

# Contents

<i>Table of Cases</i>	x
<i>Table of Treaties, Legislation, and Other International Instruments</i>	xviii
<i>Table of Reports and Other Documents</i>	xxix
<i>List of Abbreviations</i>	xxxv
<i>List of Contributors</i>	xli
Introduction	1
<i>Francesco Francioni and Natalino Ronzitti</i>	
I. SECURITY AND POLICY PERSPECTIVES	
1. Policy Prospects for Regulating Private Military and Security Companies	11
<i>Eugenio Cusumano</i>	
2. The Use of Private Contractors in the Fight against Piracy: Policy Options	37
<i>Natalino Ronzitti</i>	
II. HUMAN RIGHTS	
3. The Role of Human Rights in the Regulation of Private Military and Security Companies	55
<i>Federico Lenzerini and Francesco Francioni</i>	
4. The Impact of the EU Human Rights System on Operations of Private Military and Security Companies	80
<i>Ieva Kalnina and Ugis Zeltins</i>	
5. The Role of the Home State in Ensuring Compliance with Human Rights by Private Military Contractors	93
<i>Francesco Francioni</i>	
6. Positive Human Rights Obligations of the Hiring State in Connection with the Provision of ‘Coercive Services’ by a Private Military or Security Company	111
<i>Carsten Hoppe</i>	
7. Duties to Prevent, Investigate, and Redress Human Rights Violations by Private Military and Security Companies: The Role of the Host State	130
<i>Christine Bakker</i>	



8. Adjudicating Human Rights Violations Committed by Private Contractors in Conflict Situations before the European Court of Human Rights 149  
*Giulia Pinzauti*
9. The Right to Life and Self-defence of Private Military and Security Contractors in Armed Conflict 171  
*Guido den Dekker and Eric PJ Myjer*

### III. INTERNATIONAL HUMANITARIAN LAW

10. Status of Private Military and Security Company Personnel in the Law of International Armed Conflict 197  
*Mirko Sossai*
11. Private Military and Security Contractors as ‘Persons who Accompany the Armed Forces’ 218  
*Giulio Bartolini*
12. Private Military and Security Companies in Non-international Armed Conflicts: *Ius ad Bellum* and *Ius in Bello* Issues 235  
*Luisa Vierucci*
13. Children’s Rights: The Potential Impact of Private Military and Security Companies 262  
*Christine Bakker and Susanna Greijer*
14. Women and Private Military and Security Companies 280  
*Ana Filipa Vrdoljak*
15. Private Military and Security Companies and the EU’s Crisis Management: Perspectives under Human Rights and International Humanitarian Law 299  
*Valentina Falco*
16. Old Concepts and New Challenges: Are Private Contractors the Mercenaries of the Twenty-first Century? 321  
*Marina Mancini, Faustin Z Ntoubandi, and Thilo Marauhn*

### IV. ACCOUNTABILITY AND RESPONSIBILITY OF PRIVATE CONTRACTORS

17. The Role of International Regulatory Initiatives on Business and Human Rights for Holding Private Military and Security Contractors to Account 343  
*Sorcha MacLeod*
18. Codes of Conduct for Private Military and Security Companies: The State of Self-regulation in the Industry 362  
*Carsten Hoppe and Ottavio Quirico*



19. Institutional Responsibility for Private Military and Security Companies <i>Nigel D White</i>	381
20. State Responsibility for Conduct of Private Military and Security Companies Violating <i>Ius ad Bellum</i> <i>Charlotte Beaucillon, Julian Fernandez, and Hélène Raspail</i>	396
V. CRIMINAL AND CIVIL LIABILITY OF PRIVATE MILITARY AND SECURITY COMPANIES AND THEIR EMPLOYEES	
21. The Criminal Responsibility of Private Military and Security Company Personnel under International Humanitarian Law <i>Ottavio Quirico</i>	423
22. Immunity for Private Military Contractors: Legal Hurdles or Political Snags? <i>Micaela Frulli</i>	448
23. Liability in Tort of Private Military and Security Companies: Jurisdictional Issues and Applicable Law <i>Andrea Atteritano</i>	470
<i>Bibliography</i>	490
<i>Index</i>	507