

## **NORWEGIAN SUBMISSION # 1**

Thank you Mr. Chairman.

Since Norway is assuming the floor for the first time let me start by congratulating you on your election and compliment you on your efforts in chairing this very important meeting.

Let me also thank the presenters for their very informative contribution this morning.

Just a very brief intervention on our part informing the Working Group that Norway on 8 June this year signed the Montreux-document.

As was mentioned by Mr. Meltzer, the MD does not prescribe any new legal obligations but it is nevertheless very useful in that it collects the various international obligations that apply and lays out good practices for how to implement these norms in practice.

We believe that the MD will be the point of reference when States interact with PMSCs in the future, and Norway will certainly make use of it should we contract such services.

In closing, I would like to thank Switzerland and the ICRC for initiating the process that lead to the MD.

Mr. Chair, I thank you.

## **NORWEGIAN SUBMISSION # 2**

Thank you, Mr. Chairman, for giving Norway the floor.

Let me start by saying that Norway appreciates this opportunity to discuss the very important topic of how to adequately regulate the activities of PMSCs. The increasing use of PMSCs and the possible risks this entail obviously warrant the attention of the international community.

From our perspective it is imperative that the activities of PMSCs are properly regulated. However, Norway would caution against discussing this issue with the exclusive goal of elaborating a legally binding instrument. Rather, the Working Group should also consider other ways of regulating the activities of PMSCs. There are many reasons for this – some of which I'll mention in the following.

One reason is the mechanisms that have been put in place relatively recently, notably the Montreux-document and the ICoC. Although it is unrealistic to assume that these initiatives by themselves can solve the issue before us, they represent important contributions that should be given time to operate and prove their impact.

Further, as has been mentioned both by both experts and other delegations, it is not clear whether it is appropriate to devise a single instrument that seeks to regulate all kinds of PMSCs as the activities they perform are anything but homogeneous.

A finale point that deserves mentioning is the fact that a comprehensive and holistic legal instrument must comprise, in a balanced way, elements of international human rights law, international humanitarian law and international criminal law. It is at least questionable whether all these legal areas fall within the competence of the Human Rights Council.

To summarize, Norway takes the view that discussing how to adequately regulate the activities of PMSCs is an issue of fundamental importance and we believe that the Working Group can produce results that can represent a significant contribution to finding an appropriate way forward.

However, due to the complexity of the issue at hand and the fact that reaching consensus on all pertinent legal areas seems premature as well as other concerns previously mentioned, we wish to reiterate that the Working Group should adopt a broad approach so that we maintain flexibility on what means should be employed to regulate the activities of PMSCs.

Therefore, we suggest that the Working Group decides to recommend moving forward based on a step-by-step approach where we focus primarily on reaching consensus on the various substantive human rights issues that are raised by the activities of PMSCs.

Thank you Mr. Chairman.