

OAKMUN  
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# Background Guide **DISEC**

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**The Status of Private Military Companies  
in Armed Conflict: Accountability and  
Regulation**

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# Letter from the Executive Board

Greetings Delegates,

We are delighted to welcome you to the Disarmament and International Security Committee (DISEC) at SEAMEI Oakridge Model United Nations 2025. As the Executive Board, we are committed to ensuring a smooth and engaging committee experience during the course of this conference.

You will take on the important task of representing your respective nations in debating the complex issue of Private Military Companies in armed conflict, focusing on accountability and regulation. As delegates, you will need to draw on your skills in negotiation, diplomacy, critical thinking, and your knowledge of international law and global affairs. Throughout formal sessions, moderated caucuses will challenge your ability to present your views clearly, while unmoderated caucuses provide opportunities for you to discuss and strategize informally with your peers.

This background guide has been prepared to give you a foundational understanding of the topic and guide your research. However, it is important not to rely exclusively on this guide. We encourage you to expand your knowledge through independent study, which will be invaluable during your participation in the committee.

Our role as the Executive Board is to support this process by facilitating an orderly and fair debate. We do not direct or dominate discussions, but will step in when necessary to clarify procedural matters and maintain the flow of the committee. The responsibility for steering debate and advancing the agenda rests with you, the delegates. A clear grasp of the Rules of Procedure, which are summarized in this guide, will greatly aid your confidence and effectiveness.

We encourage you to approach this committee as an opportunity to deepen your understanding of international relations, develop your skills, and engage with a global community of peers. Should you have any questions or require assistance at any point, please do not hesitate to contact the Executive Board via email. See you there, delegates. Godspeed.

Warm regards,

SEAMEI OAKMUN'25 DISEC Executive Board.

**BS Chetan Swaroop Reddy** - Co-chairperson

**Avaneesh Reddy** - Co-chairperson

**Aditya Agarwal** - Moderator

# Rules of Procedure

## Motions

### ***Roll Call***

At the beginning of each Session and upon the Motion to begin Roll call, Chairpersons shall call in an alphabetical order on all Member States in order to state their status of attendance. Member States may reply “present” or “present and voting”. Representatives stating just “present and voting” shall have no right to abstain from any vote on any substantial voting procedure, and a delegate who votes “present” may abstain from voting.

**How to raise it:** The delegate of [portfolio] raises a motion to begin a roll call.

*Note: Voting stance can be changed from “Present” to “Present and Voting” the next time Roll Call is being done in the next session/day. However, it can't be changed from “Present and Voting” to “Present”.*

### ***General Speaker's List (GSL )***

Procedurally, After a Roll call, initially in the session, You start with the General Speaker's List where delegates will be recognised to give a 90 second ( The time limit can be altered by a Motion to Change the Speaker's Time) speech entailing the delegate's stance, and what they propose to do for the rest of the committee session, and sometimes if time permits, an initial solution may be briefed about too.

Furthermore, If three consecutive motions fail, The committee will procedurally be reverting back to the General Speaker's List due to the committee's lack of clarity on how to proceed with the flow of debate. Moreover, The delegates, if permitted by the Executive board, can speak in the GSL innumerable times.

*Note: The General Speaker's list is non-exhaustive, thus there is no ending to the list and speakers can always be recognised under the Executive Board's discretion.*

**How to raise it:** The delegate of [portfolio] raises a motion to establish the general speakers' List.

# Rules of Procedure

## ***Moderated Caucus***

A Moderated caucus is aimed to facilitate and accelerate the discussion on the agenda deemed as essential and critical for the topic on agenda, through discussion on a specific topic under the agenda and when the committee is in formal session. The motion for the moderated caucus can be introduced by any of the delegates once the Floor is open for Points and Motions, Usually three motions will be recognised before voting upon them. The delegate shall specify the total time of the Motion, individual speaker's time for each of the delegates (not exceeding the speaker's time set for the general Speaker's List) and the purpose of the Motion.

How to raise it: The delegate of [portfolio] raises a motion to move into a Moderated Caucus on “topic” for the time period of “x” minutes allotting “x” minute per speaker.

*Note: The Total time for a Moderated Caucus can't exceed 20 minutes.*

*As a Moderated Caucus is limited to the number of delegates recognised to speak, a delegate who is not recognised may send in a substantive chit ( Which will be explained later.*

## ***Unmoderated Caucus***

An Unmoderated Caucus is an informal form of debate, during which delegates are able to freely discuss all issues with other delegates, lobby for their interests, resolve difficult questions about the topic on the agenda, make blocs and create working papers and resolutions. Here, delegates are allowed to move around the venue, and talk to any delegate. However, It is usually under an Executive Board member's supervision.

How to raise it: The delegate of [portfolio] raises a motion to move into an unmoderated Caucus for the time period of “x” minutes.

*Note: The total time period for an Unmoderated Caucus can't be for more than 30 minutes, however, another motion may be raised to extend the Unmoderated caucus.*

# Rules of Procedure

## Yields

During a GSL, if a delegate has any remaining time, They can yield this time in any one of the following manner:

1. Yield to POINT OF INFORMATION / Questions - If the delegate is open to questions, it is at the discretion of the Chairpersons to grant this right to any delegate willing to pose an inquiry to the delegate within the remaining time allocated to the delegate regarding the speech. The delegate who yielded his time to questions can refuse to answer any of them at his discretion.
2. Yield to another delegate - the remaining time will be offered to another delegate as allotted by the former speaker. The delegate who was yielded the time must've priorly agreed for this arrangement and should be willing to speak right after the delegate yields the time. The Remaining time can't be used when the delegate is giving his speech.
3. Yield to the Executive Board: If there is remaining time left, but the delegate is not wishing to answer any questions or give his allocated time to another delegate, he /she can yield his time back to the Chairpersons, who will proceed with another delegate on the Speaker's List/ wishing to speak afterwards. Moreover, the Chairpersons can decide to ask questions, or may decide to use the time for questions / points of information.
4. Yield to Comments: If there remaining time left, it can be yielded to comments where other delegates in the committee, if recognised, will be commenting on the delegates speech. ( However, The Executive Board will be prohibiting these yields in this conference ).

# Rules of Procedure

## Points

**1. Point of Parliamentary Inquiry:** This point is raised by a delegate to clarify anything regarding the rules of procedure or to know the status of the committee. Such Points may not interrupt speakers and can be introduced only when the Floor is open for Points.

How to raise it? : The delegate of “your allocated country” raises a point of a parliamentary inquiry.

Example: Point of Parliamentary Inquiry, The Delegate of India would like to know who the next speaker on the list is?

**2. Point of Personal Privilege:** A delegate may raise the Point of Personal Privilege in case of whichever kind of personal discomfort which prevents him from full participation in the debate. Such things can be for example audibility of other speakers, switching of air conditioning etc. A Point of Personal Privilege can interrupt a speaker only in the case of bad audibility.

How to raise it? : The delegate of “your allocated country” raises a point of personal privilege

**3. Point of Information:** This point can be raised when the speaker yield's time to POIs / Questions, and is usually to ask a question pertaining to the given speech. Therefore, POIs can only be asked during the General Speaker's List.

**4. Point of Order:** There are two types of point of orders; Factual Inaccuracy, and Logical Fallacy. These points are used when there are irregularities, invalid points, and factually wrong aspects in a speech.

- a. Point of Order, Factual Inaccuracy: Used when there is something in the speech that is factually incorrect according to information from sources that are considered valid.  
I.e. Delhi is not the Capital of the USA, it is the capital of India.
- b. Point of Order, Logical Fallacy: Used when something in the speech doesn't logically make sense, or when the delegate is contradicting themselves.

These points must be framed in a very specific manner, if not, they will not be accepted:  
How to raise: “Point of Order, Type of POO, The Delegate mentioned Verbatim, however “x”.

Note: POOs usually carry a good weightage, thus it should be raised in the above manner strictly with the exact verbatim. Moreover, POOs are only accepted during Moderated Caucuses.

# Rules of Procedure

## ***Substantive Chit:***

Substantive chits can only be sent by delegates when they're not recognised to speak in a moderated caucus and want to convey something that is imperative and has not already been mentioned. The following format shall be used:

Substantive Chit:

To:Executive Board

From: Delegate of [portfolio]

- These points must include substantive nature
- And should not be a speech.

## ***Right of Reply:***

Delegates, whose country's national integrity or sovereignty has been contested and violated, may require Right of Reply. A chit entailing why a delegate wants to raise a right to reply must firstly be sent to the executive board, after which, the Executive board will call in the Secretary General, and both the delegates in question will be allotted a specific amount of time to justify themselves. After which, a procedural voting will begin where the delegate who loses the right to reply will be gagged for a specific period of time mentioned by the Secretary General.

## ***Press Conference:***

This aspect of the conference is to test the knowledge and depth of research conducted by the delegates. As such, the questions in this conference could range from matters of foreign policy, the agenda itself, or any controversial actions or speeches by the respective nations of the delegates.

## ***Draft Resolution:***

A draft resolution, or referred to as "Resolution" once the committee passes the document, contains all the solutions that the committee wants to introduce in the form of a formal document that will be discussed and put to vote in front of the committee. If passed, this acts as a set of suggestions and recommendations to those who agree with it on the issue at hand.

## ***Signatories:***

Signatories are those who would like to see the resolution discussed in front of the committee. A signatory does not necessarily agree with the resolution, just wants to see it be debated. A delegate can be a signatory to more than one resolution. Resolutions must have at least 1/3rd of the committee's strength as signatories to be able to present them to the committee.

# Rules of Procedure

## **Sponsors:**

*Sponsors are those who have majorly written the resolution, whose countries must agree with every clause, and who would be answering the questions based on the resolution once their resolutions are tabled and are being presented. The number of sponsors is usually kept between 2 and 4, this will be informed to the committee on the day of the conference. The sponsors usually will also be marked higher due to them contributing to the resolution the most, and their lobbying over the two days.*

## **Amendments:**

An amendment edits, adds, or deletes from a resolution. Motions to move into an amendment session must be raised. If over 1/3rd of operative clauses are amended, the resolution is scrapped. Sponsors may accept amendments as friendly or unfriendly; friendly amendments are accepted automatically, unfriendly ones go to a simple majority vote.

- To introduce Resolution: “The delegate of [your allotted country] would like to raise a motion to introduce [RESOLUTION NAME].”
- Amendments: “The delegate of [your allotted country] would like to raise a motion to move into the amendment session for [RESOLUTION NAME].”
- To vote: “The delegate of [your allotted country] would like to raise a motion to table [RESOLUTION NAME] for the voting procedure.”

Resolution Format:

(Name of resolution)

Sponsors:

Signatories:

Topic:

Committee name:

1. Every preambulatory clause ends with a comma (,)
2. Every operative clause ends with a semicolon (;)
3. Every sub-clause ends with a comma (,) unless it is the last sub-clause to the main clause, which ends with a semicolon (;)
4. Every main clause before starting with a sub-clause should have a colon (:)
5. Place a full stop at the end of the resolution

# Introduction to Committee

The Disarmament and International Security Committee, also known as the First Committee of the United Nations General Assembly or simply DISEC, is one of the six main committees of the UN General Assembly. It has been a fundamental component of the UN system since its establishment in 1945 under the UN Charter. DISEC is charged with addressing disarmament, global challenges, and threats to international peace and security that affect all member states.

## Mandate and Function

DISEC's mandate is articulated in Article 11 of Chapter IV of the United Nations Charter, which authorizes the General Assembly to consider "general principles of cooperation in the maintenance of international peace and security," including matters related to disarmament and the regulation of armaments. The committee examines these issues in the broadest context, encompassing nuclear disarmament, weapons of mass destruction, conventional arms, regional security arrangements, disarmament policy, and related international security concerns.

While DISEC's recommendations and resolutions are non-binding, they hold significant influence. They shape global disarmament norms, advise the Security Council, and contribute to the development of international treaties and agreements. DISEC often serves as a forum where member states can build consensus on contentious security issues and identify avenues for collaboration.

## Work and Focus Clusters

The committee's work is divided into seven thematic clusters that allow for focused analysis and debate:

- Nuclear weapons
- Other weapons of mass destruction, including biological and chemical weapons
- Peaceful uses of outer space and related disarmament aspects
- Conventional weapons, including small arms and light weapons
- Regional disarmament and security arrangements
- Other disarmament measures and international security matters
- Disarmament machinery, which includes disarmament-related organizational and administrative issues

# DISEC

## **Importance and Impact**

DISEC is composed of all 193 UN member states, each enjoying equal voting rights. DISEC fulfills an essential role in the maintenance of international peace and security by providing a diplomatic venue where member states can address arms control and disarmament challenges comprehensively and inclusively. Its work is instrumental in promoting transparency, accountability, and cooperation in global arms reduction efforts.

The committee's activities also complement the United Nations Sustainable Development Goals, particularly Goal 16, which stresses the importance of building peaceful and inclusive societies. Through its focus on arms regulation and conflict prevention, DISEC contributes to creating safer environments conducive to human development and international stability

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# **Introduction to Agenda**

The agenda for this conference will be "**The Status of Private Military Companies in Armed Conflict: Accountability and Regulation.**"

Private Military Companies (PMCs) represent a complex and evolving phenomenon within contemporary armed conflicts. Unlike traditional state armed forces, PMCs operate as private commercial entities that provide a diverse range of military and security services, including combat support, intelligence gathering, logistical assistance, and personnel training. Their increasing deployment in conflict zones worldwide highlights a significant shift in the conduct of warfare, raising critical questions about their legal status, oversight, and the mechanisms by which they can be held accountable under international law.

The legal classification of PMC personnel remains one of the most contested issues under international humanitarian law (IHL). The Geneva Conventions and their Additional Protocols set clear criteria for lawful combatants, including being commanded by a responsible officer, carrying arms openly, and conducting operations according to the laws and customs of war. PMC operatives rarely meet these criteria uniformly, which leaves ambiguity regarding whether they are lawful combatants or civilians who lose protection only during direct participation in hostilities. This distinction is not merely academic, as it bears legal consequences for their protection under IHL and their exposure to prosecution.

Moreover, PMCs operate under a complex patchwork of legal jurisdictions. Their activities are governed simultaneously by contractual arrangements with hiring states or organizations, domestic legislation of the contracting state, and the laws of the host state where they operate. In

addition to binding obligations under customary IHL, soft law instruments such as the Montreux Document provide guidelines concerning state responsibilities to regulate PMCs, emphasizing states' duties to oversee their activities and investigate allegations of misconduct. However, the Montreux Document remains non-binding and its implementation varies significantly across states.

In practice, the lack of uniform regulatory frameworks creates substantial accountability gaps. PMCs often operate in legal limbo, complicating the identification of responsible parties for violations of IHL or human rights abuses. This has been tragically evident in multiple cases, such as the 2007 incident involving Blackwater contractors in Nisour Square, Iraq, where 17 civilians were killed, underscoring the difficulties in prosecuting PMC personnel and addressing victims' grievances. Similarly, the Russian Wagner Group's operations in Syria, Libya, and sub-Saharan Africa continue to blur the lines between state and private military involvement, exacerbating regional instability and complicating adherence to international law.

These challenges underscore the necessity of clarifying PMC's legal status and enhancing enforcement mechanisms. States hiring PMCs have a binding obligation under international law to regulate their conduct, ensure compliance with IHL, and provide effective remedies for violations. Effective accountability requires both national legal reforms and enhanced international cooperation. National legislations must incorporate clear provisions for licensing, operational oversight, and criminal liability of PMC personnel, while the international community must develop mechanisms to harmonize standards and facilitate cross-border enforcement.

The growing reliance on PMCs in modern conflict scenarios demands a comprehensive international regulatory approach. Beyond legal clarity, this includes transparency obligations, reporting requirements, and victim-focused accountability measures. The evolving security context, including the rise of hybrid warfare and non-traditional combatants, brings urgency to establishing robust frameworks governing the role of PMCs.

This agenda thus calls for an in-depth evaluation of current international legal regimes, state responsibilities, and practical measures to close regulatory gaps. The Delegates are tasked with formulating recommendations to ensure that Private Military Companies operate within a framework that respects the rule of law, protects civilians in conflict zones, and upholds the principles of international humanitarian norms.

# Important Legislatures

## 1. Geneva Conventions of 1949 and Additional Protocols (1977)

The Geneva Conventions and their Additional Protocols form the foundation of International Humanitarian Law (IHL) and regulate conduct during armed conflict. They establish protections for combatants and civilians and define lawful combatant status. PMCs fall into a legal gray area under these treaties as their personnel often do not meet the criteria of lawful combatants (such as carrying arms openly, being part of a chain of command, or wearing distinctive insignia). This ambiguity means PMC personnel may be considered unlawful combatants with limited protections, raising significant accountability concerns. Importantly, states are obligated to ensure that all persons under their control, including PMCs, comply with IHL provisions.

## 2. United Nations Mercenary Convention (1989)

This Convention criminalizes the recruitment, use, financing, and training of mercenaries. However, the definition of mercenaries is narrowly tailored and excludes many PMCs, particularly those operating under official contracts with states. The Convention aims to prevent mercenary activities that threaten equality, sovereignty, and territorial integrity, considering such acts crimes of grave concern. It mandates states to enact legislation to prosecute mercenaries and cooperate internationally in prevention and prosecution efforts.

## 3. Montreux Document on Private Military and Security Companies (2008)

A non-binding but influential international framework, the Montreux Document consolidates existing legal obligations for states relating to PMSCs in armed conflicts. It provides guidelines for regulating PMSCs, emphasizing licensing, monitoring, training, and accountability. The Document stresses that PMCs and their personnel must observe IHL and human rights law and that states have clear responsibilities for oversight and enforcement. While voluntary, it sets an internationally recognized standard supporting state obligations for PMC conduct regulation.

## 4. International Code of Conduct (ICoC) for Private Security Service Providers (2010)

The ICoC is a voluntary code expressing principles regarding human rights compliance, transparency, and accountability for PMSCs worldwide. Signatories commit to ethical behavior and cooperation with lawful authorities. Despite lacking legal enforceability, the ICoC promotes good practices and peer accountability, serving as a professional benchmark in the unregulated private security industry.

## 5. Arms Trade Treaty (2014)

The ATT regulates the international trade of conventional arms. It requires states to evaluate risks that arms transfers might be used for serious violations of international law, including by PMCs. It restricts transfers to actors likely to commit human rights abuses or fuel conflict, indirectly limiting the armament of PMCs. This treaty establishes a preventive approach that complements broader regulatory efforts.

## 6. National Legislation and Jurisdiction

States such as the USA, UK, and others have instituted laws regulating PMCs within their jurisdictions. These include licensing, operational oversight, criminal liability, and accountability frameworks tailored to contractors. National courts have prosecuted PMC personnel in cases like Nisour Square, demonstrating the role of domestic law in closing enforcement gaps. However, regulatory inconsistency across states results in fragmentation, highlighting the need for harmonization and international cooperation.

# Major Actors and Stakeholders

### Private Military Companies:

#### **Wagner Group (Russia)**

Wagner Group is a Russian state-linked PMC, originally controlled by Yevgeny Prigozhin and Dmitry Utkin, with deep ties to Russian military intelligence (GRU). It first emerged in 2014 in the Ukraine conflict, followed by deployments in Syria, Libya, Central African Republic, Mali, and Sudan. Wagner operates as a proxy for the Russian government, providing combat troops, military advisors, and intelligence support. Its business model frequently involves barter deals with host states, exchanging military services for access to natural resources such as gold and diamonds. Wagner is infamous for recruiting men from prisons and using harsh discipline, including summary executions for deserters. UN investigations and NGOs have linked Wagner personnel to extensive war crimes—including torture, extrajudicial killings, and civilian abuse. Their activities allow Russia plausible deniability abroad, blurring the boundaries between state and non-state military actors.

#### **Academi (Formerly Blackwater, USA)**

Founded as Blackwater in 1997 by Erik Prince, this PMC quickly became the largest U.S.-based private military contractor, dominating the market during the Iraq and Afghanistan wars. Its services include armed security, convoy and dignitary protection, tactical training for land and maritime operations, and risk management. Academi operated large training centers and maintained a fleet of vehicles and helicopters. The 2007 Nisour Square shooting in Baghdad, where Blackwater guards killed 17 civilians, became a turning point in PMC accountability, sparking Congressional hearings and prosecution of contractors. The company rebranded twice (Xe, then Academi), merged with Triple Canopy and other firms to form Constellis Group, and remains active in high-threat environments. Many of its personnel are ex-military or law enforcement, and the firm is known for proprietary training programs and armored vehicle designs (e.g., the Grizzly APC).

#### **Constellis Group (USA)**

Constellis Group is a major U.S. security conglomerate formed by mergers of leading PMCs like Academi, Triple Canopy, and Centerra Group. It provides integrated armed and unarmed security, risk advisory, logistics, crisis response, facility protection, and training to federal agencies,

commercial organizations, and NGOs in over 50 countries. Its services cover nuclear site protection, energy asset security, dignitary escort, specialized CBRN (Chemical, Biological, Radiological, Nuclear) protection, and surveillance. Constellis officers are vetted and trained in counterterrorism, surveillance, and crisis management. The firm's rapid expansion led to complex integration challenges and debt restructuring in recent years but continues to influence security contracting policy internationally.

#### G4S (UK)

G4S was the world's largest security company before its 2021 acquisition by Allied Universal. Headquartered in London, G4S operated in more than 90 countries and offered a spectrum of services—from manned guarding, crisis response, and monitoring at critical infrastructure sites to prisoner transport, management of custodial and juvenile detention centers, risk assessment, mine clearance, and forensic medical services. G4S managed support for government functions such as police and prison operations and was often contracted to protect high-security sites, including embassies and military bases. The firm has faced criticism and regulatory fines for controversies in prisoner welfare, contract mismanagement, and human rights allegations in multiple countries.

#### China Overseas Security Group (COSG, China)

Founded to protect Chinese personnel, investments, and infrastructure overseas amid China's Belt and Road Initiative (BRI). COSG provides site security, convoy and expatriate escort, threat assessment, and emergency risk management in Africa, the Middle East, Pakistan, Southeast Asia, and Turkey. The company employs staff with military and police backgrounds, sometimes retired PLA officers, and leverages strong ties with Chinese authorities. COSG's presence allows China to defend its economic interests without direct military deployment, supporting the state's diplomatic and strategic objectives in often unstable regions.

#### Slavonic Corps (Russia)

Slavonic Corps was registered in Hong Kong but operated as a Russian PMC, notable for its 2013 deployment in Syria to guard energy infrastructure for the Assad regime. Its fighters, mainly Russian ex-military, participated in direct engagements with ISIS, revealing Russia's willingness to use PMCs for risky missions. The failed operation led to significant casualties and subsequent Russian prosecution under anti-mercenary laws, making Slavonic Corps an emblem of the legal and operational ambiguity faced by PMCs. Many of its former members, including Dmitry Utkin, transitioned to Wagner Group, furthering Russia's evolution of hybrid military strategies.

#### Aegis Defence Services (UK)

Aegis Defence Services was a British PMC specializing in high-risk security, crisis response, intelligence, and military training. Founded in 2002 by Lt. Col. Tim Spicer, Aegis managed contracts for the U.S. Department of Defense in Iraq and Afghanistan, including convoy security and base protection. The firm operated in Africa, the Middle East, and conflict zones for multinational oil

companies and NGOs. Its business model combined robust risk management processes with extensive field experience and government contracting. Aegis gained credibility for promoting industry standards and self-regulation before being acquired by GardaWorld, a Canadian security leader, in the 2010s.

### **Major nation-state stakeholders:**

#### **1. United States of America**

The United States is one of the largest users and regulators of PMCs globally. Through the Department of Defense, State Department, and intelligence agencies, the U.S. contracts PMCs extensively for security, logistics, and advisory roles in conflict zones like Iraq, Afghanistan, and Syria. The U.S. government implements extensive but still evolving oversight measures, including legal frameworks such as the Military Extraterritorial Jurisdiction Act (MEJA) and contracting regulations to hold PMC personnel accountable. Congressional oversight and investigations frequently probe doctrinal, ethical, and operational aspects of PMC use.

#### **2. Russian Federation**

Russia leverages PMCs such as the Wagner Group to project power globally while maintaining plausible deniability. Russian PMCs have campaign roles ranging from direct combat to political influence in regions like Ukraine, Syria, and Africa. Russia's approach involves a blend of official state support and semi-official PMC operations, creating legal and strategic ambiguities. The Russian government indirectly controls PMCs but often lacks transparent regulatory oversight domestically, making international accountability difficult.

#### **3. United Kingdom**

The UK operates with a regulated framework for private security and military service providers, including PMCs. The Private Security Industry Act mandates licensing, monitoring, and compliance with minimum standards. British PMCs like Aegis have played supporting roles in conflict zones under government contracts. UK authorities are also involved in balancing PMC use with adherence to human rights and international law, contributing to regulatory development in partnership with industry and international institutions.

#### **4. China**

China's state and commercial interests extensively employ PMCs, notably China Overseas Security Group, to protect investments abroad, particularly along the Belt and Road Initiative. Chinese government agencies coordinate and regulate these companies to safeguard national interests, with an emphasis on asset protection over combat roles. China's evolving legal oversight of PMCs reflects its growing engagement in global security and diplomatic affairs.

## **5. Host States (e.g., Central African Republic, Syria, Libya, Iraq, Afghanistan)**

Host countries where PMCs operate have sovereign responsibilities to regulate foreign military contractors within their borders. However, many host states have limited institutional capacity or political will to enforce oversight effectively, especially in fragile or conflict-affected environments. This situation creates regulatory voids exploited by some PMCs, contributing to abuses and undermining local governance.

## **6. European Union and Member States**

The European Union actively engages in establishing policy frameworks guiding PMC activities, focusing on human rights, conflict prevention, and international law compliance. Member states develop national regulations following EU guidelines, balancing security needs with ethical standards. The EU also funds research and cooperation initiatives addressing the governance and oversight of PMCs globally.

## **7. Other Relevant States**

Countries like South Africa, Colombia, Israel, and Canada are also significant due to their PMC industries or strategic use of PMCs abroad. These states contribute to the complex global regulatory landscape, often influencing norms and practices through bilateral and multilateral efforts.

# **Case Studies**

### **United States: The Nisour Square Massacre and Legal Accountability**

In 2007, Blackwater contractors, hired by the U.S. State Department for security operations in Iraq, were involved in a deadly incident at Nisour Square, Baghdad, where they killed 17 Iraqi civilians and injured many others. This tragic event sparked international condemnation and exposed significant gaps in the legal oversight and accountability of Private Military Companies working in conflict zones. In response, the U.S. government expanded the scope of the Military Extraterritorial Jurisdiction Act (MEJA) in 2009, allowing federal courts to prosecute PMC personnel for crimes committed overseas. Several Blackwater employees were subsequently indicted and convicted following lengthy legal proceedings, marking one of the few successful attempts to hold PMC contractors criminally accountable. Additionally, Blackwater underwent management changes and rebranded as Academi, while U.S. military and diplomatic agencies introduced stricter vetting and operational controls for private contractors to ensure compliance with legal and ethical standards. The Nisour Square massacre stands as a critical turning point that highlighted the complexities of integrating PMCs into military operations while maintaining adherence to rule of law and human rights protections.

## **Russia: Wagner Group's Covert Military Role and Legal Ambiguity**

The Wagner Group is a Russian-based Private Military Company that has played a significant role in Syria, Libya, and various African conflicts, often serving as a shadow force supporting Kremlin foreign policy without formal recognition or clear legal status. Since at least 2014, Wagner contractors have been involved in key battles, such as the 2016 offensive in Palmyra and the 2018 Battle of Khasham, where they suffered severe losses during an engagement with U.S. coalition forces. Although Russian law explicitly prohibits mercenary activity under Article 359 of the Criminal Code, the Wagner Group operates with tacit government approval and is effectively shielded from domestic prosecution. This arrangement permits Russia to exert military influence abroad while maintaining plausible deniability and avoiding political or legal repercussions. Wagner's controversial activities include allegations of human rights abuses, coerced labor, and extrajudicial killings, largely uninvestigated due to the group's opaque relationship with the state. The Wagner case exemplifies how PMCs can be employed strategically as tools of hybrid warfare, exploiting legal grey zones to advance national interests while complicating international accountability efforts.

## **South Africa: Executive Outcomes and the Path to Regulation**

Executive Outcomes, a South African Private Military Company active during the 1990s, was influential in conflicts in Angola and Sierra Leone, providing combat support, training, and security that decisively affected battle outcomes. The company's intervention in the Angolan civil war and Sierra Leone's diamond fields helped stabilize struggling governments but raised significant concerns regarding sovereignty infringements and the privatization of military force. In response, South Africa enacted the Regulation of Foreign Military Assistance Act (RFMA) in 1998, which criminalized unauthorized foreign military assistance and mandated government approval for all PMC operations abroad. This legal framework curtailed unchecked PMC activity while preserving state control over the use of force beyond national borders. Furthermore, the Private Security Industry Regulation Act of 2001 established licensing and conduct standards for domestic private security companies, even though it does not fully cover combat-oriented PMCs. South Africa's experience with Executive Outcomes led it to become a regional advocate for regulating PMCs within the African Union and Southern African Development Community (SADC), promoting legal oversight as a pillar of regional security governance. The South African case shows how practical combat roles performed by PMCs can be catalysts for important legislative reforms and regional cooperation on private military regulation.

# Past Efforts and Affirmative Actions

## African Union (AU)

The AU has actively addressed PMC regulation through its Peace and Security Council, urging member states to enact national legislation to control private military actors. It supports capacity-building workshops to help countries develop regulatory frameworks and encourages member states to share information on PMC activities. The AU also emphasizes protecting sovereignty and civilian populations in its regional peace initiatives.

## European Union (EU)

The EU has pushed for harmonized licensing requirements and transparency standards among member states for PMCs, proposing the creation of an EU-wide PMC registry. It funds programs like the Capacity for Security Governance that assist African and Middle Eastern partners in strengthening PMC oversight and legal compliance. EU security missions integrate PMC monitoring as part of broader governance support.

## Organization of American States (OAS)

The OAS promotes legal reforms to regulate PMCs, encouraging countries in the Americas to develop and enforce laws against unauthorized private military activities. It organizes regional workshops focused on enhancing cooperation between states to monitor PMC contracts and share intelligence, particularly in areas with increased PMC presence. The OAS also advocates for protecting human rights in PMC operations.

## Association of Southeast Asian Nations (ASEAN)

ASEAN includes private security and PMC oversight in its regional security dialogues. It fosters coordination on regulatory best practices, encouraging member states to establish registries and share information to better manage PMCs. Training programs on security sector governance often include components aimed at improving private military company regulation.

## Gulf Cooperation Council (GCC)

The GCC coordinates security standards for private military contractors through the Security Coordination Center, implementing joint vetting and certification processes. It holds joint exercises that include PMC participation under strict operational guidelines and uses a centralized database to track licensed PMCs in the region to mitigate risks related to unregulated activities.

# Key Terms

## **Private Military Company (PMC)**

A private commercial entity that offers military-related services such as armed combat, tactical training, intelligence collection, logistics support, and security. PMCs operate independently from national armed forces but often contract with governments or corporations for service in conflict zones. They differ from mercenaries by their corporate structure and broader range of services.

## **Private Security Company (PSC)**

Companies primarily focused on unarmed or lightly armed security services such as personal protection, facility security, risk assessment, and escort services. Although traditionally distinct from PMCs, many companies now operate in both fields with overlapping roles.

## **Security Contractor / Private Military Contractor**

Individual personnel hired by PMCs or PSCs who perform security or military functions, ranging from armed protection to strategic advising and operational support.

## **Combatant Status**

A classification under International Humanitarian Law (IHL) that determines whether a person qualifies as a lawful combatant, entitled to combatant immunity and prisoner-of-war status. Many PMC personnel fall into a legal gray area regarding this status.

## **Mercenary**

An individual who participates in armed conflict primarily for private gain, who is not a lawful combatant for a party to the conflict and meets specific criteria under international law. This term is narrowly defined and often legally distinct from PMC personnel.

## **Military Consulting Firms**

PMCs that specialize in providing strategic advice, training, operational planning, and support services to militaries or governments without engaging directly in combat operations. Military Provider Firms PMCs offering combat support functions, including direct engagement in armed conflict, tactical operations, and force protection. Military Support Firms Firms focused on logistical support, intelligence, communications, maintenance, and other indirect combat functions within military operations.

## **Host State**

The country or territory in which the PMC operates physically, responsible for regulating PMCs on its soil under national law.

## **Contracting State**

The government or entity that hires or contracts PMCs to provide military or security services, typically bearing responsibility for oversight and legal accountability.

## **Accountability**

Mechanisms through which PMCs and their personnel are held responsible for complying with laws, ethical standards, and operational protocols, including legal liability for misconduct.

## **Privatization of Security/Military Services**

The process by which military and security functions traditionally performed by state armed forces are increasingly outsourced to private companies.

## **Operational Support**

Non-combat functions provided by PMCs including logistics, intelligence analysis, communications, and equipment maintenance.

## **Plausible Deniability**

A strategy where states use PMCs or similar actors to conduct military or political actions indirectly, allowing governments to deny official involvement

# **Questions a resolution must answer (QARMA)**

- How can states establish clear, enforceable national and international regulatory frameworks that effectively manage the licensing, oversight, and operation of Private Military Companies?
- What specific legal criteria and standards should define the status, roles, and obligations of PMC personnel under International Humanitarian Law and human rights law to facilitate accountability?
- What practical approaches can enhance transparency and public accountability in PMC contracting, operational conduct, and financial reporting, and how can challenges in implementing these be addressed?
- How can legal and institutional accountability mechanisms be strengthened to ensure meaningful investigations, prosecutions, and reparations related to PMC misconduct?
- In what ways can cooperation among contracting states, host nations, regional organizations, and international institutions be improved to facilitate coordinated oversight and response to PMC activities?
- What operational safeguards and ethical frameworks are vital to minimize civilian harm, prevent abuses, and promote adherence to international norms in PMC engagements?
- How can states balance their legitimate security needs with obligations to uphold human rights, the rule of law, and international peace in the context of PMC use?