

Abstract on
Guns for Hire – Death on Demand?
Private Military Companies As State Surrogates For Licit Targeted Killings®
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History is replete with examples of so-called private military companies (PMCs), private military firms (PMFs), privateers, mercenaries and others hired to conduct targeted killings and to become "force multipliers" to existing uniformed military forces and governmental paramilitary elements.

Popular opinion – and to a certain extent, political decision-making – is incorrectly influenced by two incorrect assertions: that PMC/PMF contractors are mercenaries and only standing national armies can legitimately engage in warfare throughout the entire spectrum of operations, including but not limited to targeted killings. PMC/PMF contractors are not, in fact, mercenaries. For that matter, current international law makes it unlikely that any tribunal would categorize PMC/PMF personnel as mercenaries. International instruments on point enjoy little support, and contrary state practice places a dubious shadow over whether those instruments are true codifications of customary international law. As to national armies as the only legitimate combatants, their existence is a recent innovation. Mercenaries, however, have existed as long as recorded history.

Under US domestic law, as well as international law, these targeted killings may be legally conducted by governmental elements under certain circumstances, but PMCs and others may encounter additional limitations in wartime, in conflicts "between war and peace," as well as peacetime.