

Disarmament and International Security Commission (DISC)

Research Report



Forum: Disarmament and International Security Commission (DISC)

Issue: Addressing the Issue of the Rise of Private Military Companies and Their Roles in Armed Conflicts

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Introduction

The involvement of non-state actors in military operations is not a new phenomenon, but the modern rise of Private Military Companies (PMCs) has fundamentally transformed the nature of warfare and conflict management. Emerging prominently in the post-Cold War era, PMCs gained traction during the 1990s amidst widespread demilitarization, privatization trends, and the increasing outsourcing of military functions by states. Landmark cases such as Executive Outcomes' involvement in Sierra Leone and the use of PMCs like Blackwater in the Iraq War highlighted the growing reliance on these firms for services ranging from logistical support to direct combat operations. As traditional military forces became overstretched or politically constrained, states and even international bodies began turning to PMCs to fill security gaps, often without clear oversight or accountability mechanisms.

Today, the unregulated expansion of PMCs poses serious challenges to international peace and security. These companies operate in legal grey zones, often skirting international humanitarian law and human rights obligations. Incidents involving PMCs—such as the 2007 Nisour Square massacre in Baghdad—have raised global concern over the use of excessive force and the difficulty of prosecuting wrongdoers. Moreover, PMCs may prolong conflicts by prioritizing profit over peace, complicate peacekeeping efforts, and weaken state sovereignty when their operations are not transparently managed. Their presence in fragile states, conflict zones, and even peacekeeping missions calls into question the legitimacy of using for-profit forces in roles traditionally reserved for national militaries or international institutions.

Key stakeholders in this issue include powerful states that hire PMCs, such as the United States, Russia, and China, as well as fragile or conflict-affected nations where these companies operate, like Mali, Syria, and Ukraine. International bodies such as the United Nations, the African Union, and the International Criminal Court have growing interests in regulating or monitoring PMC activities. Additionally, civilian populations affected by PMC operations, whistleblower organizations, and non-governmental human rights groups are central to the discussion. As the international community grapples with the blurred lines between state and private force, addressing the roles and regulations of PMCs becomes an urgent task for the Disarmament and International Security Committee.

Definition of Key Terms

Private Military Company (PMC)

A private business entity that offers military or security services—including combat operations, strategic planning, intelligence gathering, and logistical support—usually under contract with governments, corporations, or other organizations.

Mercenary

An individual hired to take part in armed conflict who is not a member of the official armed forces of any party to the conflict and is motivated primarily by personal gain. Mercenaries are often distinguished from PMCs by international law, although the line can be blurred.

Mercenary International Humanitarian Law (IHL)

A set of legal rules—also known as the laws of war or the law of armed conflict—that regulate the conduct of armed conflicts and seek to protect individuals who are not or are no longer participating in hostilities, including civilians and prisoners of war.

State Sovereignty

The principle that a nation-state has the authority and independence to govern itself without external interference. The use of PMCs, especially in foreign conflicts, often raises concerns about violations of this principle.

Accountability Gap

The legal and regulatory vacuum in which PMCs often operate, making it difficult to hold them accountable for violations of international law or misconduct during operations in conflict zones.

Background Information:

The rise of Private Military Companies (PMCs) can be traced back to the post-Cold War era, when the downsizing of traditional military forces created a demand for private security services. In the 1990s, companies like Executive Outcomes in Africa and Sandline International in Sierra Leone were among the first to showcase how privatized armed forces could influence conflicts. These companies were contracted by governments that lacked military resources or sought deniability. The U.S. military's involvement in Iraq and Afghanistan further normalized the use of PMCs, particularly after the 2003 Iraq War, when Blackwater (now Academi) became a household name following the Nisour Square massacre in 2007. Over time, PMCs evolved from mere security guards to fully equipped combat units operating in conflict zones across the world.

The turning point for the global PMC industry came during the U.S.-led military campaigns in the Middle East. Faced with mounting casualties and budget constraints, governments turned to PMCs to handle everything from guarding convoys to interrogating prisoners. The privatization of warfare blurred the line between soldier and contractor, and between accountability and impunity. Simultaneously, Russia began using PMCs such as the Wagner Group, notably in Ukraine, Syria, and various African states. Unlike Western PMCs, groups like Wagner were closely tied to national strategic interests, leading to proxy warfare and a rise in geopolitical tension. This shift showed how PMCs could serve as instruments of both commercial interest and state policy.

Internationally, there has been limited regulatory oversight. While some conventions and national laws attempt to regulate PMCs, most operate in legal grey areas—neither clearly mercenaries under international law, nor accountable like state militaries. The UN's Montreux Document (2008) and the International Code of Conduct for Private Security Service Providers (ICoC, 2010) sought to impose some ethical standards, but enforcement mechanisms remain weak. With increasing involvement of PMCs in global conflicts, from Mali to Myanmar, concerns over their legality, accountability, and influence on international stability are rising rapidly.

Causes of the Issue:

One of the primary causes of the rise of PMCs is economic. Governments often view private military services as cost-effective alternatives to traditional armed forces, especially during prolonged conflicts or budgetary constraints. PMCs offer flexibility and deniability, allowing states to engage in military operations without formal declarations of war or domestic political backlash.

Another root cause is geopolitical strategy. States seeking to exert influence abroad without deploying official troops increasingly rely on PMCs to maintain plausible deniability. For example, Russia's use of Wagner in Libya and the Central African Republic reflects both economic motives and strategic projection of power. Additionally, fragile or failed states often lack the capacity to secure their territories, prompting them to hire PMCs to combat insurgents or protect natural resources.

A third cause is the absence of strong international legal frameworks to regulate PMCs. The Geneva Conventions do not clearly define PMCs under "mercenary" status, and many countries lack domestic laws that hold PMCs accountable for actions committed abroad. This legal ambiguity has allowed many PMCs to operate without fear of prosecution, even in cases of documented human rights violations.

Effects of the Issue:

- **On Individuals/Citizens:** The unregulated operations of PMCs can lead to human rights violations such as torture, extrajudicial killings, and the suppression of local populations. The 2007 Nisour Square massacre in Baghdad, where Blackwater contractors killed 17 civilians, highlighted how civilians often pay the highest price when accountability is absent.
- **On National Governments:** Governments that rely heavily on PMCs may lose public trust, especially when abuses occur without consequences. Fragile states may also become dependent on these companies, reducing their own capacity for defense and internal security. In stronger states, PMCs can complicate military command structures and reduce transparency in foreign policy.
- **On International Peace and Security:** PMCs may fuel instability by engaging in conflicts that prolong violence or serve narrow corporate or political agendas. Their operations across borders—often without proper

oversight—can exacerbate tensions between states and undermine international peacekeeping efforts. Their involvement in civil wars or proxy conflicts further complicates ceasefire negotiations and humanitarian aid delivery.

Major Countries and Organizations Involved

United States of America

The U.S.A is the largest employer of PMCs, particularly during the Iraq and Afghanistan wars. Companies like DynCorp, Blackwater, and Triple Canopy have been used for everything from logistical support to combat roles. The U.S has taken steps to regulate PMCs through domestic laws but faces challenges in ensuring transparency and accountability.

Russia

Russia utilizes PMCs, particularly the Wagner Group, as tools of foreign policy. Wagner has been active in Ukraine, Syria, Libya, and parts of Africa, often operating in alignment with Kremlin interests. Russia denies official ties, allowing it to distance itself from controversial actions while reaping strategic benefits.

United Nations

The UN has expressed concern over the use of PMCs, particularly in peacekeeping regions. Although it does not directly hire armed contractors, the UN has called for stronger regulations and frameworks, such as the Montreux Document and ICoC.

South Africa

A pioneer in PMC development during the 1990s, South Africa hosted Executive Outcomes and other firms that intervened in regional conflicts. It has since enacted strict laws banning mercenary activities but continues to face challenges regulating companies based within its borders.

Central African Republic (CAR)

The CAR is a recipient state where PMCs—especially Wagner—have been used to support the government against insurgents. Their presence has been linked to both short-term stability and long-term human rights abuses, raising questions about sovereignty and dependency.

Timeline of Events

Date	Description of Event
March 10, 1995	Executive Outcomes Deployed in Sierra Leone: The South African PMC begins operations in Sierra Leone to support the government against the Revolutionary United Front (RUF), setting a precedent for future PMC involvement in African conflicts.
March 20, 2003	U.S. Invasion of Iraq Begins: The U.S.-led coalition invaded Iraq. In the following months, the use of PMCs dramatically increased, with over 20,000 contractors deployed to assist in security, logistics, and combat roles.
September 16, 2007	Nisour Square Massacre: Blackwater USA (now Academi) contractors open fire in a crowded Baghdad intersection, killing 17 Iraqi civilians. The event triggered widespread condemnation and renewed calls for PMC accountability.
September 17, 2008	Montreux Document Adopted: A joint initiative by Switzerland and the International Committee of the Red Cross (ICRC), the Montreux Document is officially endorsed by 17 states to outline legal obligations and best practices for PMCs operating in armed conflicts.
February 27, 2014	Wagner Group Allegedly Deploys in Ukraine: The Russian PMC begins covert operations in Crimea and the Donbas region in support of Russian interests, reflecting a strategic use of deniability in hybrid warfare.
January 15, 2018	Wagner Group Activity Confirmed in the Central African Republic (CAR): Wagner personnel begin training government forces and guarding mining sites, signaling deeper Russian influence in African affairs. By mid-2018, Wagner is also confirmed to be operating in Sudan.
June 30, 2022	UN Human Rights Report on PMCs Released: The United Nations publishes findings detailing grave human rights violations committed by PMCs in Libya, Syria, and the Central African Republic, sparking renewed international debate on the need for binding regulation.

Relevant UN Treaties and Events

The Montreux Document (2008)

- **Full Name:** The Montreux Document on Pertinent International Legal Obligations and Good Practices for States related to Operations of Private Military and Security Companies during Armed Conflict
- **Date Adopted:** September 17, 2008
- **Summary:**
 - A non-binding international agreement initiated by Switzerland and the ICRC.
 - Reaffirms that international humanitarian law and human rights law apply to PMCs.
 - Outlines 70 good practices for three types of states:
 - Contracting States (those who hire PMCs)
 - Territorial States (where PMCs operate)
 - Home States (where PMCs are registered)
 - Encourages regulations on licensing, oversight, accountability, and remedy for misconduct.
 - Supported by over 50 states and international organizations, but not legally enforceable.

UN Human Rights Council Resolution 15/26 (2010)

- **Full Name:** The Use of Mercenaries as a Means of Violating Human Rights and Impeding the Exercise of the Right of Peoples to Self-Determination
- **Date Adopted:** October 1, 2010
- **Summary:**
 - Passed by the UN Human Rights Council to address the legal and ethical concerns around mercenaries and PMCs.
 - Calls for the development of a binding international legal framework to regulate PMCs.
 - Supports the work of the UN Working Group on the Use of Mercenaries.

- Urges member states to strengthen national legislation to prevent unregulated PMC activity.
- Emphasizes the risk that PMCs pose to human rights, self-determination, and state sovereignty.

International Code of Conduct for Private Security Providers (ICoC, 2010)

- **Date Established: November 9, 2010**
- **Summary:**
 - A voluntary multi-stakeholder initiative created by the Swiss government with input from NGOs and private companies.
 - Sets human rights-based standards for PMCs operating in complex or high-risk environments.
 - Focuses on areas such as:
 - Use of force and firearms
 - Detention procedures
 - Prohibition of torture and inhumane treatment
 - Over 700 companies have signed the Code.
 - Overseen by the ICoC Association, which handles certification, compliance monitoring, and grievance mechanisms.
 - While a positive step, it remains non-binding and lacks enforcement powers.

Geneva Convention Protocol I (1977)

Full Name: Protocol Additional to the Geneva Conventions of 12 August 1949, and Relating to the Protection of Victims of International Armed Conflicts (Protocol I)

Date Adopted: June 8, 1977

Summary:

Article 47 defines and restricts the use of mercenaries in international armed conflicts.

A person is considered a mercenary if they:

- Are specially recruited to fight in an armed conflict;

- Take a direct part in hostilities;
- Are motivated by private gain;
- Are not a national or member of the armed forces of a party to the conflict;
- Are not sent on official duty by a third-party state.

While this definition excludes many PMCs, it lays the groundwork for distinguishing legitimate combatants from mercenaries.

Enforcement remains weak, and many PMCs operate in legal gray areas beyond this definition.

Previous Attempts to Solve the Issue

Montreux Document (2008)

Developed by the Swiss government and the International Committee of the Red Cross, this document clarifies legal obligations regarding PMCs. However, its non-binding nature limits enforcement.

UN Working Group on the Use of Mercenaries (est. 2005)

This special mandate monitors PMC activity and advises on international law. While effective in raising awareness, it lacks enforcement power and has seen limited compliance

ICoC Initiative (2010)

This industry-led initiative outlines human rights standards for security companies. While over 700 companies have signed it, compliance is voluntary, and enforcement mechanisms are weak.

Possible Solutions

Solution 1:

International Legal Framework for PMC Regulation Develop a binding international treaty under the UN that clearly defines and regulates the scope of PMC operations, including transparency requirements, licensing, and criminal liability for violations. This would be enforced through international courts and monitored by a UN agency or working group.

Useful Links

United Nations - Use of Mercenaries:

<https://www.ohchr.org/en/special-procedures/wg-mercenaries>

Geneva Centre for Security Sector Governance:

<https://www.dcaf.ch/private-security-regulation-montreux-document>

Human Rights Watch - Private Military Contractors FAQ:

<https://www.hrw.org/news/2004/05/05/qa-private-military-contractors-and-law>

Council on Foreign Relations - Military Outsourcing Backgrounder:

<https://www.cfr.org/backgrounder/iraq-military-outsourcing>

Al Jazeera - Wagner vs Africa Corps in Mali:

<https://www.aljazeera.com/news/2025/6/16/wagner-vs-africa-corps-the-future-of-russian-paramilitaries-in-mali>

The Guardian – The Return of the Dogs of War:

<https://www.theguardian.com/uk-news/2016/feb/06/the-return-of-the-dogs-of-war-whats-it-like-to-be-a-soldier-for-hire>

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