

MUNSA'25

GA3: SOCHUM

Agenda Item:

Ensuring Accountability for
Human Rights Abuses
Committed by Military and
Security Companies

STUDY GUIDE



SOCHUM

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LETTER FROM SECRETARY GENERAL

Esteemed participants of the Model United Nations Conference of Sakıp Sabancı Anatolian High School 2025,

As Secretary General, I am deeply privileged to be a part of a conference that upholds the values of education, excellence, and collaboration. Working alongside a team of incredibly talented individuals, I am enthusiastic about organizing an event that truly showcases the essence of our club. Our conference offers a diverse array of committees, including engaging crisis committees and a variety of topics spanning different time periods and regions.

Just like every year, this year's conference is being organized by the SSAL MUN Club too. Our club's academic and organizational teams are working tirelessly to bring you the best MUN conference you've ever experienced. We believe that our conference will not only provide you with three unforgettable days but also significantly enhance your academic and personal development.

This year's MUNSA will feature 9 unique committees, each led by a team of passionate people. With that being said, the tenacious team of MUNSA'25 promises to challenge delegates to engage and think critically. Through our General Assembly committees, GA1: DISEC and GA3: SOCHUM, two cooperation organizations, which are the African Union and the League of Nations, the main body and the most important committee of the UN, which is UNSC, the mysterious Consiglio dei Dieci, and two crisis committees, which are JCC and HCC, delegates will have access to a broad range of committee forms and topics. From this wide range of options, delegates have the opportunity to find a committee that fits their interests and matches their preferred style of debate.

To apply for MUNSA 2025, simply visit our website and register. Before doing so, I encourage you to explore our website, sakipsabancimun. Or, go where you can find detailed information about our team, registration deadlines, conference policies, and committees. Should you have any questions, feel free to reach out to our Public Relations team at munsabancipr@gmail.com. On behalf of the Sakıp Sabancı Anatolian High School Model United Nations Club and the MUNSA'25 Team, I eagerly anticipate welcoming you all to our conference this September!

Mert Taşçı

Secretary General, MUNSA 2025

Letter from the Under Secretary General

MUNSA'25 Esteemed Delegates,

I am delighted to welcome you all to MUNSA'25 and Sakıp Sabancı Anatolian High School. This year, I am honored to serve as your United Secretary General of the Social, Cultural, and Humanitarian Assistance Committee (SOCHUM).

At MUNSA's 2025 session, we will address the critical issue of ensuring accountability for human rights violations committed by military and security companies. Our goal in this committee is not only to develop workable solutions that provide justice and assistance to victims, but also to engage in meaningful discussions, gain new perspectives, and enhance diplomatic skills.

While this guide provides you with the essential elements of the agenda, I strongly recommend that you conduct your own research on both the topic and the stance of your assigned country. A well-prepared delegate can truly shape the direction of the committee.

Beyond discussions and decisions, MUNSA is also about making new memories, building friendships, and enjoying the experience to the fullest.

I look forward to seeing you all in September and wish you an incredible and enriching journey at MUNSA'25.

Sincerely,

-Ali Kaan Sert

Letter from the Academic Assistant

Letter from the Academic Assistant

Dear Delegates,

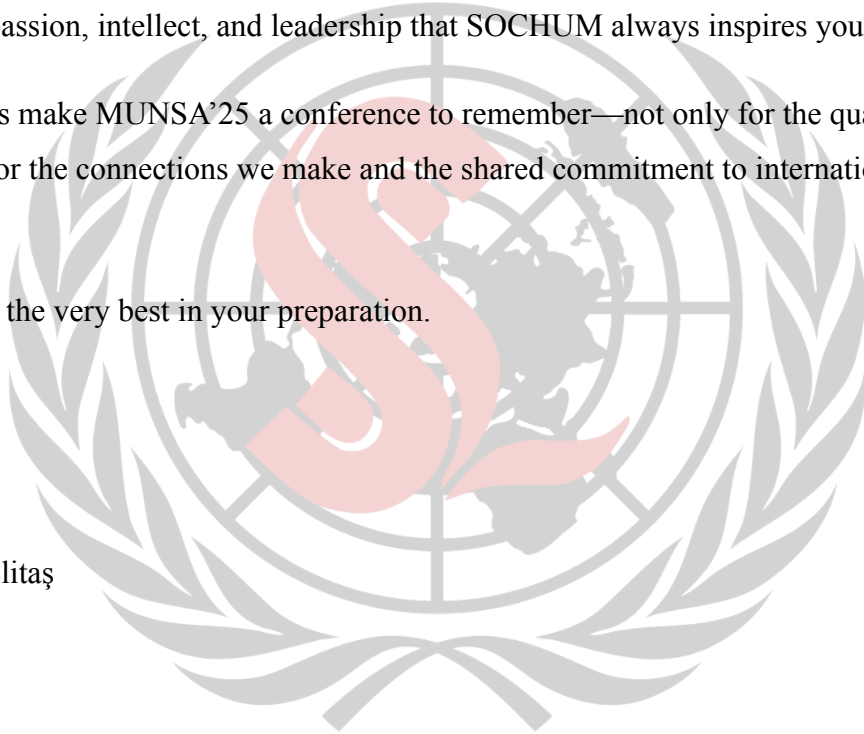
It is with great pleasure that I welcome you to the Social, Cultural, and Humanitarian Committee (SOCHUM) at MUNSA 2025. With the distinct honor of serving as your academic assistant for this year's conference; I will be here to support your engagement in committee, help ensure productive and respectful debate, and encourage a meaningful and rewarding experience for everyone. In addition I am incredibly excited to meet each of you and see the passion, intellect, and leadership that SOCHUM always inspires you to bring.

Let us make MUNSA'25 a conference to remember—not only for the quality of debate, but for the connections we make and the shared commitment to international cooperation.

Wishing you the very best in your preparation.

Sincerely,

Tuğçe Naz Elitaş



Introduction to the committee

The Third Committee of the United Nations General Assembly, or the Social, Humanitarian, and Cultural Committee (SOCHUM), focuses on issues related to fundamental human rights in the international community, addressing humanitarian crises, and fostering cultural diversity. SOCHUM was founded in 1945 in reaction to the establishment of the Universal Declaration on Human Rights. The Third Committee promotes and enforces basic freedoms and ideals meant to be enjoyed by the entire international community such as the right to life, the expression of cultures, the freedom of political participation, the protection of children's rights, and the promotion of social development, among many others. SOCHUM derives its legitimacy from the original United Nations Charter and operates with the goal of designing peaceful settlements for issues within the large spectrum of social, humanitarian, and cultural complications in the international community. This body does so by initiating studies that encourage recommendations for the promotion of international cooperation and fundamental freedoms for all.

Key Terminology

1. Private Military and Security Companies (PMSCs): Private Military and Security Companies are businesses that provide military-style services involving armed protection, combat support, and collecting data.

2. Human Rights Abuses: Human rights abuses involve crucial violations of globally recognized rights, including the right to live, being free of torture, and protection from imprisonment without legal basis. When committed by PMSCs, these abuses often occur in war zones or fragile states, where legal enforcement mechanisms are weak or unclear.

3. Accountability: Accountability means making sure that individuals or organizations are responsible for illegal actions via legal or institutional authorities.

4. International Humanitarian Law (IHL): International humanitarian law (IHL) is a set of rules that aims to limit the effects of armed conflict. It requires, among other things: the rapid and unimpeded passage for humanitarian aid during armed conflicts.

5. Mercenaries: Mercenaries are individuals hired to fight in conflicts for personal gain, with no allegiance to any official armed force.

6. Due Diligence: Due diligence is the investigation or exercise of care that a reasonable business or person is normally expected to take before entering into an agreement or contract with another party or an act with a certain standard of care.

7. Impunity: Impunity occurs when individuals or organizations commit serious violations of law without facing consequences. PMSCs often benefit from impunity due to legal loopholes, jurisdictional issues, or lack of enforcement, which undermines justice and the rule of law.

8. Jurisdiction: Jurisdiction is a state's legal authority to apply its laws to people, actions, or companies.

9. Status of Forces Agreement (SOFA): A Status of Forces Agreement is a treaty between a host country and a foreign government, defining the legal status of military personnel and contractors. These agreements can sometimes shield PMSCs from local prosecution, creating legal protection that may lead to impunity.

10. Montreux Document: The Montreux Document is a multinational agreement specifying governance practices regarding private military and security companies in war zones.

11. Oversight: An unintentional omission resulting from failure to notice something

12. Extraterritorial : Outside of a country's national borders.

13. Arms Trade Treaty (ATT): The ATT is an international treaty that regulates the global trade of conventional weapons to prevent their use in human rights abuses.

Introduction to the Agenda Item: Ensuring Accountability for Human Rights Abuses Committed by Military and Security Companies

In the recent past, the expanding role of Private Military and Security Companies (PMSCs) in armed conflict and peacekeeping operations has raised serious concerns within the World. These mercenary groups, often contracted by countries, corporations, or international groups, operate in conflicts and carry out tasks reserved for the national military.

PMCs may offer security. However, their operations have caused human rights violations, including killing, torture, and abuse of civilians in recent years. However, due to complex legal jurisdictions, immunity agreements, and the nature of their work, holding these companies accountable is exceptionally difficult. Victims are often left without acquiring their justice, and companies continue to operate with minimal oversight or consequence like before.

Lots of organizations and media reports have documented cases of MSCs engaging in the act of ignoring and violating the human rights against civilians in the areas of conflict. In many of these cases, the companies or the individuals that are responsible for the acts have not received punishment, and the victims have not received the justice or compensation they deserve.

This agenda item asks our delegates to address a complex and urgent issue: How can the UN make sure that the military and security companies are held accountable for their actions in the conflict areas?

As the members of the Social, Cultural and Humanitarian Committee (SOCHUM), your role is to develop realistic and effective solutions regarding the situation that promotes accountability, justice, and human rights. This is not only a legal issue, but also a humanitarian issue that affects the lives of countless people around the world.

Chronology of Important Events and Institutions:

5 July 1960 - 25 November 1965 Congo Crisis

The Congo Crisis was the period of political upheaval and conflict between 1960 and 1965 in the Democratic Republic of Congo. The crisis began immediately after Congo gained

independence from Belgium. Involving a series of civil wars; Congo Crisis, which has witnessed around 100 thousand people being murdered on time, was also a proxy conflict in the Cold war. After that decolonization wars broke out in Africa, and private mercenary groups were used for the first time in the world in these wars. As a result of this crisis, modern private military companies have risen.

1965

Foundation of Watchguard International

David Stirling, who was a Scottish officer in the British Army and the founder and creator of the Special Air Service (SAS), formed Watchguard International Ltd with his partner John Woodhouse. The business was mostly interlinked with the Gulf States and is often considered as the first modern private military company, with the aim of providing military consultancy and security services to governments across the World. The company was mostly known from a failed attempt to overthrow the Libyan ruler Muammar Gaddafi. Their job involved traveling to Yemen when a ceasefire was declared to report on the situation of royalist forces, develop connections within the Iranian government, and explore job opportunities in Africa. The company operated in Zambia and Sierra Leone, providing training teams and consulting on security matters.

1975

US Government Signing a \$77 Million Deal with Vinnell Corporation

The Vinnell Corporation is an international private military company based in Virginia, United States, specializing in military training, logistics, and support in the form of weapon systems maintenance and management consultancy. In the year of 1975, Vinnell Corporation was awarded a contract in order to modernize and train the Saudi Arabian National Guard, reportedly involving the training of 75,000 personnel and valued at approximately \$77 million. Importance of this was for the first time, a state has used external resources on the basic training of its army to a private company and that contract has shown to the World that PMSCs could also lead to a billion-dollar-industry

1976

Angola (Luanda Trial)

The Luanda Trial was a trial held in Luanda, Angola, in June 1976 during the Angolan Civil War. Thirteen Western mercenaries were sentenced to long prison terms or execution by firing squad. At the end of it judges stated that the defendants were guilty and that the only thing that needed to be determined was how much punishment to be given. Therefore, the concept of responsibility under international law began to spread.

Early 1990s

Sandline International

Sandline International was a private military company founded in London in the early 1990s. It was involved in the Sandline Affair in Papua New Guinea, Sierra Leone, and Liberia conflicts which were a big amount of scandals in modern history. The company provided training, operational support, arms procurement, and intelligence services; however, it was frequently accused of being a “mercenary company.” On April 16, 2004, it ended its operations due to a lack of government support.

20 March 2003 - 15 December 2011

Iraq War

The conflict in Iraq consisted of two phases. The first of these was a brief conventional war fought in March 2003, in which a combined force of troops from the United States and Great Britain (with smaller units from several other countries) invaded Iraq and slightly overpowered the Iraqi military and paramilitary forces. This was followed by a longer second phase, during which a US-led occupation of Iraq was opposed by an insurgency. After violence began to decline in 2007, the United States gradually reduced its military presence in Iraq, formally completing its withdrawal in December 2011. American military casualties in the conflict included around 4,500 service members killed and approximately 32,000 others wounded. The point that aligns with the agenda is that, according to recent research, the number of PMSCs working in the war has exceeded 180,000 (almost equal to the number of soldiers).

2007

Nisour Square Massacre

The Nissour Square Incident refers to the attack by members of the US-based private security company Blackwater on Iraqi civilians in Nissour Square in the capital Baghdad following the invasion of Iraq, resulting in the deaths of 17 people. This massacre triggered discussions within the UN to create a binding treaty against PMSCs.

2008

Montreux Document

This document is the product of an initiative launched cooperatively by the Government of Switzerland and the International Committee of the Red Cross. It was developed with the participation of governmental experts from many other nations. It was noted as the first international document on the PMSCs' existence.

2011

Libyan Civil War

Since this civil war has played a significant role in changing world history from end to end, it has been noted that the use of PMSCs has been observed in many places and violations have been reported.

2014

ICoCA

The International Code of Conduct Association (ICoCA) was formally established as a multi-stakeholder initiative. Their foundation process began in 2010, but the official opening was made in 2014. Their mission is to raise the standards and practices of the private security industry, ensuring they respect human rights and international humanitarian law. It also engages with key stakeholders to encourage widespread global adherence to the International Code of Conduct.

2017 and 2018

The Rise of Wagner Group

The Wagner Group, officially known as PMC Wagner, is a private military company (PMC) funded by the Russian state and was controlled by a former close ally of Russian President Vladimir Putin until 2023. When Putin became president in 2000, one of the first things he did was to introduce the 'dictatorship of the law'. Formally, this was a promise of 'law and order' in a Russia still very much affected by the lawlessness of the 1990s. The official focus on the law has characterised Putin's presidency. Therefore, it is not surprising that references to Russian law have been used both to deny the existence of the Wagner Group and to argue for its legitimacy. However, this focus on law and legality merely serves to hide the fact that law is being used as an instrument of intimidation and coercion, a practice that has become normal in Russia. The basic argument that 'because private military companies are illegal in Russia, they do not exist' was often applied to the Wagner Group in the period 2011-2021, however they mostly failed during those attempts and day-by-day Wagner Group's power has increased until the 2020s.

2019

EU Reporting Law

Companies in the private security industry were required by a law imposed by the EU to report on the general risks related to their operations.

2020

Several nations including Canada, have signed laws that require PMCs' to conduct human rights due diligence. In addition to this, the United Nations has published a report about a working group on the use of mercenaries.

2021

Trump Shocked the World

Trump's forgiving of the Blackwater (Nisour Square massacre) criminals was a sign of a major step backward in terms of accountability.

2022

Russian - Ukraine War

The Russia-Ukraine War broke out which is a still ongoing conflict involving Russia, Belarus, and pro-Russian forces on one side, and Ukraine on the other. Shortly after the start of the war both sides started using PMCs trying to turn the tide of the war. Therefore, so many war crimes have occurred throughout it and the people are still talking and putting pressure on the Russian government to be tried before international law.

2023

The Hamas-Israel war began on October 7, 2023, when Hamas launched a large-scale attack on Israel and Israel responded with large-scale military operations in Gaza. The conflict has resulted in the deaths of thousands of civilians, a serious humanitarian crisis, and increased regional tensions. Despite calls for a ceasefire from the international community, a lasting solution remains unachievable. The most obvious example of the influence of non-state actors and external factors on the issue can actually be considered this.

2025

Palestine and Israel Tensions

A truce between Palestine and Israel started. The border in Gaza is being protected by American PMCs contracted by the US government.

7- Countries' Policies

Afghanistan

During the Afghanistan War (2001-2021), several PMCs (such as DynCorp International, one of the largest PMCs in the country offering security during the war) have played crucial roles. Human rights were mostly violated by the companies while weak laws on the topic made it difficult to hold the PMCs accountable for the human right abuses committed. The efforts for the change to better have been limited after the Taliban seized power in 2021.

Austria

Austria supports international efforts to regulate private military and security companies (PMSCs) and endorses the Montreux Document, which promotes state accountability and compliance with human rights.

Brazil

Brazil has several private military and security companies that serve private clients and bigger corporations. While there are regulations in the constitution -oversight by the Federal Police- that control these organizations, these regulations remain incapable of providing protection against human rights violations.

Canada

Canada has many PMCs providing security consulting, logistical support, and armed security. The private security industry in Canada is regulated at both provincial and federal levels, with licensing requirements varying by jurisdiction. PMSCs often work alongside government agencies, especially in contexts like corporate security, international peacekeeping, and emergency response.

China

China has established their regulations concerning the PMSCs under the Security Services Regulation set in 2009. These regulations outline licensing requirements, operational boundaries, and the scope of services PMSCs can provide. The government ensures PMSCs functioning in the country work within the framework. Those companies mainly focus on domestic security and providing personal security services. The legal status of PMSCs operating internationally can be ambiguous, as the government has not fully clarified how they fit into international law and Chinese foreign policy.

France

Mercenarism is illegal with penalties up to 5 years of jail time for individuals or organized groups who engage in such activities. However, PMSCs are permitted to operate requiring being recognized internationally and by the French government. There have been ongoing parliamentary debates regarding the need for a more extensive framework for PMSCs.

India

It is illegal to form mercenary related companies in India. However, there are a huge number of Indian ex-army PMC contractors who work for foreign firms. But no firms that operate nationally can hold Indian weapon licenses.

Iran

The Islamic Revolutionary Guard Corps (IRGC) was initially established as a paramilitary force to safeguard the doctrine of the Supreme Leader. Over the decades, the IRGC has transformed into Iran's most powerful political, military, and economic entity, a shadow state operating beyond the reach of any governmental institution.

Israel

Israel Defense Forces (IDF) and security agencies maintain close ties with PMSCs in Israel. These ties are built on sharing of intelligence and operational techniques, enhancing the effectiveness of both private and military security operations

Activities of PMSCs in the conflict areas are criticized by both domestic and international observers and they have raised ethical concerns and questions regarding human rights violations.

Palestine

PMSCs play a significant role in the context of the Israeli-Palestinian conflict, both in terms of security operations and military support. Their involvement underscores the complexities of modern warfare and the challenges of regulating private military activities in volatile regions. At the outset of conflicts, Palestinian groups, including Hamas, have reportedly contracted PMSCs to bolster their military capabilities against Israeli forces.

Russia

Russian law strictly prohibits the formation and operation of any military companies or organized groups that engage in military activity. These actions may lead to penalties to those involved in these organizations. However, the Russian government does not actively prosecute PMSCs within their borders. This has led to a situation where entities like the Wagner Group operate with relative impunity.

Somalia

The private security industry in Somalia has grown with increased international interest and intervention in the region. PMSCs were primarily used in a solely logistical capacity as part of the US withdrawal of forces from Mogadishu in 1993, then being used in the 2000s for land-based anti-piracy training. Recently, the presence and embeddedness of these security companies in volatile and violent contexts has become part of the character of international engagement.

Switzerland

PMCs in Switzerland take place in activities such as guarding buildings, protecting persons, escorting humanitarian aid convoys, training and advising armed forces, operating complex weapons systems and intelligence-gathering. They function as a security force rather than being another military group. While not taking part in any conflicts, they work and operate under the humanitarian laws.

Ukraine

Ukraine does not have any PMCs founded nationally but with the start of the Russo-Ukrainian War, some of the PMCs working internationally have been active in the conflict zone helping either Ukraine or Russia. It is estimated that no more than about 35,000 operators of PMSCs ever participated in combat. Although it may appear as a small number, it is only a quantitative indication. In quality wise, they can reshape the direction of the war.

United Kingdom

In the United Kingdom, while various regulations and laws (including Private Security Industry Act (2001)) required personnel and companies to be licensed, these regulations focus on domestic security services rather than military operations. There is no specific legal framework governing PMSCs, particularly in terms of military operations abroad. The main British private military companies are affiliated with various transnational security companies whose main offices are located in the US.

United States of America

The United States is a leading player in the private military and security company (PMSC) sector, known for its advanced capabilities and extensive operations globally. Following the 2007 Blackwater incident, stricter regulations were implemented to enhance oversight and accountability of PMSCs. These companies engage in a wide range of activities, including consulting for foreign defense departments, providing security for airports and oil fields, escorting humanitarian convoys,

training foreign military personnel, managing prisons, and offering logistical support for U.S. troops. However, their operations raise significant ethical and human rights concerns, prompting calls for further regulation to ensure accountability and adherence to international norms. As extensions of U.S. foreign policy, PMSCs play a pivotal role in enhancing security and stability in conflict-affected regions.

8. Questions to Be Answered

1. What type of legal changes at the international and national laws are needed to manage Private Military and Security Companies (PMSCs) and improve the lack of responsibility?
2. What mechanisms can be established or improved to provide victims of PMSC abuses with accessible justice?
3. How can we make the corporate's crimes clearer?
4. What steps can we take to limit protections of privilege which delays legal proceedings of abuses committed by PMSCs?
5. How can the Montreux Document transform into a set of binding laws?
6. What path can international organizations take in monitoring, investigating, and prosecuting PMSCs?
7. Which transparency and inspection measures can reduce human rights risks related to PMSCs?
8. Should PMCs be prohibited from participating directly in warfare? What alternative security arrangements could replace their role?

9. How can member states create an international cooperation in order to avoid abuses that occur by PMSCs and come up with collaborative responses?
10. How can affected countries and their people be truthfully included in supervision processes and accountability authorities related to PMSCs?

9. Further Readings

- 1- https://www.europarl.europa.eu/doceo/document/TA-9-2021-0482_EN.html
- 2- https://papers.ssrn.com/sol3/papers.cfm?abstract_id=1749684
- 3- <https://www.ohchr.org/sites/default/files/MercenarismandPrivateMilitarySecurityCompanies.pdf>
- 4- https://www.accountabilitycounsel.org/wp-content/uploads/2017/08/FIDH-guide_entreprises_uk-intro.pdf

10- Bibliography

1-https://en.wikipedia.org/wiki/Montreux_Document

2-https://en.wikipedia.org/wiki/Corporate_accountability_for_human_rights_violations

3-<https://www.icrc.org/en/law-and-policy/private-military-and-security-companies>

4-<https://digitallibrary.un.org/record/3837130?utm=&v=pdf>

5-<https://onlinelibrary.wiley.com/doi/full/10.1111/j.1468-5930.2011.00548.x?utm>

