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London SW1A 2AH

The Rt Hon Tessa Jowell MP
House of Commons
London
SW1A 0AA

See Tessa
Thank you for your letter of 18 June to the Foreign Secretary on behalf of your constituent, about private military and security companies (PMSCs). I am replying as the Minister responsible for conflict issues.

We will be reviewing the progress made so far to promote high standards of conduct by PMSCs internationally, and will be considering the way ahead. We believe that it is important to reduce the risk that the activities of PMSCs might have regarding human rights or international humanitarian laws, internal repression, or the provocation or prolonging of internal or regional tensions. It is important to note that the Government does not use PMSCs in combat operations.

I note your constituent's concerns about the British PMSC industry. Your constituent has called for strict regulation to hold the PMSC industry to account. It is important to note, however, that PMSCs do not operate in a legal vacuum. PMSCs are obliged to obey the laws that states enact to implement their human rights obligations or to prevent human rights abuses. The Montreux Document, a joint initiative between the Swiss government and the International Committee of the Red Cross, which has been agreed by 34 states, sets out the most pertinent legal obligations with regard to PMSCs. It makes clear that "well established rules and principles" do apply to PMSCs in situations of armed conflict, under international humanitarian law.

There is also already UK legislation penalising grave breaches of the Geneva Conventions, as well as torture, genocide, war crimes and crimes against humanity. This applies to acts committed by British nationals overseas, ensuring that they can be prosecuted for these acts even if they take place overseas. We are also able to prosecute British citizens for murder committed overseas.

Your constituent mentions the involvement of PMSCs working for the British government in Afghanistan. PMSCs are primarily contracted by the Government to provide mobile and static guarding of our Embassy staff and missions overseas.

They provide a vital and necessary role in providing protection in hostile environments, and enable the Government to fulfill its policy objectives.

I am grateful for your constituent's interest in this important policy area.

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Henry Bellingham

HENRY BELLINGHAM MP