

Private Security Companies in Ethiopia: An Insight from a Rights Perspective

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Abstract

In Ethiopia, the private security services sector has grown considerably over the previous three decades. Although the sector has a positive role in the protection of persons, property and institutions, there are concerns, *inter alia*, regarding the violation of rights of employees. This article examines the privatization of security services in Ethiopia from a rights perspective. Specifically, it deals with the extent of privatization and its implication on rights of its employees, the obligation of state and private operators to ensure the rights commonly violated, the drivers for the violations, and the measures that need to be taken to rectify the situation. A combination of doctrinal and non-doctrinal approaches was employed to conduct this study. The study is based on both primary and secondary data through in-depth interviews, focus group discussion, observation, and document reviews. The study indicates that the private security service sector is one of the grey areas of rights abuses including labor exploitation, poor working conditions, and workplace discrimination. These abuses emanate from the practice of employment agencies and the existing regulatory frameworks. I argue that the adoption of a comprehensive private security industry legislation and the establishment of a framework for private security services providers' regulation and oversight will assist to address the rights violations that have been observed in the sector.

Key terms:

Private security · Privatization · Human rights · Ethiopia

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Contents

Abstract

1. Introduction
2. Private Security Services in Ethiopia: An Overview
3. The Extent of Privatization and Its Implication on Human Rights
4. The Obligation of State and Private Operators to Ensure Human Rights
5. Human Right Violations Emanating from Employment Agencies
6. Human Right Violations Emanating from the Existing Regulatory Framework
7. The Drivers for Abuse in the Rights of Employees
8. Potential Avenues in Addressing the Gaps and Challenges
9. Conclusion

1. Introduction

The private security services sector in Ethiopia has a recent history. Yet, it has played an important role in maintaining the country's peace and security. It greatly contributes to the law and order of the country by ensuring the safety and security of critical infrastructures such as financial institutions, hotels, universities, hospitals, and small and medium-scale businesses as well as their employees. Moreover, this sector is increasingly becoming an important partner of the country's security actors, specifically the police. However, the employees of this sector are susceptible to labor exploitation and poor working conditions. Most private security guards are poorly trained and do not undergo adequate vetting. These factors combined with serious deficiencies in the rule of law across the country too often enable private security companies to effectively operate outside state control.

This article examines the violations of rights that have been observed in Ethiopia's private security services sector. In particular, it examines the extent of privatization and its implication on rights, the obligation of state and private operators to ensure the rights of the employees that are commonly violated, the factors that cause the violations, and the measures that are necessary to address the problems. The methodology of the research is socio-legal which involves doctrinal legal research that focuses on the relevant laws, and an empirical approach which, *inter alia*, includes primary and secondary data collected from 46 research participants and four focus group discussions.

The next section briefly presents overview of private security services in Ethiopia. The third section highlights the extent of privatization and its impact on human rights. Section 4 deals with the duties of the state and private operators to respect human rights. Sections 5, 6 and 7 respectively examine

the rights abuse that has been commonly observed in the sector, gaps in the regulatory framework, and the drivers for these violations. The eighth section deals with the measures that need to be taken to address the rights abuses witnessed in the industry followed by a conclusion.

2. Private Security Services in Ethiopia: An Overview

In Ethiopia, private security companies have contributed, *inter alia*, to the security of persons, property and institutions. Private security companies are supplementing the government law enforcement agencies in protecting critical infrastructures such as hotels, embassies, financial institutions, universities, hospitals, and other international, regional, and domestic organizations.¹ They play a critical role in preventing and combating criminal activities directed to premises, properties and persons under their control.²

The evolution in the use of private security guards for certain purposes (in Ethiopia) has undergone four phases: pre-modern times, the era of Emperor Haileselassie, *Derg*, and the government of the Federal Democratic Republic of Ethiopia (FDRE). Since pre-modern times, individuals were employed by other persons to protect their families, properties, and personal safety. The so-called “Zebegna”, served the community as a watchman and this practice has continued to date in Ethiopia.³ During the reign of Emperor Haile Selassie, there were attempts to establish and introduce the business of private security companies. During this time, the first private security company that operated in the country was an Italian-owned firm ‘Securicor’.⁴ However, this security company did not continue its operations due to the ideology followed by the military regime (*Derg*)- that denied the privatization of such services as it advocated Marxism-Leninism and the nationalization of various private businesses.⁵

Since 1991, Ethiopia has witnessed a rapid expansion of the private security services sector. The factors that influence this expansion include privatization

¹ Interview with an owner of a private security company, Addis Ababa, January 23, 2022.

² Interview with a police official, Addis Ababa, January 10, 2022.

³ Solomon Hassen (2015). The Evolution of PMSCs in Ethiopia. Paper presented to Regional Conference on Private Military and Security Companies (PMSCs). Available at: <https://www.slideshare.net/IPSS-Addis/the-evolution-of-pmscs-in-ethiopia>

⁴ Ibid.

⁵ Desta Asemelash (2011). ‘The Role of Private Security Companies in Enhancing Human Security and their Relationship with Public Security Institutions: The Case of Addis Ababa’ [Unpublished MA thesis]. Addis Ababa University.

of public corporations, globalization, the magnitude of insecurity, a severe reduction in the size of military forces, and a growing quest for profit-making, among others.⁶ Solomon (2010) notes two key reasons for the growth of private security activities in Ethiopia.⁷ The first is related to the country's political transition. During this time, the military dictatorship was overthrown and the Ethiopian People's Revolutionary Democratic Front (EPRDF) took power. The demobilization program⁸ that ensued resulted in a high rate of unemployment of many former armed and security personnel. The emergence of the private security industry at the national level was greatly aided by the availability of trained but unemployed security forces.

The second factor is related to the rise in crime and criminality in the country, specifically in the capital. During the 1990s, criminal activities such as organized crime, robbery, hold-ups, and incidents of petty offenses increased in the country. However, the capability of the country's law enforcement agencies specifically the police to prevent and investigate the perpetrators of those criminal activities was exceedingly limited.⁹ The police institution was not adequately established and reorganized. Policing at this time was often severely under-resourced and understaffed due to the departure of many personnel from serving in the police force.¹⁰ Such factors had eroded the level public trust on police structures and performance of their assigned duties.

The ratio of police to the population in 2022 was 1:600 which is very small when compared to the UN global standard ratio of 1:435.¹¹ There was the same problem during the 1990s and this implies that there was a significant security gap that must be filled. Thus there was the need for other security service providers that can fill the gap and protect businesses and personal safety.¹² These realities led to the proliferation of private security institutions, and some former soldiers were encouraged to enter the labor market.

⁶ Sabelo Gumedze (2007). 'Private Security in Africa: Manifestations, Challenges, and Regulation' Tshwane, South Africa, Institute for Security Studies, pp. 22-23.

⁷ Solomon Hassen (2010). 'The status of private security companies in Ethiopia: The case of Addis Ababa,' An Ontology of Peace and Security Research Volume I. Addis Ababa University Institute for Peace and Security Studies in collaboration with Friedrich Ebert Stiftung, Addis Ababa, p.132.

⁸ Mulugeta Gebrehiwot Berhe (2017). "Transition from war to peace: the Ethiopian disarmament, demobilisation and reintegration experience," *African Security Review* 26

⁹ Interview with a former police official, Addis Ababa, February 18, 2022.

¹⁰ Ibid.

¹¹ Tracy Hunter (2014). 'Police per 100,000 populations by a country world map.svg'

¹² Solomon, *supra* note, 7.

In 1992 “Tila (ጥላ)” private security company was founded by ex-officers who were demobilized upon the downfall of the *Derg*¹³. Since then, there has been a significant increase in the number of private security companies in the country. Ethiopia’s two successive five years growth and transformation plans (2010-2020) and vision 2025 provide due emphasis to the private sector. As a result, several private security companies such as Sebhatu and Lijochu, Dejen, Agar, Lion, Trust, Nisir, Selam, Walta, Securicor, and ABC among others were able to be formed and develop.¹⁴ However, in 2021, some of those private security companies were banned from operating by the government due to the conflict in the northern part of the country.¹⁵

Even though the private security sector has been growing since 1991, it is important to note that the number of private security companies operating in Ethiopia is still not known precisely. This is because some of these companies operate in an unlicensed and unregulated environment.¹⁶ However, according to the official report of the Ethiopian Federal Police Commission, there are more than 335 private security firms/companies operating in the country, and most of them are categorized as small to medium-sized and owner-managed.¹⁷ According to informants of this study, the number of private security companies in Ethiopia would be between 350 and 450 and the sector employs more than 200,000 persons.¹⁸ Their size varies from 50 guards to more than 12,000.¹⁹

¹³ The term ‘*Derg*’ in Amharic means ‘committee.’ It stands for the Provisional Military Administrative Council, which was formed shortly/soon after imperial power was overthrown in September 1974. The Council was initially made up of about 120 military officers, both commissioned and non-commissioned. Colonel Mengistu Haile-Mariam, the most powerful of these, ruled Ethiopia and Eritrea for 17 years under one of the world’s most ruthless dictatorships. See Andargachew Tiruneh (1993), ‘*The Ethiopian Revolution 1974–1987: a transformation from an aristocratic to a totalitarian autocracy*’, Cambridge: Cambridge University Press, p. 15.

¹⁴ Security Service Companies in Ethiopia, available at <https://addisbiz.com/business-directory/business-professional-services/security-service> (accessed June 18, 2022).

¹⁵ Ethiopia bans 14 private security agencies, available at <https://newbusinessethiopia.com/crime/ethiopia-bans-14-private-security-agencies/> (accessed June 18, 2022).

¹⁶ Interview with a police official, Addis Ababa, January 10, 2022.

¹⁷ Ethiopian Federal Police Commission (2022), annual report private security companies.

¹⁸ Interview with a police official, Addis Ababa, January 12, 2022; Interview with a civilian government official, Addis Ababa, March 5, 2022; Interview with a police officer, Addis Ababa, January 14, 2022.

¹⁹ Ibid.

While the majority of these companies operate in one town or locality, the larger ones operate in several major cities and main towns of the country. Addis Ababa has the highest percentage (82.3%) of private security companies. The largest employers in the sector are Commercial Nominees which employ around 12,000 persons, Agar which has about 8,000 employees, Selam (about 3500 employees), Trust (about 3000 employees), and Lion (approximately 2,900 employees).²⁰ These companies are owned and run by Ethiopians; and foreign citizens or organizations are not allowed to own or operate private security companies in Ethiopia. The private security companies in Ethiopia are dominated by former and retired members of the military, police, and security services. Most former security personnel have either founded private security companies or are employed by them.²¹

Hiring private security is now common practice in many commercial enterprises, financial institutions, public service agencies and facilities, tourism industry, international organizations, manufacturing, and non-governmental organizations. Leaders of private security companies confirm that they are engaged in all areas of business activities. Based on analysis of elicited information, it was found out that there is a complex market dynamics taking place in Ethiopia. This encompasses, commercial security, residential security, security consulting and training, VIP protection service, event security and cash in transit (CIT) security that are identified as the major services provided by private security companies. Because of the industry's growing base, the largest firms offer all forms of protection, while the smaller ones tend to specialize in limited activities.

Generally, until the security demand of the citizens and the capability of the state to provide such services become compatible, the demand for private security companies will continue to rise. The global context (globalization and marketization of security) also provides an appealing environment for the growth and expansion of private security services in Ethiopia.

3. The Extent of Privatization and Its Implication on Human Rights

The modern norm of the state's exclusive right to the legal application of physical force was established in the 17th century.²² The main objective in this

²⁰ Ethiopian Federal Police Commission, (2022), annual report private security companies.

²¹ Interview with a police official, Addis Ababa, January 10, 2022.

²² Elke Krahmman (2010). *States, Citizens and the Privatization of Security*, Cambridge: Cambridge University Press.

regard is to make it illegal for individuals to use violence, which is attained by giving the state exclusive use of force to maintain peace and order. The theory assumes that only the state can provide security for its citizens.²³ However, this approach has been challenged as a result private security operators particularly after the conclusion of Cold War. As many researchers agreed, the origin of the privatization of security can be attributed to the end of the Cold War. This period is considered as the 'age of privatization,' during which members of the communities hire for-profit companies to carry out duties that have previously been fallen under the responsibility of the state. According to Avant²⁴, security privatization leads to the issue of changes in and challenges to the relationship between the state and its exclusive control over the utilization of force. Privatizing security denotes the relinquishing of governmental control over the maintenance of law and order as well as resolving conflicts, which makes the state unable to fulfill its duty to provide security services to its people.

The privatization of security experienced spectacular growth and has now become an increasingly global phenomenon. This is due to many reasons, including widespread human insecurity, marketization of the public domain, armed forces downsizing, and the desire to maximize profits. Changes in national and international settings, such as the introduction of a tendency toward reducing or cutting police and military spending and the rise in conflict episodes, boosted demand for security services and the industry's stated comparative advantages.²⁵ Because of these factors, contracting private protection is becoming more common.

Despite their geographical diversity, several commercial firms, educational institutions, international organizations, non-governmental organizations, and an increasing number of private individuals are now engaging and hiring private protection. This trend is commonly accepted –and frequently encouraged– by public officials with which private security providers have

²³ Max Weber (1994). *The Theory of Social and Economic Organization*, London: The Free Press of Glencoe Collier-Macmillan Limited. (Originally published in German, 1920)

²⁴ Deborah Avant (2005). *The Market for Force: The Consequences of Privatizing Security*. Cambridge: Cambridge University Press.

²⁵ N. Tzifakis (2012). *Contracting out to Private Military and Security Companies*. Belgium: Centre for European Studies [CES]. Brussels, p.11.

formed tight links.²⁶ At present, private security companies are playing key roles in maintaining and ensuring peace and security at the international, regional, national, and local levels.

Privatization gives chances for the private groups to address the urgent security voids that have been left vacant by governments and other organizations. The expansion of the private security industry as a result of privatization has been charged with granting states and public security enough time to focus on their core competencies and security provision. Though this approach gives a sense of improved security among the consumers, privatized domestic security creates several problems: the private security sector is largely unregulated, unaccountable, and often employs poorly trained and insufficiently vetted security personnel who, in some occasions, might have been involved in unwanted activities. Legitimizing the utilization of violence by individuals who are not bound by stringent restraints has the potential to increase the frequency and gravity of violations on human rights or other offenses against humanity.

Of course, it is challenging to generalize the impact of security privatization on the enjoyment of human rights. As a UN report indicates,²⁷ well administered privatized security possesses the capacity to advance and safeguard fundamental human rights. Nowadays, the majority of emerging nations look the privatized security as a means of advancing peace and development. From this, it is possible to assume that there exists a positive link between the privatization of security and the protection of human rights.

Despite this potential to improve the respect of human rights, various human rights issues associated with the privatization of security have arisen over time and are anticipated to persist in the forthcoming future. Human rights problems may manifest/arise in this situation in two ways. First, the provision of privatized services might not adhere to the established human rights norms. For instance, a person cannot access security protection, if he is not able to pay for security services. This is because, the private security sector only responds to client-driven responsibilities and is governed only by market

²⁶ R. Abrahamsen & M.C. Williams (2007). *Securing the City: Private Security Companies and Non-State Authority in Global Governance*. International Relations, Vol. 21(2), pp. 237-253.

²⁷ See Ursula Kriebaum (2007). *Privatizing Human Rights*, p.167. Retrieved August 6, 2023: https://deicl.univie.ac.at/fileadmin/user_upload/i_deicl/VR/VR_Personal/Kriebaum/Publikationen/pub_uk_10.pdf.

forces. Thus, many of those who most require private protection cannot afford it.

Secondly, human rights violations may arise as an inadvertent consequence of the operations of privatized service providers. Cases of child labour, cases of ill-treatment by privately contracted security services, cases of unfulfilled working conditions are some examples among the most commonly occurring forms of such violations. Moreover, these organizations exhibit a tendency to evolve into dominant powers, and may surpass local political institutions in terms of power, especially in areas of weak governance.²⁸ In this respect, there are general suspicions among scholars that privatized security tends to collaborate with other parties, thereby increasing the likelihoods of jeopardizing national security as well as engaging in human right violations.

4. The Obligation of State and Private Operators to Ensure Human Rights

Human rights are well defined in different international and regional human rights laws, and should be respected and protected by all concerned including the state. The obligations of the state with regard to human rights are commonly characterized as having three distinct components: the obligations to *respect*, *safeguard*, and *advance* those rights. The obligation to *respect* human rights means that the state itself must abide by the rights and refrain from violating human rights. The obligation to *safeguard* human rights means that the state must have robust legal and institutional frameworks as well as a mechanism for implementing those measures, thereby preventing any actors from violating such rights. In other words, state has a duty to intervene and impose restrictions in such a manner that no services provided by private security companies constitute a threat to its employees and/or customers. The duty to *advance* human rights implies that the government must consistently endeavor to enhance the extent to which human rights are manifested.

States have a primary obligation to observe all human right violations and the corresponding governing rules. As highlighted below, some private security companies (PSCs) are criticized for failing to pay a minimum wage to their employees, and this calls the adoption of strong codes of conduct and enforcement mechanisms.

²⁸ Peter W. Singer (2008). *Corporate Warriors: The Rise of the Privatized Military Industry*. Itahaca: Cornell University Press, pp.18-39.

Even though the international human rights law regime does not expressly make reference to private operators, an issue arises whether the delegation of some of the functions of the state –such as maintenance of peace and security to private operators– entails functional responsibility including accountability for the violation of human rights. Apparently, non-state actors are not directly subject to international treaties that aim to safeguard human rights.²⁹ However, from the perspective of international human rights law, it is legitimate to demand that private operators respect human rights and take necessary measures to stop others from any violation within their sphere of influence. This obligation must thus be imposed upon private operators by states as part of their responsibility to monitor and uphold human rights, rather than being imposed directly upon private operators.

Human rights are by their nature inherent to all human beings and as such, they remain unaffected by the identity of the potential perpetrator. The act of depriving a person's right to employment, for example, will be a violation of international human rights law whether it is carried out by a private individual, or a company or a government agency. As Skogly notes, 'for the victims of human rights violations, the effects are the same whoever is responsible for atrocities'.³⁰

As PSCs have direct control over their employees, their action or inaction can violate the rights of employees. In this situation, it makes sense that PSCs would have a sole responsibility to take all reasonable steps to stop human rights violations. For this reason, obligations deriving from international human rights law must extend to the private sphere since private operators have the potential to violate human rights. Such obligations might be enforceable with the assistance of the state since state has a duty to monitor and enforce human rights in its jurisdiction. Sections 5 and 6 here-below respectively examine rights violations that originate from the employment agencies and violations attributable to the existing regulatory framework.

²⁹ See e.g. United Nation Global Compact, available at <http://www.globalcompact.org>; Guidelines for Multinational Enterprises of the Organization for Economic Cooperation and Development.

³⁰ Sigrun Skogly (2001). *The Human Rights Obligations of the World Bank and the International Monetary Fund* (Cavendish Publishing), 51.

5. Human Right Violations Emanating from Employment Agencies

As highlighted above, international as well as regional human rights instruments require private parties to uphold and safeguard human rights in their spheres of impact. However, in Ethiopia, many of the human right violations are taking place in the private security services sector. Most of these violations are related to the activities of employment agencies.

5.1 Labor exploitation

The services of private security companies are currently used by a large number of government offices, corporate organizations, small and medium scale businesses, private residences, and individuals. However, the employees of these companies are exposed to labor exploitation. Labor exploitation is one of the most serious human rights abuses manifested in Ethiopia's private security industry.³¹

The labor market of the Ethiopian private security service providers is increasingly becoming an employers' market, with the exploitation of youth and underprivileged workers becoming the order of the day. The common forms of labor exploitation include the worker being paid less than he or she should be paid, being required to work long hours without proper compensation, gaps in day offs, sick leave, access to occupational health services, and poor working conditions.³² In some instances, private security companies hire minors, resulting in child labor exploitation.

Labor exploitation begins during the recruitment and selection process. It is widely perceived that many firms employ undocumented persons as security guards who readily agree to accept low payments determined by companies. In this regard, one of the study's participants stated:

[t]he majority of private security guards are from low-income rural families with limited educational opportunities. Since they do not speak the country's working language, they are unable to communicate with others properly. They also lack formal documents and relatives in the urban areas, and hence they are required to pay a guarantee of up to 1,000 Ethiopian Birr. Unless they do this, they have little opportunity of obtaining employment in the industry.³³

³¹ Interview with an employee of a private security company; Addis Ababa, January 28, 2022; Focus Group Discussion (group 1), Addis Ababa, February 15, 2022.

³² Ibid.

³³ Interview with a government official, Addis Ababa, February 19, 2022.

Another form of labour exploitation is putting the workers on duty for long hours. The Ethiopian Labor Proclamation No.1156/2019, sets the maximum hours of work to be 8 hours per day. The Proclamation further stipulates that an employee should work for 6 days and 48 hours a week.³⁴ This means that instead of two shifts in a day, there should be three shifts, each lasting a total of eight hours.

However, private security guards are continuously deployed. Most employees of private security companies continuously work for a duration of two days and are allowed to be off-duty for the following 24 hours.³⁵ This arrangement contravenes the Labour Proclamation. By working more than 8 hours per day, an employee loses concentration and becomes ineffective due to fatigue, thereby putting the property he or she is guarding at high risk.³⁶

Working for private security companies is a notoriously low-paying job in Ethiopia. Most of the companies pay low wages that are insufficient to support their families.³⁷ The current entry-level guard wage varies from 1,700 Birr to 2,500 Birr³⁸ per month, whereas renting a single room in a poor slum area costs 2,000 to 3,000 Birr per month.³⁹ Thus most private security guards look for extra jobs and work for two or more companies. This makes them tired and jeopardizes their regular tasks.

More than half of the money paid by the clients to private security service providers goes to the companies' coffer, while the employees are underpaid. In one typical case, a client [NGO] agreed to pay ETB 7,500 per security guard to the service provider. The security company pays the guards ETB 3,500, with the remaining 53.3% going to the firm's coffer.⁴⁰ In some cases the benefit collected by the employer goes up to 70%. According to many respondents, absence of the provision of minimum wage in the country is the main exacerbating factor to this problem.

³⁴ Labour Proclamation No.1156/2019, Art 61(2)

³⁵ Interview with an owner of a private security company, Addis Ababa, February 12, 2022.

³⁶ Interview with an employee of a private security company, Addis Ababa, February 2, 2022.

³⁷ Focus group discussion (group 3), Addis Ababa, February 18, 2022.

³⁸ Birr is the official currency of Ethiopia and as of June 6, 2022 the exchange rate of the US Dollar to Birr is 52 ETB.

³⁹ Interview with a guard of private security providers, Addis Ababa, January 18, 2022.

⁴⁰ Focus Group Discussion (Group 4), Addis Ababa, February 25, 2022.

Compelling the security workers to undertake jobs that are not part of their original job description is another type of labor exploitation.⁴¹ During a single shift, most guards perform extra duties. These range from answering phone calls, offloading the client's goods, brewing tea, delivering mail, and filing documents.⁴² Moreover, there is the practice of requiring guards to clean cars and water the client's garden. If the security guard refuses, the client will submit a complaint with the security guard's employer. The employer usually penalizes or suspends or dismisses the employee.

Even though it varies from one private security service provider to another, this study shows that that lack of payment for overtime work is one type of labor exploitation in the industry. According to the *Ethiopian Labor Law*, working overtime is undertaken by agreement unless there is an urgent demand that the employee has no reasonable excuse for declining to work.⁴³ The law provides that whether or not workers are compelled to do overtime work, the employers are required to compensate them from a minimum of 1.5 to a maximum of 2.5 times their regular pay for any additional time spent on work in excess of the normal 8-hour schedule.⁴⁴

However, in practice, private security service providers often do not comply with this standard. As a respondent stated, employees of the security services providers are compelled to work overtime; and the employer may refuse to pay them or pay them less than the minimum payment stated in the labor law.⁴⁵

Though the majority of workers and members of society believe that private security workers are subject to exploitation, certain private security company owners have refused to recognize this criticism.⁴⁶ Most of the company owners and managers admit that the wages paid to employees are insufficient to allow them to live a decent life. According to these respondents, the main reasons for the insufficient payment are lack of appropriate rules and the presence of market dynamics, which is manifested in two ways.⁴⁷

⁴¹ Ibid.

⁴² Interview with an employee of a private security company, Addis Ababa, February 14, 2022.

⁴³ Labour Proclamation, *supra* note 34, Art. 67(1(a-d)).

⁴⁴ Ibid, Art. 68 (1(a-d)).

⁴⁵ Interview with an employee of a private security company, Addis Ababa, February 14, 2022.

⁴⁶ Interview with an owner of a private security company, Addis Ababa, February 13, 2022; Interview with a COE of a private security company, Addis Ababa, February 13, 2022.

⁴⁷ Ibid.

To begin with, the clients/service users are not interested to pay sufficient wages for the services they require. For example, the client/customer needs to hire a guard with a maximum of 2,500 Birr in exchange for safeguarding assets worth millions of Birr. Second, there is a surplus labor force in the market (due to high unemployment). Many people migrate to big cities/towns in search of employment from various parts of the country, notably from countryside and many firms hire these individuals by offering low wages that they readily accept. Third, there is no rule that forces the employers to pay a minimum wages to their employees.

The exploitation of labor engenders low morale and motivation among workers and adversely affects their ability to protect lives and properties. Low wages as practiced by private security service providers is a threat to security. This point is self-evident because private security guards under the prevailing working conditions and terms of payment cannot be expected to effectively provide security to assets worth millions and billions thereby pushing them towards being a new security problem rather than a solution. In recent years, for instance, some Banks have been robbed by their security guards.⁴⁸ Some security guards have also been apprehended for either colluding with criminal groups as informers or by taking part in criminal activities.⁴⁹

From the preceding discussions, it is evident that there are a lot of signs that indicate the presence of private security guard exploitation in Ethiopia. As a participant in this study stated:

[t]he employees of private security service providers are unaware of their real employers (whether the client or the agency). The majority of the workers do not have a valid contract of employment with their immediate employers. When they request an annual salary increment or weekly leave, they are denied by both the client and the agency by stating that they were not their employees. If they are absent due to family or health issues, they are subject to a deduction of a three to five-day salary. Their occupational safety is not guaranteed. Moreover, they have no job security since they can be fired or punished at any time for no valid reason. Paying very little wage and

⁴⁸ Bank Robbery Rampant as Police Fail to Arrest Perpetrators, February 1, 2020, Retrieved June 6, 2022, <https://addisfortune.news/bank-robbery-rampant-as-police-fail-to-arrest-perpetrators/>

⁴⁹ Bank Robbery Suspects Nabbed Hours After Getting Away with 2.1 million Birr (October 29, 2021), Retrieved June 6, 2022, from <https://ethiopianmonitor.com/2021/10/29/bank-robbery-suspects-nabbed-hours-after-getting-away-with-2-1mln-birr/>

denying overtime payment including non-fulfillment of basic work conditions, lack of statutory law, and standards are the problems of the sector.⁵⁰

The majority of private security guards work for an average of 12 hours a day. There are workers who are assigned to two or more employers while earning a fixed salary. According to the country's labor law, they are entitled to receive sufficient remuneration for the amount of work they do, as well as vetted with protective equipment, clothes, and other materials deemed necessary for their effective performance. In this regard, Article 42(2) of the Ethiopian Constitution clearly stipulates that "Workers have the right to reasonable limitation of working hours, to rest, to leisure, to periodic leaves with pay, to remuneration for public holidays as well as healthy and safe work environment". However, employees of PSCs in the country are denied these rights.

5.2 Poor Working Conditions

Safe and healthy working conditions commonly known as occupational safety and health (OSH) are globally recognized human rights. The Universal Declaration on Human Rights (UDHR) states that "[e]veryone has the right to life, to work, to free choice of employment, to just and favorable conditions of work and to protection against unemployment".⁵¹ The International Covenant on Economic, Social, and Cultural Rights (ICESCR) recognizes the right of everyone to safe and healthy working conditions.⁵² This right specifically includes the right to the highest attainable standards of physical and mental health, in particular, the improvement of all aspects of environmental and industrial hygiene; the prevention, treatment and control of epidemic, endemic, occupational and other diseases; the creation of

⁵⁰ Interview conducted by Nahoo TV with the president of Ethiopian Workers Confederation concerning the working conditions of private security in Ethiopia, 26 March 2018, Addis Ababa.

⁵¹ See Art 23(1) of the Universal Declaration of Human Rights, retrieved April 12, 2022, from <https://www.un.org/en/about-us/universal-declaration-of-human-rights>

⁵² See 7(b) of the International Covenant on Economic, Social and Cultural Rights: Adopted and opened for signature, ratification and accession by General Assembly resolution 2200A (XXI) of 16 December 1966 entry into force 3 January 1976, in accordance with article 27, retrieved 12 April 2022: <https://resourcecentre.savethechildren.net/pdf/International-Covenant-on-Economic-Social-and-Cultural-Rights.pdf/>

conditions which would assure all medical service and medical attention in the event of sickness.⁵³

The International Labor Organization (ILO) Constitution states:

[U]niversal and lasting peace can be established only if it is based upon social justice; and whereas conditions of labor exist involving such injustice; hardship and privation to large numbers of people as to produce unrest so great that the peace and harmony of the world are imperiled; and an improvement of those conditions is urgently required; as, for example... the protection of the worker against sickness, disease, and injury arising out of his employment.⁵⁴

Employees of private security companies are involved in security operations. They have to deal with fraudsters/cheaters and criminals. They also pursue their work in bad weather conditions. There is a likelihood that these individuals may inflict harm on the life and body of the private security companies' employees and the bad weather condition may cause health problems. As the research result reveals, the employees of private security companies lacked (i) proper health care, (ii) adequate training, and (iii) personal protection equipment to protect themselves from such hazards.⁵⁵

Article 12(5) of Proclamation No. 1156/2019 requires the employer to take all the necessary occupational safety and health measures. Article 92 of the same Proclamation further stipulates that an employer should take the necessary measures to adequately safeguard the health and safety conditions of their workers by providing them with protective equipment, clothing, and other necessary materials. The police guideline also requires the private security service providers to avail uniforms, caps, badges, or other identification marks, and ID cards to their employees.⁵⁶

However, in practice, the workers of private security service providers are poorly equipped. During field observations, this author discovered that some employers are unable to provide the necessary logistics to their employees. They lacked radio communication, electronic devices, and firearms to mention a few. It is not uncommon to see private security guards protecting properties worth millions of Birr but armed just with wooden batons and

⁵³ Ibid, Art 12.

⁵⁴ See the preamble of the ILO Constitution, retrieved 12 January 2022:

https://www.ilo.org/dyn/normlex/en/f?p=1000:62:0::NO:62:P62_LIST_ENTRIE_ID:2453907:NO

⁵⁵ Interview with an employee private security company, Addis Ababa, 12 January 2022.

⁵⁶ Art 9 of the police guideline enacted to guide the private security service providers.

flashlights.⁵⁷ Though they are entitled to adequate attire that is suitable for changing weather conditions, this is not available for the majority of them⁵⁸ thereby exposing security guards to health risks.

Article 105 of Ethiopia's Labor Proclamation stipulates that an employer has a duty to cover expenses related to (1) general and specialized medical and surgical care; (2) hospital and pharmaceutical care; and (3) any necessary prosthetic or orthopedic appliance where a worker sustains employment injury or occupational accident. However, employees in private security services who are injured while performing their duties are rarely reimbursed or receive medical assistance.⁵⁹

5.3 Lack of adequate training

According to Article 92(3) of the Ethiopian Labor Proclamation, an employer is required to "provide workers with protective equipment, [...] and other materials and instruct them of their use". This requirement is reiterated in other regional and international instruments. However, the existing practice in Ethiopia demonstrates that security guards are deployed without adequate training. The majority of these guards are poorly trained and do not undergo adequate vetting.⁶⁰ Guards are required to carry or operate security equipment that they are unfamiliar with. This improper usage of security equipment is susceptible to causing harm.

For example, the data from the field research demonstrates that private security guards (commercial and in-house) from different companies regularly carry AK-47s and other types of rifles while on duty. These companies bought these weapons from the government. The practices of those companies that have distributed the weapons without proper training on the use of firearms is causing much concern in the public.⁶¹

There have been instances where the guards of private security companies have used these weapons to injure both themselves and other innocent individuals. Official documents indicate that several individuals were killed by guards as a result of improper use of these firearms. In 2008, more than 7 guards were killed by other guards while carrying out their duties. Likewise, in 2016, a guard killed six (6) bank workers, including a branch manager in

⁵⁷ Focus group discussion (Group 2), Addis Ababa, February 17, 2022.

⁵⁸ Interview with employees of private security services providers, Addis Ababa, February 14, 18, and 25, 2022

⁵⁹ Focus Group Discussion (Group 1), Addis Ababa, February 15, 2022.

⁶⁰ Interview with a police official, Addis Ababa, February 27, 2022.

⁶¹ Focus Group Discussion (Group 2), Addis Ababa, February 17, 2022.

the Mytsemri district of Tigray regional state. In 2017, the Wegagen Bank's chief security manager and one of his subordinates were killed by a guard.⁶² Many guards also experienced physical injuries, ranging from minor to serious. In addition, many others were jailed or lost their job due to improper use of these firearms.

6. Human Right Violations Emanating from the Existing Regulatory Framework

6.1 The regulatory framework on firearms

There are gaps in the legal regime such as the firearm law as a result of which private security guards are exposed to threats posed by criminals due to lack of firearms. The Ethiopian Firearm Administration and Control Proclamation No. 1177/2020 has granted the Federal police the authority to issue firearms licenses for legal persons.⁶³ However, the Federal Police guideline prohibits the employees of private security service companies to carry firearms.⁶⁴ There are several reasons for this prohibition. The primary reason is relates to the shortage of firearms. Firearms are not commercially traded properties within the country, thereby contributing to a scarcity of firearms. Second, the Ethiopian Federal Police Commission or the delegated Regional Police Commission is the only place where private security companies can obtain weapons through their employers or recruiting organizations. But because of the scarcity of firearms in the country, the commission is unable to fulfil this demand.⁶⁵ Third, the country had no firearm policy, regulation, standards, and guidelines up to this day.

Because of these and other reasons there are strong restrictions on the usage of firearms by security guards. This situation forces guards to equip only with a baton although criminals often carry modern firearms and other weapons. Many security officers admitted that their work is risky and that they don't always feel secure because criminals frequently target them.

This restriction has put employees of private security companies in danger, as they occasionally bump into heavily armed robbers.⁶⁶ This is a difficult situation that puts the guards in a life-threatening environment while they

⁶² Interview with head of a crime investigation unit, Addis Ababa, February 14, 2022.

⁶³ Articles 6(2) and 12 of Firearm Administration and Control Proclamation No. 1177/2020

⁶⁴ Police guideline for the regulation and control of private security companies, Article 9.

⁶⁵ Interview with a police official, Addis Ababa, February 18, 2022.

⁶⁶ Interview with an owner of a private security company, Addis Ababa, March 21, 2022.

protect millions and billions of Birr worth of assets and people's lives. As evidence from the police shows, many guards lost their lives and sustained body injury by robbers due to lack of protective equipment. In such a situation, it is not fair to deny the companies and their employees' access to firearms.

Thus, under strict regulatory mechanisms and special training packages, it would be preferable if the companies have some access to or procurement of small arms and light weapons for some specific business activities (cash-in-transit and VIP protection) and guarding sensitive organizations such as financial institutions, critical infrastructures, embassies, relief convoys, and others. This helps guards to protect assets and lives from criminals.

6.2 Discriminatory practices in employment

The field research indicated that most private security services providers are organized along ethnic lines. The majority of the company's managers, employees, and sometimes their clients share the same ethnicity. It is not uncommon to have security personnel from the ethnic group working at the same company and speaking the same language (local language). Even though such practices have far-reaching negative consequences on the country's peace and security, persons of various ethnic backgrounds feel discriminated against during the recruitment, selection, and assignment processes.⁶⁷

This allows some members of the group to have access to certain benefits while others do not. Individuals who do not belong to this group often face discrimination in areas of employment and other perks/benefits offered by the security companies. For instance, some privileged guards are assigned to protect the facilities of international organizations or escort private persons and benefit from payments more than others in the same work category.⁶⁸ This kind of practice is against the right to equal treatment.⁶⁹

Pursuant to ILO Convention of 1958 regarding employment discrimination, to which Ethiopia is a party, any practice that impairs equal opportunity or treatment in employment or occupation on the basis of distinction, exclusion or preference made on the basis of race, colour, sex, religion, political opinion, national extraction or social origin, is strictly prohibited and constitutes a serious violation of human rights.⁷⁰ The African Charter on Human and Peoples' Rights also recognizes the right, emphasizing conditions and pay,

⁶⁷ Ibid.

⁶⁸ Ibid.

⁶⁹ Ibid.

⁷⁰ Article 1 of ILO Convention of 1958 regarding Employment and Occupation Discrimination.

i.e. labor rights. Article 15, provides that “Every individual shall have the right to work under equitable and satisfactory conditions, and shall receive equal pay for equal work”.⁷¹

Likewise, according to Article 14(1)(f) of the Ethiopian Labor Proclamation No. 1156/2019, “the employer shall not be discriminate between workers on the basis of nation, sex, religion, political outlook, [...] or any other grounds”. Thus, there should be a strong enforcement mechanism to ensure that treatment in the employment environment is free from any discriminatory practice.

6.3 Licensing problem *vis-à-vis* the freedom of business movement within the country

The licensing system of private security companies in Ethiopia is based on federal regulation and it does not allow regional states and city administrations to engage in licensing private security companies. According to this system, PSCs which have licenses from the concerned federal entities can operate in places of their choice within the country. However, according to a respondent in an interview, regional states do not allow PSCs to operate in areas under their jurisdiction unless they secure additional licenses from the concerned regional offices.⁷²

This practice by regional states is contrary to the pertinent federal law. It is the Ethiopian Federal Police Commission (EFPC) that is solely mandated to issue professional license to PSCs unless it delegates relevant regional state bodies (police commissions and security offices) to do so. According to most informants, delegation of the function to regional states has not yet been made by the EFPC. This has created a gap and PSCs have not been able to conduct their business wherever they like. In the researcher’s view, the disposition of the regional states in this regard can be taken as a sign of resistance to the current practices.

It is to be noted that Article 22(2) of the Commercial Registration and Business Licensing Proclamation No. 980/2016 requires businesses to have one trade license for providing a specific security service across the country. The provision states that “a business person having a valid business license pursuant to this Proclamation shall not be required to obtain an additional business license for branches he opens for the same type of business activity”. Article 25(2) of the Proclamation further stipulates that a licensee shall not be

⁷¹ African Charter on Human and Peoples' Rights: www.achpr.org. Retrieved 2023-08-05.

⁷² Interview with owner of a private security company, Addis Ababa, January 18, 2022.

required to obtain additional business license for branches he/she opens to engage in a similar business. According to article 86 sub-articles 1&2 of the Commercial Code,⁷³ a business shall be registered only in one local register or has one registration number even if it carried out in different regions or localities. These provisions indicate that licensees can provide their services in the country once they obtain a single business license.

Moreover, Article 41(1) of the FDRE Constitution grants every citizen the right to freely participate in any economic activity and work in places of own choice in the country. The current practice, however, deprives PSCs to exercise their constitutional right and violates the free movement of business firms and their personnel throughout the country. The practice, therefore, is against Ethiopia's current law and this needs to be resolved to facilitate conducive business environment.

7. The Drivers for Abuse in the Rights of Employees

7.1 Legal lacuna

Even though the Labor Proclamation provides a general framework for employers and employees, private security providers and their personnel need to be governed by a distinctive law. This is the established norm in other countries. For instance, in South Africa, the private security industry is regulated by the Private Security Industry Regulatory Act.⁷⁴ The same is true for other countries such as England, the US, Australia, Ghana, Kenya, and Brazil.

The legal lacuna in this regard creates several shortcomings in the private security sector. It paves the way for labor exploitation and other poor working conditions.⁷⁵ As owners of private security companies in Ethiopia noted their activities need proper legislation.⁷⁶ Currently, there is neither specific legislation nor statutory authority that regulates the activities of the Ethiopian private security industry. The industry lacks consistent and coherent private security standards. Private security companies are registered as business

⁷³ Article 86 of Commercial Code of the Federal Democratic Republic of Ethiopia, 2021.

⁷⁴ Governing Legislation, retrieved June 6, 2022:
<https://www.sasecurity.co.za/governing-legislation/>

⁷⁵ Interview with owners of a private security company, Addis Ababa, January 18, 2022.

⁷⁶ Ibid

enterprises under the applicable Commercial Registration and Licensing Proclamation No. 980/2016⁷⁷ and not as security firms.

Proclamation No. 980/2016 does not specify the modality of security provision as a type of business.⁷⁸ Private security companies cannot also fully fit into the category of employment agencies recognized by Labor Proclamation No. 1156/2019⁷⁹ because such agencies act as brokers linking employees and clients. Because of this gap in the law, the police (as the custodian for the maintenance of peace and order) has automatically emerged as the controller and regulator of private security companies in Ethiopia.

Currently, the Ethiopian Federal Police Commission is mandated to oversee private security companies through established working guidelines. However, the guideline is inadequate and the private security sector has largely been left to regulate itself. Most of these private security organizations have attempted to establish and maintain minimum standards, but none of these has an extensive enforcement capability that is in tune with the standards it seeks to promote.

The nature and operations of private security companies significantly differ from other typical business activities. Thus, there is the need for an independent regulatory authority that can be established through legislation enacted by parliament.

7.2 Gaps in institutional framework and oversight

The existence of a strong and well established institutional and oversight mechanism is very important for creating a conducive working environment within the private security sector. In countries such as the US, South Africa, the UK, and some European countries, there are governmental entities (parliamentary committees, or other regulatory bodies and authorities) with exclusive oversight responsibility to monitor and scrutinize the operation of private security companies. In Ethiopia, different governmental institutions such as the Ethiopian Federal Police, National Intelligence and Security Services, Ministry of Trade, and Ministry of Labor and Social Affairs have some authority over the private security sector. These institutions, however, lack the capacity to administer the activities of private security companies

⁷⁷ Interview with a civilian government official, Addis Ababa, March 5, 2022

⁷⁸ Commercial Registration and Licensing Proclamation No. 980/2016

⁷⁹ Agency means any legally licensed person who provides local employment exchange services without entering an employment relationship or deploys workers under its authority to the services of a service user enterprise by creating employment contracts with those workers, or combines both services without charging the worker a fee directly or indirectly. See more Labour Proclamation, *supra note* 34.

since most of them lack the required material and human resources, skills, and technology.⁸⁰

Proclamation No. 720/2011 gives the Ethiopian Federal Police Commission the authority to issue certificates of competence to private security companies. As the organization in charge of issuing licenses and reviewing applications for gun permits, the Commission should have detailed data about each company and its operations. However, the data collected from field research reveals that the Commission does not have the data on the exact number of registered private security companies that operate in the country and it also lacks data on unregistered security companies operating in the country.⁸¹ Private security sector practitioners also stated that periodic inspection is essentially nonexistent and there are several irregularities in the private security service sector's documentation, training services, employing qualified staff, and enlisting of personnel working with uniforms or company badges.⁸²

The oversight of the sector by the abovementioned different institutions exacerbates the susceptibility of the sector to human rights abuse. A focus group discussion indicated that none of those organizations have a clear priority regarding the private security sector.⁸³ The regulatory authorities lacked the focus or competence to enforce rules, coordinate tasks, and provide regular oversight.⁸⁴ Moreover, there are gaps in coordination among those institutions relating to the oversight functions because every institution tries to carry out its task independently. As a result, the industry operates with little or no effective state oversight.

7.3 Lack of trade union or association

It was observed in the field research that the employees of private security services providers are subjected to exploitation due to a lack of trade unions or associations that would enhance their bargaining power. Although the Constitution and the Labor Proclamation of Ethiopia grant employees the right to form any association and join any trade unions to improve their conditions of employment, economic well-being and defend ill treatments,

⁸⁰ Interview with a civilian government official, Addis Ababa, April 9, 2022; Interview with a police official, Addis Ababa, March 20, 2022.

⁸¹ Focus Group Discussion (Group 2), Addis Ababa, February 17, 2022.

⁸² Focus Group Discussion (Group 1), Addis Ababa, February 15, 2022.

⁸³ Ibid.

⁸⁴ Interview with a civilian government official, Addis Ababa, April 9, 2022; Interview with a police official, Addis Ababa, March 20, 2022.

employees in the private security services sector lack the capability to assertively demand the realization of these rights.

The field research indicated that the majority of the workers have just completed primary school and are unaware that their rights are being violated by their employers. What matters to most employees is having work and being able to support their families by working for more than 8 hours a day. To this end, employers arrange and let their employees work for many clients. The magnitude of the financial distress in the livelihood of employees can be easily observed from the views of some employees who (during interviews) expressed gratitude to their employers for enabling them to work in two or three areas/businesses and earn a better monthly salary.⁸⁵

8. Potential Avenues in Addressing the Gaps and Challenges

Ethiopia is a signatory state to many ILO Conventions, including the Fundamental Principle and Rights at Work⁸⁶ that was introduced by member states on 18 June 1998. The ILO conventions were declared as a measure to curb the abuse of employees at work and as a way of promoting decent work for everyone who has a job. Though Ethiopia has ratified and domesticated some of the ILO Conventions, their implementation in the private security industry remains a major challenge.

As discussed in the preceding sections, employers and the government have failed to acknowledge unfair labor practices such as the payment of low wages, failure to pay overtime, appalling workplace safety, and inadequate health care. These poor working conditions experienced by a large number of private security guards in Ethiopia entail the prevalence of low job satisfaction leading to reduced performance and lack of commitment to the job. These unfavorable working conditions in the sector have rendered the retention of qualified and committed operators difficult thereby lowering the quality and standards of services across the sector. This calls for measures (such as a comprehensive legal framework, a sectoral association and the enhancement of institutional oversight) that must be taken into consideration.

8.1 Enacting a comprehensive legal framework

As private security service provision has distinct characteristics, the existing normative framework has gaps and deficiencies in regulating it. This necessitates enacting a comprehensive legal framework. The legal framework

⁸⁵ Interview with an employee private security company, Addis Ababa, 15 January 2022.

⁸⁶ ILO Declaration on Fundamental Principles and Rights at Work and Its Follow-Up. Geneva, 18 June 1998.

is expected to, *inter alia*, address among the problems of labor exploitation and poor working conditions in the sector.

Improved working conditions of employees have a significant impact on job satisfaction. Employees' morale and productivity can be enhanced by favorable working conditions and appropriate health and safety standards. Moreover, employees' job satisfaction is vital for employers because it enables them to achieve the goals of the businesses they own or run.

8.2 The need for security services sector association

Freedom of association and collective bargaining can lead to better labor-management consultation and cooperation, thereby reducing the number of costly labor conflicts and enhancing social stability.⁸⁷ According to the ILO standards, all workers should enjoy unionization. In line with this international standard, the right of every worker to form or join a trade union or an association of his or her own choice is enshrined in the laws of many countries, including Ethiopia.

Article 31 of the FDRE Constitution recognizes the right of every person to form or join a trade union of his or her choice for the promotion and protection of his or her economic and social interests. Article 113(1) of the Ethiopian Labor Proclamation also provides, “workers and employers shall have the right to establish and form trade unions or employers’ associations respectively and actively participate therein”.

In the private security industry, the formation of an association would (i) influence the government to change various laws and policies that have failed to promote employee rights, (ii) ensure representation of members whose rights have been infringed, (iii) promote employee rights by raising awareness of their rights and laws that govern their activities; and (iv) serves as a highly effective mechanism for improving working conditions in the industry.⁸⁸

Over the years, private security companies in Ethiopia have taken several initiatives to form a security sector association. However, such association that can monitor the activities of its members⁸⁹ and serve as a forum to standardize private security services is not yet established. The association

⁸⁷ *Rules of the game: An introduction to the standards-related work of the International Labour Organization*, International Labour Office, Geneva, 2019, retrieved 16 January 2022: https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---normes/documents/publication/wcms_672549.pdf

⁸⁸ About SIA, retrieved 16 January 2022, <https://www.securityindustry.org/about-sia/>

⁸⁹ Interview with an owner of a private security company, Addis Ababa, January 15, 2022.

can indeed enhance the protection and promotion of the rights of persons who work for private security companies.

Some research participants argued⁹⁰ that private security services are as essential as those provided by the police force. They also noted that the workers of private security service companies usually adhere to the norms, code of conduct, disciplinary principles, and ethics of the armed forces. Thus, they argued that allowing the personnel of those companies to exercise trade unions' rights including boycotts and strikes, could paralyze other economic sectors such as financial institutions, shopping malls, factories, large and medium-sized businesses, international hotels, and multinational corporations that rely on private security service providers for security.⁹¹

This argument against private security agency workers forming or joining labor unions may appear to be sound. However, this argument should not be a pretext to justify the repression of rights of employees in the sector that are widespread. It is to be noted that in the absence of a trade union, the bargaining power of workers and business owners becomes unbalanced; and the idea of trade unions arose as means of redressing inequity.⁹² Thus, increasing the collective bargaining power of workers plays a critical role in addressing the human rights violations witnessed in the private security service sector.

Although allowing employees to boycott and strike has its own set of negative implications for any business, it is self-evident that granting such rights to employees of private security service providers has far-reaching negative consequences for the business they provide security services. However, equating the workers of those companies with public security services providers such as police is misleading. It is to be noted that the global thinking on police unions is changing, and several countries have passed legislation allowing police officers to join unions.⁹³ As a midway between the opportunities and challenges, I thus argue that the Ministry of Labour and Social Affairs or Ethiopia's Employers' Confederation must recognize and

⁹⁰ Interview with an owner of a private security company, Addis Ababa, January 23, 2022; Focus Group Discussion (FGD 2), Addis Ababa, January 29, 2022.

⁹¹ Interview with owners of private security companies, Addis Ababa, January 23, 2022; February 12, 2022; February 13, 2022.

⁹² C. Kollmeyer (2018). "Trade union decline, deindustrialization, and rising income inequality in the United States, 1947 to 2015". *Research in Social Stratification and Mobility*, 57, pp.1-10.

⁹³ How Police Unions Became Such Powerful Opponents to Reform Efforts, retrieved June 6, 2022: <https://www.nytimes.com/2020/06/06/us/police-unions-minneapolis-kroll.html>; European Police Union – EPU Retrieved June 6, 2022, from <http://www.europeanpoliceunion.eu/>

establish an Ethiopian Private Security Industry Association for the workers as well as the business owners.

8.3 Strong institutional and oversight mechanisms

The private security industry can be regulated by enacting and enforcing effective regulations as well as establishing strict oversight procedures. As Harris (2012), argues, “a key set of concerns surrounding the role of private security are how to ensure accountability, transparency, and the principles of democratic policing”.⁹⁴ According to Harris, the private security sector is subject to very little public oversight and the existing institutional frameworks that Ethiopia has, are not keeping up with the growth of the sector.

This institutional weakness and the legislative deficiency pose challenges in ensuring effective private security governance in the country. In consideration of the role played by the private security sector and its implications for the socio-political conditions of the country, there is the need for a strong regulatory and supervisory regime that can operate within an effective and efficient institutional structure. As Kena notes, “[t]o make the private security industries and private security guards more reliable and accountable security actors and to make them contribute to the overall security of the country, they need to be well regulated, and become more professional.”⁹⁵

This is essential because proper regulation of the private security sector has numerous benefits. It can, *inter alia*, help in reducing practical flaws in the private security sector's efforts to safeguard people from crime, promoting the fundamental rights of the employees, as well as improving public confidence in the sector.⁹⁶ Therefore, the effective enforcement of existing and future laws require proper and robust institutions, proper oversight mechanisms, and political will.

⁹⁴ J. Harris (2012). “How Police Privatization was Recast as Common Sense.” *The Guardian*, retrieved June 6, 2022:
<https://www.theguardian.com/commentisfree/2012/mar/05/police-privatisation-recast-common-sense>

⁹⁵ Kenna Tariku Ejeta (2017), *Labour Rights of Security Guards in the Ethiopian Private Security Industry: Case Study in Addis Ababa*, LLM Thesis, Addis Ababa University School of Law. Available at:
<http://etd.aau.edu.et/bitstream/handle/123456789/19190/Kenna%20Tariku.pdf?sequence=1&isAllowed=y>

⁹⁶ Interview with a private security owner, Addis Ababa, March 21, 2022; Interview with a police official, Addis Ababa, February 18, 2022.

9. Conclusion

As the discussion and analysis in the preceding sections indicate, although private security services render a useful contribution in ensuring safety and security, the broad scope of their activities combined with the lack of common minimum standards across the sector, unprofessional conduct of some private security staff, and inadequate oversight and public control over these services, and other factors highlighted earlier pose potential risks to the protection of fundamental rights. Even though the state and private operators have a moral and legal obligation to ensure these rights, many pertinent issues relating to these rights are neglected.

This author argues that it is unacceptable to stay indifferent and non-responsive while a considerable proportion of workers in the private security services sector express outright displeasure with the low remuneration and poor working conditions. As a famished security guard is a potential criminal accomplice, sufficient remuneration and good working conditions for employees is indispensable. Strong institutional and oversight mechanisms, enforcement of the existing laws and the enactment of comprehensive legal norms are key to entrenching more efficient, committed, and reliable private security operators. _____■

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