

Aegis Defence Services, Lt Col Tim Spicer and the murder of Peter McBride

Track Record of British Mercenary Outfit in Iraq

By [Pat Finucane Human Rights Centre](#)
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October 4, 2004

This open letter has been sent to the Comptroller General of the US Government Accountability Office, (GAO), Mr David Walker and to the General Counsel, Mr Anthony Gamboa, following the GAO decision to deny a protest against the awarding of a \$293 million dollar Iraq private security contract to Aegis Defence Services, the British firm led by former Scots Guard officer Tim Spicer. **Please contact these individuals and request that the contract be reviewed.**

Suggested text: - I wish to add my voice to those protesting the awarding of a \$293 million dollar Iraq private security contract to Lt Col Tim Spicer of Aegis Defence Services.

The Comptroller General Mr David Walker can be phoned at 202 512 5500 or email his office at millerb@gao.gov

The General Counsel Mr Anthony H Gamboa can be phoned at 202 512 5400 or email his office at gamboaa@gao.gov

Open Letter to

Mr David M Walker
Comptroller General of the US Government Accountability Office

and

Mr Anthony H Gamboa
General Counsel to the US Government Accountability Office

Washington DC 20548

Pat Finucane Centre for Human Rights

October 4 2004 Derry, Ireland

Aegis Defence Services, Lt Col Tim Spicer and the murder of Peter Mc Bride

Dear Mr Walker and Mr Gamboa,

In a decision dated September 13 2004 your office denied a protest lodged by Dyncorp International against the awarding of a \$293 million dollar private security contract in Iraq to the British based company Aegis Defence Services. Your decision was that Dyncorp lacked the direct economic interest necessary to pursue these challenges.

With respect you have completely missed the point. We believe the contract should and must be reviewed from a human rights and rule of law perspective. Our concern is that a contentious contract has been awarded to a company, Aegis Defence Services, led by an individual, Lt Col Tim Spicer, who is totally unfit in our view to be put in charge of armed individuals in conflict situations. As you will be aware Tim Spicer has been linked to mercenary activities in Papua New Guinea and Sierra Leone. His close associate in Sandline International, Simon Mann, is currently serving a prison sentence because of his involvement in an attempted coup.

Of specific concern to us is his earlier employment as a commanding officer of a regiment of the British Army, the Scots Guards, in Belfast in 1992. Soldiers under his command murdered an unarmed teenager, Peter Mc Bride, and were convicted and sentenced to life imprisonment. Disgracefully, these soldiers, Mark Wright and James Fisher, were granted early release outside the terms of the Good Friday Agreement and allowed to rejoin their regiment. One of the senior officers involved in that decision, retired General Sir Roger Wheeler, is currently an advisor to Aegis Defence Services (see Aegis website). The retention of these soldiers, which has caused a furore in Ireland and abroad, is currently the focus of ongoing legal action.

Immediately following the murder, Spicer intended to send the soldiers straight back on patrol, contrary to British Army regulations. In his view this was akin to "getting straight back on a horse when you have been thrown." On a number of occasions since, including in his biography, he has asserted that his soldiers did no wrong and should never have been charged. Despite the findings of a court of law he has sought to portray an entirely untruthful version of the incident and has made false and wildly inaccurate allegations about the incident and the deceased, Peter Mc Bride. This has caused great hurt to the family of the victim.

To summarise;

Lt Col Tim Spicer asserts that the soldiers who shot an unarmed teenager in the back, having searched him, did no wrong. In our view this is a totally unsuitable individual to be awarded such a potentially controversial contract in Iraq. Individuals linked to private security companies have been linked to allegations of torture and murder in Iraq. The US Government and President Bush can ill afford the possibility of future scandals in particular where you have been forewarned that private security in Iraq is the responsibility of a company led by an individual who asserts that soldiers under his command and who commit murder should not be subject to the rule of law. This administration and the Government Accountability Office will not be in a position to plead ignorance to a future Congressional or Senate Committee should it find itself investigating allegations of human rights abuses by private security companies.

On August 25 2004 Senators John Kerry, Teddy Kennedy, Hillary Clinton, Chris Dodd and Charles Schumer wrote to Secretary Donald Rumsfeld to express concern at this contract and specifically at Spicer's role in the Mc Bride affair.

According to their letter,

“The United States Government requires all contractors to be “responsible bidders”. Contractors have to “have a satisfactory record of integrity and business ethics” (48 CFR 9.104-1(d)). We would like to know whether the government considered human rights abuses – or an individual who vigorously defends them – as part of this record.

Additionally, the United States Government requires consideration of the contractor’s “past performance” (48 CFR 15.304(c)(3)). We would like to know whether the contracting team adequately reviewed the contractor’s record, identified past human rights abuses or defense of abuses, and whether the contractor received a poor past performance rating on that basis.

We would also like to know the extent to which these factors were evaluated in awarding this contract to Aegis. If they were evaluated, we would like to know the rationale for awarding the contract.

In light of the recent revelations of abuses of detainees in Iraq, it is important that U.S. actions, whether by military personnel or contractors, have respect for the law. It is troubling that the Government would award a contract to an individual with a history of supporting excessive use of force against a civilian population.”

We urge you to reconsider the awarding of this contract to Aegis Defence Services, not from the narrow criteria outlined in your decision but from a human rights and rule of law perspective.

Yours,

Paul O’Connor
Project Co-ordinator

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The PFC Centre:
<http://www.serve.com/pfc/index.html>

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