



COMMITTEE: Disarmament and International Security

QUESTION: Impact of Private Military Security Contractors on Global Security

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Personal introduction

Dear delegates,

My name is Christie Fata, I am 16 years old, and I will be your vice-president in this year's MUN conference in the Disarmament and International Security Committee, alongside Nikoleta Lekaki, president.

I am sincerely happy to have the chance to accompany you on your MUN journey, an experience I deem capable of being responsible for personal change and growth, especially if it is your first. The work I put in this study guide comes straight from the heart and I hope it will help you have a clear outlook on the topic and offer you a concrete base to form a firm analysis and opinion on it.

I feel it is necessary to educate oneself on the current geopolitical issues plaguing our world as they impact everyone more than the average person would think. We are incredibly lucky to be in a setting where we are given the opportunity to get a real taste of diplomacy and catch a glimpse of how the international relations in the UN are made to be.

The MUN is not only an enriching experience in its simulation and debates, although thrilling, but it is also a great occasion to form bonds and strengthen social circles as well as meeting new people such as the exchange students, for cooperation is a key element in the way the experience is fabricated.

I hope you find interest in the different issues we will explore during the conference and find a liking to at least one of the topics from the selection. If you have any questions or misunderstandings, please do not hesitate to reach out.

(Here to remind you that reading the study guides is not enough preparation, although I attempted at making it as complete as possible, you will need to do your own research on your countries positions and its general political involvement in the topic treated.)

Topic Introduction

Throughout history, on diverse occasions, it has occurred that certain parties such as governments or corporations of various kinds, have resorted to recruiting or making use of Private Security Contractors (PSC) or Private Military Companies (PMC) and their services, most often during times of conflicts.

By the end of the 20th century, we have witnessed military and security functions, precedingly state functions issued by national armies, gradually turning into a private sector, enhancing the rapid growth of these PMSCs.

These independent companies provide security services and are often hired to protect individuals, government's assets, or locations, as previously defined. Their work can range from guarding corporate facilities to providing armed protection in conflict zones. In our modern world construct, we have witnessed the adoption of international security policies, increasingly reliant on private contractors (PMSCs) and their offered services.

It is important not to mistake them for Mercenary Groups, although it can be hard to differentiate them, as the line separating them and defining each is quite blurry. PMCs provide necessary services to international security, but at times, their actions spark controversial and ethical questioning, especially when some organizations are accused of mercenary acts (The Wagner group), deemed illegal by numerous international laws.

When regulated and used responsibly, PMCs can enhance global security by providing expertise, protection, and a certain stability. But when unchecked, they can fuel conflicts, commit abuses, and undermine state authority, as they do not swear loyalty to any party.

Through historic events and conflicts, we have witnessed many PMC/PSCs deployments worldwide, and their involvement was often highly influential to the nation, a catalyst of a chain of events, acting as a fuel for armed combat in some ways. They continue to shape military operations, and at times cause a prolongment of fighting, as they profit from it.

Their effects are not negative in their entirety; nuances can be found in the debates sparked. Their support of NGOs and the protection they offer in conflict zones is a necessary aid, same for their supplement of security lent to corporations. Their actions have both negative and positive points to them, depending on the eye from which we are studying them from.

Definition of key words

Non-State Actor: An individual or organization that has significant political influence but is not allied to any country or state.

Private Security Contractors/Company: Both individual security professionals and bigger companies offering protective and security services. They are often hired by private businesses, organizations, and governments to provide security in various environments, including high-risk areas. Their services include guarding property, ensuring personal safety, risk assessment and even tactical training.

Private Military Company: Private Military Companies (PMCs) and Private Security Companies (PSCs) although similar in the general service, they are distinct in their

primary function. PMCs are more oriented towards military operatives, such as combat training, strategy planning, and operate more in conflict zones, whilst PSCs are more involved in protection of individuals and assets.

Mercenary: A freelance soldier-for-hire, or part of unregulated group, who fights in exchange for a payment rather than loyalty to a country or cause. They are not part of any official military force and typically work for whoever offers the highest bid, often in conflicts where they have no personal stake. International laws define a mercenary based on specific criteria, including direct participation in hostilities and motivation by private gain.

Mercenary activities: Armed offensive motivated primarily by personal financial gain rather than for political or ideological reasons and operating independently of the official military forces of the involved parties.

NGO: Stands for Non-Governmental Organization, and refers to a non-profit, voluntary group that operates outside of governmental influence like the name indicates. Aiming to relieve social, humanitarian, or environmental issues, they can function on local, national, or international levels.

National military: The official armed force established by a nation to defend its interests, ensure national security, and uphold its policies. These forces are typically composed of different branches for different terrains. They operate under the nation's government and are subject to its laws and regulations and have a special code to respect. They are structured in a way where hierarchy takes form.

Lobby: Refers to a group or organization that seeks to influence government policies, laws, or decisions to align with their own interests. Lobbies can represent industries, corporations, non-profits, or special interest groups.

Parties: In the context of international relations and treaties, a party refers to a state or organization that has agreed to be bound by the terms of a treaty or agreement. In political discourse, a political party is an organized assembly of individuals who share power over the country and its decisions. More generally, it is a certain group of actors involved in each situation.

Legal Grey area: Refers to a situation where laws and regulations are unclear, insufficient, or open to multiple interpretations, making it difficult to determine what is legally permissible. In this topic's context, this lack of precise legal definitions and regulations means that PMCs can engage in activities that fall outside of traditional legal constraints, making it difficult to hold them accountable for actions that might violate human rights or international norms since international laws refer to national military, and fail to encompass the complex nature of PMCs.

Ethical debate: A discussion where individuals examine and argue about moral questions, focusing on what is right or wrong in each situation. These debates often involve conflicting values and principles, which require thoughtful consideration to reach a well evaluated conclusion. Those debates are sparked by controversial events that raise questions about their legitimacy and their potential violation of certain morals.

Aid workers: Intervening in conflict zones, they are humanitarian professionals who provide essential even lifesaving assistance to communities affected by armed conflicts. Their primary responsibilities include distributing necessities such water, food, and healthcare, but they can also set up emergency housing or offer psychological support.

Humanitarian convoys: They are the vehicles in which the aid sent to conflict zones is transported, they travel along "humanitarian corridors". They are crucial for delivering life-saving assistance when local infrastructure is compromised or inaccessible.

Rebel groups: An organized assembly who oppose and actively resist the established government or ruling authority within a country and aim to cause a type of change. These groups often employ armed force; there have been instances where rebel groups have collaborated with mercenaries.

General overview

Rapid growth

Modern globalization has given birth to a new security system in the new world order with private military and security companies selling their services on the local and global scale. In the past 10 years, these companies have moved from the periphery of international politics to corporate boardrooms and have become a full component of military sectors.

The United States essentially birthed the modern military contracting industry. President Clinton's radical downsizing of the US military caused the smaller force facing a slew of wars (Afghanistan, Iraq etc.) in the next decade to have no option but to contract out military services to meet the burgeoning operational demands.

Antony Loewenstein wrote in an Australian publication that we could say that "private security is a state within a state"

Now as the US withdraws from conflict zones and its large security contracts conclude, many earlier firms (including third country citizens and local hires) have sought to spin off and seek new clients in the international marketplace as full-fledged PMCs, like corporations and individuals.

The use of PMSCs as a new instrument of foreign policy, particularly by the United States, may be due to several factors such as:

- a lack of human resources in the armed forces
- the advantage of being more cost efficient
- avoidance of responsibility for the acts committed by PMSCs
- avoidance of control of democratic institutions

Legal gray area: An abuse of power

The lack of precise legal definitions and regulations regarding PMCs can cause an engagement in activities that fall outside of traditional legal constraints, making it difficult to hold them accountable for actions that might violate human rights or international norms since international laws refer to national military and or mercenary groups, and fail to encompass the complex nature of PMCs.

Indeed, as previously stated, it has occurred that some PMCs and PSCs have been accused of mercenary acts. International laws, such as Article 47 of Protocol I to the Geneva Conventions, define these with specific criteria, the main ones are direct participation in hostilities and motivation by private gain. Those laws do only regard those labeled as “mercenary groups” and fail to frame PSCs and PMCs therefore do not make them adhere to a certain code of regulation, which gives them the liberty to commit certain crimes under the radar of legitimate international laws.

Some parties would go as far as exploiting this unclear legal frame to evade penalties, which sparks a rise in the reliance on PMSCs, as military rules do not restrict their acts which offers additional freedom.

This lack of regulatory law specifically regarding these ambiguous companies makes it difficult to fairly assess the gravity of some of their actions, let alone convict and charge them of anything they cannot be proven guilty of, due to this legal gray area they are dwelling in. On some occasions, war crimes have been the result of this overly loose legal frame during deployments in conflict zones, and their elusive definition has rendered it impossible to penalize the actors correctly.

Private Security Companies (PSCs) have, at times, exploited legal ambiguities to engage in questionable or unlawful activities. One of the most notable instances would be in Iraq and Afghanistan where numerous security functions were outsourced to contractors who operated with impunity. The extent of human rights violations by these contractors compelled authorities to react, highlighting the challenges in regulating and monitoring transnational security companies operating in foreign states

Human rights violations: Case study

'Blackwater – The Private Military and Security Company: SELLING SECURITY – BUYING DEATH' states the jstor.



As the war on terrorism progressed in the early 2000s, a new niche business of private security services was developed, private security and military contractors. The United States' (US) State Department did not have the internal resources or the marines to protect all its diplomats and embassies abroad, in Iraq.

Blackwater, a PMC offered a broad range of private security services, from protection by bodyguards, aerial surveillance, for the State Department, the Pentagon and US intelligence agencies. As per the contract, Blackwater was also responsible for providing security to US officials during the rebuilding work in Iraq, but also government personnel and reconstruction projects, operating and maintaining weapons systems, translating during interrogations and conducting interrogations in the "green zone" in Iraq. Loose estimations claim that there were 20,000-to-30,000-armed security contractors working in Iraq and some estimates are as much as 100,000, though no precise figures exist. The contractors operated in a sort of rules-free zone, exempt from Iraqi law and fell outside the military chain of command. In this environment, between 2005 and September 2007, Blackwater's security staff was involved in 195 shooting incidents; in 163 of those cases, Blackwater personnel fired first. The organization then faced allegations of involvement in serious human rights violations, including participation in the tortures at Abu Ghraib. Controversy arose when it became known that around September 2007; Blackwater officers shot 17 Iraqis, 14 of those shootings were said to be unlawful and unprovoked. This organization supposedly sent to Iraq for peace and protection was instead harming innocent civilians. Consequently, the victims' relatives filed a lawsuit against Blackwater in a Washington federal court. The suit

*claimed that Blackwater was involved in extra-judicial killings and war crimes and should be "liable for claims of assault and battery, wrongful death, emotional distress and negligence". The suit also condemned the incident as a senseless slaughter with no legitimate reason to fire on citizens. In **2009-2010**, those charges were dismissed and the judge ruled that prosecutors had used statements from the guards that were given under the promise of immunity (or under threat to their employment), which made them inadmissible. Using those statements violated their constitutional rights. Later on, in 2014, the case got reopened and four men got charged, although soon getting pardoned by President Donald Trump in 2020. Human rights groups and UN experts said the pardons contributed to impunity and weakened accountability for such violent acts. Blackwater was said to have created and fostered a culture of lawlessness amongst its employees, encouraging them to act in the company's financial interests at the expense of innocent human life, therefore engaging in mercenary-like acts. The case became emblematic of the legal and ethical challenges posed by private security contractors in war zones.*



FAMOUS MERCENARY: CASE STUDY

[Bob Denard: The Mercenary 'Pirate of the Republic' | War History Online](#)

- ❖ DOING FURTHER RESEARCH ON THESE CASES IS ENCOURAGED, AS THOSE ARE BRIEF SUMMARIES OF THE EVENTS.

LOOKING FOR OTHER CASES AND STATISTICS TO HAVE A CONCRETE BASE FOR ARGUMENT IS EVEN BETTER.

Ethical debates: different perspectives

The opinions formed on these PMSCs vary; they can be seen in multiple lights. For some, those who have professionalized their involvement in conflict for monetary gain are nothing more than modern day corporate mercenaries, no matter the activities they engage in. For others, they are resourceful service providers, operating in areas of conflict and fulfilling a much-needed duty who can step in when governments need additional support that is unfulfilled by their national armies. The question and stake are: Where is the line we draw to define their actions as unethical? Is the hiring motivated by a greater ill intent to evade penalties? Their benefits are numerous, but just as multiple as the dangers and violations. The system isn't necessarily corrupt or filled with ill intent, but external factors have caused a sort of straying away from the original purpose, now bordering into war crimes and massacres. The lines surrounding it all are blurry and delicate. Although subtleties can be found, any unsolicited violences, no matter who the perpetrator be, must be condemned; in the same way additional security help is applauded. Furthermore, if legal constraints were to be and clearly defined, thereby refraining the evasion between jurisdictions, the negative-even gruesome aspects, could be eradicated.

- **For profit incentive: Bordering into mercenary?**

PMCs are changing warfare, and therefore the conduct of international relations. Although their occurrent profit motive stirs up comparisons with mercenaries, PMCs are distinguishable by their corporate structure which requires registration in some origin state and adherence to legally recognized contracts. As international businesses, PMCs are therefore constrained to engage only in legitimate activities if they wish to remain legally recognized corporations, since mercenary organizations are banned. In the 20th century mercenaries were regularly involved in conflicts, especially across Africa.

Another way in which a PSC/PMC can stray toward becoming a mercenary group is through an increased for-profit motive, a hallmark of mercenary groups, as that exploit armed conflicts for their own interest. This is especially problematic when their companies' lobbies are involved, as they tend to coax the belligerents of said conflict into prolonging it for their own profit.

- **Economic and political involvement**

Private militaries and the security industry have profited from the decrease of national militaries and the globalization of economy to grow its global industry. Studies estimate

around USD 231.14 billion in 2024, set to expand to USD 340.74 billion by 2033, a staggering phenomenon of growth.

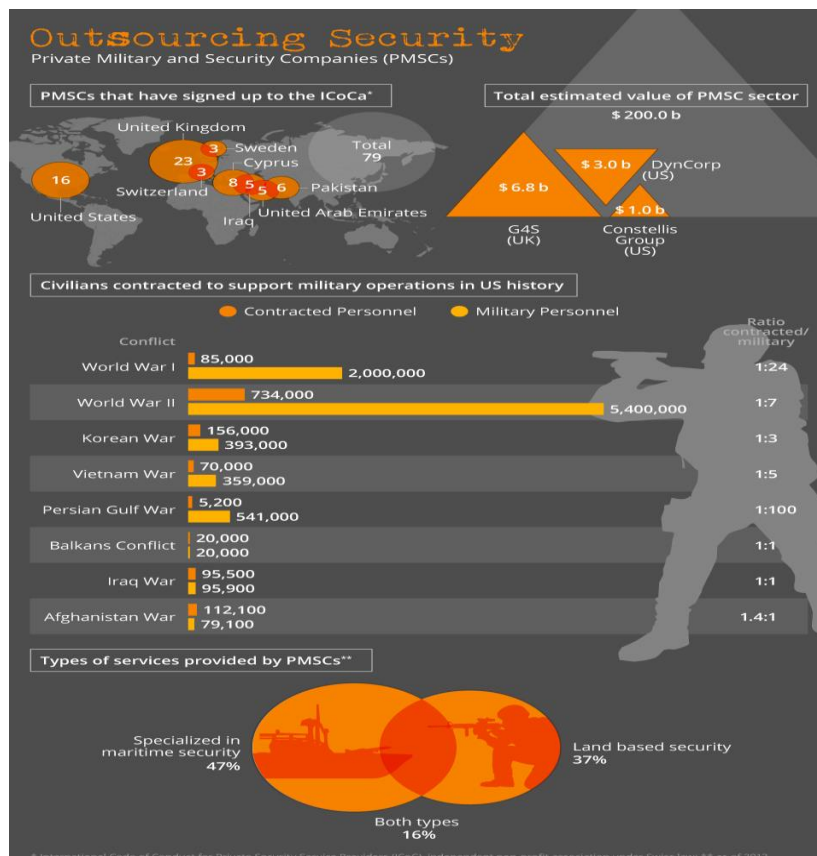
On a political and international relation scale, lobbies hold a particular position in influencing policies surrounding the private security and military sector. PMCs and their affiliated interest groups lobby governments to create laws that favor their operations, such as reducing restrictions on private security contracts or ensuring legal immunity in certain situations. They push for contracts that allow them to operate in war zones or high-risk areas with fewer constraints. All in the goals of profit or sanction evasion.

Some lobbying firms advocate for increased military outsourcing, arguing that PMCs provide cost-effective and flexible alternatives to state militaries.

Lobbies can also have a role in the decisions of involvements on a foreign stage. PMCs often operate in conflict zones, and lobbying groups influence foreign policy decisions to create opportunities for these firms. They may advocate for military interventions, peacekeeping missions, or defense agreements that necessitate private security involvement.

Lobbying groups work to shape public perception of PMCs by funding research, think tanks, and media narratives that present private security as essential for national security. They downplay concerns about accountability, war crimes, or conflicts of interest and carefully craft their desired image to result in so.

Ultimately, multiple factors are involved in the complexity of PMSCs, and their regulation is made even more difficult by the lobbying done in their favor.



Concerned countries and organizations

EMPLOYERS OF PMCs

WHY? They often want plausible deniability, cheaper and easier deployment, ability to intervene without formal military presence, influence in foreign regions (often resource-rich) without full diplomatic/military fallout.

The host state is often a poorer and unstable ones, giving the PMCs easier control.

USA: One of the country's most known for employing mercenaries, especially during times of conflict, for protection of sites, and combat abroad. One of the main contributors to worldwide privatized security economy. EX: BLACKWATER, operating in Iraq and Afghanistan.

RUSSIA: Heavily uses PMCs as tools of foreign policy, deniability, resource access, influence in fragile states. EX: WAGNER GROUP, operating in Ukraine, Syria, Libya, Mali, also accused of mercenary acts.

UAE: Uses foreign security providers and PMCs for overseas operations. EX: THE SPEAR OPERATIONS GROUP. UAE was implicated in use of contractors in Yemen and has its own domestic private military/security entities.

EXTERNAL ACTORS

Non-Governmental Organizations (NGOs): Play watchdog roles like monitoring/reporting abuses, pushing for regulation, documentation, and especially advocating for human rights in contexts where PMCs act against international laws.

United Nations, especially human's rights council: They attempt to contain abuses, define legal norms, investigate violations, encourage treaties or binding/ voluntary frameworks.

Latest developments and previous attempts to solve this issue

International diplomatic conventions, such as the

52nd Munich Security Conference, insist that national governments are still the primary stakeholders in matters of world security, ultimate deciders of war and peace.

However, this disregards the fact that the private sector/contracted security too is deeply involved in all facets of conflict and security and always has been.

The Montreux Document is an agreement between signature countries on obligations regarding private military and security companies in war zones (aka defining good practices for PMCs). It has 54 state signatories that include big powers such as the US, UK, Canada, China, France, Australia... Widely supported; clarifies that PMSCs are not outside the law; gives concrete guidelines for states to manage PMSCs. Helps reduce ambiguity: 2008

The UN Mercenary Convention or the International Convention against the Recruitment, Use, Financing and Training of Mercenaries ("Mercenaries Convention") has been ratified by only 35 states and many are overlapping signatories to the Montreux Document. Prohibits recruitment, use, financing, and training of mercenaries. Defines who is a mercenary in specific terms. Parties agree to prosecute or extradite persons committing those offences: 1989

1. The Geneva convention also includes a definition of "mercenary" (in Article 47) which excludes mercenaries from lawful combatant status and prisoner of war protections. 1977

Possible solutions

- Creating or expanding a *legally binding international convention* (similar to the UN Mercenary Convention) that defines the status, rights, duties, limits of operations for PMCs, including recruitment, financing, training, deployment, use of force, and responsibility for violations.
- Each State should adopt national laws that require all PMCs to be licensed, registered, and regulated. Licenses should depend on transparent criteria (background checks, international law/human rights training, capacity for oversight).
- All contracts between States (or any government entities) and PMCs should include standard clauses for accountability: obligations to comply with International Humanitarian Law (IHL) / Human Rights Law, jurisdiction for misconduct, reporting obligations etc
- Establish independent oversight bodies—nationally and internationally—to monitor PMC activity. This could include permitting NGOs or UN bodies to inspect, audit operations and contracts. There should also be complaint mechanisms for alleged abuses.
- Require PMCs, and States that contract them, to publish regular reports on their operations, personnel deployment, use of force, incidents of harm, disciplinary actions, etc. These reports should be publicly accessible and subject to external review.
- Clarify legal jurisdiction in contracts (which courts, which laws apply), ensure that PMC individuals and companies can be held liable in domestic or international courts for violations.
- Remove immunities that hamper accountability.
- Establish clear and strict consequences for PMCs and individuals who violate laws, international sanctions if they breach international norms

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Global conclusion (Revisit during debate or before conference)

To conclude, (PMSCs) are part of a global, multi-billion-dollar industry growing rapidly since the privatization of military services. The United States of America along with many other Western and non-Western nations, has made ample use of this private military resource to enhance its military operations and evade certain restrictions.

PMSCs, however, constitute a problematic industry full of contradictions and inherent issues, including an unclear status under international humanitarian law, a poor human rights record, and a for-profit incentive during war times, which blurs the line between simple private corporation and actual mercenary organization / mercenarily acts.

Many of these issues were brought to the public's attention because of the scandals that surfaced after their copious use in the wars in Afghanistan and Iraq, which sparked fervent moral questionings of PMSCs legitimacy and the ethics surrounding them, as violations of human rights/human laws have been brought up.

Nevertheless, despite some efforts provided in the creation of a stricter legal frame regarding those PMSCs, there is still no specific international legal regime for their regulation. In fact, states usually are very reluctant to commit to new regulations, since deploying private militaries has proven itself to be more optimal in certain settings, from an economic and numeric perspective especially, but also because of the lighter responsibility attached to PMSCs acts in a legal frame, therefore causing a certain negligence towards tightening the legislative sphere surrounding those corporations.

In summary, while PMSCs offer valuable services that can enhance global security through their expertise and adaptability, their involvement also presents significant challenges. Ensuring proper regulation, oversight, and adherence to international laws is crucial to mitigate risks and ensure that their operations contribute positively to global security.

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