

Committee: Security Council (SC)

Topic: Private Use of Mercenaries

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“Men make history and not the other way around. In periods where there is no leadership, society stands still. Progress occurs when courageous, skillful leaders seize the opportunity to change things for the better.” – Harry S. Truman

Dear Delegates,

First of all, welcome to CSPCMUN2017. It is an honor to have you in this year's edition. We hope that this simulation is a memorable experience. We are confident that during these three days you will develop skills such as leadership, negotiating, and critical thinking while representing a specific country. We expect that in this model you meet new people who will encourage you to make an impact in our world. I am sure that you will prepare yourself enough so you can get to agreements and help in the resolution of the committee's problematic. We hope you enjoy this simulation as much as we will do. Any doubts you may have, do not hesitate on asking us.

Sincerely,

Mariana Lazo

Chief of Moderators

I. Committee Overview

The Security Council, or SC, has the duty of preserving the international peace and security likewise welcoming new members to the United Nations and approving any adjustments to its United Nations Charter. On October 24th, 1945 the victors of World War II had confirmed the UN Charter, of creating the Security Council.

Security Council is really important because it is one of the six principal organs of the United Nations. The Security Council has the potential to add the establishment of peacekeeping operations, international sanctions, and the approval of military action through Security Council resolutions.

The Security Council today highlighted the importance of post-conflict peacebuilding as the “foundation for building sustainable peace and development in the aftermath of conflict”, and the need for effective peacebuilding strategies to assure durable peace and development.

The Security Council in total has 15 Members, in which the following five countries are permanent members: China, France, Russia, United Kingdom, and the United States, and ten countries are non-permanent members, they are chosen for two-year terms by the General Assembly. It was established by the drafters that if any one of the five permanent members give an opposing vote in the 15 member Security Council, the resolution or the agreement would not be approved.

When a protest is related to a threat of peace, the Council's first action is to advise that the parties try to reach an agreement by peaceful means. The Council may:

- Set forth principles for such an agreement;
- Begin investigation and mediation, in some cases,
- Quickly carry out a mission,
- Assign special envoys,
- Make a solicitation to the Secretary-General to use his good offices to accomplish a pacific settlement of the dispute.

II. Topic Information

Mercenaries hadn't had a good reputation throughout history. Their objective has been to obtain maximum pay for minimum risks with the result of those hiring them rarely get value of money.

The use of mercenaries is a problem since soldiers just go to wars for rewards, and they could either be fighting on the good or bad side, no matter who pays them. Mercenary employment will also affect civil war duration, but it is possible that longer civil wars affect the employment duration of PMCs and mercenaries. If mercenaries are hired to help end a civil war, they are supposed to end the civil war if they don't end the war they would see them as incompetent.

Today, several companies or organizations exist to provide armed combat or security services. They are known as private military services, or PMCs. Private military services are similar to governmental security but in a smaller scale. PMCs are legally operating in foreign countries under legally contracts of registered companies. However the UN Human Rights Council count with The Working Group on the Use of Mercenaries.

The use of mercenaries can be a danger to the local population for the following reasons: racist behaviour, no possibility to control them by local administrations, burglary, and violence of all kind.

Mercenaries lack of training than regular soldiers, so their connection into a conflict may create "indirect damages".

Mercenaries have no codes of ethics or laws they had to obey. A regular army has to acknowledge to international conventions and the military leaders are responsible for the actions of their fighting forces (or at least it should be so). Any unsteady behaviour could be sanctioned by national or international courts.

Private Military and Security Companies are today's modern mercenaries, still they should be exceptionally controlled and less dangerous.

The problem is that these are legally registered corporations that don't have a true legislation because they are relatively new organizations.

A) History of the Topic

During the XIXth and XXth centuries, mercenaries had basically disappeared, but in the 1960's during the decolonization period operating in much of Africa and Asia, this mercenaries reappeared. They are soldiers who are hired by a foreign country to fight in its army. Does, they take a direct part of the hostilities for private gain. They fight for personal gains of money or other recompenses, instead of fighting for the interests of the country.

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supposed to end that civil war if they don't end the war they would see them as incompetent.

The usages of mercenaries has changed over the years. In ancient times, this mercenaries were a necessity because standing armies weren't available. People had to look somewhere else, to search for soldiers after they exhausted their supply of able-bodied citizens available to fight. Nowadays, in the modern age the hiring of mercenaries is prohibited by the United Kingdom, Russia, China, and the United States.

For example, back in time to 1337 to 1453, the Hundred Year's War took its toll on the English and French armies. As he grew, so did the number of mercenaries. Edward of Woodstock, known as the Black Prince, made good use of mercenaries to carry out the chevauchee that was a method of warfare. This method was very effective so being a mercenary was a productive and well paid profession. So soldiers from all Europe went to France to get this profession, which included both salary and whatever they could plunder. Suddenly this professions were very common and used. When this war ended, the demand of mercenaries evaporated. Some became part of free companies who sold their services, others stayed in France and continued working there.

Two mercenary armies increased this trend in the 15th and 16th centuries. They were the Swiss Guard and the German Landsknechte. The soldiers became so skilled with the combat weapons. The German Landsknechte was the dominant mercenary until the developing of political standing armies in the mid-17th century.

In World War II, the German army took advantage and recruit volunteers and foreign-born soldiers from all Germany. Their use illustrates why mercenaries were popular: by developing recruits internationally, a nation could take advantage of quickly manpower to build a larger fighting force.

After World War II, the usage of mercenaries declined. Some went to Third World countries, especially in Africa, they were hired by government and antigovernment groups. They were hired to train soldiers, to advise military leaders and to actively engage rebel forces.

Mercenaries, especially from Europe, participated in postcolonial wars across the African continent, such as in Congo, Sierra Leone and Anglona.

The international community strongly discouraged the use of mercenaries, as a result of the conflicts in Africa, and the mercenary activity it inspired. Countries continued to hire foreign soldiers, but they exerted much more control. Also limited the activities of these soldiers to supporting roles only, freeing the army to focus on dangerous or

mission-critical activities. Today, several companies exist to provide this new type of mercenary. They are known as private military companies or PMC,s.

B) Current Issues

During the past five years, the Working Group has been studying manifestations, current issues, and trends about private military and security companies. They have informed the Human Rights Council and General Assembly about the issues. Since 2006, working groups have collected much information which indicates negative impacts of mercenaries activities or private soldiers employed by private military and security companies as civilians which are heavily armed.

The Working Group found that their activities related with acts of torture, trafficking of persons, serious health damages caused by their activities, as many others as attempts against the right of self-determination. It appears that PMSCs in the search for profit, do not provide with the basic rights for their employees, neglect security, and put their people in vulnerable and danger situations.

In October 2016, the UN Working Group called the Government of Central African Republic to urgently tackle the treatment of mercenaries and/or the foreign fighters that had joined the local armed groups, further to prevent the escalation of violence in the country.

"Mercenaries and foreign fighters from neighbouring countries including Cameroon, Chad, Niger and Sudan joined armed groups, primarily the Selekas, causing damage and destruction," said human rights expert Anton Katz at the end of the Working Group's visit to Central African Republic.

"Some 500 or more mercenaries and foreign fighters remain in Central African Republic today and have taken advantage of the current fragile state of the country to enrich themselves through criminal activities," Mr. Katz said "The ongoing presence of these actors gravely undermines the right of Central Africans to self-determination and threatens the stability of the country." Mr Katz noted.

C) UN Action

The Working Group on the Use of Mercenaries was established in 2005. It is a special mechanism of the UN Human Rights Council, who encounters to research mercenaries and all related activities in all their areas, including companies and programs that provide military and security services. It monitors the activities of mercenaries and their impact they made in all human rights and proposal to encourage the protection of these human rights.

On July 2016 The United Nations Working Group on the use of mercenaries gathered a group of top international experts to discuss how privatization of war affects human rights, and how private military and security companies (PMSCs) impact on the right to self-determination.

Some important resolutions had been made by the UN against the use of mercenaries:

Resolution of the 54th session of the Commission on Human Rights

The Commission on Human Rights extends the mandate of the Special Rapporteur for an additional three years. The Commission requests the Secretary-General to invite governments to propose clearer definitions of the term mercenary.

Resolution of the 49th General Assembly

GA urges all states to cooperate with the Special Rapporteur on the Use of Mercenaries.

Resolution of the 56th session of the Commission on Human Rights

The Commission on Human Rights reviews the UN position on the use of mercenaries and notes the growing use of private forces throughout the world.

Resolution of the 50th session of the Commission on Human Rights

The Commission on Human Rights denounces the use of mercenaries throughout the world. The Commission encourages states to adopt the International Convention against the Recruitment, Use, Financing, and Training of Mercenaries.

Resolution of the 51st session of the Commission on Human Rights

The Commission on Human Rights extends the mandate of the Special Rapporteur for an additional three years. The resolution also asks that the Special Rapporteur to seek information from governments and organizations to fulfill his mandate, and calls upon governments to cooperate with the Special Rapporteur.

Resolution of the 57th session of the Commission on Human Rights

The Commission on Human Rights reviews the UN position on the use of mercenaries and notes the growing use of mercenaries. The Commission extends the mandate of the Special Rapporteur for an additional three years.

Economic and Social Council Resolution

This resolution condemns states and in particular South Africa for using mercenaries to fight national liberation movements in Africa

Resolution of the 48th General Assembly

The UN General Assembly notes with alarm the linkage between mercenaries and terrorism, and continues to register concern over South Africa's participation in mercenary activities.

III. Conclusion

Now that the US stopped making use of private military companies in Iraq and Afghanistan, both countries are seeking new customers. Consequently, the market for force is expanding, finding new inventory and requests. In the past year, mercenaries have arisen in many combat zones: United Arab Emirates hired them to fight in Yemen, Nigeria hired them to defeat Boko Haram (a branch of the Islamic State of Iraq and the Levant.), Putin hired them to fight in eastern Ukraine; they're fighting in Syria, Iraq, Afghanistan, and Somalia. The US's heavy dependence on military contractors both increased their numbers and also authorized their use. Now other countries and consumers are following the US lead, globalizing the industry. Mercenaries are encouraged to start and increase war for profit. Out of work mercenaries may become bandits, preying on the weak. Or they become criminals, demanding "protection" money from cities and states, like the mafia.

IV. Essential Questions

Here there are some essential questions related to the topic

- 1) How was or is your country participating with the usage of private mercenaries?
- 2) Does the United Nations implemented any actions to help in your country? If it did, then what are some of them?
- 3) Are there any organizations or programs helping with all activities related to the use of mercenaries?
- 4) How is your country collaborating throughout this issue?
- 5) What are some current issues about this problem in your country?
- 6) How is your country getting this mercenaries?
- 7) What is the situation in which your country is involved?
- 8) What has happened in your country through the last year?

V. Sources

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