

Concept Note

Expert Panel Event on the Use of Private Military and Security Companies (PMSCs) by the United Nations July 31, 2013 New York, United States

The United Nations uses private military and security companies (PMSCs) extensively in a variety of activities and locations around the world. PMSCs provide guard services for UN offices, residential security for staff, as well as support for humanitarian activities, including risk assessments, threat analysis, logistical support, and contributing to the development of security strategy.

Private military and security companies, for their part, are eager to broaden opportunities to market their services to this expansive and diverse client base. Work with the United Nations not only means new business but also carries reputational value in fostering a positive image of these companies.

The Working Group on the use of mercenaries, which is mandated by the Human Rights Council to monitor and report on the activities of companies providing military assistance, consultancy and security services on the international market, has long followed the issue of the use of PMSCs by the United Nations.

The Working Group considers that the UN should serve as a model for Member States and other organizations in its use of private military and security companies. The Working Group is of the opinion that there is a risk that, without proper standards and oversight, the outsourcing of security functions by the UN to private companies could have a negative effect on the image and effectiveness of the Organization in the field. Policy decisions as to when and if it is appropriate to outsource security functions to private companies should be taken carefully and at a high level to ensure that human rights and staff safety are protected, and the image and reputation of the UN are not placed at risk. As a large consumer of security services, the UN has the opportunity to positively influence the standards and behaviour of the industry to comply with international human rights norms and support the implementation of the UN Charter.

The United Nations has adopted several recent policy changes which may impact these concerns. In July 2011, the UN adopted a Human Rights Due Diligence Policy on UN support to non-UN security forces, which sets out the principles and measures to mainstream human rights in the work of all United Nations actors supporting non UN security entities. While the policy does not apply to PMSCs, it raises the issue of whether it is appropriate for the UN to conduct similar due diligence with respect to companies with which it works. The Department of Safety and Security (DSS) has also undertaken to clarify the operating procedures, guidelines, and criteria for the United Nations' use of armed private security companies. This process resulted in a United Nations Policy on Armed Private Security Companies and Guidelines on the Use of Armed Security Services from Private Security Companies, which DSS published in 2012.

With a view to fostering open and productive dialogue on these recent changes in United Nations policy, the Working Group will host a panel event on this issue, involving stakeholders from within the United Nations, humanitarian organizations, human rights groups and aca-

demia. Panellists will discuss two broad sets of issues: 1) the use of armed private security companies to protect UN personnel and property in the field; and 2) the use of PMSCs in UN peace and humanitarian operations. Question and answer sessions will enable panellists to engage constructively with civil society on the practical and policy implications of outsourcing these functions to private companies.

The main objectives of this event are as follows:

- Increase transparency: foster public awareness of the nature and extent of the UN's use of PMSCs, as well as recent efforts by the Inter-Agency Security Management Network (IASMN) and DSS to assess questions of the UN's use of PSCs, and present the UN Guidelines for the use of armed private security companies for public discussion.
- Promote human rights due diligence: discuss current UN practice for the use of PMSCs (training, vetting, licensing, oversight, accountability), progress in implementation of the UN Guidelines, and comportment of UN policy and practice with international human rights and humanitarian law standards.
- The way forward: elicit feedback on UN policy and practice for the use of PMSCs and identify strategies to address any gaps or challenges.

A detailed agenda of the event is forthcoming. The working language of the meeting will be English and Spanish.

Kindly contact the secretariat of the Working Group to request to attend this event (Ms. Natacha Foucard, tel +41 22 917 94 58, email: nfoucard@ohchr.org; Ms. Junko Tadaki, tel: +41 22 917 92 98, email: jtadaki@ohchr.org).