment legally, and confirm that these companies respect international humanitarian law and human rights law while understanding the humanitarian, cultural, and religious considerations of the local populations.
- 10- Activate monitoring and ensure accountability by establishing national legislation through judicial and parliamentary channels to oversee the actions of private military and security companies, holding them criminally accountable for violations, and imposing penalties ranging from contract termination to criminal penalties on companies and individuals. It is suggested that each state designate specialized agencies to issue licenses for these companies based on the standards defined by the states, as seen in Iraq where strict laws were implemented to deal with private companies following violations by Blackwater. This demonstrates the ability of states to do so.
- 11- Support the United Nations in resolving this complex issue, as a group of experts under the auspices of the United Nations is working to prepare a code of conduct for this growing sector of private military and security companies. Efforts should be made to create a new definition of mercenaries that takes into account the new realities on the ground, incorporating private military and security companies, thus subjecting them to international law concerning mercenaries.
- 12- Continuing studies and analyses regarding the nature of these companies' work and the limits of their role, focusing on violations they commit, as well as the negative effects on international relations in general and on national security in particular, could help highlight the urgency of the issue and place it on the international agenda.



Conclusion:

- 1- It is likely that military conflict is driven by the same factors that have historically led to wars, including resource protection, economic disparities, ideological differences, and the pursuit of power and influence. However, the ways in which wars are fought are changing with the emergence of non-state actors, such as private military and security companies, which have the technological and military capabilities to play a significant role in international relations, thereby posing a threat to national security.*
- 2- The use of companies, which was previously covert, has now become overt. Despite the denial by the states sponsoring these companies, the situation has taken a different turn, leading us to expect that the position will soon become more public, and the companies' presence will expand. For example, China, in the context of the Belt and Road Initiative, seeks to use these types of companies similarly to Russia and the West, as seen in Iran, Turkey, and other countries that have begun establishing these companies.*
- 3- Private military and security companies now possess immense capabilities, allowing them to serve as tools for changing the rules of the game in international security. They have become one of the main factors influencing relationships between states. What has helped these companies in this regard is their growing acceptance and broader spread, with states employing them to carry out specific tasks both within and outside their borders.*
- 4- Major powers resort to private military and security companies to implement their foreign policy and protect their interests in target countries. The main reasons for this include the ability to avoid international responsibility in the event of any violations, as well as the lower cost of using these companies and the professionalism of their personnel in carrying out assigned tasks.*
- 5- States are the largest clients for these companies. From this perspective, these companies perform tasks that states either cannot or do not wish to undertake. These tasks clearly affect the national security of states. Therefore, private military and security companies can play a decisive role in shaping regional and global policies at various levels, depending on whom they contract with, why they are contracted, and how they influence state policies. Many services provided by these companies are considered exclusive to states, which is why their presence and growth in recent years have led to the need for more focus on these companies.*
- 6- There is no doubt that private military and security companies exist and will continue to play a role in the policies of most countries around the world. The demand for private military and security services is expected to increase. These strategies, adopted by several countries through outsourcing specific tasks that were previously exclusive to regular state armies, have made these companies influential actors in national security matters.*

References:

- (١) تقرير الجمعية العامة للأمم المتحدة، الدورة الخامسة عشرة، البند رقم ٢ من جدول الأعمال « تقرير الفريق العامل المعنى باستخدام المرتزقة كوسيلة لانتهاك حقوق الإنسان وإعاقة ممارسة حق الشعوب في تقرير مصيرها » بتاريخ ٥ / ٧ / ٢٠١٠، ص ٢٨-٢٩ .
- (٢) هذه الوثيقة ثمرة لمبادرة مشتركة أطلقتها حكومة سويسرا ولجنة الصليب الأحمر الدولية، وقد أعدت بمشاركة خبراء حكوميين من ١٧ دولة، وكان ذلك في ١٧ سبتمبر ٢٠٠٨، وهي وثيقة تتضمن القواعد والممارسات السليمة ذات الصلة بالشركات العسكرية والأمنية الخاصة التي تعمل في أثناء النزاع المسلح، وتهدف وثيقة مونترو، التي جاءت ثمرة لعملية دولية أطلقتها عام ٢٠٠٦ حكومة سويسرا ولجنة الصليب الأحمر الدولية، إلى تعزيز احترام القانون الإنساني الدولي وقانون حقوق الإنسان.
- (3) Chaloka, Beyani; Damian, Lilly, Regulating Private Military Companies, options for the UK Government, (2001), International Alert, UK, p 5. at:
http://www.ssrnetwork.net/uploaded_files/3542.pdf (22 Feb.2024).
- (٤) باسيل يوسف، المرتزقة جيوش الظل، الطبعة الأولى، مكتبة العبيكان، ٢٠٠٨، الرياض، ص ٥١-٥٥.
- (٥) الجمعية العامة للأمم المتحدة، المادة الأولى، الاتفاقية الدولية لمناهضة تجنيد المرتزقة واستخدامهم وتمويلهم وتدريبهم القرار ٤٤ / ٣٤، ديسمبر ١٩٩٦.
- <https://2u.pw/94hr3W> (1 Apr.2024)
- (٦) البروتوكول الإضافي الأول لعام ١٩٧٧ اتفاقيات جنيف ١٩٤٩.
- <https://2u.pw/HNxISFz9> (2 Apr.2024)
- (٧) مجدى كامل، بلاك ووتر جيوش الظلام: المرتزقة الجدد وفن خصخصة الحرب يبرز الموت على الطريقة الأمريكية، الطبعة الأولى، دار الكتاب العربى، ٢٠٠٨، دمشق، ص ٦٥.
- (8) Riley Martin, "mercenaries the rule of Law", Review of the -12 International Commission of Jurists, Vol.17, 1977,p 51-53.
- (٩) وثائق الأمم المتحدة الوثيقة رقم (A/52/495). ص ٦-٩ .
- (١٠) لقاء أبو عجيوب، آليات ووسائل حماية العمل الإنساني بين النظرية والتطبيق، إصدارات المعهد الاسكندنافي لحقوق الانسان، جنيف، ٢٠١٤، ص ٤٤.
- (١١) عبد الشافى عبد الدايم خليفة « الشركات الأمنية الخاصة في ظل القانون الدولي الإنساني » العدد ٧٢، المجلة المصرية للقانون الدولي، ٢٠١٦، القاهرة ص ٤٩٨.
- (12) Singer, P. W, Corporate Warriors: The Privatized Military Industry, a Thesis for the Degree of Doctor of Philosophy in the Subject of International Relations from Harvard University, the Department of Government, Cambridge, Massachusetts, 2001. P38
- (١٢) رضوى عمار، خصخصة الأمن: تساعد دور الشركات الأمنية والعسكرية الخاصة في الأقاليم، المركز الإقليمي للدراسات الاستراتيجية، مصر، القاهرة، ص ٣-١ .
- (١٣) أحمد أنور العزم، دور الشركات الأمنية المتعددة الجنسية في الحروب والصراعات العسكرية في الوطن العربى، (٢٠٠٣-٢٠١٥): دراسة حالة العراق، رسالة ماجستير غير منشورة، كلية الآداب، جامعة اليرموك، الأردن، ٢٠١٦، ص ٩٨-١٠٠.



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PhD in political science

Abstract:

Private military and security companies (PMSCs) have become an integral part of modern warfare. These entities are established as commercial enterprises aiming to generate profit by providing military and security services to states requesting such support. This development has positioned them as significant actors in the dynamics of international relations. Modern warfare is no longer limited to traditional armies, as these private companies have also entered the domain of irregular warfare, emerging as influential non-state actors in international affairs.

Currently, PMSCs play an unprecedented role in shaping international relations and national security. Despite the lack of international consensus on their designation and the absence of a legal framework regulating their operations, they have garnered global attention. Most countries consider them tools for implementing foreign policies.

PMSCs possess immense potential to act as game-changers in the field of international security. They have become key factors with a clear impact on inter-state relations, bolstered by their increasing acceptance and widespread deployment. States frequently employ these companies to undertake specific tasks both within and beyond their borders.

Keywords: Private Military and Security Companies, National Security.

تأثير الشركات العسكرية والأمنية الخاصة على الأمن القومي

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المستخلص :

أصبحت الشركات العسكرية والأمنية الخاصة فى الوقت الحالى جزءا لا يتجزأ من الحروب الحديثة، وهى كيانات يتم إنشاؤها فى شكل شركات تجارية تسعى لتحقيق الربح مقابل تقديم خدمات فى المجال العسكرى والأمنى للدول التى تطلب تلك الخدمات، وهو ما جعلها أحد أهم الفاعلين فى مسار العلاقات الدولية، فإن الحروب الجديدة لم تعد تقتصر على الجيوش التقليدية، فهذه الشركات الخاصة دخلت أيضا مجال الحروب غير النظامية بشكل واضح، حيث بات صعودها كفاعل دولى من غير الدول حاضرا بقوة فى العلاقات الدولية.

هذه الشركات أصبحت فى الفترة الحالية فاعلا مؤثرا على حركة العلاقات الدولية والأمن القومى للدول بشكل غير مسبوق، فبالرغم من عدم وجود اتفاق بين المجتمع الدولى على مسمى هذه الشركات وعدم وجود إطار قانونى ينظم عملها فإنها حظيت باهتمام جميع دول العالم وتعدّها معظم الدول إحدى أدواتها التى تستخدمها فى تنفيذ سياستها الخارجية.

أصبحت الشركات العسكرية والأمنية الخاصة تمتلك إمكانات هائلة لتكون بمنزلة أداة لتغيير قواعد اللعبة فى مجال الأمن الدولى، وأصبحت أحد أبرز العوامل التى لها تأثير واضح على العلاقات بين الدول، وما ساعد هذه الشركات فى ذلك هو حصولها على قبول أوسع وانتشار أكبر حيث تقوم الدول بتوظيفها للقيام بمهام محددة داخل وخارج حدودها.

الكلمات المفتاحية : الشركات العسكرية والأمنية ، الأمن القومى.