Delegation:

Republic of Chile

Forum:

DISEC

Topic:

Regulating the Use of Private Military and Security Companies

Private Military and Security Companies (PMSCs) have become increasingly prominent on the world stage of international security operations, most notably in conflict and post-conflict regions. Governments, international organizations, and corporations also increasingly utilize such companies for services ranging from armed guarding and intelligence to military training and logistics. Since there is virtually no international law and no binding treaty, PMSCs are attracted by zones of legal ambiguity. Incidents such as the 2007 Nisour Square massacre in Iraq have raised serious questions about the use of excessive force, violation of human rights, and general lack of accountability. Regulatory and transparency gaps continue to be severe ethical and legal issues regarding the legitimacy and efficacy of PMSCs in combat zones.

The Republic of Chile concurs with the international community that PMSCs must be heavily regulated. While Chile acknowledges that PMSCs do have their usefulness under specific circumstances, it is convinced that contracting out military and security operations to private firms should never come at the expense of international humanitarian law, national sovereignty, or human rights protection. As a country committed to democracy, openness, and peacekeeping, Chile places great value on accountability of PMSCs and their operation under open, binding global standards. Chile also promotes multilateral coordination at the United Nations level to regulate PMSCs in a way that hegemonic contracting states or corporations are not able to take advantage of host or developing countries.

Chile favors the achievement of a binding international legal instrument that fully outlines the acceptable ambit of PMSC activities, prescribes licensing and registration schemes, and creates effective accountability mechanisms. This type of model has to be set up in line with the Montreux Document and existing international humanitarian law but needs to be supplemented with enforcement mechanisms and punishment for breach. Chile also requires an international overseeing body led by the UN and reporting and monitoring PMSC activity. Capacity development has to be provided to developing countries so they can deal with PMSCs in their countries. Chile believes that with increased legal certainty and international cooperation, PMSCs can be effectively regulated—so peace, sovereignty, and human dignity are upheld everywhere.