DISEC

Regulation of PRIVATE MILITARY AND SECURITY COMPANIES in Modern Armed Conflicts

A study guide for delegates - the history, the law, the global industry, and the central question now before this committee: can private force be regulated without either legitimizing it or driving it further underground?

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PART ONE

Letter from the Chair

Dear Delegates,

Welcome to the Disarmament and International Security Committee. Whether this is your first Model United Nations conference or your fiftieth, I am delighted to welcome you to DISEC. This agenda challenges us to confront one of the defining realities of modern conflict: wars are no longer fought solely by states.

Private Military and Security Companies (PMSCs) operate at the intersection of sovereignty, commerce, and international law. Governments employ them because they offer flexibility, specialised expertise, and, at times, a lower political or financial cost than deploying regular armed forces. States with limited military capacity may rely on them to address urgent security needs, while major powers have increasingly used them to support operations abroad. Yet their growing role has also raised serious concerns over accountability, human rights, the exploitation of natural resources, and the erosion of state responsibility. These are not abstract legal debates - they are challenges that continue to shape conflicts today, from the Sahel and Sudan to Ukraine and parts of the Middle East.

This Background Guide is intended to provide a foundation, not a substitute, for your own research. It introduces the key concepts, legal frameworks, and case studies necessary to begin your preparation. However, meaningful debate requires you to go beyond these pages. I encourage every delegation to thoroughly examine its assigned country's policies, historical actions, use or regulation of PMSCs, and voting record on related international issues.

As you prepare for committee, come with a clear understanding of your country's national interests - not merely its stated ideology. Familiarise yourself with the Rules of Procedure before the conference, and do not hesitate to challenge ideas through respectful and well-reasoned debate. The strongest committees are not those where one bloc dominates the discussion, but those where delegates engage thoughtfully, negotiate sincerely, and work together to produce practical, widely supported solutions.

I look forward to the discussions, diplomacy, and innovative solutions that each of you will bring to committee. On behalf of the Executive Board, I wish you the very best in your preparation, and I hope this conference proves to be both intellectually challenging and rewarding.

Warm regards,

The Chair of the *Disarmament and International Security Committee*

PART TWO

Introduction to the Committee

The Disarmament and International Security Committee (DISEC) is the First Committee of the United Nations General Assembly, one of six main committees of the UNGA. It deals with disarmament, global security challenges, and threats to international peace. Unlike the Security Council, DISEC cannot enforce its decisions - its resolutions are recommendations, not binding rules. Its strength is that all 193 UN member states sit on it. That makes it the main forum where the full range of international opinion on security issues can be heard, and where early frameworks are built that can later grow into treaties and accepted international practice.

DISEC works closely with the UN Office for Disarmament Affairs (UNODA), the Conference on Disarmament, and, on human rights issues, the Human Rights Council in Geneva. Because PMSC regulation touches disarmament, humanitarian law, and human rights all at once, delegates should expect this debate to draw on precedent from all three areas.

Introduction to the Agenda

Private military and security companies are commercial businesses that provide services once performed only by state armed forces: combat and combat support, training foreign militaries, guarding sites and convoys, intelligence work, logistics, and protecting political leaders and assets such as mines and oil fields. The industry has grown from a Cold War-era curiosity into a global market worth well over $200 billion a year. In some conflict zones, these companies now employ more people than the uniformed military does.

This is a global industry, not the story of one country. US and UK firms built the modern template during the Iraq and Afghanistan wars. Russian firms popularized the state-directed, 'deniable' model that dominates recent headlines. Chinese, Gulf-linked, and African regional companies are each growing along different lines tied to their own states' interests. A much larger and far less controversial tier of firms - logistics, risk consulting, static guarding - quietly keeps embassies, NGOs, and extractive industries running worldwide. Wagner and Africa Corps appear often in this guide because they show the sharpest version of the accountability problem, not because they are the only version of it. Delegates should keep the whole industry in view, not just its most extreme example.

The question before this committee is not whether PMSCs exist. They plainly do, and will continue to. The real question is whether, and how, the international community can regulate them - without either legitimizing modern mercenary activity, or pushing the industry further into the legal shadows where much of it already operates. This is genuinely difficult: PMSCs operate in the gaps between national jurisdictions, and every attempt to regulate them runs into the same problem - states are reluctant to give up control over how they use force, whether that force wears a uniform or not.

War has always attracted people willing to fight for pay rather than conviction. What is new is the scale, the corporate structure, and the way these companies blur the line between state and private violence.

This is not just an abstract legal question. PMSC personnel have been linked to some of the worst documented abuses of the past two decades - from Blackwater's 2007 shooting in Baghdad's Nisour Square, which killed seventeen Iraqi civilians, to Wagner's documented role in mass civilian casualties in Mali and the Central African Republic.

At the same time, PMSCs provide services - demining, UN convoy protection, embassy security, anti-piracy escort - that many states and international organizations genuinely rely on. Delegates should avoid treating this as a simple choice between banning PMSCs and allowing them freely.

Why States Turn to PMSCs

Any realistic resolution has to start with an honest account of why states hire PMSCs in the first place, not just what is wrong with them. A framework that ignores this demand is unlikely to change state behaviour. Common reasons include:

- Lower political cost: using contractors avoids the public backlash, casualty reporting, and parliamentary oversight that usually comes with sending uniformed troops abroad.
- Deniability: contracted personnel can be distanced from official state policy. This appeals both to weaker states fighting insurgencies and to powerful states projecting force in contested regions.
- Speed and flexibility: PMSCs can mobilize faster than most national militaries, without the legal or procurement steps that slow down formal deployments.
- Cost structure: contracting is often treated as a short-term expense rather than a long-term commitment, and can be scaled up or down without the fixed cost of maintaining a standing force.
- Shortage of military personnel: many states, even those with large defense budgets, simply do not have enough trained people for a given mission, especially in training, logistics, or technical roles.
- Access to specialized skills: some services - close protection at mining sites, demining, drone maintenance - are more easily bought from specialist firms than built from scratch.

This matters because a resolution that only raises the cost of using PMSCs, without addressing why states rely on them, risks pushing the industry further underground rather than bringing it into a regulated, transparent system.

PART THREE

Key Terminology

Mercenary: Defined narrowly under Article 47 of Additional Protocol I to the Geneva Conventions (1977) as a person recruited to fight in an armed conflict mainly for private gain, who is neither a citizen of either side nor a member of its armed forces. The definition is strict: a fighter who holds the nationality of either side, or who is formally part of a state's armed forces, does not count as a mercenary under this article - no matter how mercenary their motives actually are. This gap is exactly why most modern PMSC personnel are never legally classed as mercenaries, even when their role looks identical to the historical mercenary.

Private Military Company (PMC) vs. Private Security Company (PSC): These terms are often used interchangeably in practice, though the industry and UN documents increasingly prefer the umbrella term PMSC (private military and security company). PMCs are generally understood to offer offensive or combat-related services; PSCs offer defensive services such as guarding, risk assessment, and site protection. In practice the line blurs quickly - a company hired purely for 'security' can end up in direct firefights, as Blackwater personnel repeatedly did in Iraq.

Montreux Document (2008): A non-binding document, led by Switzerland and the ICRC, that restates the existing obligations of states under international humanitarian law regarding PMSC activity, and lists good practices for contracting, home, and territorial states. It does not create new law and does not ban anything. Its value is that it was the first serious attempt to spell out which existing legal obligations already apply to PMSCs.

International Code of Conduct for Private Security Service Providers (ICoC, 2010) and ICoCA: A voluntary, industry-led code of conduct, now overseen by the International Code of Conduct Association (ICoCA), a body that includes states, companies, and civil society. Member companies agree to independent certification and a complaints process. Its main weakness is that it is entirely voluntary - companies that do not sign up, including many of the most controversial ones, simply operate outside it.

OEIGWG Draft Convention: The Open-Ended Intergovernmental Working Group on PMSCs was set up by the UN Human Rights Council in 2010 and given its current mandate in 2017 (resolution 36/11, renewed in 2020 and 2023) to negotiate a binding international treaty. At its sixth session in April 2025, negotiations were based on a revised fourth draft, covering licensing, oversight, victims' access to remedy, and both corporate and individual criminal liability. This is the most advanced attempt at a binding treaty currently underway, and a key reference point for any resolution this committee produces.

Cyber and Information-Operations Contractors: Firms and freelance operators that sell offensive cyber tools - hacking software, surveillance tools, disinformation campaigns - to state clients, usually outside any framework built for traditional PMSCs. Reporting on companies such as NSO Group (spyware) and UAE-linked DarkMatter (offensive cyber operations) shows these firms raise the same basic problem as traditional PMSCs: a state outsourcing coercive power to a private company for deniability. Existing PMSC rules were simply not written with them in mind.

Technology-Enabled Support Contractors: A growing category covering drone operation and maintenance, satellite and signals intelligence analysis, and AI-assisted targeting or logistics support - usually contracted alongside more traditional PMSC services rather than sold on their own. Their legal status is even less settled than that of combat contractors, since some of this work (maintaining a drone) looks like ordinary logistics, while other parts (assisting a targeting decision) sit much closer to combat.

PART FOUR

Historical Background

The table below is a quick-reference timeline; the sections that follow go into the detail behind each milestone.

Year	Milestone
1970s–80s	Freelance mercenaries active in post-colonial African conflicts (Congo, Angola, Comoros).
1977	OAU Convention for the Elimination of Mercenarism in Africa.
1989	UN International Convention against the Recruitment, Use, Financing and Training of Mercenaries.
Mid-1990s	Executive Outcomes (South Africa) fights offensive battles for profit in Angola and Sierra Leone.
2001–2014	Iraq and Afghanistan wars; peak era of Western PMSC deployment.
2007	Blackwater's Nisour Square shooting kills 17 Iraqi civilians.
2008	Montreux Document adopted.
2010	ICoC adopted; OEIGWG established by the Human Rights Council.
2014	Wagner Group founded; fighting begins in Ukraine's Donbas.
2017	OEIGWG given mandate to negotiate a binding instrument (resolution 36/11).
2020	Blackwater's four convicted Nisour Square contractors pardoned.
2021	Mali's junta contracts Wagner.
2023	Prigozhin mutiny and death; Russia begins absorbing Wagner into Africa Corps.
2025	OEIGWG sixth session negotiates on a revised fourth draft instrument; Wagner formally withdraws from Mali.
2026	Africa Corps driven out of Kidal, Mali, by a joint jihadist–Tuareg offensive.

From Mercenaries to Corporations

Mercenarism is ancient - the Hessian soldiers who fought for Britain in the American Revolutionary War, the Swiss Guard, and the condottieri of Renaissance Italy are all historical antecedents. What changed in the late twentieth century was corporatization.

Decolonization-era Africa saw freelance mercenaries such as 'Mad Mike' Hoare and Bob Denard involved in coups and civil wars in the Congo, Angola, and the Comoros, prompting the Organization of African Unity to push through the 1977 OAU Convention for the Elimination of Mercenarism in Africa and, later, the 1989 UN International Convention against the Recruitment, Use, Financing and Training of Mercenaries.

The modern industry proper emerged after the end of the Cold War. Two developments were decisive: the mass demobilization of Western and Soviet-bloc militaries, which created a large pool of trained personnel with no army to serve in, and the outsourcing wave in Western defense policy during the 1990s. Executive Outcomes, a South African company staffed largely by former apartheid-era special forces, became notorious for turning the tide of civil wars in Angola and Sierra Leone on a for-profit basis in the mid-1990s - arguably the first modern PMC to fight offensive battles for a paying government client.

The Iraq and Afghanistan Era (2001–2014)

The wars in Afghanistan and Iraq produced the largest PMSC deployment in history. At the peak of the Iraq War, contracted personnel outnumbered uniformed US troops in the country. The US company Blackwater (later renamed Xe Services, then Academi) became the industry's most infamous name after its guards killed seventeen Iraqi civilians in Baghdad's Nisour Square on 16 September 2007. Four Blackwater contractors were eventually convicted in US federal court in 2014, though all four received presidential pardons in December 2020 - a decision widely criticized by human rights organizations and cited repeatedly as an example of the accountability gap this committee is being asked to close.

DynCorp International, another major US contractor, faced its own scandals, including allegations of trafficking and sexual exploitation by its personnel in the Balkans in the late 1990s. These cases established the template that continues to define debate on this agenda: PMSC personnel operating in a legal grey zone, largely immune from prosecution either by the host state (which often lacks jurisdiction or capacity) or the home state (which is reluctant to prosecute its own contractors).

The Russian Model: Wagner Group and Africa Corps

The Wagner Group, founded around 2014 and linked to financier Yevgeny Prigozhin, represented a distinct and arguably more dangerous model: a PMC used explicitly as an instrument of state foreign policy while maintaining formal 'deniability' for the state that deployed it. Wagner personnel fought in Ukraine's Donbas region from 2014, in Syria alongside the Assad government, and across Africa - the Central African Republic, Libya, Mali, Sudan, Mozambique, and elsewhere - frequently in exchange for access to gold, diamond, and timber concessions rather than cash payment.

Wagner's trajectory changed dramatically after Prigozhin led an armed mutiny against the Russian Ministry of Defence in June 2023 and died in a plane crash two months later, in circumstances widely believed to have been orchestrated by the Kremlin. Since then, Russia has moved to absorb Wagner's African operations into a new entity, Africa Corps, placed directly under the Ministry of Defence and the GRU (military intelligence), effectively converting an ostensibly private company into a formal state paramilitary structure while keeping the Wagner brand alive in some theatres, notably Mali, for political convenience.

CASE SNAPSHOT: MALI, 2021–2026

Mali's military junta contracted Wagner in late 2021 at a reported cost of roughly $10 million per month.

Wagner and Malian government forces were linked to over 1,440 civilian casualties between January 2024 and Wagner's formal withdrawal in June 2025 — more than four times the toll attributed to the jihadist group JNIM over the same period.

Wagner announced its full withdrawal from Mali in June 2025 after roughly three and a half years, handing operations to the more centrally controlled, MoD-run Africa Corps.

In April 2026, Africa Corps forces were driven out of the northern city of Kidal by a joint jihadist-Tuareg offensive, abandoning weapons and equipment - a significant setback that the Malian government characterized as an attempted coup.

As of early 2026, an estimated 2,500 Russian personnel remained deployed in Mali in a training and support capacity.

This shift matters for delegates. Africa Corps' formal place inside the Russian state arguably makes Russia more directly responsible under international law for what its personnel do than it was for Wagner. But it also shows how easily the line between 'private' and 'state' military force can be redrawn for political convenience - exactly the ambiguity this committee has to confront.

The Wider Industry: A Genuinely Global Business

Wagner and Africa Corps dominate recent headlines, but they are one branch of a much larger industry. The table below places them alongside major Western, Chinese, Gulf-linked, and African regional companies, plus a much larger and far less controversial tier of commercial security firms that most delegates will never hear about - precisely because they operate within existing rules.

Company	Origin / Base	Category	Notable Role
G4S	United Kingdom	Commercial PSC	World's largest private security employer by headcount; static and logistical security, not combat.
Control Risks / GardaWorld	UK / Canada	Commercial risk & security	Risk consulting, executive protection, and static security for corporations and NGOs worldwide - the industry's large, low-controversy mainstream.
Constellis (Aegis /	United States	PMSC	Major State Department and Pentagon

Company	Origin / Base	Category	Notable Role
Academi / Triple Canopy legacy)			contractor for embassy and convoy security in Iraq and Afghanistan; successor to Blackwater/Xe/Academi.
DynCorp International	United States	PMSC	Training, logistics, and aviation support contractor; faced trafficking and exploitation allegations in the Balkans.
Frontier Services Group	China / Hong Kong	PMSC	Co-founded by Erik Prince; increasingly tied to Belt and Road security needs in Africa and Asia.
Wagner Group / Africa Corps	Russia	State-directed PMC	State-directed force projection in Ukraine, Syria, and across Africa; discussed in depth below.
Saracen International	UAE-linked	PMSC	Operated maritime and counter-piracy security forces in Puntland, Somalia, illustrating Gulf-linked contracting in the Horn of Africa.
Dyck Advisory Group	South Africa	African regional PMC	Provided close air support against the Islamist insurgency in Mozambique's Cabo Delgado province (2020–2021), a rare recent case of an African-based combat PMC.
Bancroft Global Development	United States	Training contractor	Trained African Union forces (AMISOM) in Somalia — an example of PMSC-adjacent work embedded directly in a multilateral peace-support operation.

Two patterns stand out. First, the legitimate, rule-following tier of the industry (G4S, Control Risks, GardaWorld) is far larger than the combat-oriented tier that this guide's case studies focus on - most PMSC revenue worldwide comes from static guarding and risk consulting, not from anything resembling Wagner's operations. Second, African regional firms and Gulf-linked recruiters form an under-discussed middle tier: smaller than the US, UK, or Russian industries, but with real influence over outcomes in specific, high-stakes conflicts. A resolution written with only Wagner in mind will miss most of the industry it is trying to regulate.

PART FIVE

Existing Legal and Regulatory Framework

Delegates often assume this area of international law simply does not exist. It would be more accurate to say it is under-developed and scattered across many different instruments - none of which was written specifically for the modern PMSC industry, and none of which is both universal and enforceable.

Three States, Three Roles

Almost every legal question in this guide comes back to which state is responsible for what. It helps to fix these three roles before going further:

Role	Definition	Typical Regulatory Challenge
Contracting state	The state (or organization) that hires the PMSC.	May have limited ability or will to monitor how the company behaves once deployed abroad.
Territorial / host state	The state where the PMSC actually operates.	Often lacks the institutional capacity, or a Status of Forces Agreement removes its jurisdiction, to prosecute abuses on its own soil.
Home state	The state where the PMSC is incorporated or headquartered.	Usually has the strongest legal claim to jurisdiction but the weakest political incentive to prosecute its own companies or nationals.

International Humanitarian Law

- Geneva Conventions (1949) and Additional Protocol I (1977), Article 47: Defines 'mercenary' narrowly, as discussed above. Most PMSC personnel do not meet this definition and so fall outside the specific mercenary ban, though they are still bound by general humanitarian law as civilians accompanying armed forces or, in some cases, as combatants.
- 1989 UN International Convention against the Recruitment, Use, Financing and Training of Mercenaries: Makes mercenary activity a crime under the definition above. It entered into force in 2001 but has only around 37 states parties, and none of the major PMSC home states - the US, UK, or Russia - has ratified it.
- 1977 OAU Convention for the Elimination of Mercenarism in Africa: A regional treaty, historically significant given Africa's experience with mercenary-driven coups, but limited by the same narrow definitions and weak enforcement as the other instruments here.

Soft-Law and Voluntary Instruments

- Montreux Document (2008): Endorsed by 59 states as of recent counts, restating existing IHL/human-rights obligations of contracting, territorial, and home states; not a new legal instrument and creates no new obligations or enforcement mechanism.
- International Code of Conduct for Private Security Service Providers (ICoC, 2010) and the ICoCA: Voluntary certification and complaints mechanism for signatory companies; binds only companies that choose to join.
- UN Guiding Principles on Business and Human Rights (2011): Apply to PMSCs as commercial actors but are non-binding and address corporate responsibility broadly rather than PMSCs specifically.

Instrument Comparison at a Glance

Instrument	Year	Binding?	Main Limitation
1989 UN Mercenary Convention	1989 (entered into force 2001)	Yes, for parties	Only ~37 states parties; no major PMSC home state has ratified it.
1977 OAU Convention	1977	Yes, for parties	Regional only; narrow mercenary definition.
Montreux Document	2008	No	Restates existing law; creates no new obligations.
ICoC / ICoCA	2010	No (voluntary)	Binds only companies that choose to join.
UN Guiding Principles on Business & Human Rights	2011	No	General corporate-conduct framework, not PMSC-specific.
OEIGWG draft convention	In negotiation since 2017	Would be binding once adopted	Still being negotiated; major exporting states are reluctant participants.

The Binding-Treaty Effort: OEIGWG

The most important process underway is the UN Human Rights Council's Open-Ended Intergovernmental Working Group on PMSCs, given a mandate in 2017 (resolution 36/11, renewed by resolutions 45/16 and 54/11) to negotiate a binding international treaty. Its sixth session, held in Geneva in April 2025, worked from a revised fourth draft (released 15 July 2024, updated 5 March 2025).

Delegates should be ready to discuss the most contested parts of the current draft:

1. Giving states clear jurisdiction over PMSCs, their staff, and subcontractors (Draft Article 10), including whether a home state can be held responsible for what its companies do abroad.

2. Requiring states to hold not just individuals but the company itself criminally or civilly liable (Draft Article 4.3). This is a major sticking point, since many states' domestic legal systems do not recognize corporate criminal liability at all.
3. Giving victims fair, non-discriminatory access to remedy and reparation (Draft Article 2(d)).
4. A licensing and registration system for PMSCs operating internationally, with reporting duties for the states that hire them.

This process has moved slowly because it touches core sovereignty concerns. The major PMSC-exporting states - the US, UK, and Russia - have been reluctant participants, while many states in the Global South, with painful past experience of mercenary-driven instability, have pushed hardest for a binding, enforceable treaty. A DISEC resolution on this agenda should support the OEIGWG's work rather than try to replace it, and delegates might consider how a General Assembly resolution could add political weight to that process.

PART SIX

Current Situation

Russia: Institutionalizing Deniability

Russia's approach since 2023 shows a new kind of regulatory challenge. Rather than giving up deniable force projection, Moscow has partly formalized it. Africa Corps sits directly under the Ministry of Defence and the GRU, rather than operating as a nominally independent company. This arguably makes Russia more directly responsible under international law, even as it removes the classic 'plausible deniability' that PMCs traditionally offered. Notably, Russian domestic law formally bans the use of PMCs both at home and abroad - a ban that has done nothing to stop Wagner or Africa Corps operating outside Russia, which shows how weak a domestic law can be without international coordination behind it.

As of April 2026, Russian-linked personnel have their largest African deployments in the Central African Republic, Libya, and Mali, with smaller or newer footholds in Burkina Faso, Niger, and Equatorial Guinea, and reported interest in Chad, Madagascar, and Togo. Human rights organizations continue to document summary executions, torture, and indiscriminate violence against civilians by these forces, even though Africa Corps has taken a more cautious, base-centered approach than Wagner did.

Ukraine and the Wider Battlefield Use of Contractors

Beyond Wagner's role fighting for Russia, the war in Ukraine has also seen extensive use of Western PMSCs and individual contractors for training, demining, logistics, and - more controversially - direct combat advisory roles, alongside international volunteer units that sit in a different legal category from commercial PMSCs. Delegates researching this should be careful to separate paid contractors from volunteer fighters and foreign-legion-style units, since these raise different legal questions under humanitarian law.

The Middle East and Gulf States

Gulf states, particularly the UAE, have been significant clients and, increasingly, incubators of PMSC activity, including in Yemen and Libya. Reports have also documented the recruitment of third-country nationals (from Colombia, Sudan, and elsewhere) by Gulf-linked PMSCs for deployment in the Yemen conflict, raising distinct questions about the recruitment and treatment of contracted personnel from the Global South, who are frequently paid far less and afforded far less protection than personnel from PMSC home states.

China's Emerging Footprint

Chinese PMSCs are still much smaller than the Russian and Western industries, and are expanding mainly to protect Belt and Road infrastructure and personnel in Africa, Central Asia, and Pakistan. Chinese regulation currently keeps these companies largely unarmed or lightly armed, in line with Beijing's stated preference for non-interference. This is an area worth watching closely, especially given growing threats to Chinese nationals and assets in unstable regions such as Pakistan's Balochistan province.

Emerging Technology and New Service Lines

The industry this committee is regulating is no longer just armed guards and combat advisors. A fast-growing share of the work is now technology-based, and the existing rules - built around physical force - were not designed with this in mind.

- Cyber-mercenary firms: Reporting on companies such as NSO Group and UAE-linked DarkMatter has documented the sale of offensive hacking and surveillance tools to state clients - sometimes used against journalists, dissidents, and diplomats rather than in an armed conflict.
- Private intelligence contracting: Firms increasingly offer open-source and signals intelligence analysis to government clients on a contract basis, blurring the line between commercial risk consulting and state intelligence work.
- Drone operation and maintenance: Contractors have flown and maintained drones for Western militaries in Iraq and Afghanistan for over a decade. This role is growing as more states buy drone fleets without enough trained personnel to run them.
- AI-enabled targeting and logistics support: Contractors increasingly provide the data-processing systems behind modern targeting and logistics - work that sits closer to combat than typical logistics contracting, but is rarely covered by PMSC-specific rules.

None of this fits neatly into the 1977 or 1989 legal definitions, and even the OEIGWG's current draft treaty addresses it only lightly. Delegates should treat this as a real gap in the existing rules, not a distant future problem.

PART SEVEN

Key Issues for Debate

1. Definitional Ambiguity

The 1977 and 1989 legal definitions of 'mercenary' are so narrow that almost no modern PMSC contractor qualifies. Should this committee push for a broader definition based on the services a company actually provides, rather than the nationality or motive of its staff? Or would a broader definition risk catching legitimate work - UN-adjacent logistics contractors, humanitarian demining NGOs, embassy guard forces - that no one actually wants to restrict?

2. Accountability and Jurisdiction Gaps

Host states are often unable - because of weak institutions, or a Status of Forces Agreement that shields contractors from local law - or unwilling, because they depend on the PMSC for security, to prosecute abuses. Home states are reluctant to prosecute their own companies or nationals, especially when that company's work serves their own foreign policy interests, as with Blackwater's 2020 pardons, or Russia's failure to prosecute Wagner personnel at all. What approach - universal jurisdiction, mandatory prosecution by the home state, an international tribunal, or hybrid courts - is realistic given how strongly states guard their sovereignty here?

3. State Use of PMSCs as an Instrument of Deniable Foreign Policy

Wagner and Africa Corps show one of the most consequential uses of PMSCs: a state using nominally private force to pursue its own foreign policy goals - territorial influence, resource access, protecting a friendly regime - while avoiding the political and legal cost of sending its own uniformed military. Should international law treat state-directed PMSC use as a separate, more serious category, distinct from ordinary commercial contracting by private clients?

4. The Voluntary Compliance Problem

The Montreux Document and the ICoC are respected by responsible, reputable firms - but those firms are, by definition, not the ones causing the worst abuses. Companies with nothing to lose in Western markets, such as Wagner, Africa Corps, or some Gulf-linked recruiters, simply ignore voluntary rules altogether. Can a purely voluntary approach ever solve this problem, or is a binding treaty - even an imperfect one - the only realistic way forward?

5. Resource-for-Security Arrangements

Several African contracts - Wagner in the Central African Republic, Sudan, and Mali; some Gulf arrangements in Libya - involve payment in mining, timber, or oil concessions rather than cash. This gives PMSCs a direct financial reason to prolong instability that justifies their presence, and links resource extraction to possible war crimes. Should this committee address resource-for-security payment deals specifically, perhaps working alongside existing conflict-resource frameworks such as the Kimberley Process?

6. Third-Country National Recruitment

Personnel recruited from lower-income states - Colombia, Sierra Leone, Nepal, and various African states - for deployment by Gulf-linked and other PMSCs are often paid a fraction of what personnel from the company's home state receive. They typically have weaker contractual protection, and little recourse if injured, killed, or unpaid. Should this committee include specific protections for recruited personnel, treating this partly as a labor-rights and migration issue rather than a purely a security one?

7. Relationship to UN Peacekeeping

The UN itself, along with many of its agencies and NGO partners, hires private security companies for convoy escort, compound protection, and logistics in places its own peacekeepers cannot easily reach. A resolution that treats all PMSC use as a problem to be eliminated risks disrupting work the UN system currently depends on. How should this committee tell apart PMSC use that supports humanitarian and peacekeeping goals from PMSC use that undermines them?

8. Cyber, Intelligence, and Technology-Enabled Services

Cyber-mercenary firms, private intelligence contractors, and drone or AI-support contractors offer something functionally similar to what traditional PMSCs offer - force for hire - but almost none of the existing rules, binding or voluntary, were written with them in mind. Should this committee's definitions stretch to cover technology-enabled services, or would that overreach into export-control and cybersecurity work that properly belongs to other UN bodies?

PART EIGHT

Bloc Positions

Major Western PMSC Home States (United States, United Kingdom, and Allies)

These states have historically resisted a binding treaty, preferring the existing mix of the Montreux Document, ICoC/ICoCA, and domestic rules such as the US arms-export and federal contracting regulations. They host the largest and most established PMSC industries, and are cautious about any framework that could expose their contractors - or their own governments as clients - to wider jurisdiction or liability. Expect these delegations to favor gradual, voluntary, industry-friendly solutions, and to resist any rule that makes corporate criminal liability mandatory.

Russia and Aligned States

Russian domestic law officially bans PMC activity, and Russian delegates may point to this as proof of a solid national framework - despite Wagner and Africa Corps' well-documented operations abroad. In practice, expect Russia to resist any binding treaty with real enforcement or reporting requirements, while using language that stresses sovereignty and non-interference. States hosting Russian-linked forces, such as Mali, the Central African Republic, Burkina Faso, and Niger, may be caught between real security dependence on these forces and a reluctance to be named directly in committee text.

African Group

This bloc has historically been the most affected by mercenary and PMC activity, from Cold War-era coups through Executive Outcomes to Wagner and Africa Corps today. Many African states have pushed hardest within the OEIGWG for a binding, enforceable treaty, drawing on the 1977 OAU Convention and decades of experience with foreign-backed instability. Expect strong support for broader definitions, corporate liability, and rules on resource-for-security deals - though individual states currently hosting Russian forces may soften their public position.

Non-Aligned Movement and Global South More Broadly

Generally supportive of a binding framework, and sensitive to sovereignty concerns around foreign PMSC activity on their own territory. At the same time, wary of rules that could be used selectively against them while letting major Western or Russian PMSC exporters off the hook. Likely to stress the historical link between mercenary activity and colonial-era interference, drawing on earlier UNGA resolutions from the decolonization period.

Gulf States

Major clients of the PMSC industry, particularly in the Yemen conflict, and building up domestic PMSC capacity of their own. Likely to resist rules that would create liability for the states that hire PMSCs, and may want to keep recruitment and labor-standard questions separate from the security regulation agenda.

China

A newer but fast-growing PMSC exporter, tied closely to Belt and Road security needs. Likely to stress state sovereignty and non-interference, favor gradual dialogue over binding rules that could limit its own growing industry, and may echo Global South language on colonial-era interference while resisting real limits on its own contractors.

PART NINE

Implementation in Practice: Making Regulation Enforceable

Delegates often write strong language - 'condemns,' 'urges,' 'calls upon' - without saying how a rule would actually work in practice. On this agenda, that gap matters, because every instrument discussed so far has struggled at the stage of putting rules into practice, not at the stage of writing them. You do not need a fully engineered mechanism for every clause, but a resolution is stronger when it shows it has thought about how its ideas would actually work. A few things worth considering:

Registration

A workable rule usually needs PMSCs to register with their home state or an international body before operating abroad - declaring who owns them, what contracts they hold, and who they deploy. Without this basic step, it is hard to even know which companies are operating in a given conflict, let alone hold them to anything.

Monitoring

Registration alone does not tell anyone how a company actually behaves. Realistic options include field verification by NGOs (already used for arms-transfer compliance), reporting requirements for the states that hire PMSCs, and open-source monitoring - an approach groups such as ACLED already use to track Wagner and Africa Corps.

Reporting

Treaties in this area typically ask contracting and home states to report periodically to a treaty body or UN office on the PMSC contracts they have approved, and on any violations. The OEIGWG's draft treaty includes reporting duties along these lines; a DISEC resolution could support this by asking states to report voluntarily even before a binding treaty is finalized.

Sanctions and Other Tools

Where prosecution is unrealistic, because of the jurisdiction gaps discussed under Key Issue 2, other tools exist: targeted sanctions on companies or individuals, exclusion from UN and multilateral contracts, and coordinated visa or asset restrictions. These are usually easier to agree on than new criminal jurisdiction, and have precedent in other UN sanctions regimes.

Who Pays, and Who Is in Charge

Any monitoring effort needs funding and a home. Funding could come from state contributions, a voluntary trust fund, or industry-paid certification fees, similar to how the ICoCA already funds itself. On oversight, the simplest options are expanding the OEIGWG's mandate or giving an existing body, such as the UN Working Group on the use of mercenaries, a wider monitoring role, rather than inventing an entirely new one. Delegates proposing a mechanism should be able to say, at least roughly, who runs it and who pays for it - this does not need to be exact, just reasoned.

PART TEN

Questions a Resolution Must Answer

Rather than a long list of discussion prompts, use the questions below as a simple checklist while drafting your operative clauses. A strong resolution on this agenda should be able to answer all six clearly - if it cannot, that clause probably needs more thought before the text is submitted.

1. **Mechanism: What does the resolution actually create or strengthen to oversee PMSCs?**
2. **Division of responsibility: Which states - contracting, home, or host - carry responsibility under this resolution, and what exactly is each one asked to do?**
3. **Accountability: What happens when the rules are broken? Does the resolution address the company, the individuals involved, or both?**
4. **Scope: Does the resolution treat state-directed PMSC use, like the Wagner/Africa Corps model, differently from ordinary commercial contracting - and if so, how?**
5. **Protecting legitimate use: How does the resolution protect the PMSC work that the UN and humanitarian operations depend on - convoy escort, demining, embassy security - while still restricting harmful use?**
6. **Follow-through: What keeps the resolution from being just words? Is there some form of reporting or review, and is it realistic given how protective PMSC-exporting states are of their sovereignty?**

PART ELEVEN

Common Pitfalls in Committee

Resolutions on this kind of agenda tend to lose support for the same few avoidable reasons. Keep these in mind while drafting - and remember that a resolution with a few well-reasoned, realistic ideas will always do better than one trying to cover everything at once.

- Proposing an outright ban. A resolution that simply 'bans' PMSCs ignores that many states and UN agencies actually depend on them, has no realistic way of being enforced, and will lose the support of almost every state that exports or hosts PMSCs.
- Overreaching on sovereignty. Clauses that try to control another state's own prosecutorial decisions, or that call for inspections without that state's consent, will draw immediate pushback. Sovereignty is not a technicality to write around — it is a central part of this debate.
- Skipping implementation. A resolution full of 'condemns' and 'urges' clauses with nothing on registration, monitoring, or funding will read as a statement of values rather than a workable idea — see the Implementation section above before finishing your clauses.
- Forgetting humanitarian and peacekeeping uses. Clauses that treat all PMSC activity as equally harmful risk disrupting convoy escort, demining, and embassy security work the UN itself relies on. Be specific about what you are restricting, not just that you are restricting PMSCs generally.
- Writing vague clauses. Phrases like 'appropriate measures' or 'as needed' sound diplomatic but leave states with nothing concrete to act on. Say who does what, by when, and who they answer to.
- Treating this as a single-country problem. A resolution focused only on Wagner and Africa Corps, without addressing the wider industry, will struggle to bring different blocs on board - and will do little to regulate the much larger commercial and Gulf-linked parts of the industry.

PART TWELVE

Guidance for Further Research

Before committee, look into:

- Your assigned country's actual, documented use of PMSCs - or opposition to them - as a home state, host state, or client, and its position in the OEIGWG talks if it has taken part.
- Whether your country has signed or ratified the 1989 UN Mercenary Convention, endorsed the Montreux Document, or has companies certified under the ICoCA.
- Recent developments in the conflict zones discussed above - Mali, the Central African Republic, Sudan, Libya, Ukraine, Yemen - since this guide is a snapshot as of mid-2026 and these situations continue to change.
- The related but separate debate on autonomous weapons systems, which touches some of the same technology issues raised in this guide but falls under a different body of disarmament law.