

FORUM: Security Council

QUESTION OF: Measures to restrict independent military organizations and regulate military arms trades

MAIN SUBMITTER: China

Signatories: United Kingdom, France, Russia Federation

The Security Council,

Bearing in mind that Independent Military Organizations (IMOs) if are not regulated or looked after, can become rogue or dangerous,

Deeply Concerned about the possible negative consequences that IMOs can create and the impact it will have on global security,

Encouraging for the selling of weapons of Mass Destruction to be prohibited, but weapons of self-defense authorized,

Emphasizing the importance of building UN legal framework and binding instrument to prevent and mitigate threats to global security,

Recognizing the need to collaborate internationally to provide long-term security solutions,

1. Calls for the establishment of a comprehensive international legal framework with clear, binding rules and guidelines for the operations of Private Military Company (PMCs) and oversight mechanisms to mitigate the threats they pose to global security and stability, through ways including but not limited to:
 - a) Establishing a clear, hierarchical use of force continuum that PMC personnel must follow, ranging from de-escalation and non-lethal force to the use of lethal force as a last resort, as well as specifying the precise circumstances and criteria under which PMC personnel are authorized to use various levels of force, such as:
 - i. Responding to direct threats of violence against personnel or civilians
 - ii. Defending critical infrastructure or assets under military protection
 - iii. Aiding law enforcement or military operations, if explicitly authorized;

- b. Prohibit the use of indiscriminate or disproportionate force, and require PMC personnel to exercise restraint and minimize collateral damage, through ways including but not limited to:
 - i. Carefully selecting and targeting military objectives to avoid or minimize civilian harm,
 - ii. Providing effective advance warnings to the civilian population, when a PMC is operating in their area, if possible, through government alarming systems,
 - iii. Suspending or canceling an attack if it becomes apparent that the expected civilian harm would be excessive,
 - iv. Prioritizing the use of precision-guided munitions and other technologies that can enhance the accuracy of attacks,
- c. mandate comprehensive training for PMC personnel on the lawful and ethical application of force, with the following content covered:
 - i. a comprehensive curriculum that thoroughly educates PMC personnel on the lawful and ethical use of force,
 - ii. in-depth instruction on international humanitarian law (IHL), such as the Geneva Conventions and Additional Protocols, as well as relevant human rights law,
 - iii. Principles of distinction, proportionality, and precaution, the protection of civilians, and the prohibition of indiscriminate or disproportionate force,
 - iv. Scenario based simulations,
 - v. Continuous refresher training,
- d. Establish robust mechanisms for monitoring and investigating the use of force by PMC personnel, including but not limited to:
 - i. requiring PMC personnel to organize a comprehensive incident reporting system that documents and report all instances involving the use of force,
 - ii. mandating the involvement of independent, third-party monitors or oversight bodies to investigate any reported incidents involving the use of force by PMC personnel,
- e. Implement a mandatory licensing and certification system for all PMCs operating internationally, and requiring PMCs to meet stringent criteria to obtain and maintain their licenses, with the licensing and certification process administered by an independent, international body to ensure impartiality and consistency, and

unlicensed or non-compliant PMCs prohibited from operating globally, with severe penalties for violations, including:

- i. Adherence to international human rights and humanitarian law standards,
- ii. Comprehensive training programs for personnel on rules of engagement and the laws of armed conflict,
- iii. Robust internal mechanisms for monitoring, reporting, and disciplining misconduct,
- iv. Financial transparency and responsible business practices,

f. Establish a dedicated, international oversight body that is independent, well-resourced, and composed of experts in international law, military affairs, human rights, and corporate governance to monitor the activities of licensed PMCs worldwide, having the authority to:

- i. Conduct regular, unannounced inspections of PMC operations and facilities,
- ii. Investigate any allegations of misconduct, human rights abuses, or violations of international law by PMC personnel,
- iii. Impose sanctions, such as license revocation or financial penalties, for non-compliance with established standards,
- iv. Facilitate the reporting and whistleblowing of PMC misconduct by employees, clients, or affected communities;

2. Enhancing transparency and public accountability to effectively regulate PMCs to mitigate risks of abuse and misconduct, promote compliance with international norms, through ways including but not limited to:

- a. Requiring PMCs to publicly disclose the details of their contracts, including the scope of work, client information, and the value of the contract,
- b. Mandate that PMCs provide detailed and publicly available, reports on all their operational activities, including the deployment of personnel, the use of force, and any incidents or casualties,
- c. Establishing mandatory auditing requirements for PMCs, whereby their operations, financial records, and compliance with the rules of engagement are subject to bi-monthly, independent audits, operated by the UN, with the following specifications, such as:
 - i. Having results of these audits should be made publicly available, providing transparency and accountability,

- ii. Establishing a clear and robust system by the PMC oversight body of penalties and sanctions for PMCs that fail to comply with mandatory reporting, auditing, and disclosure requirements,
 - d. Recognizing the significant role that civil society organizations and the media can play in monitoring the activities of PMCs, through ways including but not limited to:
 - i. Ensure that PMC business stakeholders have access to relevant information and the ability to investigate and report on the PMCs' operations,
 - ii. Including provisions for whistleblower protections, the establishment of grievance mechanisms, and the facilitation of cooperation between PMCs, civil society, and the media, through including them in the comprehensive legal framework;
- 3. Strengthening host-country oversight and approval in the regulation of PMCs, ensuring alignment with local priorities and needs and that PMCs operate with explicit consent and collaboration of the host-country authorities, through ways including but not limited to:
 - a. Ensuring that the deployment of PMCs in each country is subject to the explicit approval and oversight of the host government, with clear legal and jurisdictional frameworks, with the considerations, such as, but not limited to:
 - i. Demanding host government to provide explicit, written approval before any PMC is permitted to operate within its territory,
 - ii. Having the approval process involve a thorough review of the PMC's capabilities, record of accomplishment, proposed activities, and potential impact on the local population and environment,
 - iii. Ensuring the host government have the authority to reject or impose conditions on the PMC's deployment if it deems the proposed activities to be contrary to the country's interests, laws, or international obligations,
 - iv. Defining applicable laws, rules of engagement, and lines of command and control that the PMCs must adhere to while operating in the host country,
 - v. Requiring the host government to maintain active oversight and monitoring of the PMC's activities throughout the duration of its deployment, which may include regular inspections, the review of operational records, and the establishment of grievance mechanisms to allow affected communities to report any concerns or alleged misconduct,

- b. Empowering host countries to investigate, prosecute, and hold PMCs accountable for any misconduct or human rights violations within their territories, through ways including but not limited to:
 - i. Grant host-country authorities the explicit power to investigate any alleged instances of misconduct or human rights abuses by PMCs operating within their territory,
 - ii. Establish clear legal frameworks that give the host-country courts and judicial system the jurisdiction to prosecute PMCs and their personnel for any criminal offenses or human rights violations committed within the host country's territory,
 - iii. Host-country investigative and prosecutorial processes be made transparent, with the authorities required to publicly disclose information about the allegations, the findings of their investigations, and the outcomes of any legal proceedings,
- c. Encouraging the incorporation of local stakeholders and community representatives in the decision-making processes related to the use of PMCs, with the following specifications:
 - i. Requiring host-country authorities to identify and engage with relevant local stakeholders, including community leaders, civil society organizations, and representatives of populations that may be directly impacted by the deployment of PMCs,
 - ii. Host-country authorities establish formal consultative processes to solicit input from local stakeholders and community representatives on decisions related to the use of PMCs,
 - iii. Ensuring that the decision-making processes related to the use of PMCs are transparent, with the host-country authorities required to publicly disclose relevant information, such as the identities of the stakeholders consulted, the key issues raised, and the rationale for the final decisions,
 - iv. Requiring the establishment of conflict resolution and grievance mechanisms that allow local stakeholders and community members to raise concerns or complaints about the PMCs' activities or the host-country's decision-making processes;

4. Limiting the scope of PMC activities to prevent mission creep, maintain government authority, ensure accountability and transparency, protect civilian populations, and align with international norms and standards, with the following restrictions:
 - a. Encouraging state actors to establish restrictions limiting the PMCs to non-combat, support, and advisory roles, rather than front-line combat operations,
 - b. Prohibit PMCs from engaging in intelligence gathering and interrogation, keeping it under the purview of state actors,
 - c. Establish clear guidelines on the types of services and equipment that PMCs can provide, to mitigate the risk of weapons proliferation and the escalation of conflicts, with the following guidelines including but not limited to:
 - i. Establishing specific restrictions on the types of weapons, technology, and equipment that PMCs are allowed to possess or distribute to help curb the proliferation of arms and reduce the risk of these assets falling into the wrong hands,
 - ii. Ensuring PMCs outline their distribution of SALWs (Small Arms and Light Weapons), in publicly available reports,
5. Promoting international collaboration regarding facilitating the development of more comprehensive, long-term security solutions that prioritize the strengthening of domestic security capabilities in terms of adapting PMCs and regulating WMDs, through ways including but not limited to:
 - a. Encouraging international cooperation and the harmonization of regulations and best practices among host-countries, home-countries of PMCs, and relevant international organizations, through ways including but not limited to:
 - i. Facilitate the convening of international forums and dialogues that bring together representatives from host-countries, home-countries, and international organizations to discuss the challenges posed by PMCs and identify collaborative solutions,
 - ii. Encourage the negotiation and adoption of multilateral agreements, treaties, or conventions that establish common standards, regulations, and codes of conduct for the use and oversight of PMCs,
 - iii. Establish secure and streamlined mechanisms for the exchange of information and intelligence among countries and international organizations regarding the activities, movements, and potential abuses of PMCs,

- iv. Develop joint databases and early warning systems to facilitate the identification and tracking of problematic PMCs,
 - v. Work towards the establishment of joint investigative teams and coordinated legal proceedings to hold PMCs and their parent companies accountable for their actions,
 - vi. Explore the development of an international arbitration or dispute resolution mechanism specifically tailored to address PMC-related conflicts and abuses,
 - vii. Advocate for increased transparency and reporting requirements for PMCs, including mandatory disclosure of their ownership structures, financial accounts, personnel, and activities,
 - viii. Encourage the creation of public registries or databases of licensed and registered PMCs to enhance transparency and public scrutiny,
- b. Encouraging institution strengthening through ways including but not limited to:
- i. Conduct thorough assessments to identify the gaps, weaknesses, and capacity needs of host-country security institutions, such as ministries of defense, police forces, and intelligence agencies,
 - ii. Examine areas like organizational structure, human resources, training, equipment, and operational procedures,
 - iii. Offer technical assistance and expertise to help host-countries strengthen the capacity and effectiveness of their security institutions,
 - iv. Develop and implement tailored training programs to professionalize and enhance the skills of personnel within host-country security institutions,
- c. to support each other through technology transfers, training programs, and collaborative research to enhance their capabilities in detecting, preventing, and mitigating the risks posed by WMDs
- i. provide technical assistance and capacity-building support to countries in need, particularly those lacking the necessary expertise and resources to address WMD-related challenges, particularly in properly disposing chemical weapons effectively
 - ii. establishing regional training centers to enhance the knowledge and skills of personnel involved in WMD disarmament efforts
 - iii. recognizing the role of regional organizations in addressing WMD-related challenges and urge member states to strengthen cooperation with these organizations in disarmament efforts

- iv. Invite regional organizations to share best practices, lessons learned, and technical expertise to enhance collective efforts in countering WMD proliferation;
 - d. Encouraging Transition Planning and Security Sector Reform (SSR) in facilitating the development of more comprehensive, long-term security solutions that prioritize the strengthening of domestic security capabilities and adapt the use of PMCs, through ways including but not limited to:
 - i. Encourage host-countries to develop comprehensive transition plans that outline a clear roadmap for gradually reducing their reliance on PMCs and strengthening their domestic security capabilities, in which these plans should include: Detailed timelines and milestones for the transition process, identification of specific security functions and responsibilities that can be gradually transferred from PMCs to domestic security forces, resource requirements and budgetary planning to support the transition, and strategies for the reintegration or demobilization of PMC personnel,
 - ii. Assist host-countries in designing and implementing holistic SSR programs that integrate PMCs into a broader strategy of building sustainable, locally-led security solutions, in which SSR should encompass the following key elements: Institutional Reforms-- Strengthening the capacity, accountability, and governance of security institutions, force Restructuring-- Streamlining and professionalizing domestic security forces, legal and regulatory frameworks--- Developing or updating laws, policies, and oversight mechanisms to govern the use of PMCs,
 - iii. Ensure that transition planning and security sector reform efforts are well-coordinated and sequenced to maximize their effectiveness, and this may involve: Aligning transition timelines with the development of domestic security capabilities, prioritizing the strengthening of specific security functions or institutions based on needs and risks, and ensuring that the reduction in PMC presence is accompanied by the gradual assumption of responsibilities by domestic security forces;
6. Recognizing the need to establish an international third party to monitor independent military organizations, by
- a. Allowing the creation of IMIO (Inspection of Independent Military Organization),

- b. Allowing members of the IMIO to cross borders with special UN approved Visa,
 - c. Allowing the collaboration between the IMIO with the UN military personal,
 - d. Establish certain rules with the IMIO
 - i. Establish military training programs for these new elites,
 - ii. Encourage countries to send parts of their military into this organization,
 - iii. Funding will be provided by the world bank rather than specific countries,
 - iv. Add additional benefits after their retirement age (serving at least 20 years),
 - v. Monitor borders between independent military organizations and countries with military surveillance of the local government from the IMIO,
 - vi. Monitor peace inside non-conflict areas and report back to the UN peacekeeping department;
7. Establishes an organization called the International Organization for the Disarmament of Weapons of Mass Destruction (IODWMD), through ways such as but not limited to:
- a. the creation of the IODWMD as a specialized agency under the United Nations, responsible for coordinating and facilitating global efforts towards disarmament of WMDs,
 - b. the establishment of a funding structure for the IODWMD, including contributions supported by the UN, to ensure its effective operation and implementation of disarmament initiatives,
 - c. requests the IODWMD to oversee relevant international organizations, such as the International Atomic Energy Agency (IAEA) and the Organization for the Prohibition of Chemical Weapons (OPCW), to enhance verification mechanisms and promote transparency in disarmament processes,
 - d. encourages the IODWMD to engage non-state actors, including civil society organizations and academia, to solicit their expertise and perspectives in shaping effective disarmament frameworks;
8. Recognizing the need to establish resolutions to address the problem of independent military organizations through measures such as:
- a. Establish new laws specific to terrorism including but not limited to:
 - i. Prevent terrorism with the ability of nation under permission of the UN to enter country borders with less than 10% of their military involved,

- ii. Independent military organizations needed to address their problems with the UN, giving them ability to report to the UN to address their problems as well as setting independent nations valid,
 - iii. Open the panel inside the security council for new laws to be proposed,
 - b. Allow trading supplies for independent illegal military organizations for humanitarian needs,
 - c. Dismantle all weapons from independent military organizations immediately with the support of the local government, if the organization disagrees, the UN grants permission for the military troops from other nations;
9. Recognizing the need to vote for this resolution to ensure international peace and security.