



Florida High Schools Model United Nations

FMSMUN 14

**UNITED NATIONS GENERAL ASSEMBLY FIRST  
COMMITTEE (GA1)**

The Activities and Impacts of Mercenaries and Private Security  
Companies

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## COMMITTEE BRIEF

### **Introduction**

Over the past 30 years, Private Military Corporations (PMCs) have become increasingly common in use by governments around the world. PMCs and contractors—exemplified by entities like the Wagner Group in the Russia-Ukraine conflict—face accusations of severe human rights abuses, including extrajudicial killings and torture. Despite the increased scrutiny, it has been suggested that PMCs could provide a role in securing UN humanitarian operations as they expand their roles to include protecting humanitarian aid workers like UN or non-governmental organization (NGO) employees. The General Assembly First Committee must evaluate the reasons and functions of these private security entities and propose guidelines to prevent their actions from unnecessarily prolonging conflicts and causing further harm to civilian populations due to the impediment their human rights violations pose to global prosperity.

### **The Scale of the Phenomenon**

While PMCs have generated significant media headlines across the globe, the scale of the industry is underreported. The industry has grown in visibility and profitability, with companies like Academi (formerly Xe Services and Blackwater) from the U.S. employing personnel from various countries, including Chile and Colombia, or British companies using Nepalese Gurkhas to provide force protection in Iraq. Russia has also become a hub for PMCs, with estimates pointing to a potential 27 active PMCs, with Wagner Group having approximately 50,000 personnel fighting just in Ukraine.<sup>1,2</sup> A similar pattern was present during the Iraq War, as there were over 180,000 security contractors with limited supervision, at least 30,000 armed.<sup>3</sup> The contractors themselves face increasing dangers, with thousands affected with injuries, raising concerns about the lack of adequate post-service care for these contractors.

### **Why Hire Contractors?**

PMCs and security contractors have sometimes achieved the desired outcomes despite being costly. Examples include the Croatian military's training by Military Professional Resources Incorporated (MPRI), leading to a successful campaign in 1995, and the roles of PMCs in enabling governments in Angola and Sierra Leone to maintain control over valuable resources. PMCs have expanded their functions to include intelligence gathering, as seen with British-based Aegis Defence Services Ltd. providing briefings on violence levels in Iraq.<sup>4</sup> The demand for PMC services notably surged after September 11, 2001, prompting an “unprecedented scale of outsourcing and privatization” overseen by then-US Secretary of Defense Donald Rumsfeld, securing contracts with companies such as Dyncorp and Academi to protect U.S. facilities.<sup>5,6</sup>

PMCs, serving both constructive and destabilizing roles, are frequently employed to save or destabilize governments, act as force multipliers, and reduce dependence on national

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<sup>1</sup> SAUVAGE, Grégoire. “Private Russian Military Companies Are Multiplying – and so Are the Kremlin’s Problems.” France 24. FRANCE 24, July 16, 2023.

<sup>2</sup> PBS NewsHour. “What to Know about Russia’s Wagner Mercenaries as They Threaten to Leave Ukraine’s Front Line.” PBS NewsHour, May 5, 2023.

<sup>3</sup> T. Christian Miller, “Private contractors outnumber US troops in Iraq” *Los Angeles Times* July 4, 2007.

<sup>4</sup> Steve Fainaru and Alec Klein, “In Iraq, a Private Realm of Intelligence-Gathering” *Washington Post* July 1, 2007.

<sup>5</sup> Jeremy Scahill, “Bush’s Shadow Army” *The Nation* April 2, 2007 p. 11.

<sup>6</sup> Ron Nixon and Scott Shane, “Panel to Discuss Concerns on Contractors” *The New York Times* July 18, 2007.

militaries. Instances such as the Philippines, where over 130 private armies were estimated in 2010, highlight their diverse applications.<sup>7</sup> Additionally, corporations engaging PMCs for security purposes, as historically observed with the Pinkerton security company, are facing increasing scrutiny and legal challenges, particularly regarding previous associations with paramilitaries in Colombia like the Revolutionary Armed Forces of Colombia (FARC).<sup>8</sup>

### **Criticisms of Private Military Companies (PMCs)**

Concerns surrounding PMCs include cost, human rights abuses, liability, public perception, and profit-driven compromises. Criticisms often center on the cost of employing groups independent of a nation's military. The lack of information and responsibility towards the citizens of the countries where the PMCs act also raises concerns. A growing concern is the potential for PMCs to prioritize profit over standards, especially with the substantial number of private contractors involved in past conflicts like Iraq or more recent ones like Ukraine. Customers of PMCs must remain watchful of potential fraud, as revealed in overbilling by KBR during the Iraq War.<sup>9</sup> The entry of new PMCs and the search for profitable contracts raise further challenges for clients, affected civilian populations, and PMC employees.

The previous actions of PMCs in places like Afghanistan and Iraq faced accusations of poor conduct, the mistreatment of locals, and a general lack of empathy. The abuses extend to the treatment of prisoners, as seen in the infamous Abu Ghraib prison scandal involving US-based PMCs.<sup>10</sup> Critics argue that lack of oversight has led to PMCs being given improper authority. Violations such as the case of Xe/Blackwater contractors in Fallujah highlight the need for greater supervision measures to combat the issues associated with the use of PMCs.<sup>11</sup>

### **UN Actions**

As military and security matters lie at the heart of the US's mission, the UN must respond to emerging military and security trends as quickly and effectively as possible. In 1980, the General Assembly (UNGA) initiated a Working Group for an international covenant on mercenaries; by December 1989, UNGA delegates sent the International Convention Against Mercenaries to their countries for signature or ratification. After the 22<sup>nd</sup> ratification in late 2001, the Convention entered into force and has been ratified by thirty countries. However, the most effective enforcement of the Convention will only occur once it has been ratified by all UN member states.<sup>12</sup> However, the Convention leaves PMCs and their employees in a regulatory gray zone, demonstrating the need for new regulations on using PMCs. Recent resolutions have sought to tackle this issue as 2019's Resolution 74/138 incorporated PMSCs into the Convention's focus apart from just mercenaries and requested the established Working Group to analyze and report on the activities of such groups.<sup>13</sup>

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<sup>7</sup> The Economist, "Guns and goons" January 7, 2010.

<sup>8</sup> BBC News, "Chiquita sued over Colombia role" June 7, 2007. <http://news.bbc.co.uk/2/hi/business/6732739.stm>

<sup>9</sup> BBC News, "US army ends Halliburton oil deal" December 31, 2003.

<sup>10</sup> Ellen McCarthy, "Changes Behind the Barbed Wire" Washington Post December 13, 2004.

<sup>11</sup> Jeremy Scahill, Blackwater p. 227.

<sup>12</sup> United Nations General Assembly. "International Convention against the Recruitment, Use, Financing, and Training of Mercenaries A/RES/44/34." 4 December 1989.

<https://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/Arms%20A%20RES%2044%2034.pdf>

<sup>13</sup> United Nations General Assembly. "Use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination A/RES/74/138." 18 December 2019.

The UN maintained for 20 years the position of Special Rapporteur on the Use of Mercenaries, but this position was replaced in 2005 by the UN Working Group on the Use of Mercenaries as a means of violating human rights and impeding the exercise of the right of people to self-determination, under the supervision of the Commission on Human Rights (UNHCR).<sup>14</sup> In 2007, visits to Chile and Honduras revealed concerns about control over PMC actions.<sup>15</sup> <sup>16</sup> In 2010, efforts began to draft a global instrument for regulating PMCs.<sup>17</sup> Recent reports on visits to Somalia, Honduras, and the European Union highlight concerns about PMSCs negatively impacting security.<sup>18</sup> National and regional bodies are working on legislation, such as the Montreux Agreement in 2006 and a draft convention in 2008.<sup>19</sup> As controls tighten, clear approaches to prosecute human rights abuses are essential.

### **Ending a Rebellion or Leading a Coup? The Case of Sandline in Papua New Guinea**

The small country of Papua New Guinea rarely gets much attention, except when it faced a challenge with a group called Sandline in the late 1990s. In the 1980s, the Bougainville Revolutionary Army (BRA) took control of copper mines on the island of Bougainville, causing trouble for the Papua New Guinea (PNG) government. In 1997, the Prime Minister hired a group called Sandline to help the Papua New Guinea Defense Force (PNGDF). Still, it was evident from the contract terms that Sandline was expected to do much more than just train the PNGDF. Prime Minister Chan gave Sandline special powers, letting them carry weapons and make arrests.<sup>20</sup> The highly lucrative contract quickly became public knowledge, forcing Chan's resignation and the fast departure from the country by the Sandline contractors. This situation in Bougainville shows how tricky it can be when a government hires PMCs to deal with problems inside their country. Delegates could cite the Sandline affair as an example of the unintended consequences that can arise when governments hire PMCs to handle internal security operations.

### **Who works in this field?<sup>21</sup>**

When we talk about private military companies (PMCs), we also need to consider the people who choose to work for them. These are often individuals with military or police backgrounds who decide to take on jobs that involve security and protection. Many of these workers, usually former special forces, find they cannot afford to provide for their families with the low pay as regular security guards. Due to this, they decide to work for PMCs, where they

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<sup>14</sup> Commission on Human Rights resolution 2005/2.

<sup>15</sup> United Nations Commission on Human Rights. "United Nations Working Group On Use of Mercenaries Concludes Visit to Chile." 16 July 2007.

<https://www.ohchr.org/en/statements/2009/10/united-nations-working-group-use-mercenaries-concludes-visit-chile>

<sup>16</sup> "Report of the Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination: Mission to Honduras" February 20, 2007 p. 15.

<https://documents-dds-ny.un.org/doc/UNDOC/GEN/G07/109/69/PDF/G0710969.pdf?OpenElement>.

<sup>17</sup> UN News Centre, "UN body urges support for treaty regulating private military, security companies" April 30, 2010.

<sup>18</sup> United Nations Commission on Human Rights. "Mercenarism and private military and security companies." April 2018. <https://www.ohchr.org/sites/default/files/MercenarismandPrivateMilitarySecurityCompanies.pdf>.

<sup>19</sup> "The Montreux Document," Eidgenössisches Departement für auswärtige Angelegenheiten EDA, September 17, 2008,

<https://www.eda.admin.ch/eda/en/home/foreign-policy/international-law/international-humanitarian-law/private-military-security-companies/montreux-document.html>.

<sup>20</sup> P.W. Singer, *Corporate Warriors* p. 194.

<sup>21</sup> Katy Helvenston, mother of Scott Helvenston, *Frontline: Private Warriors* June 21, 2005

can use their knowledge for more rewarding jobs. Some American, British, and South African workers for companies like Aegis, Xe/Blackwater, or DynCorp can make much more money than security guard jobs back home. In Iraq, Third Country Nationals or TCNs from such diverse countries as Chile, Fiji, and Nepal earned only fractions of what their American, British, and South African counterparts received. *The Economist* reported in 2004 that “Iraqis get \$150 a month, ‘third-country nationals’ 10-20 times as much, and ‘internationals’ 100 times as much.”<sup>22</sup> This massive differential in pay has led to resentment and tensions. Delegates could use this story as an example of the challenges the people who work for PMCs face.

### **"No Justification"**

In Iraq, Xe/Blackwater agents were involved in a significant incident known as the Nisour Square Massacre. During this event, contractors shot and killed 17 Iraqi civilians, including children, which led to a ban on Xe/Blackwater operations in Iraq.<sup>23</sup> While the contractors faced legal repercussions in the U.S, four of the employees involved in this massacre and tried for crimes were pardoned by then-U.S. President Donald Trump, meaning they did not face punishment.<sup>24</sup> Delegates should use this story as an example of how the lack of PMC regulation leads to a lack of responsibility upon PMCs for their actions.

### **Mercenaries for Darfur?**

Private military companies (PMCs) are now part of how the United Nations (UN) handles various tasks. P.W. Singer, writing in 2003, noted that “current UN operations increasingly make use of support sector firms for logistics, air transport, demining, and security consultation.”<sup>25</sup> Companies like ArmorGroup, Blackwater, and DynCorp offer logistics, transportation, and security advice support. Some say they're better at it than countries that usually contribute soldiers for UN peacekeeping. Singer illuminates the central issue at the heart of this debate. “The critical question, however, is that even if the firms might be more efficient than UN operations, PMCs that depend on conflict and insecurity for their revenues might have a more tangible interest in sustaining that conflict than resolving it.” But, while there are fundamental differences between UN peacekeepers and PMCs, there are considerable similarities. These competencies could enable peacekeeping operations to conduct more effective programs and provide greater security for the target citizens. Delegates should consider that PMCs can provide vital services like training and intelligence support when countries do not offer them.

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<sup>22</sup> The Economist, “The Baghdad boom” March 25, 2004.

<sup>23</sup> Matt Apuzzo, “Blackwater Guards Found Guilty in 2007 Iraq Killings,” New York Times, 22 October 2014. <https://www.nytimes.com/2014/10/23/us/blackwater-verdict.html>

<sup>24</sup> Laurel Wamsley, “Shock And Dismay After Trump Pardons Blackwater Guards Who Killed 14 Iraqi Civilians,” *The New York Times*, 23 December 2020. <https://www.npr.org/2020/12/23/949679837/shock-and-dismay-after-trump-pardons-blackwater-guards-who-killed-14-iraqi-civil>

<sup>25</sup> P.W. Singer, *Corporate Warriors* p. 183.

## **Conclusion: A Way Forward?**

As private military companies and security contractors will continue to comprise a large part of global security issues for years to come, the rules governing the contracts and conduct of PMCs and security contractors must be clarified. While PMCs have often tried to resist regulation, PMCs wishing to solidify that they act responsibly might do so by adhering to stricter rules. Additionally, “if regulation encouraged the development of a reputable private military sector, this could be of benefit to international organizations, NGOs, and on occasion, sovereign governments.”<sup>26</sup> Effective resolution of the complicated relationships between PMCs, their customers, and the civilian populations in the countries affected will improve the global security situation for all.

## **Guiding questions for position papers**

1. What is your nation's stance on using mercenaries and PMCs in military operations and security services? Does your nation hire or contract PMCs? If so, under what circumstances? If not, why not?
2. What laws or regulations does your nation have regarding mercenaries and PMCs? How does your nation monitor their operations and hold them accountable?
3. Has your nation experienced any negative impacts from mercenaries or PMCs in your country or abroad? What steps has your nation taken to reduce these impacts?
4. How does your nation view the global impacts of widespread mercenary and PMC use? Does your nation support international regulations or a potential ban? What international policies would your country like to see implemented?

## **Guiding Questions for debate:**

1. How can ratifications of the UN Convention Against the Recruitment, Training, Use, and Financing of Mercenaries be increased? What modifications or amendments could be made to the Convention to effectively tackle the rising influence of private military companies (PMCs)?
2. What efforts has your government undertaken to regulate mercenaries, PMCs, and security contractors? Would your government support an international convention designed to regulate the practices of PMCs?
3. Does your country deploy or train mercenaries abroad, and what rules do they follow internally and overseas? What legal consequences exist if these rules are not followed? Have there been successful prosecutions of mercenaries or PMC employees in your country recently?
4. What options do customers of PMCs and security contractors have if they perform poorly or breach contracts? How can we improve accountability and transparency, especially for UN customers, and enhance the cost-effectiveness of contracts?

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<sup>26</sup> UK House of Commons, “Private Military Companies: Options for Regulation” February 12, 2002 p. 21.

## **RESOURCE REVIEW**

### **United Nations General Assembly. A/RES/44/34.” 4 December 1989.**

<https://bit.ly/RES4434>

This resolution is one of the most important regarding the topic as it establishes a Convention or treaty emphasizing the need to prevent and prosecute the recruitment and activities of mercenaries, particularly those violating principles of international law. The resolution gives rules about who counts as a mercenary, lists crimes related to hiring them, and sets up how countries work together to stop these actions. Delegates should note that future resolutions will build on these ideas.

### **United Nations Commission on Human Rights. E/CN.4/RES/2005/2” 7 April 2005**

<https://bit.ly/RES20052>

This UN Human Rights Resolution further highlights the grave concern regarding the use of mercenaries, condemning their recruitment, financing, and training as a crime. The resolution establishes a “Working Group on the Use of Mercenaries” to address this issue, urging states to pass laws to prevent mercenary activities. It suggests working together to bring those involved in trials. The Working Group provides useful reports regarding mercenary monitoring, private company activities, and government opinions that can prove helpful to delegates seeking to identify current challenges and proposed action.

### **United Nations Security Council. S/RES/1467.” 18 March 2003.**

<https://bit.ly/RES1467>

This UN Security Council Resolution tackles the spread of small arms, light weapons, and mercenaries in West Africa, urging regional action to combat illegal arms trade and mercenary support. It emphasizes cooperation and involvement from bodies like the Economic Community of West African States (ECOWAS), seeking assistance for disarmament and preventing military aid to armed groups. Delegates can refer to this resolution to understand past efforts in limiting mercenaries' access to weapons.

### **United Nations General Assembly. A/RES/74/138.” 18 December 2019.**

<https://bit.ly/RES7438>

This resolution expands on previous ones about mercenaries, including PMCs. It emphasizes the evolving nature of mercenary activities, calls for renewed efforts by the Human Rights Council's Working Group, and urges international cooperation. It highlights the importance of states joining the Convention, emphasizing accountability for violators, and stresses awareness of the harmful effects of mercenaries and PMCs on people. This offers delegates a more recent insight into the UN's stance on PMCs.

### **United Nations General Assembly. A/78/535.” 17 October 2023.**

<https://bit.ly/RES78535>

This recent Working Group report provides delegates with a thorough overview of legal frameworks on mercenaries and PMCs. It analyzes regulations and highlights violations of international law and human rights. It underscores the failure of many states to implement effective measures, allowing delegates to examine existing systems, understand shortcomings