



**Mission Viejo High School MUN**  
**34<sup>th</sup> Annual Conference**  
*Vox Populi*



**Plenary: Privatization of Warfare and Military Contractors**

Hello delegates! My name is Caitlin Clowers, and I will be your head chair for the MVHS MUN 2016 conference. This will be my third year participating in the MUN program here at Mission. Outside of MUN I am on varsity golf here, the IB program, and participate in many clubs. Apart from school I spend my weekends serving at Saddleback Church and I love all things Disney. I am excited to be in a committee with you guys. If you have any questions email me at [mvhsmunplenary@gmail.com](mailto:mvhsmunplenary@gmail.com)

*GA Plenary is the largest body of the United Nations and, as such, presides over debate on the widest possible variety of issues. All UN member states are welcome to participate in the proceedings and thus contribute their own voices to the discussion. Plenary deals with a nigh-unlimited set of issues ranging from environmental collapse to industrial militarization to infrastructural development. This committee is thus responsible for establishing general consensuses on global issues.*

**I. Background for the Privatization of Warfare and Military Contractors**

Recently the use of private military and security companies (PMSCs) has increased dramatically. Individuals hired for PMSCs are not considered civilians because they are trained and utilized for essential military functions. This allows for the individuals to commit acts that violate human rights. Yet, they are not considered soldiers since they do not belong to an army, usually of many nationalities. The use of private military and security companies (PMSCs) have been looked down upon in international situations seeing as they might create more vulnerability to the personnel they are supposed to be correcting often, the PMSCs go unaccountable for crimes regarding armed and sexual violence. Many people that are hired by PMSCs are inadequately trained on human rights, therefore many rules are broken and they are sent into areas where the primary language spoke is not the same as that spoke by the majority of the individuals sent, so there are many translation errors leading to innocent people being tortured and abused. Still, PMSCs have been growing increasingly popular, especially in nations such as the United States seeing as they are “faster, cheaper, and better” than other humanitarian aids and peacekeepers. The great irony comes from the fact that many PMSC workers are involved in torture, sexual violence, and participating in human trafficking. According to the United Nations a mercenary is “any person who is specially recruited locally or abroad in order to fight in an armed conflict.” The similarities are remarkable between a PMSC and a mercenary yet the differences are great enough to prevent PMSCs from UN regulation. The major difference is the PMSCs are hired by



legally

registered companies. PMSCs have recently been used by NGOs, companies, nations, and the United Nations.

## **II. United Nations Involvement**

Ever since Africa was decolonized, the UN has kept a close eye on mercenaries. The General Assembly passed resolution 44/34 that banned mercenary use in 1989, at the International Convention against the Recruitment, Use, Financing, and Training of Mercenaries, this convention though only lasted until 2001. In recent times, the UN has been unsuccessful in regulating the private security industry because nations, like the US, that use PMSCs are yet to ratify the convention. Along with this, the UN has been leaning towards the use of such PMSCs because the personnel that the UN sends into countries are targeted during conflict or the UN distrusts the nations police force. Yet in September 2008, the Montreux Doctrine was passed by seventeen countries that required PMSC workers to follow the International Human Laws (IHL) and PMSC workers must come from a credible organization. In 2010 a resolution passed through the UNHRC and the General Assembly that increased the monitoring and regulation on PMSC groups. On July 12, 2011, the UN Working Group on Mercenaries requested that the international community controls and regulates PMSCs. This resolution was supposed to be sent to the General Assembly and the Human Rights Council, but countries that greatly use PMSCs refuse to pass the resolution. The United Nations are yet to pass any sanctions against PMSCs.

## **III. Possible Solutions**

One major and reoccurring problem within the UN is that the definition of mercenary is inappropriate. This prevents the UN from being able to stop the PMSCs that break international law. So, the United Nations would have to agree on an accurate definition to Journalist Pratap Chaterjee advocates for the UN to create “best practice” and urges the UN to “name and shame” corporations of PMSCs that violate human rights and other international laws. However, the main consequence for companies that commit acts against humanity and violate international law is expulsion, which has become a weak deterrent. Along with this, it is crucial that the United Nations decides as to whether they will continue to use PMSCs and just increase regulation and



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monitoring or

to ban the use of PMSCs altogether. If the United Nations decided to continue to use PMSCs then they could educate the workers on the IHL. Along with this, the UN could send in a random unbiased official sporadically to headquarters or camps of the PMSCs to check up and see if the PMSC is violating the IHLs or promoting any other illegal activity.

#### **IV. Bloc Positions**

**Western:** Member States of the Western Bloc promote the privatization of war, many of these nations depend on PMSCs.

**Latin:** Most of the Latin American Member States disapprove of PMSCs because they have harmed these nations.

**Middle Eastern:** Many of these Member States disagree with the use of PMSCs, they believe that they prevent democracy and peace.

**Asian:** The Asian Bloc Nations are divided as to whether the use of PMSCs. Nations like China rely on their military while other nations need the help of PMSCs

**African:** A majority of the member nations of the African Bloc do not see PMSCs as a major issue right now and do not have a stance on the issue.

#### **V. Guiding Questions**

1. What would be a good incentive to prevent PMSCs from committing crimes?
2. Is there a better alternative to PMSCs?
3. How are states that disagree with the use PMSCs going to deal with their growing popularity?
4. What has caused the growing momentum of PMSCs?
5. How can a state determine when a PMSCs has committed a major offense?
6. How would nations be affected if the use of PMSCs is banned?

#### **VI. Works Cited**

<http://www.globalpolicy.org/pmscs/50225-pmscs-a-the-un.html>

<http://www.truth-out.org/archive/item/93553:beyond-wikileaks-the-privatization-of-war>



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<http://www.globalresearch.ca/the-privatization-of-war-mercenaries-private-military-and-security-companies-pmsc/21826>

<http://www.icrc.org/eng/resources/documents/feature/2006/privatisation-war-230506.htm>

<http://controlpmsc.org/about-the-problem/>

<http://controlpmsc.org>

