

Private Military and Security Companies and Impunity in International Criminal Law: A study on accountability gaps and prospects for reform

Foudil Khane

University of Mohammad Khider Biskra, foudil.khane@univ-biskra.dz

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Abstract:

This study seeks to analyze the issue of impunity for PMSCs in international criminal Law, particularly by focusing on accountability gaps and prospects for reform as the legal status of these companies has played an ongoing debate between the need to protect civilians and ensure the accountability of those responsible for violations, and the absence of a clear legal framework that recognizes to protect civilians and ensure accountability for violations, and the absence of a clear legal framework that recognizes PMSCs as independent entities in international criminal Law. These companies are separate entities in international criminal Law, which hinders the realization of criminal justice.

Keywords: military companies, private security companies, punishment accountability, international criminal Law.

Corresponding author Foudil Khane, e-mail: foudil.khane@univ-biskra.dz

Introduction

In recent decades, states and non-state actors have increasingly relied on private military and security companies (PMSCs) in armed conflicts, for reasons ranging from cost-cutting to avoiding political accountability to public opinion. However, the rapid proliferation of these entities, which exercise quasi-sovereign functions including armed protection, training, interrogation, and even direct combat, has resulted in **their involvement in serious violations of international humanitarian Law and human rights**, including extrajudicial killings, torture, and attacks on civilians, as demonstrated by the *Blackwater* scandal in Iraq in 2007.

Despite the seriousness of the acts attributed to these companies **international criminal Law can still not effectively hold them accountable**, due to several legal, political, and institutional factors. This raises several fundamental questions that form the core **of this research**:

What are the reasons for the impunity of PMSCs for international crimes? What is their legal position within the Rome Statute? What are the legal and institutional means to close this gap in the international criminal system?

This study proceeds from **three main hypotheses**:

1. In its current form, the international criminal system is **not legally equipped to hold non-state actors** such as private companies **accountable**, given that the jurisdiction of the International Criminal Court is limited to natural individuals and not legal entities.
2. The **weak political will of central states**, which benefit from the services of these companies or have economic and military ties with them, contributes to the entrenchment of impunity .
3. Revision of the Rome Statute, development of new international accountability mechanisms, and strengthening national and international judicial oversight of these companies' activities are realistic ways to remedy this legal situation.

In order to address this issue and achieve the research objectives, **three integrated scientific approaches** will be used:

1. **The analytical approach** involves analyzing relevant international legal texts, such as the Geneva Conventions, the Rome Statute, and the International Convention for the Criminalization of Mercenary Recruitment.
2. **Comparative Approach:** To compare legal models of corporate accountability at the national and international level, focusing on the cases of the United States, Russia, and France.
3. **Critical Approach:** To assess the effectiveness of the ICC and the international community in dealing with this phenomenon, explore shortcomings, and propose realistic solutions.

Through these tools, this study will seek to **fill a legal gap that affects the credibility of international criminal justice** and provide a scientific contribution that can help develop the international accountability system in a world where the role of non-state actors is increasing.

I. Theoretical and Legal Framework for PMSCs

1. Private military and security companies are a famous fact today as they are a part of how wars happen and how the world deals with battles. People are getting used to the idea that states and groups not governed by a state and that need to fight are using PMSCs. Because of this, questions about the Law and the right thing to do have now come up about how they work, if it is right for them to do it, and if they follow the rules of the world that govern our actions with others. This article is meant to give the best possible look at PMSCs from a theory and law point of view, and focus on how we name them and what they do, the line between them and lovers of money, and what Law has to say about them and wars, and how we find out if what they do is right in the eyes of the Law to help us all. With this look, we want to see how hard it is to make PMSCs obey the

Law, and how we make sure they do what is right in the eyes of the Law and what is wrong in their way.

2. Defining Private Military and Security Companies (PMSCs) and what they do

PMSCs are money-making businesses that provide war and safety services for many clients, including countries, groups, money-making groups, or the like. They act their way, which sets them apart from regular troops working for the state. What they do have is a wide range of work, like giving police who help in the fight, keeping and using guns, helping the military, helping prepare troops, giving the plan, and sometimes fighting in the fight. These companies have been very different from life after the Cold War, as blending the living space of using armed groups has made a multi-billion-dollar plan.

However, some argue that this shift in the work types is insufficient. They say the work has gone beyond what was once considered okay. Part of the issue is that those who watch what these companies do have not been clear about the right ways to act.

The work of these firms could be split into three main tasks: the work of war on the field, the work of war in a guarded way, and the work of helping others and giving aid. This is how these firms work, for they are in the gray patch between the state and the private part of the state. Even if these firms see themselves as those providing the work of keeping safe, their work is sometimes the work of being at war, so they are hard to define and keep under the rules of what to do with them. (Cross, 2024)

PMSCs are very flexible regarding what they do so they can fit easily into many settings, fighting wars and peacetime. Take, for example, they are in AFAAS, a place such as Saharan Africa, where companies like Wagne Groupput directly military force to work for and protect those in charge or fight, while some like GStakeshift for security, such as guarding matches at a business. This change of use shows how big the world has become, which has made this field very big and has made them strong supporters of how the world works.

In economic terms, the PMSC is part of a larger thing known as the "security for money" one. For big reasons, others, but it also mistakes that they let these off to do bright things, like tell cyber places or fly drones. However, this vast new trouble is that those who keep a watch, and many do not, in places that do not have firm rules, may easily do things that go against what every person should pass on. (Studies, 2023)

3. The distinction between mercenaries and security companies in international Law:

The line that divides those who work for Profit in War (mercenaries) and Private Military Companies (PMCs) is the central part of the Law. In a Law governed by rules of war, a mercenary is a person hired just to kill in a war for their gain and who kills without being a part of their own group's fight or nation. It was discussed in Law after many good rules (Protocol I) were added to the Geneva Conventions of War in 1977.

Unlike mercenaries, PMSCs are real companies. They are also run by the laws of the land they come from. They do their trade on the back of real legal contracts. Many of these PMSCs say they only do what a third-party country wants. This is so unlike the way many may think of mercenaries. Mercenaries are thought to even work to kill people in the name of any one individual, with the only goal being their benefit. None of the money they get is to ease the pain of war.

However, this distinction is not always clear-cut in practice. In many cases, PMSCs carry out tasks beyond security protection, including direct participation in combat operations, raising questions about whether these companies are considered 'modern mercenaries'. For example, Blackwater's activities in Iraq, particularly the 2007 Nisour Square incident, have sparked widespread controversy over the categorisation of its employees, who have been accused of committing gross human rights violations resembling mercenary actions.

However, for PMSCs, the gap between the definition of mercenaries and PMSCs remains a significant problem from the point of view of legal

services. While the foreign fighters are not allowed the prisoner of war level, and more easily liable according to the Law of the criminal, the guards who worked in PMSC are often protected lawfully as guys who will not go to war even if they are 'enrolled there. This gap is needed to hold these companies to bear responsibility for their breach of the Law, especially when brought in by no all-internet system to the work of these companies. (Cross, 2010)

Compared to what it was in the past, the term "mercenaries" was right out. There was a time when only those fighting for cash on any land grabbed or fought, mainly in places like Africa, in 19th-century battles with Africans. The people that work for PMSCs are not exactly our old friends tailor-type take-it-where-placed merc ateurs and fine them for old times' sake. However, PMSCs, and even the peeps fighting for their cause, influxed; p.14, can become so even if only by black permissions in places like East European or Uzbek republics or parts of some one-shipload of other people. Some countries have flag institutions for our use in peacetime war.

Many old ideas still work in the sites still find they only have "one new thing to add": that PMSCs should not be judged according to old ideas' use of the word in a way that drags overall conduct as persons and in general regard with it (see Aimee Sanchez, "From Prison to Wealth: A Fescor report 81 (2009))'p15. They exist in the family of types, and that last nature what makes PSMCEs always violent ("ay-un-programs calculator the US rank), all close-knit folks which happen to be soldiers or not, in a matching work-read of beginning, group work and ending all accord.

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Many questions and actions are considered wrong, and in many cases, this is because of how they are done.

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The Legal Status of Private Military and Security Companies in Armed Conflict

The legal side of PMSCs in wars is one of the most complex parts of the Law to understand. As per the Geneva Text Bookings and their Updates Rules, PMSCs are mainly seen as normal people unless they become part of a state's army or first take part in fighting. This ruling ensures that they are not hurt, but if they take part in fighting, they can be hurt, and they are fair game until they stop fighting.

In international armed conflicts, PMSC employees can be treated as civilians with the armed forces if they work under the real watch of the general forces. This is because they could be allowed to be a prisoner of war if caught, by the Third Geneva Convention (Article 4). However, in situations that are not between two countries or states, the legal position gets even less clear as there are no clear rules to say what they are, which puts them at the risk of being caught as the wrong fighters.

The work PSMCs do in places like Iraq and Libya has made it even less unclear how rules from the world are used. For example, in Iraq, some workers worked for companies like Blackwater USA, and they were given legal safety by a US person who was the ruler of Iraq in 2004 (December 17, 2004 Order). This meant that they could not be held responsible in courts in Iraq for breaking the Law. This has been called out to the world about how immunities get in the way of numbers, as it makes a mess of the mess that is war. Moreover, when it happens in places where people cannot see what has happened, it becomes deadly because it is a place where things are not seen. And then when they work there, it becomes a part of a bigger world. Moreover, when people cannot see what has happened, this is not always easy for people living in many child places. It is not always easy for them to see how to change the Law. There is not always a good way for the world to watch out. However, they still have to follow the rules about war

when they do what they are told in wars. Read more. These companies can even work when they are in all types of wars. This will make how they work in new wars now, but remember that they still have to be fair. However, how they can be fair in all types of war is still unclear.

Bring them home(This is where the foreigner has not been seen on this part. These companies work when they are in all types of wars. This will show how they work in new wars now. Moreover, they are told this, but this is not always the case where they work. Bring back, and this way of doing all of it may get in the way. Thus, for others, they may need to find a way. However, how can they do all of it when they are in a different place at a different time? Please bring them back. In the world that is now, the only thing that brings them is (Hub, 2018)

Several international initiatives seek to address the legal ambiguity. However many PMCs are not subject to the laws of their home, as there is little power in these laws to be effective. Moreover, the bed for PMCs comes from the laws of the place where they serve, and, lastly, like any good business, if PMCs act like most private companies, the people that work for them are subject to the laws of the country where they wear a uniform. These can be the laws of the state that owns the company, the state where they are based, or the Law where they work most.

As a result of the failures of the bottom two bed laws, the private PMCs can have their own CODROB Bed self governed but areas of the work in other areas of the world? Can a straightforward way be found outside the legal system? Many concerns are playing out in these and other games.[11] These games have suppliers having all the money and power that a labour supply can get, while they are mostly unaccountable for the blood they spill in the works, UAVS back in the end. (2020, حليلة)

4. The limits of recognising PMSCs as non-state actors in international criminal Law

In international criminal Law, states and individuals are the two leading actors Those companies are seen by the Law and other rules, like

the Law of the sea, to be able to take part in crimes.' However, people have said that we should say that these companies are not just people but real ones that can do significant crimes that we know about, like war or crimes against people. This last part says that if they commit crimes not alone, they should do so as a group. It seems now we do not say these companies are real, but only talk about the people working for them, who can be taken to Court, as the Law agreed with. Like when four men worked for Blackwater in Iraq, they were taken to Court in US courts for what they did in Nisour Square. This last part says that we only talk about people doing crimes and not the companies for the crimes they commit after they give people their orders. This last part joins what I said first. This last part says that companies can use the Law and other rules, like the Law of Rules, to get away with doing crimes. This part also says there is no good law to say these companies are real groups that can commit crimes. That is, if we think about laws to do it for prisoners' crimes. Instead, these crimes can be put on the people who work for these companies, and those people can be taken to Court if they commit international crimes. When 'a turned the last part talks about what Blackwater people did in Iraq, in Nisour square, four servants of the last part were made to face the Law for murder because they were the ones who did the killing there, and the last part is about how the Law can focus on who did crimes.

.Despite these challenges, there are efforts to promote accountability Although the limits on having PMSCs as non-state actors are weak on paper, they are already quite strong in practice. Even though the ICC does not work on most war crimes, it may in the future. Still, it has not used the Court's power against companies that are part of armed groups that commit war crimes.³¹⁰ Like much of ICC work so far, the ones against PMSCs are about how much they help organised crime or deal in crimes like war crimes. Also, the specific crime in the cases before the ICC was about the crime the PMSC helped make. Still, this could be a real way to push the cause if the list of crimes in the Rome Statute is expanded. It creates a trail of use that rots judges and other prominent actors in the ideas of the Court.

The real problem here is not that the new use of ICC lets us punish PMSCs as non-state actors. It is almost useless if it is used. These new crimes can help bring PMSCs in front of the Court.³³⁴ Still, as with other problems with the ICC, they only work if the Court tries to punish many times to get a broad one. Thus, these crimes do not remove the existing problem of the Court being unable to convict enough of these crimes.³³⁵engerasingly, it is still the same old problem. It is made worse by the fact that the Court cannot use these crimes even if it wants to.

The Courts do not only have a hard time with destructive attacks, but also when they try to use weapons with PMSCs. The pause set here is that committing a crime like war crimes may already be a crime in many places in the world. This is true of the Athens Constitution, for instance, with what is usually in the laws of armed groups and crimes committed with weapons in the Law, as we have already said. This is less true if a war crime is committed by the crime of when and how that gave that private donor that racing stick. Use both of those. (Scahill, 2008.)

II :Manifestationsof Impunity for Private Military Companies Blackwater's case study in Iraq: Legal loopholes, lack of accountability, and state complicity

1. Private Military and Security Companies (PMSCs)are a widespread new thing today, similar to how countries and groups get to do military or security work in war zones. However, the Admin of PMSCS often works in strange areas of Law that give them way too much power to do wrong and unfair things to the Law and the rules of what is right in war. This piece looks at how these companies get away with wrong by looking at the case of Blackwater in Iraq and how there are big holes in the laws meant to keep these companies from doing wrong to people. The paper talks about how there are no strong rules for making these companies pay for any wrongs they might do. Finally, it looks at how a few countries hide these wrong acts by these companies. This paper uses books written by well-known writers and a few currently available official reports. These

rules organize how you write a paper like this (the notes and list of sources). **Manifestations of Impunity for Private Military Companies: Analysing Blackwater's Abuses in Iraq**

Blackwater, with its start in 1997 by Erik Prince, is a big name in the many firms that they run in Iraq during the stay of the U. S. Invasion in 2003 and after it. They made money repelling those in charge of the U. S. government and escorting them. Blackwater has been linked with many acts that caused serious harm, which have started a fight about the price they should pay for their wrongs. One such act was the killings at al-Nusour Square in Baghdad in 2007, where 17 innocent people, both men and women, were shot to death, and many others were hurt for no reason of their own. The "slaughter" showed how no one is held responsible, even after many years and heavy pressures from outside and inside to get the men who did wrong to pay.

Blackwater and its friends did other wrongs. Many reports tell of the use of too much force, random fire, and harm to innocent Iraqi⁴⁴ civilians. For example, in 2006, a Blackwater worker shot and killed an Iraqi bodyguard who was just trying to settle a petty fight, with no one paying for what had been done. There are even claims of smuggling guns and forced ways of asking questions. These wrongs and others painted the full story of a business without rules. It was just one act after another, of acts that went against many rules of war and against many laws.

Another thing that helped Blackwater not have to answer for their acts was the Law that the US had put in place in Iraq. Title 17 by the US coalition government in 2004 gave people working for the Iraqi⁴⁴ government free and made it impossible for them to be tried. When this Law was weakened some years later in 2009, the problem remained of how to work well with the Iraqi⁴⁴ government and the US government so that companies doing work for and in the US could be held to account for their acts.

People at Blackwater did not have enough training in how they fight or how to treat Iraqi⁴⁴ civilians. Many of these men had been in the army or had some training, but not enough to know how to fight in a faraway land. This was not enough training, and the lack of judgment by the US meant they could do what they wanted when they wanted. Even after the change to the firm's name, Constellis, there were still stories of wrong acts in other parts of the world. (Court, 1998)

2. Gaps in legal texts: Failure to include legal entities in the jurisdiction of the International Criminal Court

Gaps in rules at the world level are some of the main things that allow PMCs to escape evil acts. The ICC is what we call the highest world law body that can give people who commit very wrong acts, such as war crimes and others. However, the ICC can only put people on trial, not things like corporations. So it is hard to hold PMCs to the rule because they are companies, not people, even if their acts are very wrong. After all, they follow policies that lead to evil and wrong acts.

The Rome Statute says that only those who commit evil acts semi-directly will be in trouble according to Article 25. That makes it so PMCs are not in trouble for their evil acts as a group. For example, Blackwater could have been told they were in trouble because of how their people were trained and the policies they had. “Ireland, P., 'The Legal Gaps That Allow Private Military and Security Companies to Get Away' in Irish Council for Civil Liberties (2012) 39” However, because there was no law about what a company like Blackwater was doing, the acts of certain people who did bad things to others were used to put people on trial. Moreover, this means their company's leaders were not imprisoned even if their acts were part of a bigger plan or policy.

More rules allow PMCs to get away with acts that are not right. Rules made in 1949 – we call these the Geneva [glossary] (G.) are meant to do something about the acts people commit when they are in a war. However, the little rules made pages after the G are there. They do not say anything about PMCs, however. We also have other rules made in 1977

called Additional Protocol I (G). It says some things about what it means to be a merc. However, these things do not seem to fit what PMCs do, so they get away without the rules hitting them.

Other recent ideas at the world level include the 2011 UN Project on Business and Human Rights. It has some rules about how PMCs should treat people and how they are to be fair. However, these rules are thoughts and not real rules; they have no real power. No one pays for what happened, so it is hard to make things fair to bring money for very wrong acts. (SN, 2008)

3. Lack of effective international and domestic accountability mechanisms

The absence of effective accountability mechanisms is the leading cause of PMCs not getting punished or not being held accountable at both the global and local levels where these companies exist.

No harm is done to them by the world ones, because no law applies to them fully. We have rules about what these companies can do; this is the 2008 Montreux Document. It has some good words about how states can be used to enforce international Law, but they are not enough at this time. The 2010 International Code of Conduct for Private Security Service Providers (ICoCA) looks best; it tries to ensure people's rights are given the utmost importance. The code is rarely used because it does not stand up for itself.

Politely, like most rules, the trouble is who should make the rules stand up for them. Host countries that have companies on their soil suffer. Iraq is the prime example. They went as far as trying to tell any foreign company, 'You have to follow these rules,' and when they tried, the foreign companies even fought the Iraqi companies. The foreign companies had states tell the host countries that nothing was going on and that they would stay as long as they wanted, as long as they caused little trouble.

If the case were in the host country, and the companies agreed to the rules, they would be 'stuffing it to them' with sticks. According to the Law, what we had as companies in the home country made us well safe, but that

is not the case. Getting a law into their country's books would have been hard enough. Making it harder, by how they moved their stuff over the years, made it so that they did not have a place to put it if they had tried to put that Law into action. So, it was harder to make the law work.

What VIP, no matter where they were, are like the U S makes, the Law can get them better in their home country. There are some dead-dead rules in U S law on this. Moreover, with limited effects, we have the MEJA. The best way to put it is to get their hands count them, four to get them to jail. How long it used to take, then, for the four of them, after trying their case, their jail time was gone. It acted like that, warrant before long, but it was sad to see our courts work like this bloody, black mess.

The things that these companies do did not help the cause. They do not know about them, or when they did, it was all for n "This is what we got. I have no problem. The matter is not - there are plenty more things we could put here, it is just a lot of work." Traps are on them; it was a dead case with these brothers. Our cause was better, but it was how it was done. The wall on them was thick as a log, so it was on the job done. The Iraqi wall on Blackwater bills, for example, was not opening up; they just kept at it. However, American law people would not let it out.

However, when you combine my above culture with them, like I like to call transparency, the thinner it will be; the more peas and the market will not be able to give up what they got. They do. XXX (Singer, 2003)

4. The complicity of some states in protecting private military companies:

The complicity of some states, especially Western countries such as the United States, is a key reason why PMCs still get away with evil acts. These states rely on PMCs to meet their significant needs, not just armies of men and women who fight in war. They need boxes that go fast and cheap. They work on jobs where US troops are not often seen. For the wars in Iraq, the US used PMCs, even when it was slow, weak, or had hit and hurt US

soldiers. They used PMCs in Iraq and fast-fix problems when fighting AQ and terrorists.

This use of PMCs helps states create a cover. PMCs make it harder to see what states do and help make states use more force. When companies do the wrong things, states can say they were the company's fault. This helps states not have to answer to courts or people when they do wrong. The US could not put Blackwater in trouble when it did bad, and it kept on working for the US people, getting more jobs and money from the US and other states.

Some states work with PMCs to avoid being seen as making war. Countries hire armies to avoid getting in trouble for what they do. Rules do not say a country is part of the crime when it fixes it with hired hands. The US made work with PMCs in Iraq and Afghanistan so as not to be seen as making war, and let Blackwater do the translating. This would never have been done without the US fighting there with soldiers.

Finally, people who make and work big PMCs are close to people who work in other governments. Big people often work in the government's walls and halls. However, they know the people in the US. The old heads for Blackwater went with Bush's group, where they sat, ate, and danced together. They made such a small place, and what they did to the many they hired was never close enough. Oddly enough, the old heads from Blackwater went with old clowns. People who knew how to move the state can try to get a plan to fix their war crimes. (Singer, 2003)

5. Private Military Companies (PMCs) pose a different challenge to the international criminal system, given their growing role in armed conflicts and the human rights wrongs they commit. Since governments and helping groups increasingly use PMCs, it has become clear that we need good laws to ensure they are right when they act. This paper looks at four main ways to make the world's dense legal web work better so we can make these companies pay for what they do: changing the Rome Statute to add blame for legal

organizations; making a special group to check on what these companies do across borders; helping court work between countries and the ICC; and adding standards to international contracts and security agreements. The paper hopes to give full and real ideas backed by well-known schools of thought and international work.

6. Amending the Rome Statute to introduce criminal liability for legal entities

The Rome Statute, which established the ICC in 1998, is currently limited. The Rome Statute does not hold those who may own or act through legal names of organisations, such as corporations, responsible, even if they are European, American, or from another part of the world. They can be and are almost always held responsible for their person. This is a vast legal hole as we look at illegal acts. It remains that those companies or others play a direct role in bringing or carrying out such acts, as they are indeed sadly often found on the ground in loss of human lives. During the roaming crime, France said there was even a case for classifying such bodies as criminals. However, both the U. S. and the UK. The words and their worlds are a sharp pain to those in significant violations. "Give a poor level" is because of the UK and the great pains that such bodies can cause, and are most often found in getting such great and painful pains. However, there is a real warning to do just this, and there has been as evidence is used lumped in how PMCs have been found to behave in evil ways; as in the Blackwater event that spanned the year 2007, where the company's employees killed, even though they wanted to, so that they did not need even good response for the activity that can be used for evil or wrong doings. (Patel, 2019)

7. Establish a specialised international mechanism to pursue crimes committed by private military companies (PMCs):

Given the current limitations of the Rome Statute, establishing a specialised international mechanism is a second way to investigate crimes by PMCs. This can be a new body under the UN or a group of regions

aiming to investigate crimes, hold proof, and send cases to local or global courts. The International, Impartial and Independent Mechanism for Syria (IIIM) is an example. It was created to look for evidence of crimes. This body might look for PMCs that work in places like Libya and Mali, where many crimes have been committed a few times but not paid for. This body's job can be to watch what PMCs do, write down crimes, and keep a table to compare deals and those who work in them. For example, Amnesty International wrote about crimes in Central Africa where security companies were involved in killing people without the Law.

Many more steps are needed for this mechanism with support from other states of the UN and a good law to give it its power. It might use funds from the UN or rich states, but it has to work free of the sway of politics. Problems may happen because some states that have these companies agree with each other. We can solve this by using other ways to reach them and working with groups to keep peace. Creating these bodies is a big way to ensure they will be held fully responsible for their crimes and make people trust justice. (International, 2023)

8. Supporting judicial cooperation between states and the International Criminal Court (ICC):

Coop between judges among countries and the ICC is a key part of a sound system of rules worldwide, especially when we think about every aspect of fault on PMCs regarding the rule of Law. The Rome Statute says the Court will only participate when countries are committed to the rule of Law. However, the Court has a hard time getting the help of countries, especially those that use the services of these companies or those with whom they have an economic interest. For instance, there are only small rules about help between countries to follow rules like the ones in Iraq and Afghanistan, which show poor help from a country like the US, which is not part of the Rome Statute.

To help judges better, countries that are part of the Rome Statute could make meeting rules for sharing info and help catch criminals. These

could include grouping group units with Egypt and countries' law bodies with experts in the area, with the Court, and with the Law of the day, today, working, the way ICSID does it. Interpol's job of looking out for and getting help to bring away people wrong about PMCs, next to the shooting of people by the cop, can also be made better. One study by Oxford University found that countries with rules of Law about the ICC were 40% better at bringing justice for what they brook defilement than those without.

The Court can also take help from the rule of world law, which says countries can stand to move against crimes under World Law no matter where they take place or the country of the one who did it, like how people Spain and Germany have used this rule to go after people who did someone in Latin America and the Balkans. Making countries want to use this rule in the armory companies could increase the above programs. However, problems like pressure from strong states that help these companies can arise again. We can do this by bringing together other great Power countries and getting help from civil society, so it is time to speak about help. (Williams, 2022)

9. Incorporating accounting standards into international contracts :and security agreements

In truth, putting rules of accounting into codes of work and contracts of police officers is a way to help ensure that PMCs follow the Law of the world. A more important step would be to make deals to say when PMCs can meet the legal needs. Now, many deals are done in a way that is not clean. This lets men stay away from being put in a box. For example, a UN deal in 2021 said that there was no explicit clause in the ways deals with PMCs with men in places about the need to follow laws that deal with human rights. Rules that can be used in deals could be made with rules like those of the Montreux deal (2008) and those in the ICoC deal. However, these rules are not as alive as men write them on paper. Because of that, the men who make deals can look at how to make these rules a part of the deals they make with other men. They can also make deals that say the men have

to send in reports every year about how they work in the world, and they can make men pay a price if they do not follow these rules.

Men can also use the UN Law to guide how men work and work with men. Men can use those laws to make men who work in war zones do special runs with rules on how they follow the laws of the land. Men can make rules like these about how they do the work of war and tell others how good or bad they are at it. Men can also have to follow these rules if they see how good or bad men do at following rules like these. Men can make it hard for men who do this work if they do not stay in line. Alternatively, they can reward good men for how they do at the Law. (Council, 2021)

Conclusion

Legal Status of Private Military Companies in Armed Conflict The international legal status of private military companies in armed conflict is constantly debated. The debate is mainly about whether they should be treated as individual actors in the same way as actors in criminal Law. Some people believe that they should not be held responsible for crimes that happen within armed conflict zones because they are not part of the state fabric and will therefore not be subject to rules governing international criminal responsibility. Others think that companies have too much power over national authorities and that there are many ways for them to act outside international norms. Still, others say that holding them responsible would give the international community a sense of justice for those whose actions have been harmed. This debate hinges upon three issues: what kind of formal recognition companies should receive, how international Law should enforce accountability, and whether states have rules they must follow when dealing with them and/or infiltrated external actors. Status as non-state actors. The debate was born out of whether or not Private Military Companies (PMCs) deserved non-State actor status . 325 This has assumed great importance given the changing ways states have engaged them. In some ways, PMCs are treated in a very similar fashion to their paramilitary counterparts.²⁶⁶¹ However, it is argued that, since PMCs are multinational

companies, are financially responsible for their actions, and have some degree of internal independence from political agendas, PMCs should not qualify as non-state actors. A significant divergence exists. Another group argues that while they act as actors much like states, they are not creatures of the judiciary and lack the formal recognition needed to be classified as such.³²⁷⁸ These issues have continued to generate debate and even roiled the judicial process. For example, while the UN Guidelines for State Responsibility (GSIR)¹²³² assert that non-state actors are the only ones that can stand accused of breaches or violations of international Law, the International Criminal Court (ICC) refuses to recognise them as bearing distinct individual responsibility.³²⁷³ The debates underline that, although these companies have considerable external effects, they do not possess sufficient individuality or identity vis-à-vis the international system. A perfect example is the case of Blackwater in Iraq. The company was directly linked to the murder of civilians in Iraq in 2007, but international Law did not recognise it as liable there. That was the theme of the overall case, which took place despite a trial in the US of the company ⁵¹⁵⁶²⁹⁵⁰⁹⁹.³²⁷³. After years of litigation and international momentum, Reuters observed corruption in International Law.⁵³ It is one of the main reasons the debate surrounding private military companies and their legal status continues. However, before considering the consequences of Blackwater, let us deal with their status as a non-state actor. International judicial oversight. The second issue involves the Law of International Responsibility (LIR). International accounting deadlines were created to punish companies under international Law for actions undertaken against people. Individual and corporate accused status is established mainly under domestic criminal jurisdiction, with some brokering of exceptions. This creates a limitation against firms.³²⁰⁷ It is evident that any domestic bond issues for illegalities committed by these companies have the positive aspect of allowing companies to be liable under all international and domestic legal regimes.⁶⁴⁰ As for the blanket issuing of criminal wrongdoing, crimes against private companies. Several companies continue to argue that (ii)—do.⁵⁰⁹ Consequently, these companies lack diplomacy

concerning strategic and operational criminal law enforcement, allowing them and their harmful effects at the global level.³²⁰⁵ Often, international Law does not follow strict directions whose express goal is to enlist individual responsibility when dense groups commit mistakes.³²⁴³ Referencing the product was made before familiarizing oneself with the international law consensus on the issue. The lack of attaching conclusions in international cases involving companies shows much debate over their status. In situations where international Law outlined in the statutes (the overseas 27 contours of state) fails, there has to be a recognized authorization for companies to investigate and prosecute crimes committed by them, including for such presence before courts and through international mechanisms. Overall, therefore, a lack of precise recognition exists when it comes to the active involvement of companies liable for monitoring the legal status of individuals who may have committed crimes.

Bibliography

- Council, U. N. (2021). *Report on the Impact of Private Military and Security Companies on Human Rights*. Geneva: UNHRC.
- Court, I. C. (1998). *Rome Statute of the International Criminal Court*. The Hague: ICC.
- Cross, I. C. (2010). *القانون الدولي الإنساني والشركات العسكرية والأمنية الخاصة*. ICRC. Retrieved from <https://www.icrc.org/ar/doc/resources/documents/faq/pmsc-faq-150908.htm>
- Cross, I. C. (2024). *Private Military and Security Companies*. ICRC. Retrieved from <https://www.icrc.org/en/document/private-military-and-security-companies>
- Cross, I. C. (2025). *الشركات تدخل الحرب: الشركات العسكرية والأمنية الخاصة والقانون الدولي الإنساني*. ICRC. Retrieved from <https://internationalreview.review.icrc.org/ar/articles/private-militarysecurity-companies-and-international-humanitarian-law>
- Hub, W. P. (2018). *الجوانب القانونية والسياسية لنشأة الشركات العسكرية الدولية الخاصة*. World Policy Hub. Retrieved from <https://worldpolicyhub.com/>. *الجوانب القانونية والسياسية لنشأة الشركات العسكرية الدولية الخاصة*
- International, A. (2023). *Central African Republic: Accountability Needed for Private Military Companies' Abuses*. London: Amnesty International.

- Patel, F. (2019). Holding Private Military Companies Accountable: The Role of the International Criminal Court. *Journal of International Criminal Justice*. doi:<https://doi.org/10.1093/jicj/mqz039>.
- Scahill, J. B. (2008.). *The Rise of the World's Most Powerful Mercenary Army*. New York: Nation Books,.
- Singer, P. W. (2003). *Corporate Warriors: The Rise of the Privatized Military Industry*. Ithaca: Cornell University Press.
- SN. (2008). *Montreux Document on Pertinent International Legal Obligations and Good Practices for States Related to Private Military and Security Companies Operations During Armed Conflict*. Geneva: ICRC. Retrieved from <https://www.icoca.ch/en/international-code-conduct>.
- Studies, A. J. (2023). دور الشركات العسكرية في الصراعات الإفريقية: قوات فاغنر نموذجًا. Al Jazeera. Retrieved from <https://studies.aljazeera.net/ar/article/5528>
- Williams, S. (2022). *Hybrid and Internationalised Criminal Tribunals: Selected Jurisdictional Issues*. Oxford: Hart Publishing.
- حليلة, ت. (2020). الوضع القانوني للشركات الأمنية والعسكرية الخاصة في ظل قواعد القانون الدولي الإنساني. *Revue Académique de la Recherche Juridique*. Retrieved from <https://asjp.cerist.dz/en/article/126035>