# VMUN 2024

# United Nations Security Council

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Darren Tsai
Secretary-General

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Director-General

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USG Design & Media

Dear Delegates,

My name is Devin and it is my utmost honour to serve as the Director of the United Nations Security Council (UNSC) at VMUN 2024. Alongside me on your dais team is your chair, Aaron Xue.

Model UN has been integral to my individual growth, broadening my knowledge through diplomatic discourse and incurring my curiosity through academic exposure. Ever since first stepping foot into my first MUN conference room, I was captivated by the intense debate and diplomatic setting. Although having countless stutters in my first speech, I had fallen in love with the process. Through Model UN, I have met countless like-minded individuals and learnt of a variety of unique perspectives. These past years, I have truly realized that Model UN offers not only a diplomatic environment for high schoolers, but also the sleepless nights, excitement in the conference room, and numerous friendships. Model UN has given birth to so much of my unforgettable, memorable moments.

At this iteration of VMUN, UNSC will be discussing two concurrent pressing issues: *Private Military Contractors* and *The Future of the Taliban*. Both topics are multifaceted, requiring collaborative efforts between delegations to derive an effective solution.

Delegates, I sincerely hope you enjoy your time at VMUN 2024 by befriending amiable strangers, engaging in fruitful discourse, and creating effective resolutions. Should you have any questions or concerns, please do not hesitate to contact me at *unsc@vmun.com*. On behalf of our entire dais team, I welcome you to the UNSC committee at VMUN 2024.

Sincerely,

Devin Yue
UNSC Director

# Position Paper Policy

## What is a Position Paper?

A position paper is a brief overview of a country's stance on the topics being discussed by a particular committee. Though there is no specific format the position paper must follow, it should include a description of your positions your country holds on the issues on the agenda, relevant actions that your country has taken, and potential solutions that your country would support.

At Vancouver Model United Nations, delegates should write a position paper for each of the committee's topics. Each position paper should not exceed one page and should all be combined into a single document per delegate.

For the United Nations Security Council, position papers are required.

## Formatting

Position papers should:

— Include the name of the delegate, their country, and the committee

— Be in a standard font (e.g. Times New Roman) with a 12-point font size and 1-inch document margins

— Not include illustrations, diagrams, decorations, national symbols, watermarks, or page borders

— Include citations and a bibliography, in any format, giving due credit to the sources used in research (not included in the 1-page limit)

## Due Dates and Submission Procedure

Position papers for this committee must be submitted by **11:59 PM PT on January 22, 2024**. Once your position paper is complete, please save the file as your last name, your first name and send it as an attachment in an email to your committee's email address, with the subject heading as "[last name] [first name] — Position Paper". Please do not add any other attachments to the email.

Both your position papers should be combined into a single PDF or Word document file; position papers submitted in another format will not be accepted.

Each position paper will be manually reviewed and considered for the Best Researched award.

The email address for this committee is *unsc@vmun.com*.

# The Future of the Taliban

## Overview

The Taliban is an Islamic fundamentalist group known for imposing a harsh interpretation of Islamic law on the areas it controls. Many grave human rights abuses characterized their rule over Afghanistan from 1996–2001, notoriously against women and religious minorities.[1] To make matters worse, the Taliban has acted as a sanctuary for terrorist organizations. Most prominently, the Taliban refused to hand over the leader of the terrorist group, Al-Qaeda, following the 9/11 attacks in the United States. These attacks led to the US-coalition invasion of Afghanistan in 2001, which swiftly overthrew the Taliban government. However, despite their downfall in 2001, the Taliban continued to maintain and gain influence across the nation by taking control of regions, spreading propaganda, and using madrasas, Islamic religious schools that recruit and train children from as young as six.[2]

After the collapse of the Taliban, U.S. President George W. Bush aimed to "build an Afghanistan that is free from this evil and is a better place in which to live," a goal that continued during former President Barack Obama's reign.[3] During the United States' time in Afghanistan, various operations that aimed to reduce Taliban and terrorist activities took place. Furthermore, the U.S., in collaboration with organizations like NATO, sent military personnel to train the Afghan National Defence Security Forces (ANDSF), the army of the newly democratic government.[4] However, despite U.S. training efforts, the ANDSF had little resistance against the attacks of the Taliban due to two reasons: corruption and the lack of cohesion. The corruption was prominent amongst the ranks of the Afghan government and army; commanders embezzled money while others stole food and ammunition to sell on the black market. While higher-ups lived lavishly, many ANDSF soldiers were unpaid and kept on duty, causing much international distrust and decreasing morale. When these circumstances combined with skepticism of the nation's political leadership, ANDSF soldiers surrendered to Taliban forces.[5]

Following the U.S. withdrawal after the 2020 peace negotiations, the cohesive Taliban forces began quickly capturing territory and increasing their power in the country, a feat possible due to the internal conflicts of ANDSF. They took over in August 2021.[6]

Since then, the Taliban's rule has become progressively more authoritarian and repressive. The supreme leader, Haibatullah Akhundzada, has near absolute authority over decision-making processes within the Taliban. Resembling their regime in the 1990s, individual rights, including women's rights to education and employment, have been obliterated; civilian casualties are rampant as the Taliban conducts attacks on populated areas like

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[1] Vanda Felbab-Brown, "Will the Taliban Regime Survive?," *Brookings*, March 9, 2022, https://www.brookings.edu/articles/will-the-taliban-regime-survive/.

[2] Jo Becker, "This Is Our Opportunity to End the Taliban's Use of Child Soldiers," *Human Rights Watch*, September 20, 2021, http://www.hrw.org/news/2021/09/20/our-opportunity-end-talibans-use-child-soldiers.

[3] "Timeline: U.S. War in Afghanistan," *Council on Foreign Relations*, https://www.cfr.org/timeline/us-war-afghanistan.

[4] Ibid.

[5] Abdul Basit, "Why Did the Afghan Army Disintegrate so Quickly?," *Al Jazeera*, August 17, 2021, https://www.aljazeera.com/opinions/2021/8/17/why-did-the-afghan-army-disintegrate-so-quickly.

[6] Vanda Felbab-Brown, "Afghanistan in 2023: Taliban Internal Power Struggles and Militancy," *Brookings*, January 28, 2025, https://www.brookings.edu/articles/afghanistan-in-2023-taliban-internal-power-struggles-and-militancy/.

schools and places of worship.[7] Moreover, the country's economic difficulties have caused millions of people to face acute food shortages, lack of access to clean water, and inadequate healthcare.[8]

Efforts are underway to stabilize the situation and address the needs of the Afghan people. Countries establish their hopes for the future path of Afghanistan: Iran believes in restoring stability, China remains silent on the Taliban's status as a legitimate government, Germany states their concern for the humanitarian rights of the Afghan populace, and the United Kingdom opines that western intervention is still required.[9] Simultaneously, the UN humanitarian aid coordination agency and their nongovernmental partners assist thousands of displaced individuals with food, cash, water, and daily necessities. Currently, the United Nations Security Council (UNSC) is needed more than ever to fulfill its mandate to safeguard the future of world peace and ensure the correct development of Afghanistan.

## Timeline

**December 24, 1979–Febuary 15, 1989 —** The Soviet military invades Afghanistan to prop up a pro-Soviet, communist government in 1979.[10] After a decade-long war that resulted in widespread destruction and casualties, including the deaths of approximately one million Afghan civilians, the Soviet Union withdraws its forces.[11]

**1989–1992 —** Civil war begins in Afghanistan.[12] The government, led by President Mohammad Najibullah, faces opposition from different rebel groups, which eventually devastated the country and resulted in a power vacuum.[13]

**September 1996 —** Through launching military offensives, the Taliban capture Kabul, the capital of Afghanistan, establishing their regime, the Islamic Emirate of Afghanistan.[14]

**1996–2001 —** The Taliban rules over Afghanistan, imposing severe restrictions on individual rights, such as stripping away women's access to education and employment. They employed public executions and amputations for offences, such as murder and accused theft, and prohibited activities such as music, television, and cinema.[15]

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[7] "Afghanistan: UN Experts Say 20 Years of Progress for Women and Girls' Rights Erased since Taliban Takeover," *OHCHR*, March 8, 2023, https://www.ohchr.org/en/press-releases/2023/03/afghanistan-un-experts-say-20-years-progress-women-and-girls-rights-erased.

[8] Scott Neuman and Deepa Shivaram, "With the Americans Gone, Afghanistan Enters Its Uncertain, Taliban-Led Future," *NPR*, August 31, 2021, https://www.npr.org/2021/08/31/1032764890/afghanistan-kabul-taliban-us-isis-k-developments-update.

[9] "How the World Reacted to Taliban Takeover of Kabul," *Al Jazeera*, August 16, 2021, https://www.aljazeera.com/news/2021/8/16/how-the-world-reacted-to-taliban-takeover-of-kabul.

[10] "The Soviet Invasion of Afghanistan and the U.S. Response, 1978–1980," *U.S. Department of State*, https://history.state.gov/milestones/1977-1980/soviet-invasion-afghanistan.

[11] Alan Taylor, "The Soviet War in Afghanistan, 1979 - 1989," *The Atlantic*, August 4, 2014, https://www.theatlantic.com/photo/2014/08/the-soviet-war-in-afghanistan-1979-1989/100786/.

[12] "Afghan War," *Encyclopædia Britannica*, https://www.britannica.com/event/Afghan-War

[13] "Blood-Stained Hands," *Human Rights Watch*, March 28, 2023, https://www.hrw.org/report/2005/07/07/blood-stained-hands/past-atrocities-kabul-and-afghanistans-legacy-impunity.

[14] "National Counterterrorism Center: Groups," *National Counterterrorism Center*, https://www.dni.gov/nctc/groups/afghan_taliban.html.

[15] "Human Rights in Afghanistan," *Amnesty International*, https://www.amnesty.org/en/location/asia-and-the-pacific/south-asia/afghanistan/report-afghanistan/.

**September 11, 2001** — Al-Qaeda, a terrorist group harboured by the Taliban, orchestrates the devastating 9/11 attacks on the U.S., where four commercial airliners were hijacked and crashed into various locations—most notably the Twin Towers. The Taliban's refusal to extradite Osama bin Laden, the leader of Al-Qaeda, leads to a U.S.-led military intervention in Afghanistan to dismantle terrorist networks.[16]

**October–December 2001** — The United States, with British support, launches air bombing campaigns against al-Qaeda and Taliban forces; they are supported by ground operations of U.S. special forces and anti-Taliban Afghan groups, which includes Afghan militias and ethnic Pashtun forces.[17]

**December 9, 2001** — The Taliban regime collapses under the military intervention led by the United States. and allied forces. With help from the UN, the Afghan Transitional Administration, a transitional government preceding the establishment of a fully representative government, is created, marking the end of Taliban rule.[18]

**2001** — The International Security Assistance Force (ISAF) deploys based on a request for aid by Afghan authorities and a UNSC mandate. ISAF is tasked with the security maintenance of Kabul and surrounding areas.[19]

**August 2003** — Under the UN's guidance, NATO takes command of ISAF activities, begins gradually expanding control outside of Kabul, and becomes increasingly engaged in fighting counterinsurgencies.[20]

**December 2004** — Hamid Karzai becomes the elected President of the country. This event signifies an important step toward democratic governance in Afghanistan.[21]

**2011** — ISAF begins transferring security responsibilities to Afghan forces.[22]

**May 2, 2011** — The successful operation by U.S. special forces results in the killing of Osama bin Laden, leader of the major terrorist organization Al-Qaeda.[23]

**2013** — Having fulfilled their objectives in ISAF and other UN objectives, nations, such as France and Canada, begin to withdraw forces from Afghanistan, significantly reducing military capacity.[24] The U.S. and NATO hand over security responsibilities to Afghan forces, marking a significant shift in international involvement in Afghanistan.[25]

**2014** — The U.S.-led combat mission and ISAF's objective formally ends, and Afghan National Defense and Security Forces take charge of security in the nation; their goals instead shift towards providing training, advice,

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[16] "Osama bin Laden," *FBI*, https://www.fbi.gov/history/famous-cases/osama-bin-laden.

[17] "Timeline: U.S. War in Afghanistan," *Council on Foreign Relations*, https://www.cfr.org/timeline/us-war-afghanistan.

[18] "The Collapse of Afghanistan," *Journal of Democracy*, https://www.journalofdemocracy.org/articles/the-collapse-of-afghanistan.

[19] NATO, "ISAF's Mission in Afghanistan (2001-2014)," *NATO*, https://www.nato.int/cps/en/natolive/topics_69366.htm.

[20] Ibid.

[21] "Karzai Becomes Afghanistan's First Elected President," *VOA*, October 29, 2009, https://www.voanews.com/a/a-13-2004-11-03-voa56-67331872/382161.html.

[22] NATO, "ISAF's Mission in Afghanistan (2001-2014)," *NATO*, https://www.nato.int/cps/en/natolive/topics_69366.htm.

[23] "Osama bin Laden Dead," *National Archives and Records Administration*, 2023, https://obamawhitehouse.archives.gov/blog/2011/05/02/osama-bin-laden-dead.

[24] "NATO and Afghanistan," *NATO*, August 31, 2022, https://www.nato.int/cps/en/natohq/topics_8189.htm.

[25] "Instability in Afghanistan | Global Conflict Tracker," *Council on Foreign Relations*, https://www.cfr.org/global-conflict-tracker/conflict/war-afghanistan.

and assistance.[26] The Taliban exploits security vacuums as a result of the international withdrawal, gaining control over many remote towns and villages and establishing new bases.[27]

**February 29, 2020 —** The U.S. signs a peace agreement with the Taliban in Doha, aiming to end the long-standing conflict in Afghanistan. The agreement includes the withdrawal of foreign forces and commitments from the Taliban to cease sheltering terrorists.[28]

**August 2021 —** The Taliban rapidly captures Kabul, the capital of Afghanistan, after U.S. withdrawal, leading to the collapse of the Afghan government. They announce the re-establishment of the Taliban regime, the Islamic Emirate of Afghanistan.[29]

**August 2021 —** Taliban fighters are reported to have forced imams, the head of a Muslim community, in areas to bring lists of 12–45-year-old unmarried women. They would then search houses and force girls into marriage and a life of sexual servitude.[30]

**August 2021 —** While their male counterparts have returned to their jobs, the majority of Afghan women are barred from work because Taliban leaders claim the security conditions are not safe for women.[31]

**August 2021** — The Afghan Women's National Soccer Team and other female athletes face significant challenges as the Taliban imposed bans on women's participation in sports.[32]

**August 2021–June 2022 —** The UN Assistance Mission in Afghanistan (UNAMA) records at least 237 extrajudicial executions, which violate the right to life and are international offences, committed by the Taliban against mainly those who participated in anti-Taliban efforts and those who allegedly broke Taliban rules.[33, 34]

**November 2021** — The UN General Assembly declines to recognize the Taliban as the legitimate government of Afghanistan, citing concerns over human rights.[35]

**May 2022** — The Taliban government announces a ban on girls' education beyond the age of 12.[36]

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[26] "Timeline: U.S. War in Afghanistan," *Council on Foreign Relations*, https://www.cfr.org/timeline/us-war-afghanistan.
[27] Gilles Dorronsoro, "The Taliban's Winning Strategy in Afghanistan," *Carnegie Endowment*, https://carnegieendowment.org/files/taliban_winning_strategy.pdf.
[28] "Joint Declaration between the Islamic Republic of Afghanistan and the United States of America for Bringing Peace to Afghanistan," https://www.state.gov/wp-content/uploads/2020/02/Agreement-For-Bringing-Peace-to-Afghanistan-02.29.20.pdf.
[29] Clayton Thomas, "Taliban Government in Afghanistan: Background and Issues for Congress," *Congressional Research Service*, November 2, 2021, https://crsreports.congress.gov/product/pdf/R/R46955.
[30] Chris Pleasance, "Taliban Are Going Door-to-Door Forcibly 'marrying' Girls as Young as Twelve," *Daily Mail Online*, August 13, 2021, https://www.dailymail.co.uk/news/article-9883367/Taliban-going-door-door-forcibly-marrying-girls-young-TWELVE.html.
[31] "Taliban Ban Girls from Secondary Education in Afghanistan," *The Guardian*, September 17, 2021, https://www.theguardian.com/world/2021/sep/17/taliban-ban-girls-from-secondary-education-in-afghanistan.
[32] Housnia Shams, "Women's World Cup Has Reached Fever Pitch, but One Team Is Not Allowed to Play," *ABC News*, August 18, 2023, https://www.abc.net.au/news/2023-08-18/nsw-afghanistan-women-s-national-soccer-team-left-to-sit-on-side/102743190.
[33] "Human Rights in Afghanistan," *Amnesty International*, https://www.amnesty.org/en/location/asia-and-the-pacific/south-asia/afghanistan/report-afghanistan/.
[34] "Extrajudicial Executions," *TRIAL International*, March 19, 2021, https://trialinternational.org/topics-post/extrajudicial-executions/.
[35] "With Afghanistan 'Hanging by a Thread', Security Council Delegates Call on Taliban to Tackle Massive Security, Economic Concerns, Respect Women's Equal Rights | UN Press," *United Nations*, https://press.un.org/en/2022/sc14776.doc.htm.
[36] Diaa Hadid, "'The Taliban Took Our Last Hope': College Education Is Banned for Women in Afghanistan," *NPR*, December 20, 2022, https://www.npr.org/sections/goatsandsoda/2022/12/20/1144502320/the-taliban-took-our-last-hope-college-education-is-banned-for-women-in-afghanis.

**June 2022—** Taliban judges in Herat are reported to have neglected womens' complaints of domestic violence against their husbands.[37]

## Historical Analysis

In 1979, the Soviet Union invaded Afghanistan to support the Afghan communist government in their conflict against the anti-communist Muslim guerrillas, also known as *mujahideen*. The Soviet presence met fierce mujahideen insurgency. While the Soviets had superior military power and a cohesive army, the mujahideen were politically fragmented and uncoordinated with one another. However, with funding and arms provisions from the U.S., Pakistan, and other countries, the mujahideen continued to resist the Soviet presence within Afghanistan; the most notable funding initiative was a covert CIA operation to provide funds and weapons to mujahideen, Operation Cyclone—in which funding peaked at USD 630 million per year.[38] The U.S. intervention drew Afghanistan into the global Cold War conflict, escalating the violence and resulting in immense civilian casualties.[39] In 1989, after failing to fully instill a communist government, suffering from significant military consequences (12,000 dead), and being on the verge of disintegration, the Soviets withdrew, leaving behind a nation fractured by ideological divides and heavily damaged infrastructure.[40] This period saw Afghanistan descend into a civil war as various factions sought to fill the power vacuum—areas and authorities that were no longer occupied—that was formed due to the retreat of the Soviet forces.[41] From here, the Taliban emerged as a military organization aimed at providing stability amidst the chaos of the Afghan civil war. When the Taliban arose, the Northern Alliance, an anti-Taliban military group, was formed from the remnants of the mujahideen.[42]

Their rule was marked by extreme infringes on individual freedoms, and the international community largely isolated the Taliban due to their human rights abuses and their harbouring of international terrorist groups like Al-Qaeda.[43]

Then, following the 9/11 attacks in 2001, orchestrated by Al-Qaeda, the U.S. demanded the Taliban to hand over Osama bin Laden, the leader of Al-Qaeda.[44] When the Taliban refused, the U.S. and its allies invaded Afghanistan, initiating the War on Terror. During this intervention, the U.S. cooperated with the Northern Alliance to strategize and plan attacks on the Taliban.[45] By December 2001, the Taliban regime had collapsed under the U.S.-led military campaign.[46] In the aftermath, international efforts became more focused on rebuilding the nation and establishing democratic governance: the UN guided the establishment of a democratic

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[37] Hasht-e Subh, "'Women Have No Right to Sue Men', Says Taliban in Herat," *Hasht-e Subh Daily*, June 16, 2022, https://8am.media/eng/women-have-no-right-to-sue-their-husbands-says-taliban-in-herat/.

[38] Steve Coll, "Ghost Wars : The Secret History of the CIA, Afghanistan, and Bin Laden, from the Soviet Invasion to September 10, 2001," *Internet Archive*, January 1, 1970, https://archive.org/details/ghostwarssecreth00coll/page/46.

[39] "Soviet Invasion of Afghanistan," *Encyclopædia Britannica*, September 4, 2023, https://www.britannica.com/event/Soviet-invasion-of-Afghanistan.

[40] "Soviet Invasion of Afghanistan," *Wilson Center Digital Archive*, https://digitalarchive.wilsoncenter.org/topics/soviet-invasion-afghanistan.

[41] "Afghan War," *Encyclopædia Britannica*, September 1, 2023, https://www.britannica.com/event/Afghan-War.

[42] Gloria Lotha, "Northern Alliance," *Encyclopædia Britannica*, https://www.britannica.com/topic/Northern-Alliance.

[43] "Human Rights in Afghanistan," *Amnesty International*, https://www.amnesty.org/en/location/asia-and-the-pacific/south-asia/afghanistan/report-afghanistan/.

[44] "Timeline: U.S. War in Afghanistan," *Council on Foreign Relations*, https://www.cfr.org/timeline/us-war-afghanistan.

[45] "Global War on Terror," *George W. Bush Library*, https://www.georgewbushlibrary.gov/research/topic-guides/global-war-terror.

[46] "Timeline: U.S. War in Afghanistan," *Council on Foreign Relations*, https://www.cfr.org/timeline/us-war-afghanistan.

government and international forces helped maintain stability in the region.[47] Hamid Karzai was elected president in 2004, and local political leaders and international bodies acted to create a new Afghanistan, albeit with limited success due to a multitude of challenges, including corruption, insurgency, and infrastructural limitations.[48] Despite the killing of Osama bin Laden in 2011, the Taliban continued their insurgency against the Afghan government. As international forces began to withdraw, the Taliban exploited the weakened military power of the Afghan government to launch widespread attacks and gradually gained significant influence over territories, such as Kandahar, Zabul, and Helmand.[49, 50]

The U.S. signed the Agreement for Bringing Peace to Afghanistan with the Taliban, also known as the Doha Accords, in February 2020, hoping to end the two-decade-long conflict.[51] However, the agreement, and the subsequent U.S. withdrawal, seemed to embolden the Taliban as they began establishing their presence in provinces and taking control of capitals. Consisting of mainly ethnic Pashtuns and rural Afghans, the Taliban has support from a significant number of Afghans and their forces continue to grow as propaganda is spread, children are recruited, and force and fear are taking place. Their organization, bound by a common goal—implementing their extreme interpretation of Islamic code—and consisting of loyal soldiers, is internally organized, has set-out tactics, and has decades of experience on the battlefield.[52] On the other hand, the Afghan military had widespread corruption and distrust among its ranks. When Taliban forces attacked their outposts, Afghan soldiers, who oftentimes were not being paid, easily surrendered. As provinces fell to Taliban attacks, the capture of Kabul had marked the re-establishment of the Taliban regime in August 2021.[53] This Taliban resurgence to power marked a significant turning point in the region's political dynamics.[54]

Although the Taliban promised a more inclusive and moderate form of governance than their previous reign from 1996 to 2001, it has been increasingly criticized by the international community for their human rights violations, particularly towards women and girls since they took power.[55, 56] The UN General Assembly's decision in November 2021 not to recognize the Taliban's rule highlighted these concerns. This was further reinforced in May 2022 when the Taliban announced a ban on girls' education beyond the age of 12 and later in June 2022, as it ignored women's lawsuits against their husbands.[57, 58] Taliban's autocratic tendencies raise concerns as well, since it could further limit freedoms and hinder the economic development of Afghanistan.

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[47] Ibid.

[48] Ibid.

[49] Ibid.

[50] "Vicious Cycle of Afghanistan," *FDD*, https://fddvisuals.github.io/vicious-cycle-afghanistan/.

[51] Ibid.

[52] Lindsay Maizland, "What Is the Taliban?," *Council on Foreign Relations*, https://www.cfr.org/backgrounder/taliban-afghanistan#chapter-title-0-6.

[53] Ibid.

[54] "The Taliban in Afghanistan," *Council on Foreign Relations,* https://www.cfr.org/backgrounder/taliban-afghanistan.

[55] Zaheena Rasheed, "Taliban Offers Amnesty, Promises Women's Rights and Media Freedom," *Al Jazeera*, August 18, 2021, https://www.aljazeera.com/news/2021/8/17/evacuation-flights-resume-as-biden-defends-afghanistan-pullout.

[56] "The Taliban & Afghan Women," *Feminist Majority Foundation*, July 17, 2020, https://feminist.org/our-work/afghan-women-and-girls/the-taliban-afghan-women/.

[57] "Taliban's Ban on Girls' Education in Afghanistan," *United States Institute of Peace*, April 1, 2022, https://www.usip.org/publications/2022/04/talibans-ban-girls-education-afghanistan.

[58] Mansoor Khosrow, "Women's Sports Going Downhill in Afghanistan as Taliban Denies the Right to Ski," *RadioFreeEurope/RadioLiberty*, March 2, 2023, https://www.rferl.org/a/afghanistan-women-skiing-ban/32294927.html.

The future, as it appears in 2023, likely involves the Taliban working to cement their hold over the entirety of Afghanistan. The course of action chosen by the UNSC in this pivotal period will significantly impact the future of Afghanistan and its people. [59]

## Past UN/International Involvement

**Security Council Resolution 1267 (1999)**

Resolution 1267 demanded that the Taliban turn over Osama bin Laden without further delay; denied permission for any aircraft to take off from or land in their territory if it is owned, leased, or operated by or on behalf of the Taliban; and required members to freeze funds and other financial resources, including funds derived or generated from property owned or controlled directly or indirectly by the Taliban. [60]

**Bonn Agreement (2001)**

The Bonn Agreement, also known as the Agreement on Provisional Arrangements in Afghanistan Pending the Re-Establishment of Permanent Government Institutions, was put together by Afghan factions and international members to create a plan for the democratization of Afghanistan. This agreement established an interim authority that would rule Afghanistan until a fully representative government can be elected through free and fair elections. The legal body established a "Judicial Commission to rebuild the domestic justice system in accordance with Islamic principles, international standards, the rule of law and Afghan legal traditions". [61] In addition, the agreement emphasized respect for international humanitarian law, especially the rights of women and minorities. This agreement allowed for the democratization of the Afghan government under the UN's guidance. [62]

**ISAF Mission (2001–2014)**

Tasked with maintaining the safety of Kabul and surrounding areas for diplomatic action to take place, the International Security Assistance Force (ISAF) was deployed at the request of Afghan authorities and a UNSC mandate. In 2003, NATO took command of ISAF activities and expanded control outside of Kabul, engaging in fighting counterinsurgencies. The regional command structure is led by various NATO countries, such as France, Germany, and Italy. [63] In 2011, ISAF began to transition the security responsibilities towards the Afghan

[59] Vanda Felbab-Brown, "Afghanistan in 2023: Taliban Internal Power Struggles and Militancy," *Brookings*, January 28, 2025, https://www.brookings.edu/articles/afghanistan-in-2023-taliban-internal-power-struggles-and-militancy/.

[60] "RESOLUTION 1267 (1999)," *United Nations*, October 15, 1999, https://documents-dds-ny.un.org/doc/UNDOC/GEN/N99/300/44/PDF/N9930044.pdf?OpenElement.

[61] "Agreement on Provisional Arrangements in Afghanistan Pending the Re-Establishment of Permanent Government Institutions," *OHCHR*, December 5, 2001, https://www.ohchr.org/en/press-releases/2009/10/agreement-provisional-arrangements-afghanistan-pending-re-establishment.

[62] Ibid.

[63] "International Security Assistance Force (ISAF)," *Institute for the Study of War*, https://www.understandingwar.org/international-security-assistance-force-isaf.

forces, which completely took over security operations in 2013. In 2014, the ISAF mission was completed and replaced with the Resolute Support mission.[64]

**Resolute Support Mission (2015–2021)**

Initialized on January 1, 2015, the NATO-led Resolute Support Mission (RSM) aimed to provide training, advice, and assistance for the Afghan security forces and institutions to ensure Afghanistan could protect its citizens. Furthermore, it ensured the transparency of the government and oversight of their adherence to international principles and laws. The mission consisted of around 16,000 NATO personnel, who took on non-combat roles in aiding Afghan security. On April 14, 2021, NATO countries, "recognizing that there is no military solution to the challenges Afghanistan faces, … decided to start the withdrawal of RSM forces". This mission was officially terminated in early September of 2021.[65]

**Médecins Sans Frontières**

Having begun providing services in Afghanistan in 1980, Médecins Sans Frontières (MSF), also known as Doctors Without Borders, continues to provide medical services to Afghan citizens despite rising conflicts. With around 1,700 medical professionals in Afghanistan, MSF responds to health crises, such as watery diarrhea outbreaks, that are impacting Afghan citizens. For example, in July 2022, after a 5.9 magnitude earthquake took place in the Paktika province, MSF workers set up temporary clinics and provided essential care for those that are affected.[66] In their International Activity Report 2022, MSF reported to have provided 337,700 emergency admissions, assisted with 42,800 births, and helped tens of thousands of individuals in outpatient consultations and surgical tasks.[67] In 2022 alone, MSF has worked across seven cities, including Herat and Kandahar, to provide medical care to those in need. MSF remains dedicated to providing Afghan citizens with medical care.[68]

**Security Council Resolution 2596 (2021)**

Resolution 2596 encouraged all member states to submit names of individuals, groups, undertakings, and entities involved in financing or supporting acts of the terrorist groups ISIL and Al-Qaeda. It urged member states to implement comprehensive international standards on combating money laundering and the financing of terrorism and called for regular reporting on the implementation of freezing assets and exemptions.[69]

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[64] "ISAF's Mission in Afghanistan (2001-2014)," *NATO*, https://www.nato.int/cps/en/natolive/topics_69366.htm.
[65] "Resolute Support Mission in Afghanistan (2015-2021)," *NATO*, December 1, 2021, https://www.nato.int/cps/en/natohq/topics_113694.htm.
[66] "MSF's Emergency Project in Paktika Province Comes to a Close," *Médecins Sans Frontières Ireland*, September 14, 2022, https://www.msf.ie/article/msfs-emergency-project-paktika-province-comes-close.
[67] "Afghanistan," *Doctors Without Borders - USA*, https://www.doctorswithoutborders.org/what-we-do/where-we-work/afghanistan.
[68] Ibid.
[69] "S/RES/2596(2021)", *United Nations*, 2021, https://documents-dds-ny.un.org/doc/UNDOC/GEN/N21/256/08/PDF/N2125608.pdf?OpenElement

# Current Situation

**Economic Crisis**

According to the assessment of the World Food Programme (WFP), almost half of the Afghanistan population is categorized in the level 3 "crisis" or level 4 "emergency" levels of food insecurity. Since the United States' withdrawal, over 90 percent of Afghan households lack sufficient food.[70] The World Health Organization estimates that the number of people in desperate need of health care services has increased from 18.4 million in 2021 to 28.8 million in 2023.[71] The root cause of the food, water, and healthcare crises can be attributed to one singular element: the economic crisis. In Afghanistan, citizens cannot get their money, prices are spiking, and the collapse of the central bank and banking system seems imminent.[72]

Before the Taliban takeover, the foreign aid Afghanistan received accounted for around $8 billion per year, or around 43% of the Afghan GDP. Wary of how the Taliban was going to treat and govern its citizens, many countries, such as the U.S., cut off their international aid to Afghanistan and froze their assets. This economic shock has been severely detrimental to the central bank's ability to control the country's economy, resulting in a severe cash shortage that has plagued the nation; the Taliban has closed the banks due to the cash shortage and their fear of customers rushing to withdraw their deposits—which can cause the banks to go under—leaving account holders unable to access their savings in the bank.[73] Moreover, there is a shortage of physical cash in circulation as banks have struggled to replenish ATMs with sufficient cash due to their fear of looting, exacerbating the difficulty for citizens to access their money.[74] People are unable to access their funds to meet daily expenses, pay bills, or conduct business transactions.[75] The severe cash crunch has led to long queues outside banks, with citizens desperate to withdraw their savings amid spiralling inflation and rising food prices. The banking crisis, unless promptly addressed, continues to push the Afghan economy toward the brink of disaster.[76] However, the Taliban's economic management has proved to be much more successful than in their previous reign, when they neglected the banking sector altogether. During the past two years, the Taliban have significantly lowered the widespread corruption within the country and continue to work with its Ministry of Finance and the central bank in controlling the economic crisis. Despite their efforts, the economic shocks posed by the freezing of assets and the loss of aid have, nonetheless, made the lives of Afghan citizens worse and worse. On the other hand, the Taliban's efforts to support its populace ignore one major population: women. Women, still, are severely limited in terms of work. Even if Afghanistan endures the economic crisis, women have either lost their jobs, are forced to work from home or are severely restricted in their ability to travel to their jobs. Thus, the already impoverished families will only suffer more after female members of the household lose their employment.

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[70] "Economic Causes of Afghanistan's Humanitarian Crisis," *Human Rights Watch*, August 8, 2022, https://www.hrw.org/news/2022/08/04/economic-causes-afghanistans-humanitarian-crisis.

[71] Luke Taylor, "'countless Lives' at Risk in Afghanistan as Health Services Collapse, Warns Who," *The BMJ*, August 24, 2023, https://www.bmj.com/content/382/bmj.p1961.

[72] Economic Causes of Afghanistan's Humanitarian Crisis," *Human Rights Watch*, August 8, 2022, https://www.hrw.org/news/2022/08/04/economic-causes-afghanistans-humanitarian-crisis.

[73] Ibid

[74] Ibid

[75] Shivam Shekhawat, "The Banking Crisis in Afghanistan," *ORF*, https://www.orfonline.org/expert-speak/the-banking-crisis-in-afghanistan/.

[76] Ibid

## Resistance in Panjshir Valley

The Resistance in Panjshir Valley refers to the armed opposition of the National Resistance Front of Afghanistan (NRFA)—a military alliance of former Northern Alliance members and other anti-Taliban groups—that emerged following the Taliban's takeover in August 2021.[77] It aims to uphold the principles of the Afghan Constitution and resist the return of the Taliban's oppressive regime.[78]

The Panjshir Valley, a rugged groove cut into the Hindu Kush mountains, has a historical reputation for having a stronghold of resistance against invaders, including the Soviets and the Taliban in the past, and today, the valley has emerged once again as a focal point of resistance.[79] The valley has only two main points of entry, both of which require passing through complex topography. This topography has allowed forces to be able to strategically defend the area.[80]

Currently, leaders such as Ahmad Massoud, son of the famous Mujahideen commander Ahmad Shah Massoud, and former Vice President Amrullah Saleh are trying to rally forces against the Taliban regime in the valley.[81] However, on September 6, 2021, the resistance in the valley, lacking military support from foreign countries, became the last to fall to the Taliban, who had superior military equipment.[82]

However, there are disputes regarding how much of the Panjshir Valley is under Taliban control as the NRFA is reported to still be resisting Taliban control. NRFA leader, Ali Nazary, claimed that while the Taliban had captured the main road, 60 to 65 percent of the region was still outside of Taliban control. Nazary has also accused the Taliban of targeting civilians, which is backed by the BBC investigation that found at least 20 civilians to be executed.[83]

## Women's Rights

The situation of women's rights in Afghanistan is one of the most severe humanitarian crises in the modern world.[84] During their previous rule from 1996 to 2001, the Taliban imposed a conservative interpretation of Islamic law, known as Sharia, restricting women's rights to education, employment, and movement, among other

[77] Khalid Mafton, "Do the Taliban Face Potent Armed Resistance in Afghanistan?," *VOA*, August 14, 2022, https://www.voanews.com/a/do-the-taliban-face-potent-armed-resistance-in-afghanistan-/6700348.html.

[78] Mohammed Rasool, "The Armed Resistance against the Taliban Is Still Here," *VICE*, August 17, 2022, https://www.vice.com/en/article/xgyw9a/afghanistan-taliban-resistance-panjshir.

[79] Elis Gjevori, "A History behind Panjshir Valley and Why It's yet to Fall to the Taliban," *TRT World*, August 20, 2021, https://www.trtworld.com/magazine/a-history-behind-panjshir-valley-and-why-it-s-yet-to-fall-to-the-taliban-49346.

[80] Mira Patel, "Why Panjshir Valley Stood Strong for Decades and How It Has Fallen Now," *The Indian Express*, September 18, 2021, https://indianexpress.com/article/research/why-panjshir-valley-stood-strong-for-decades-and-how-it-has-fallen-now-7517281/.

[81] Katherine Walla, "Afghan Resistance Leader Ahmad Massoud: There Is 'no Other Option' but to Fight on against the Taliban," *Atlantic Council*, August 11, 2022, https://www.atlanticcouncil.org/blogs/new-atlanticist/afghan-resistance-leader-ahmad-massoud-there-is-no-other-option-but-to-fight-on-against-the-taliban/.

[82] Khalid Mafton, "Do the Taliban Face Potent Armed Resistance in Afghanistan?," *VOA*, August 14, 2022, https://www.voanews.com/a/do-the-taliban-face-potent-armed-resistance-in-afghanistan-/6700348.html.

[83] Mira Patel, "Why Panjshir Valley Stood Strong for Decades and How It Has Fallen Now," *The Indian Express*, September 18, 2021, https://indianexpress.com/article/research/why-panjshir-valley-stood-strong-for-decades-and-how-it-has-fallen-now-7517281/.

[84] "Women in Afghanistan: The Back Story," *Amnesty International U.K.,* https://www.amnesty.org.uk/womens-rights-afghanistan-history.

basic freedoms.[85] Women were largely confined to their homes, and when in public, they were required to be accompanied by a male guardian and wear a head covering. Although these laws were repealed during the democratic period, the present situation is hardly different from that of the Taliban's previous reign, despite them promising better rights for women.[86] In May 2022, the Taliban government had already announced a ban on girls' education beyond the age of 12.[87]

**Refugees**

Afghanistan's political and security instability have forced many Afghans to leave their homes in search of safety, which has created one of the world's most protracted refugee situations; a significant number of Afghan refugees are already in neighbouring countries.[88] After the Taliban took over, the neighbouring countries Uzbekistan, Tajikistan, and Turkmenistan began to worry about their security and tensions were escalating at the borders. On January 3, 2022, Turkmen border guards were reported to have engaged in an extended exchange of fire with the Taliban forces.[89] For Tajikistan, there are terrorist organizations crossing the borders to chase down the anti-Taliban enemies.[90] Due to these factors, all three countries have closed their borders. Turkmenistan and Uzbekistan have expressed that they will not be accepting any Afghan refugees for security reasons.[91] Although Tajikistan announced that it will accept up to 100,000 refugees in July 2021, in October, under immense pressure from Russia and post-Soviet Central Asia, it has closed its borders to refugees as well. Other neighboring countries, such as Pakistan and Iran, have taken different approaches to respond to the Afghan refugee crisis.[92] Some, such as Turkmenistan, have implemented stricter border controls, while others, such as Pakistan, have expressed willingness to host and support Afghan refugees.[93]

Pakistan and Iran are the countries that have traditionally absorbed the most Afghan refugees, although both have faced criticisms for their treatment of these refugees.[94] Pakistan and other bordering countries have warned they will not accept Afghan refugees past a limit, meaning refugees without official documentation are at the risk of arrest and deportation.[95] Turkey, similarly, although a significant destination for Afghan refugees, has also

[85] Jacques Follorou, "The Return of the Taliban to Hardline Sharia Law," *Le Monde*, November 16, 2022, https://www.lemonde.fr/en/international/article/2022/11/16/the-return-of-the-taliban-to-hardline-sharia-law_6004471_4.html.
[86] "Afghanistan: UN Experts Say 20 Years of Progress for Women and Girls' Rights Erased since Taliban Takeover," *OHCHR*, March 8, 2023, https://www.ohchr.org/en/press-releases/2023/03/afghanistan-un-experts-say-20-years-progress-women-and-girls-rights-erased.
[87] "Taking a Terrible Toll: The Taliban's Education Ban," *United States Institute of Peace*, April 22, 2023, https://www.usip.org/publications/2023/04/taking-terrible-toll-talibans-education-ban.
[88] "Afghanistan Refugee Crisis Explained," *The Un Refugee Agency*, https://www.unrefugees.org/news/afghanistan-refugee-crisis-explained/.
[89] Bruce Pannier, "First Firefight: Turkmen, Taliban Engage in Border Shoot-Out," *RadioFreeEurope/RadioLiberty*, January 6, 2022, https://www.rferl.org/a/turkmen-taliban-border-shoot-out/31640965.html.
[90] "Tajikistan Faces Threat from Tajik Taliban," *CACI Analyst*, https://www.cacianalyst.org/publications/analytical-articles/item/13750-tajikistan-faces-threat-from-tajik-taliban.html.
[91] "Central Asia Refuses to Accept Afghan Refugees," *Institute for War and Peace Reporting*, September 8, 2021, https://iwpr.net/global-voices/central-asia-refuses-accept-afghan-refugees.
[92] "Afghanistan: How Many Refugees Are There and Where Will They Go?," *BBC News*, August 31, 2021, https://www.bbc.com/news/world-asia-58283177.
[93] Ranj Alaaldin Madiha Afzal, "Humanitarian Crisis in Afghanistan and Neighboring Countries," *Brookings*, July 28, 2016, https://www.brookings.edu/articles/humanitarian-crisis-in-afghanistan-and-neighboring-countries/.
[94] Ibid
[95] Devon Cone, "'they Left U.S. without Any Support': Afghans in Pakistan Waiting for Solutions," *Refugees International*, July 15, 2023, https://www.refugeesinternational.org/reports-briefs/they-left-us-without-any-support-afghans-in-pakistan-waiting-for-solutions/.

been bolstering its border security to prevent the influx of more refugees.[96] On the other hand, The United States has expanded its Afghan refugee program to accommodate those who aided the U.S. war effort;[97] Germany and other European countries are willing to provide temporary shelter for Afghan refugees. However, these countries are also grappling with political and public opinion challenges, and many are facing backlash against the perceived threat of increased refugee flows.[98]

**Terrorism**

The resurgence of the Taliban in Afghanistan has sparked vehement international concerns about the country becoming a haven for terrorist groups.[99] During the Taliban's previous rule, they protected al-Qaeda, the terrorist group responsible for the 9/11 attacks against the United States.[100] While the Taliban claims to have severed ties with Al-Qaeda, there are ongoing fears and uncertainties due to their ideological ties and associations with terrorist groups, such as the Tehreek-e-Taliban Pakistan and Central Asian jihadis—which are militant Islamic movements that are existentially threatening to the West.[101]

Moreover, the ability of the Taliban to curb terrorism hinges on their capacity to establish control and rule of law throughout Afghanistan. Given the country's complex network of tribal alliances and regional power, this is no easy task; there are countless military powers, whether they be pro-Taliban, anti-Taliban, or terrorist groups, within Afghanistan. The Taliban claim to be eliminating terrorist groups; however, it seems like they may just be targeting their enemies. The Taliban and ISIS-K, an affiliate of the Islamic State militant group, are adversaries, with ISIS-K challenging the Taliban's claim to Islamic rule in Afghanistan.[102] The Taliban's ability to counter this rival group will be a significant test of their commitment to preventing terrorism.[103] However, the motive for eliminating ISIS-K may be different from just counter-terrorism. With Taliban controlling all the Afghan provinces, they have a lot more power over the other militant groups within Afghanistan. If, through military operations, the Taliban can wipe out anti-Taliban forces, the Taliban and its allies, whether terrorists or not, will be able to thrive in Afghanistan with little resistance.[104] Unfortunately, the international community has no way to confirm Taliban acts. Currently, information regarding Taliban's activities revolving around terrorist groups mostly come from the Taliban itself, as there are no international forces outposted in Afghanistan. Thus, the Taliban's reports can be self-serving or simply false.[105]

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[96] Radio Azadi, "Fleeing Afghans Who Reach Turkey Get No Respite from Violence, Persecution," *RadioFreeEurope/RadioLiberty*, September 5, 2022, https://www.rferl.org/a/afghan-refugees-turkey-violence-persecution-taliban/32019218.html.

[97] "Afghan Arrivals under the U.S. Refugee Admissions Program," *U.S. Department of State*, February 15, 2023, https://www.state.gov/afghan-arrivals-under-the-u-s-refugee-admissions-program/.

[98] "EU Accused of 'staggering Neglect' after Just 271 Afghans Resettled across Bloc," *The Guardian*, May 31, 2023, https://www.theguardian.com/world/2023/may/31/eu-accused-of-staggering-neglect-after-just-271-afghans-resettled-across-bloc.

[99] "Two Years under the Taliban: Is Afghanistan a Terrorist Safe Haven Once Again?," *United States Institute of Peace*, August 16, 2023, https://www.usip.org/publications/2023/08/two-years-under-taliban-afghanistan-terrorist-safe-haven-once-again.

[100] "Osama bin Laden," *FBI*, https://www.fbi.gov/history/famous-cases/osama-bin-laden.

[101] "Taliban Keep Close Ties with Al Qaeda despite Promise to U.S.," *NBCNews.com*, https://www.nbcnews.com/politics/national-security/taliban-keep-close-ties-al-qaeda-despite-promise-u-s-n1258033.

[102] "Instability in Afghanistan | Global Conflict Tracker," *Council on Foreign Relations*, https://www.cfr.org/global-conflict-tracker/conflict/war-afghanistan.

[103] Lynne O'Donnell, "What Happened to the Taliban's Pledge to Fight Terrorism?," *Foreign Policy*, April 11, 2023, https://foreignpolicy.com/2023/04/11/taliban-afghanistan-counterterrorism-islamic-state-united-states/.

[104] Ibid.

[105] Ibid.

The international community recognizes the need for a robust counterterrorism strategy, such as one that tackles terrorist funding, that goes beyond military interventions, which has been the strategy in the status quo, and addresses the root causes of extremism and terrorist activities. The challenges posed by terrorism in Afghanistan will remain at the forefront of international security concerns in the foreseeable future.

## Possible Solutions and Controversies

**Military Intervention**

A potential course of action involves the application of direct military intervention, like the ISAF mission, by international forces, which can come from organizations like NATO or in. This strategy could include a broad array of military measures, ranging from the deployment of ground troops, execution of targeted airstrikes, and launching of comprehensive counterterrorism operations. The goal of such a tactic is twofold: it could establish conditions that are more conducive to diplomatic negotiations by rapidly debilitating the operational and strategic capabilities of the Taliban, and it sends an unequivocal message to both the Taliban and other extremist factions about the international community's commitment to counter any form of terrorism. This aggressive stance against the Taliban could, in theory, allow for the restoration of stability within a shorter time frame. However, countries should not neglect the likelihood of causing civilian casualties and infrastructural damage, exacerbating the humanitarian crisis for Afghan citizens. In addition, direct military intervention could lead to extensive infrastructural damage, which could compound the economic challenges that Afghanistan already faces. Moreover, a prolonged military presence by foreign forces could further fuel anti-West sentiments and potentially act as a recruitment tool for extremist groups and the Taliban. In addition, as the world witnessed with the aftermath of the United States' mission in Afghanistan, the announcement of a military intervention may receive local and media lashbacks and may not receive as much international support. In light of these considerations, any decision made by the UNSC to pursue a military intervention strategy should be taken with a comprehensive understanding of its potential implications and consequences.[106]

**Sanctions**

Sanctions involve imposing economic, financial, or trade restrictions on the Taliban and their supporters as a way to retaliate or pressure them; in the status quo of sanctioning the Taliban, the international community would be pressuring the Taliban to govern in accordance with international law and to avoid terrorist activities. Sanctions could include, for instance, freezing international assets, restricting the movement of Taliban leaders, enforcing trade embargos, and tightening controls over arms exports.[107] The imposition of sanctions could lead to significant financial damages to the Taliban, curtailing their operational capabilities by limiting their access to funding and weapons.[108] The enforcement of these restrictions also communicates a strong message of international condemnation of the Taliban's actions, further isolating them diplomatically. Additionally,

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[106] Ali Ja, "Afghanistan Long-term Solutions and Perilous Shortcuts," https://cco.ndu.edu/Portals/96/Documents/prism/prism7_4/Prism7no4_112118.pdf?ver=2018-12-04-161606-947.

[107] "Afghanistan-Related Sanctions," *U.S. Department of the Treasury*, https://ofac.treasury.gov/sanctions-programs-and-country-information/afghanistan-related-sanctions.

[108] "The Taliban Sanctions Regime," *Australian Government Department of Foreign Affairs and Trade*, https://www.dfat.gov.au/international-relations/security/sanctions/sanctions-regimes/Pages/the-taliban-sanctions-regime.

sanctions can serve as a powerful incentive for the Taliban to negotiate and comply with the international community's demands, especially if the removal of these sanctions is tied to specific concessions such as improving human rights, granting more political freedom, or engaging in peace talks.[109]

However, sanctions are not a foolproof strategy, and they have their limitations and potential drawbacks. For one, the effectiveness of sanctions largely depends on their universal enforcement by the global community. If the Taliban can find alternative sources of funding or trade partners willing to defy these sanctions—which has already happened with China and Russia in recent years—their impact could be significantly reduced. Sanctions also often have unintended humanitarian consequences. While sanctions aim to weaken the Taliban, they can simultaneously inflict suffering on Afghanistan's general population as sanctions often lead to economic decline, increased poverty, and decreased access to essential goods and services.[110] Therefore, when considering sanctions as a policy option, it is crucial for the UNSC to vigilantly assess the benefits and consequences and cooperate to design and implement them in a targeted manner, aiming to limit the adverse impacts on the civilian population.

**Humanitarian Aid**

Providing humanitarian assistance to the Afghan people can address immediate civilian suffering, which is currently taking form as malnutrition and poverty. This includes supplying food, clean water, medical services, education resources, and support for internally displaced persons and refugees.[111] However, it is susceptible to corruption, mismanagement, and diversion by the Taliban or other actors. There is a risk that aid may inadvertently empower the Taliban by providing them with resources to consolidate their control, preventing the money from being efficiently utilized. Moreover, if the international community fills the governance and service provision gaps that the Taliban cannot address, it could lend legitimacy to their rule.[112] It is also important to note that unless accompanied by a comprehensive peacebuilding and state-building strategy, the impact of humanitarian aid can be short-lived, and a dependence on external support can be perpetuated.[113]

Humanitarian aid can also be provided conditionally. By providing them with conditional humanitarian aid, countries and organizations, like the UN, can make the Taliban promise to follow guidelines, such as having a NGO monitor the delivery of humanitarian aid or initiating counter-terrorist operations. However, unless there are NGOs or international forces monitoring their actions, the Taliban could easily break promises. Furthermore, the Taliban could seek humanitarian aid from other countries—a case that has already occurred with China—which don't have such conditions.[114]

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[109] "As Taliban Offensive Escalates, Afghanistan at Dangerous Turning Point, Special Representative Warns Security Council amid Calls for Ceasefire, Aid Access | UN Press," *United Nations*, https://press.un.org/en/2021/sc14596.doc.htm.

[110] Wazhma Sadat, "Why Sanctions against the Taliban Aren't Working," *Foreign Policy*, June 29, 2023, https://foreignpolicy.com/2023/06/29/taliban-sanctions-act-us-afghanistan/.

[111] "Afghanistan: Humanitarian Assistance," *U.S. Agency for International Development*, August 31, 2023, https://www.usaid.gov/humanitarian-assistance/afghanistan.

[112] Mansoor Khosrow, "'In Dire Straits': Taliban's Alleged Interference in Foreign Aid Deprives Afghans of Lifesaving Help," *RadioFreeEurope/RadioLiberty*, June 8, 2023, https://www.rferl.org/a/afghanistan-aid-stopped-taliban-interference/32450825.html.

[113] Charli Carpenter, "Afghans Need a Humanitarian Intervention Right Now," *Foreign Policy*, August 12, 2021, https://foreignpolicy.com/2021/08/12/afghans-need-a-humanitarian-intervention-right-now/.

[114] Mustapha Douch, "Aid Effectiveness: Human Rights as a Conditionality Measure," *World Development*, June 10, 2022, https://www.sciencedirect.com/science/article/pii/S0305750X22001681.

**Diplomatic Engagement**

Establishing diplomatic engagement with the Taliban involves recognizing them as a legitimate governing authority and building effective communication channels for negotiations. This diplomatic approach aims to provide a peaceful platform for dialogue, and set the ground for facilitating peace talks, which would likely take place—evident in past Taliban actions—in areas of the Taliban's or its allies' control. Engaging diplomatically with the Taliban can facilitate constructive discussions to influence the Taliban's behaviour and encourage the Taliban to respect human rights.[115] However, the path of diplomatic engagement raises certain ethical and political questions. Most notably, engaging with the Taliban diplomatically could be seen as legitimizing their rule and even inadvertently empowering them. This is especially troubling given the Taliban's history of human rights abuses. It is essential that the UNSC debate this approach cautiously.

## Bloc Positions

**NATO and Its Allies**

NATO and its allies find themselves in a complex predicament regarding the future of the Taliban and their control over Afghanistan. Following the 2021 withdrawal, the bloc has been navigating the balance between preventing a resurgence of terrorism, upholding human rights, and managing their geopolitical interests in the region.[116] Their immediate challenge is to confront the potential threats of terrorism, which could destabilize not only Afghanistan but have global implications. This bloc has employed diplomatic and economic means to influence the Taliban, withholding foreign aid and imposing sanctions to push for a more inclusive government and better treatment of Afghan citizens; however, these measures have proved not to be the most effective as the Taliban severely restrict women's rights, neglect suffering individuals, and commit violations of human rights, such as public executions.[117] They are likely to continue these strategies and may advocate for international pressure and oversight on the Taliban.[118]

**Countries Favouring Diplomatic Engagement**

This bloc of nations represents a mix of regional powers and major global players with direct strategic interests in Afghanistan. While each country's perspective varies, they have each shown a greater willingness to engage with the Taliban. China and Russia, as major global powers, see the situation as an opportunity to extend their geopolitical influence. For China, close relations with the Taliban would allow it to leverage its Belt and Road

[115] Farkhondeh Akbari, "Diplomatic Engagement with the Taliban: A Path Forward or a Black Hole?," *Just Security*, April 21, 2023, https://www.justsecurity.org/86065/diplomatic-engagement-with-the-taliban-a-path-forward-or-a-black-hole/.
[116] "NATO and Afghanistan," *NATO*, August 31, 2022, https://www.nato.int/cps/en/natohq/topics_8189.htm.
[117] Jason Bartlett, "Sanctions by the Numbers: Spotlight on Afghanistan," *Center for a New American Security*, https://www.cnas.org/publications/reports/sanctions-by-the-numbers-afghanistan.
[118] "U.S. Relations with Afghanistan - United States Department of State," *U.S. Department of State*, August 16, 2022, https://www.state.gov/u-s-relations-with-afghanistan/.

Initiative for economic influence;[119] Russia, on the other hand, has a historic interest in the region and a strategic goal to limit the influence of NATO.

Countries in close proximity to Afghanistan share a similar stance to Russia and China as they face refugee issues, cross-border militancy, and the potential for political instability. They would likely all hope for the regional security and stability of Afghanistan. China and Russia would help the Taliban achieve stability through trade and deals. Such nations may also advocate for an inclusive government in Afghanistan but are likely to negotiate directly with the Taliban to protect their interests.[120]

**Developing Nations**

Many developing countries, although they have opinions on the Taliban takeover, are unable to utilize their resources to provide tangible aid or participate in missions. Developing nations, especially those who have suffered from the economic impacts of COVID, need to utilize their resources; they must tackle their internal issues, such as political instability, and grow their own economy.[121] For example, although Gabon, Ghana, and Mozambique voice their concerns about the Taliban—taking positive notes on the Taliban's actions to reestablish institutes and negative notes on the lack of ethnic and female representations—they are unable to provide tangible resources to help with the situation because they must deal with their problems, such as debt crises and poverty.[122]

## Discussion Questions

1. What measures can the UNSC take to ensure respect for human rights, particularly for women and girls, in Afghanistan under the Taliban?

2. What are the potential incentives, such as economic sanctions, that the UNSC could consider to influence the actions of the Taliban?

3. How should the international community monitor Taliban actions? Should they stick to the status quo, where no international force is outposted in Afghanistan? Or should they impose regulatory elements into Taliban rule? If so, how will that be done?

4. How can the UNSC coordinate international aid efforts to alleviate the humanitarian crisis in Afghanistan, ensuring that aid and funds are used for the benefit of the Afghan people and not misused by the Taliban?

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[119] Ayaz Gul, "China Asks Afghanistan's Taliban to Address Terrorism Worries," *VOA*, May 7, 2023, https://www.voanews.com/a/china-asks-afghanistan-s-taliban-to-address-neighbors-terrorism-worries/7081901.html.
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[122] "Security Council Emphasizes That Punitive Restrictions on Women's Rights, Escalating Hunger, Insecurity Taking Devastating Toll in Afghanistan | UN Press," *United Nations*, https://press.un.org/en/2023/sc15222.doc.htm.

5. How can UNSC help alleviate the refugee crisis? Should they encourage neighboring countries to open their borders? What will be the security concerns of such an act? Or should the UNSC initiate a program to transport refugees to other countries?

6. How can the UNSC help alleviate the various crises, such as the health crisis or the economic crisis, of Afghanistan? Should states offer humanitarian aid to the country? Will those come with a condition for the Taliban to fulfill?

7. What should happen if the Taliban were found to be cooperating with terrorist partners?

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# Private Military Contractors

## Overview

Since their emergence during World War II, private military contractors (PMCs), also known as private military and security companies (PMSCs), have been participating in conflicts worldwide for monetary gain; typically hired by governments in conflict, PMCs have offered specialized services in combat operations, intelligence collection, military training, logistics support, advising strategies, and technical support. In the past decades, global events, such as the end of the Cold War—which led to higher soldier supplies and increasing client needs—have contributed to the rapid development of the PMC sector, with the number of worldwide firms quintupling over the last 30 years. However, as the participation of PMCs increases in modern conflicts, a crucial aspect must be addressed: how should PMCs' actions be monitored and controlled to limit unlawful acts while maintaining their positive effects?

PMCs are private companies that can provide support in military aspects in return for pure monetary gain. PMCs are corporate entities that serve as the middleman between sovereign entities or NGOs and militarily experienced individuals looking for profit. Consisting of clear hierarchies and roles, PMCs are a structure between a market and hierarchy, using similar business strategies and having an organized internal hierarchy—allowing for maximized efficiency in management and greater competitiveness in the free market. However, PMCs have also become a method for organizations to hire mercenaries without offending international law because of the lack of binding regulations and oversight.

Although the line between PMCs and mercenaries is blurry, the UN definition of mercenaries mismatches PMCs in some areas; thus, there are limited clear regulatory guidelines set for PMCs. Under Articles 1 and 2 of the International Convention against the Recruitment, Use, Financing and Training of Mercenaries, a mercenary is defined as "a person who is specially recruited locally or abroad to fight in an armed conflict…is motivated to take part in the hostilities essentially by the desire for private gain, [and] is neither a national of a party to the conflict nor a resident of territory controlled by a party to the conflict…". Though PMCs fit some of such categories, there are many loopholes; for example, American PMC employees will not qualify as a mercenary in the Iraq conflict because they were nationals of a party to the conflict. Furthermore, PMC contractors are civilians and not combatants, unless they fit a certain category during armed conflict.

PMCs have greatly appealed to governments in terms of their military efficiency, costs, and skills. This appeal is demonstrated by their participation rates in armed conflicts over the past decades: for example, the ratio between contracted personnel and military personnel was around one to one in the 2003 Iraq War and around 1.42 to 1 in the Afghanistan conflict.

The market of PMCs has been expanding at an incredible rate. Currently valued at USD 258.11 billion, the private military security service market, which is only a portion of PMCs, is expected to grow to USD 446.81 billion by 2030, an estimate derived from the 7.1% annual growth rate. When considering PMCs participating in active conflicts, the annual growth rate skyrockets even further; for example, the U.S. alone spent over USD 600 billion of the federal budget in 2010 on private contractors. Concurrently, the regulatory aspects have not been keeping up with the growth of PMCs and it is an issue that must be addressed.

# Timeline

**1965 —** An ex-Special Air Services veteran, David Stirling, organizes WatchGuard International, the first official PMC.[123] After its initialization, its main tasks were the training of security within UK-friendly third-world countries. Later, in 1970, WatchGuard signs a contract to help Libyan royalists and almost initiates a "little war" with Gaddafi, a Libyan revolutionary leader.[124]

**March 23, 1991 —** During the Sierra Leone war, Sierra Leone hires two PMCs, Sandline International and Executive Outcomes, to fight against the rebels and the Revolutionary United Front.[125, 126] The actions of the two PMCs become important historical examples representing both the success of PMCs and the controversy of their actions.

**October 20, 2001 —** The International Convention against the Recruitment, Use, Financing and Training of Mercenaries, also known as, the United Nations (UN) Mercenary Convention, enters into force. This convention aims to define mercenaries and ban the various usages of them; currently, it has only been ratified by 37 states.[127, 128]

**September 16, 2007 —** The Nisour Square massacre occurs when Blackwater Security Consulting, a PMC contracted by the U.S., shoots at Iraqi civilians, killing 17 and injuring 20 people.[129]

**2008 —** The United Nations Human Rights Council (UNHRC) contracts the ArmorGroup PMC for "office security services", which included protecting refugee camps and doing other security services, in Kenya.[130]

**September 17, 2008 —** The Montreux Document—an initiative by Switzerland and the International Committee of the Red Cross (ICRC)—is finalized and established.[131] The document contains a list of relevant international legal obligations and good practices when PMCs are present in armed conflicts; however, these guidelines are not legally binding.[132] These guidelines specifically revolve around international humanitarian law and human rights law. Currently, the document is signed by 58 states and 3 international organizations; which are NATO, EU, and OSCE.[133]

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**July 2, 2010** — The UNHRC publishes the 2010 Draft Convention on PMCs. This draft convention aimed to address the lack of transparency in PMCs and prevent human rights violations by PMCs.[134]

**November 9, 2010** — Created by the Swiss government, the International Code of Conduct for Private Security Service Providers (ICoC) is a non-legally binding set of principles directed at private security companies (PSCs), a subcategory of PMC.[135] Currently, ICoC has hundreds of PSC signatories and there is official oversight over these signatories.[136]

**June 28, 2021** — On a written contribution to the working group that wrote the 2010 Draft Convention, the European Union announces that it continues to oppose the establishment of a legally-binding instrument that regulates the activities of PMCs.[137]

## Historical Analysis

Since ancient times, the reliance on private military services has been present. For example, evidence shows that Greek and Nubian men fought for Egyptians as early as the Late Bronze Age (1595–1155 BCE). Before the UN Mercenary Convention, which banned mercenaries, private military services first evolved as mercenaries. In the 5th century, Ancient Greece would hire mercenaries to strengthen their forces. In the mid-14th to the 16th century, Italian states hired condottieri, bands of mercenaries, to fight against each other. Over the past centuries, there have always been countries and forces in need of additional military forces and soldiers looking for these jobs. For example, in the Hundred Years War, France and England hired foreign mercenaries, who relied on pay as their sole income—when the fighting paused, many mercenaries were left unemployed and struggled economically.

Although mercenaries were popular and sought after, groups have mostly transitioned or been replaced by PMCs, a modernized approach to private militaries. Compared to mercenary groups, PMCs have a more recognized legal structure, are legitimate corporate entities, and are subject to national law. Furthermore, while mercenaries are mainly focused on the combat aspects of war, PMCs have a far wider range of utility, including intelligence collection, naval protection, and domestic security.

Although the transition from mercenaries to PMCs began back in the American Civil War, where they used official military contracts, the rise of PMCs and the increased privatization of the military was sparked by the end of the Cold War. As the dissolution of the Soviet Union in 1991 marked the end of a long standoff between the two global superpowers and their allies, there was no longer a need for both countries to have massive standing armies; the U.S. military decreased by 35% in size, the British Army reduced dramatically, and the Soviet Union's Red Army dissolved and dispersed.

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[134] "Report of the Working Group on the Use of Mercenaries as a Means of Violating Human Rights and Impeding the Exercise of the Right of Peoples to Self-Determination," *United Nations Human Rights Council*, https://www2.ohchr.org/english/issues/mercenaries/docs/A.HRC.15.25.pdf.

[135] "ICOCA - International Code of Conduct Association," *ICoCA*, October 19, 2022, https://icoca.ch/.

[136] "The International Code of Conduct for Private Security Service Providers (ICOC)," *Observatoire Sécurité Privée*, https://observatoire-securite-privee.org/en/content/international-code-conduct-private-security-service-providers-icoc.

[137] "Open-Ended Intergovernmental Working Group to Elaborate the Content of an International Regulatory Framework on the Regulation, Monitoring and Oversight of the Activities of Private Military and Security Companies (Human Rights Council Resolution 36/11)," *European Union*, https://www.ohchr.org/sites/default/files/Documents/HRBodies/HRCouncil/WGMilitary/Session2/CFI/EuropeanUnion.pdf.

Suddenly, there was a surplus of highly skilled ex-military soldiers retiring or looking for work. PMCs capitalized on this and recruited many former soldiers, offering high salaries for their service. Moreover, the end of the Cold War marked the termination of the military and financial aid that the U.S. and Soviet Union were providing to developing countries for influence; the departure of their patronage led to power vacuums, propelling instability in many countries. For example, after the breakup of the Soviet Union, tensions in Yugoslavia rose and many conflicts broke out because the centralized power that had controlled the region was gone. Since many developing countries invested very little into their military due to the patronage of superpowers, they lacked military strength and control to maintain stability. Thus, the demand for PMCs has risen as unstable states try to protect themselves from being overthrown, such was the case in former Yugoslavia—where countries recruited PMCs to train their armies and advance their military.

The end of the Cold War instigated the creation of more PMCs and the growth of existing PMCs. Nowadays, these PMCs work in close conjunction with many legitimate organizations, such as governments or intergovernmental organizations. For example, DynCorp International, a US-based PMC, works closely with the U.S. on missions and receives 96% of its annual revenue from the federal government. With their trained and prepared personnel, PMCs are readily deployable and efficient in their work, attracting governmental organizations that always use costly and less prepared standing armies. For example, despite criticizing PMCs as unaccountable mercenaries, the UN has begun to accept the use of PMCs in their peacekeeping missions, such as the ones that occurred in Somalia and Afghanistan.

However, even though they have an organized and legally recognized structure, PMCs, even renowned ones, can act in manners that infringe on international standards. On September 16, 2007, BlackWater Security Consulting, an American PMC now rebranded as Academi, shot at Iraqi civilians, killing 17 and injuring 20. Aside from this incident, BlackWater personnel were reported to be aggressive and disruptive during their stay in Iraq—disobeying traffic laws, crashing into civilian vehicles, and firing guns as warnings. However, BlackWater was not held accountable and only four of its employees were given sentences for manslaughter, which were later pardoned by Trump during his presidency. BlackWater's behaviour has garnered much international attention on the accountability of PMCs and their usage on foreign lands.

## Past UN/International Involvement

**UNHRC Working Group**

The UNHRC is an intergovernmental body devoted to strengthening the promotion and protection of international human rights addressing situations of human rights violations and generating solutions for them.[138] To address the human rights issues of PMCs, a working group consisting of the U.S., Poland, South Africa, Yemen, Chile, and former members was created to discuss a potential solution with UN countries and navigate the regulatory landscape of PMCs.[139]

Created in July 2005, the UNHRC 'Working Group on the Use of Mercenaries' (Working Group) has attempted to navigate how a legally-binding instrument that will monitor PMCs can be created.[140] This Working Group is

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[138] Ibid.
[139] Ibid
[140] Ibid.

also in support of the usage of self-regulation for PMCs, such as the non-legally-binding Montreux Document and ICoC. Nonetheless, it continues to advocate for the implementation of a legally-binding method.[141]

However, due to the difference in opinions between many states, no finalized solution has been set forth. Though countries and organizations—such as the EU—still oppose the implementation of a legally binding instrument, countries and organizations are still willing to cooperate to better the regulations of PMCs.[142]

**Swiss Involvement**

As a nation with a longstanding commitment to upholding international humanitarian law and promoting human rights, the Swiss government aimed to set international standards, a precedent of the international community, that PMCs should comply with during their activities.[143]

In 2006, Switzerland worked in cooperation with the International Committee of the Red Cross (ICRC) to create the Montreux Document—the first adopted document that affirms the international legal obligations of various nations regarding the activities of PMCs.[144] In 2010, the Swiss government created the International Code of Conduct for Private Security Service Providers (ICoC).[145] The ICoC, commonly referred to as "The Code", set out non-legally-binding standards, such as the prohibition of torture and the limit on the use of force, that PMCs should follow.[146] After the code was launched, the Swiss government worked with organizations, such as the MSS Global—a certification body for security standards—to establish a voluntary oversight mechanism known as the International Code of Conduct Association (ICoCA). The ICoCA provides "certification of member companies' compliance with the Code, assessment of performance and monitoring of their work in the field—such as reviewing records and interviewing clients—and a complaints process to address alleged violations of the Code".[147, 148]

In 2015, Switzerland began to enforce the Federal Act on Private Security Services Provided Abroad. The law prohibits Switzerland-based PSCs from directly participating in hostilities abroad and providing services that may be connected to human rights violations. Furthermore, it established an obligation for Swiss-based PSCs to adhere to the ICoCA while providing their services abroad.[149] Although the Montreux Document and the ICoC are non-legally binding, this law makes those documents legally binding to Swiss PMCs, ensuring their actions follow humanitarian law when on foreign lands; this would garner respectful and peaceful behaviour for these PMCs.

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[141] Ibid.
[142] Ibid.
[143] "The Government of Switzerland - Leading the Promotion of Responsible Security around the World," *ICoCA*, December 3, 2021, https://icoca.ch/2019/01/04/the-government-of-switzerland-leading-the-promotion-of-responsible-security-around-the-world/.
[144] Ibid.
[145] "The International Code of Conduct for Private Security Service Providers (ICOC)," *Observatoire Sécurité Privée*, https://observatoire-securite-privee.org/en/content/international-code-conduct-private-security-service-providers-icoc.
[146] "The Code - ICOCA - International Code of Conduct Association," *ICoCA*, September 25, 2023, https://icoca.ch/the-code/.
[147] Ibid.
[148] "How to Become ICOCA Certified," *MSS Global public*, https://www.mssglobal.com/how-to-get-icoca-certification.
[149] Ibid.

**AU Involvement**

The policies of the African Union (AU) play a major role in controlling the security sector across the continent. To regulate PMCs, the AU has implemented many guidelines and suggestions that promote human rights and specify the accountability of PMCs.[150]

The Principles and Guidelines on Human and Peoples' Rights while Countering Terrorism in Africa discusses the accountability of PMCs, concerning the Montreux Document. The African Commission on Human and Peoples' Rights has stated that states must hold PMCs accountable for any domestic or foreign involvement with any deprivation of human life. In 2014, the AU published the Policy Framework on Security Sector Reform. The framework discourages AU members from using PMCs in security activities in Africa.[151] It further states that if AU member states were to use PMCs, it urges them "to conform to international, regional and national frameworks regulating the activities of private security companies".[152] These guidelines set forth the duty to the states to investigate human rights abuses and hold them accountable for all of their actions.

## Current Situation

**PMC Efficiency**

As the use of PMCs become increasingly prevalent, governments and organizations will continue to become dependent on their services. By contracting PMCs, governments do not have to maintain a large standing army, saving them a significant amount of money. The contractual nature of PMCs means PMCs only need to be paid for a limited time, which is much more cost-effective than paying the military year-round. Moreover, PMCs are much more readily available compared to standing armies that have to be trained, called up, and organized. Comparatively, PMCs have specially trained military individuals prepared to be contracted and ready for deployment at any moment. Further, after PMCs are paid, the government does not bear any of the consequences, whether they be physical or mental, that the PMC employees suffer; in contrast, when a country's soldiers get injured or killed, the military not only loses manpower and faces significant political backlash, but soldiers and their families must also be compensated.[153] PMCs also consist of skilled members and are unified under the same command structure. These contractors are familiar with the command structure, the tactics employed, and the standards required of them. Whereas, in UN peacekeeping troops, soldiers often speak a different language, operate under different command structures, and are commonly poorly trained because developing countries are most often the primary providers of the troops; this means that UN peacekeepers are hindered by a multitude of factors in their operations, preventing them from achieving as much success.[154] For

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[150] "African Union," *Observatoire Sécurité Privée*, https://observatoire-securite-privee.org/en/content/african-union.

[151] Ibid.

[152] Ibid.

[153] Nikola Zadzorova, "Private Military Companies: An Efficient Way of Meeting the Demand for Security?" *E-International Relations*, September 20, 2015, https://www.e-ir.info/2015/09/20/private-military-companies-an-efficient-way-of-meeting-the-demand-for-security/.

[154] Lauren Fitzsimons, "Should Private Military Companies Be Used in UN Peace Operations?" *E-International Relations*, November 25, 2015, https://www.e-ir.info/2015/11/17/should-private-military-companies-be-used-in-un-peace-operations/#_ftn74.

example, in the Rwanda Genocide, the UN forces struggled to deal with the escalating tensions due to their lack of training and the UN response was slow due to inadequate preparations, resulting in countless loss of lives.[155]

Aside from the military effectiveness of PMCs, other implicit incentives drive governments to continue using PMCs. Government officials can avoid responsibility even though the hired PMCs may be accomplishing their tasks in undemocratic feats.[34] Through outsourcing mercenaries—which is illegal under international law— PMCs can employ other mercenaries to help accomplish their goals. This can achieve the results in a much quicker fashion because they will have more personnel and information as well as a mercenary group that can cut corners in its actions; however, it would most likely involve PMCs or the groups they hire directly breaching the International Humanitarian Law through committing human rights violations or conducting other prohibited acts. Nonetheless, the government can simply turn a blind eye to the illegal acts as no current regulations are in place to control PMC actions.[156]

In addition, the government can evade many political and legal barriers when deploying PMCs; in the U.S., the deployment of PMCs does not require the authorization of Congress. For example, the U.S. mobilized around 150,000 private contractors from multiple PMCs, including BlackWater and DynCorp, to Iraq with little congressional and public knowledge. This means that the U.S. presidents can send in additional troops whenever they want, allowing them to have a lot more military power.[157] With no legally binding regulations, the potential for PMCs to commit illegal acts is vast, ranging from hiring mercenaries to cooperating with terrorist groups. It is important to address what type of regulations the international community wants to place on PMCs.

**Global Growth of PMCs**

After the Cold War, the PMC market grew as more ex-soldiers and weaponry became available for hiring and purchase.[158] As PMC operations, such as Executive Outcomes' Counterinsurgency Operations in Sierra Leone, proved successful, more states began to use PMCs for their skills.[159] As conflicts emerged, such as the wars in Iran and Afghanistan, extensive use of PMCs took place, whether it be for intelligence collection or security purposes. The increase in demand had caused more PMC firms to emerge in search for profit. The plateau of Figure 1 starting from 2012 can be attributed to shut downs of PMCs, acquisitions, and mergers—which mostly occurred to reduce competition and increase resources.[160]

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[155] Howard Adelman, "The International Response to Conflict and Genocide: Lessons from the Rwanda Experience," https://www.oecd.org/countries/rwanda/50189764.pdf.

[156] "The Awakening of Private Military Companies," *Warsaw Institute*, February 2, 2021, https://warsawinstitute.org/awakening-private-military-companies/.

[157] Tea Cimini, "The Invisible Army: Explaining Private Military and Security Companies," *E-International Relations*, August 5, 2018, https://www.e-ir.info/2018/08/02/the-invisible-army-explaining-private-military-and-security-companies/.

[158] Ibid.

[159] Nikola Zadzorova, "Private Military Companies: An Efficient Way of Meeting the Demand for Security?" *E-International Relations*, September 20, 2015, https://www.e-ir.info/2015/09/20/private-military-companies-an-efficient-way-of-meeting-the-demand-for-security/.

[160] Ori Swed, and Daniel Burland. "The Global Expansion of PMSCs: Trends, Opportunities, and Risks," *Office of the United Nations High Commissioner for Human Rights*, https://www.ohchr.org/sites/default/files/Documents/Issues/Mercenaries/WG/ImmigrationAndBorder/swed-burland-submission.pdf.
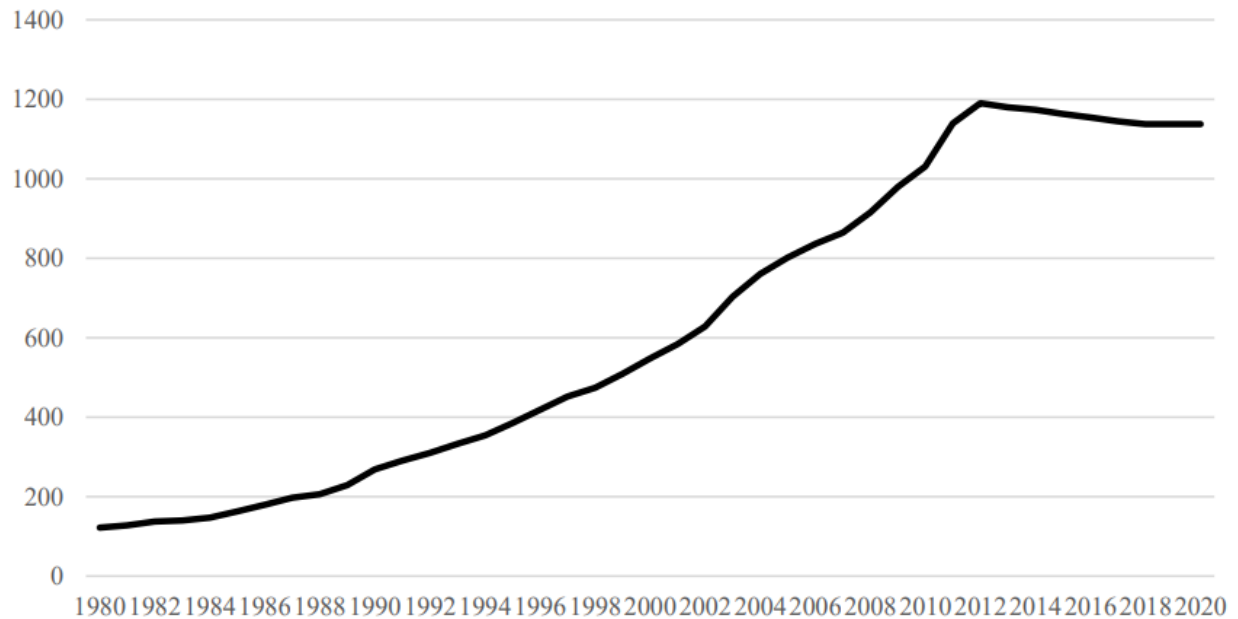
*Figure 1: The Number of PMCs Across the Globe, By Year[161]*

In Figure 2, the countries in gray showcase the ones that have at least one actively-used PMC firm within its borders. The countries that are marked in black are the ones that are leading the growing trend of PMCs: the U.S., the U.K., China, and South Africa. These countries account for around 70% of the PMC industry and are actively deploying PMCs on missions and using them for domestic security.[162]
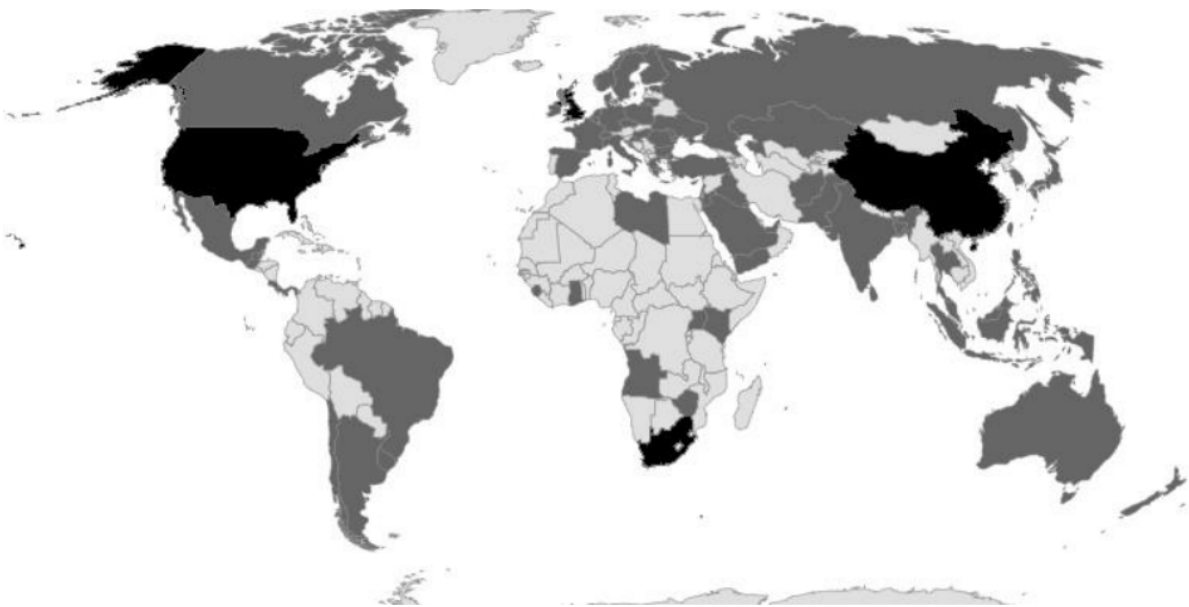


*Figure 2: Global Spread of PMSCs Headquarters[163]*

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[161] Ibid.
[162] Ibid.
[163] Ibid.

As the PMC market grows, PMCs of different specializations are emerging to target the needs of the industry, which is constituted of mainly land-based military. These PMCs can be sorted into three main categories: land, air, and maritime. Around 83%, 12%, and 32% of PMCs offer land, air, and maritime services, respectively. The increase in maritime and land services of PMCs is particularly higher than air services because there are more conflicts occuring within land and water, such as civil wars and piracy.[164]

**Challenges with Monitoring PMCs**

There are many challenges with monitoring PMCs. First, organizations can never be fully aware of the acts, whether illegal or not, that PMCs are committing because PMCs are often non-transparent and are not directly under their surveillance, especially when it comes to missions in foreign countries or remote regions. Thus, aside from the PMC's self-regulation and moral standards, which differ between companies, nothing is stopping them from breaching international laws.[165]

Nonetheless, many states believe the situation should remain as the status quo, where there are no legally binding instruments that control PMC behaviour. This can be attributed to their belief that the instrument can erode the confidentiality of operations, decrease the efficiency of PMCs, and result in unnecessary political hindrance.[166]

Thus, despite the efforts of the UNHRC's Working Group—which consists of the U.S., Poland, South Africa, Yemen, Chile, and other members—in attempting to create a legally-binding instrument that monitors PMCs, "the group has not progressed towards the creation of an international binding instrument… due to a strong dichotomy in approaches between States wishing to enforce obligations and others preferring a soft law response based on self-regulation."[167]

Additionally, there are two main obstacles stopping the creation of a legally-binding instrument. Many nations are unwilling to let an international organization to monitor their PMCs due to a variety of reasons. First, external monitoring of PMCs can result in a nation's confidential information, such as secret missions, being leaked. For example, if PMCs were involved in a secret operation, the investigation of PMC activity can leak information to unintended recipients, potentially jeopardizing the nation's national security. Second, countries would have to bear responsibility for the actions of the PMC.[168] Since a legally-binding instrument would lead to PMCs being held accountable for illegal acts, the nation that employed them will also be held accountable to some degree, and the media and international backlash will only hurt the nation. Furthermore, it may also lead to inefficiency as it requires a lot more legal processes until the deployment of PMCs can be validated—similar to the process of deploying the standing army.[169] Third, the structure and authority of the organization conducting the regulations, which will likely be a UN group, must be considered. Due to the unwillingness of many countries to cooperate with a regulatory organization, it will be very difficult to implement an effective

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[164] Ibid.

[165] Alexander Kees, "Regulation of private military companies," https://www.gojil.eu/issues/31/31_article_kees.pdf.

[166] Paxton Mayer, "Why hasn't more been done to regulate PMCS," April 2020, https://static1.squarespace.com/static/5d1e384a3369d50001af2c24/t/5f17320cf5a25c1df2a4a85a/1595355661937/why+hasn't+more+been+done+to+regulate+pmcs.pdf.

[167] "Mercenarism and Private Military and Security Companies," *Office of the United Nations High Commissioner for Human Rights*, https://www.ohchr.org/sites/default/files/MercenarismandPrivateMilitarySecurityCompanies.pdf.

[168] Tea Cimini, "The Invisible Army: Explaining Private Military and Security Companies," *E-International Relations*, August 5, 2018, https://www.e-ir.info/2018/08/02/the-invisible-army-explaining-private-military-and-security-companies/.

[169] Ibid.

system. Thus, the authority and power of the organization must be reduced for more countries to comply, but this may lower the effectiveness.[170]

Additionally, monitoring the hundreds of PMC firms would constantly require a large amount of resources, whether it be human or technology resources; this will generate dissatisfaction among many states, especially amongst those who do not want PMC activity to be regulated. Since PMCs can operate in dangerous environments, the people who monitor PMCs may be injured and resources used may be lost. Further, PMCs are not dressed as combatants since they are technically civilians, it is hard to distinguish between civilians and PMCs. Thus, monitoring PMCs may just be a herculean task.[171]

**Case Study: The Sierra Leone Civil War (1991–2002)**

On April 27, 1961, Sierra Leone gained independence from Britain and operated relatively stably under a democratic government that emerged from Britain's influence. Decades after, however, the Sierra Leone Civil War began when the Revolutionary United Front (RUF) fought against the Republic of Sierra Leone Military Force (RSLMF) in an attempt to overthrow the Joseph Momoh government and gain control of the rich diamond mines. In the first few years, the control over territories shifted between the two sides; however, wherever the RUF went, millions of civilians were displaced, kidnapped, injured, raped, and killed.[172] To put a hold on RUF actions, Sierra Leone recruited South-African PMC, Executive Outcomes (EO) in May 1995.[173]

Although it only deployed 160 contracted personnels against the 15,000 RUF militias, EO operated in a strategically and militarily efficient manner. Its intelligence gathering was top-notch as it contacted countryside civilian populations and Kamajors—local tribe militias; through these sources, they were able to gain hold of much geographical information and form effective tactics.[174]

Within just 10 days, primarily using Mi-24 helicopter gunships and only 30 EO infantry personnels, EO was able to lift the RUF siege of Freetown, the capital of Sierra Leone; its advanced military weapons and their coordination and skills were unmatched by the poorly trained RUF soldiers. By June 1995, EO had removed RUF control of the alluvial diamond area around Koindu and diamond fields in the Kono district, which were the main targets the RUF wanted to seize for monetary gain. By December 1995, EO had destroyed the RUF headquarters, pushing RUF to the border regions.[175] In February 1996, a ceasefire was organized, allowing the new Sierra Leone government to conduct a presidential election; during the election and after the new government took place, EO continued to operate in Sierra Leone. Although the RUF withdrew from the ceasefire in October 1996, EO was able to bring a second demise to the RUF headquarters, forcing the RUF to sign the

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[170] "Hate Is Being Mainstreamed," *OHCHR*, June 13, 2016, https://www.ohchr.org/en/stories/2016/06/hate-being-mainstreamed-global-update-high-commissioner.
[171] Tea Cimini, "The Invisible Army: Explaining Private Military and Security Companies," *E-International Relations*, August 5, 2018, https://www.e-ir.info/2018/08/02/the-invisible-army-explaining-private-military-and-security-companies/.
[172] McHugh, "Revolutionary United Front," *Encyclopedia Britannica*, March 20, 2023, https://www.britannica.com/topic/Revolutionary-United-Front.
[173] John Pike, "Executive Outcomes," *GlobalSecurity.org*, https://www.globalsecurity.org/military/world/para/executive-outcomes.htm#google_vignette.
[174] Mateusz Maciąg, "Engagement of Executive Outcomes in Sierra Leone," *Security and Defence Quarterly*, September 3, 2019, https://securityanddefence.pl/Engagement-of-Executive-Outcomes-in-Sierra-Leone-nutility-assessment,112110,0,2.html#references.
[175] Ibid.

Abidjan Peace Accord, which aimed to disarm the RUF and bring peace to the country. Overall, the speedy success of EO in Sierra Leone has shown the effectiveness of PMCs during civil conflicts.[176]

However, throughout EO's operations in Sierra Leone, the RSLMF was antagonistic towards them. Many officials feared EO's military power and were skeptical about their goals as the RSLMF itself was already highly factionalized—it even consisted of rebel soldiers that pillaged civilians. This resulted in very few instances of cooperation between EO and the RSLMF. However, EO instead gathered information from and cooperated with Kamajors, who were more familiar with the environment and tactically experienced with the surrounding geography.[177]

EO's operation within Sierra Leone proved to be a massive success, and it was able to withdraw its forces in early 1997. However, in May 1997, by which EO had departed, a group of RSLMF officers staged a coup in cooperation with the RUF and established a new government, the Armed Forces Revolutionary Council (AFRC). Civil war had broken out again as RUF conducted their indecent actions.[178]

In 1999, world leaders intervened to promote negotiations between the RUF and the official government; on July 7, 1999, the Lome Peace Accord was signed, giving the RUF control of the diamond mines in exchange for a ceasefire. Shortly after, UN peacekeepers were sent in with the task of disarmament, demobilization and reintegration.[179]

However, in a short comparison between EO and UN peacekeepers, UN peacekeepers are far less efficient in both costs and success than EO and, thereby, PMCs. Paid around $40 million for the whole contract, EO is very cost-effective, especially when compared to the UN operations in Sierra Leone. In Sierra Leone, EO's costs per month were USD $ 1.19 million, while UN's costs were USD $ 19.4 million. The UN's cost per personnel was around $37,000 higher than that of EO.[180] In addition, the UN operation was longer, larger, and less effective in achieving its goals. UN's Sierra Leone operation lasted 74 months, while EO's operations ended in less than 24 months. Furthermore, UN operations failed to fulfill its goal of disarming and demobilizing the RUF, despite deploying almost 12 thousand peacekeepers. On the other hand, EO deployed around 300 personnel and achieved their goal in months.[181]

Another significant PMC, Sandline International, was involved in Sierra Leone after the establishment of the AFRC. Sandline International, a London-based PMC with close ties to the British government, had goals of "negotiating the provision of military expertise and planning for the eventual return of the [*de jure*] government-in-exile to Sierra Leone by force if the international community did not provide a satisfactory solution" by the British High Commissioner to Sierra Leone at the time, Peter Penfold.[182]

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[176] Ibid.

[177] Jonah Schulhofer-Wohl, "Should We Privatize the Peacekeeping?" *The Washington Post*, May 12, 2000, https://www.washingtonpost.com/archive/opinions/2000/05/12/should-we-privatize-the-peacekeeping/ff9a7387-bcb2-4810-b0e0-1ee7bd26ba7d/.

[178] James Rupert, "Diamond Hunters Fuel Africa's Brutal Wars," *The Washington Post*, https://www.washingtonpost.com/wp-srv/inatl/daily/oct99/sierra16.htm.

[179] "UNAMSIL: United Nations Mission in Sierra Leone," *United Nations*, https://peacekeeping.un.org/mission/past/unamsil/background.html.

[180] Lauren Fitzsimons, "Should Private Military Companies Be Used in UN Peace Operations?" *E-International Relations*, November 25, 2015, https://www.e-ir.info/2015/11/17/should-private-military-companies-be-used-in-un-peace-operations/#_ftn74

[181] Ibid.

[182] Marika Josephides, "How Private Military Services Saved Sierra Leone," *IOA*, February 6, 2017, https://www.inonafrica.com/2014/12/01/how-private-military-services-saved-sierra-leone-the-contracting-out-of-military-duties-came-from-necessity-but-help-ensure-long-lasting-security.

According to a British government investigator, Sandline was also hired and paid by the *de jure* government president Kabbah to help pro-Kaaba forces regain control of Freetown.[183] Though Sandline International had supposedly only performed logistical support and intelligence gathering, a British government investigation concluded that Sandline International had breached the UN embargo on arms in Sierra Leone at the time. It was revealed that Sandline International supplied arms and training to the pro-Kaaba forces. Although Sandline conducted an illegal act, there was no punitive act by the UN as many civilians and the U.K. prime minister argued it was for the good of democracy. The case of Sandline has led to much debate about the regulation of PMCs.[184]

Despite not being punished, Sandline shut down in 2004, lacking governmental support.[185] In Sierra Leone, the case of both Sandline and EO display the effectiveness of PMCs in contributing to democratic acts; despite some controversies, their actions have greatly contributed to reinstalling democracy within Sierra Leone. With Sierra Leone, it can be seen that PMCs can be a great helping hand in conflicts, operating at high efficiencies. However, it also sheds light on how easy it may be for a PMC to conduct an illegal act.

**Case Study: The Wagner Group**

In 2014, the Wagner Group, a Russian-based PMC, was founded by Yevgeny Prigozhin, who was quite close with Putin—exemplified by his nickname "Putin's chef." Wagner backed pro-Russian separatist forces in eastern Ukraine, including Crimea and the Donbas regions, and is believed to have helped with the annexation of Crimea.[186] Until now, Wagner has had PMC activities in many countries within Europe, the Middle East, and Africa. Wagner's activities in Mali and especially in Ukraine have provoked an international response.[187]

In 2020, a military junta ousted the elected president in Mali and overthrew transitional leaders the following year.[188] In late 2021, the Malian junta reportedly contracted with the Wagner group to aid counterinsurgency operations.[189] As the Wagner group remains in Mali until today, they have been accused of many crimes, such as torture and rape. In March 2022, according to a UN report, troops overseen by the Wagner Group had massacred over 500 people, the majority being unarmed civilians, within the village of Moura for no apparent reason. This is one of many examples of the Wagner Group's illegal actions over the past years in various countries; the lack of witnesses, acute insecurity of local areas, and poor infrastructures have led many investigations to be inconclusive.[190] In addition to crimes, Wagner's entry into Mali has fueled concerns about Russia's regional influence and the unaccountability of Wagner forces in regional conflicts. In Mali, street

[183] James Rupert, "Diamond Hunters Fuel Africa's Brutal Wars," *The Washington Post*, https://www.washingtonpost.com/wp-srv/inatl/daily/oct99/sierra16.htm.

[184] "Inquiry Finds Sandline Did Breach Arms Embargo," *The Independent*, May 16, 1998, https://www.independent.co.uk/news/inquiry-finds-sandline-did-breach-arms-embargo-1159472.html.

[185] Yvette Selim. "Private Military Companies in Africa," *Routledge Handbooks Online*, September 5, 2013, https://www.routledgehandbooks.com/doi/10.4324/9780203803929-29.

[186] "What Is Russia's Wagner Group and What Has Happened to Its Leader?" *BBC News*, August 24, 2023, https://www.bbc.com/news/world-60947877.

[187] Ibid

[188] "Russian Mercenaries Behind Slaughter of 500 in Mali Village, Un Report Finds," *The Guardian*, May 20, 2023, https://www.theguardian.com/world/2023/may/20/russian-mercenaries-behind-slaughter-in-mali-village-un-report-finds.

[189] Ibid.

[190] Ibid.

protests increasingly feature pro-Russia, anti-France, and anti-UN messages, a feat likely incurred through Wagner's manipulation of the populace.[191]

Wagner was heavily involved in the recent Ukraine-Russia War. In the weeks before the Russian invasion, Wagner carried out "false-flag" operations, which are attacks that Russia would carry out on itself to provide an excuse to go to war with Ukraine. Prigozhin stated that Wagner recruited 49,000 Russian prisoners; each prisoner was given pardons and 100,000 roubles to serve 6 months in Ukraine.[192] During their time in Ukraine, multiple crimes have been committed by Wagner troops. Former convicts who were recruited by Wagner admitted to executing and torturing Ukrainian soldiers, as well as killing civilians including small children.[193]

Despite being a Russian-based PMC, Wagner's leader, Pirgozhin, has continuously criticized Russia. On June 23, 2023, a video of Prigozhin criticizing the Russian defense minister and the chief of staff of Russia's armed forces over their approach to the invasion was released.[194] Prigozhin accused the ministry of defense (MoD) of deceiving the public with the reasons for attacking Ukraine; Prigozhin stated that the MoD lied about Ukraine's aggressiveness, deflated the number of soldier casualties, and was motivated by personal interests.[195]

On that same day, Prigozhin launched an armed rebellion against Russia. One June 24, 2023, the Wagner Group first claimed control of Rostov-on-Don and later began marching towards Moscow, calling it a "march for justice."[196] However, after making it just 120 miles away from Moscow, Prigozhin stopped the march, saying he wanted to avoid bloodshed.[197] Later, after a deal between Prigozhin and Putin, Prigozhin was exiled to Belarus.[198] On August 23, 2023, Prigozhin was reported to have died in a plane crash south of the village of Kuzhenkinskoe in Russia.[199]

In Wagner's case, PMCs committed serious crimes, such as rape, murder, and torture. As a result, this case study provokes the question of whether PMCs should really be getting so much military power.

## Possible Solutions and Controversies

A multitude of factors must be considered when creating a system to monitor PMCs. Delegates are encouraged to be creative and conduct additional research to formulate other solutions that balance the viewpoints of stakeholders connected to the topic of PMCs. In addition, addressing broader issues that contribute to illegal PMC behaviour—such as corruption in areas like the Taliban—can be considered; however, it should not become the main focus of discussion.

[191] "Crisis in Mali," *Congressional Research Service*, https://crsreports.congress.gov/product/pdf/IF/IF10116.

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**Implementing Non-Legally-Binding Systems and Voluntary Oversight**

Self-regulation and non-legally-binding systems have already taken place across many PMC organizations around the world. PMCs, especially those originating from and controlled by ex-military veterans from democratic states, tend to have a natural tendency towards democratic behaviour during missions; for example, during their operations, EO and Sandline committed to respectful conduct and mainly focused on achieving their goal. Thus, when a non-legally binding regulatory element is established, these PMCs are much more likely to follow them, as it would not be too different from their original behaviour.[200]

Although non-legally binding, the Montreux Document and the ICoC have shown to be effective, having been signed by many states and PMCs, and enforced by some. However, to ensure that countries and the UN are not using PMCs that conduct illegal behaviour, voluntary oversight conducted by organizations, such as ICoCA, can come into play. For example, the ICoCA provides a voluntary certification process for companies that follow the code; this process, conducted by an impartial third-party audit, includes reviewing documents, interviewing leaders, verifying the system of control, and performing annual surveillance audits.[201] If the UN or other countries create more organizations that enforce non-legally-binding systems on willing PMCs, a larger group of PMCs that adhere to international standards will be formed. Then, if states only recruit PMCs from this group, it is much more likely that the PMC-conducted actions will be fitting to international standards.

However, due to the voluntary aspect, this solution fails to address the issue with PMCs that often reflect illegal behaviour, such as with the Wagner Group. Furthermore, countries are not obligated to use verified PMCs that adhere to international standards, unless an international law that obligates states to use verified PMCs is adopted.

**Creating a Legally-Binding System**

The implementation of a legally-binding system that regulates PMC behavior and accountability can be effective in terms of keeping PMC conduct legal and respectful of humanitarian law. To avoid diplomatic pressure and economic sanctions, states that ratify the system must adhere to the rules and regulate PMCs correspondingly.[202] If ratified nations break the law, they would be held accountable by the other ratified nations and the world; they would be subject to international and domestic backlash and economic sanctions, which would pressure them into following the rules more carefully. However, states that do not ratify the system can avoid all accountability. For example, states who have not ratified non-legally-binding conventions, such as the Russian Federation and Mozambique, most likely would not ratify legally-binding ones either.[203] In addition, states who have become somewhat dependent on PMCs both domestically and internationally are likely to oppose a legally binding framework because they do not wish for their actions to be under constant surveillance.

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**Intergovernmental Cooperation**

Cross-border cooperation and information sharing is vital to holding PMCs accountable for breaching international law. By sharing more information, organizations and nations can better regulate, monitor, and identify PMC activities; nations have to communicate PMC spottings and keep track of PMC border crossings. Otherwise, it would be incredibly difficult to accurately monitor PMC actions and hold them accountable if they breach international law. Through intergovernmental cooperation, the monitoring of PMCs can continue despite having to cross the border.

However, in the cases of certain countries, such as Russia—where groups like Wagner commit crimes on foreign lands—they would be unwilling to cooperate with the international community to help with the monitoring or the capture of PMCs to avoid accountability. Governments, such as the Taliban, can be completely uncooperative regarding PMC monitoring due to the nature of their governance; this can cause certain areas to become the nests of PMCs that conduct illegal behaviour.[204]

**Strengthening Military Capacity**

Lacking military capacity of nations, especially developing ones, is the reason that they must heavily rely on PMCs during conflict. When developing nations lose significant military funding and aid from wealthy nations, there is a military gap that needs to be filled; for these gaps to be filled, nations must invest in or secure international funding to increase their military capacity through training. This training can be performed by either the UN, other organizations, or PMCs. Through military training, the gap could be filled by the nation's own military, and the nation would not have to worry about overreliance on PMCs, which can result in escalation of a conflict or civil protest when PMCs make inconsiderate choices.[205] With less PMC usage, countries have one less factor to worry about when it comes to provoking conflicts or public anger.

However, developing nations typically cannot afford to train their military with only their budget because many are infested with corruption and other issues, such as refugee crises.[206] Thus, they often require help from external sources, such as the UN or the EU, that come in the form of military training missions, such as the European Union Training Mission in Mali.[207] However, these missions often only occur after a country has undergone conflict or when they are subject to growing instability. Thus, it would mean that developing nations have to mostly rely on themselves to emerge with a successful military.

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## Bloc Positions

**Russia, United Kingdom, and United States**

Russia, the United Kingdom, and the United States are the leading users of PMCs worldwide. All three of the countries value the military expertise and monetary convenience of PMCs and all have a similar purpose for PMCs: promoting national interest.[208] Although each countries' policies towards PMCs vary, with the U.S. and U.K. upholding self-regulation and Russia being indifferent towards PMCs regulation, their main usage PMCs is to project influence abroad.[209]

These countries' use of PMCs can be attributed to the lack of accountability, the bypassing of legal constraints, and a need. In the U.S., the deployment of PMCs doesn't need congressional approval, which is required for standing armies. In the U.K., while the royal prerogative allows the Prime Minister to deploy the army without obliging the parliamentary vote, it would be politically challenging to do so, whereas PMC deployment has no parliamentary process associated. Furthermore, the U.K. has maintained a relatively small standing army, meaning there is a need for PMCs due to the lack of personnel at the ready.[210] In Russia, the president has authority to deploy the military both domestically and internationally. However, Russia mainly uses PMCs as proxies to project Russian influence while having plausible deniability, which is one of the reasons many countries—including the U.K. and the U.S.—use PMCs.[211]

Evidenced by their support for the Montreux Document, the U.K. and the U.S. have expressed their support for increasing PMC accountability, transparency, and adherence to international law, whereas Russia has not openly announced their opinion.[212] However, all three countries would likely not support legally-binding laws or mandatory regulatory elements because it would hamper their ability to project their influence abroad.

**China**

China's usage of PMCs has grown in the past decades dramatically, especially domestically. It is estimated that there are around 40 PMCs operating on foreign lands and more than 7,000 PMCs operating domestically; it is important to note that these are estimates because there is no official public documentation by China on their PMC usage.[213] China's international usage of PMCs is mostly dedicated towards security purposes for business expansion, especially the Belt and Road Initiative, and Chinese nationals.[214] China, one of the original signatories of the Montreux Document, largely upholds respectful conduct of PMCs abroad, because of Chinese laws regarding the use of force of PMCs abroad. However, this law does not apply to the PMCs domestically, and there is little information revealed about the activity of such PMCs.

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[208] Ibid.

[209] Nigel White, "The U.K. and the Regulation of PMSCs" *OHCHR*, https://www.ohchr.org/sites/default/files/Documents/Issues/Mercenaries/WG/Event2015/NigelWhite.pdf.

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[214] Ibid.

China, due to its lower usage of PMCs to project military power abroad and its lack of sharing public information regarding their PMCs, will likely be indifferent to the regulatory elements of PMCs operating abroad. However, China would oppose any regulatory elements that are enacted on domestic PMCs because they would not like to reveal their national interest and their intentions with domestic PMCs, which they have been keeping private.[215]

**Switzerland**

Switzerland has had a long history as a leading country in promoting human rights and upholding international humanitarian law. It has ushered in the creation of the Montreux Document and the ICoC, both non-legally-binding standards for PMCs. While it understands that the existence of PMCs is inherent and necessary, it strongly believes that PMCs must not participate in any activity that may breach international humanitarian law. It has enforced the Federal Act on Private Security Services Provided Abroad, which addresses Swiss-based PMC actions.[216] Switzerland's past actions have fully demonstrated that it is a strong supporter of implementing more regulatory elements on PMC activity.

As a country that has imposed legally binding regulations on its domestic PMCs, Switzerland would continue its advocacy for bettering the transparency, accountability, and regulation of PMCs globally.

**Pan-African Countries (Ghana and Mozambique)**

Countries that embody Pan-Africanism—the idea that all people of African descent are bound together and should work in unity—will generally support the regulation of PMCs. Most Pan-African countries are part of the African Union, which advocates for the transparency and accountability of PMCs. Moreover, both countries embody democratic views, meaning that they are more likely to believe in the adherence to international law of PMCs. As no major conflicts are threatening these countries, Ghana and Mozambique are focused on improving the quality of life, solving its issues, such as extrajudicial killings, and growing its military; if they were to use PMCs during this process, they would likely follow the standards posed by the AU and UN.[217] Thus, these countries would advocate for more regulation of PMCs if such an act does not shift them away from their other priorities.

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[215] Ibid.

[216] "Federal Act on Private Security Services Provided Abroad (PSSA)," *Eidgenössisches Departement für auswärtige Angelegenheiten EDA*, https://www.eda.admin.ch/eda/en/fdfa/foreign-policy/security-policy/bundesgesetz-ueber-die-im-ausland-erbrachten-privaten-sicherheit.html.

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## Discussion Questions

1. Is the rapid growth of PMCs a positive aspect for the international community? What consequences will arrive when people go to war for monetary profit?

2. Should states be held accountable for the actions of their contracted PMC? If so, what will be the consequences when PMCs breach international law?

3. Should nations, whether or not lacking in military capacity, reduce their dependence on PMCs? If so, what should they do instead of contracting PMCs? If not, how will maintaining or increasing their dependence on PMCs affect the nation?

4. What structures and programs can be implemented to ensure that PMCs are transparent and held accountable for their actions?

5. How should the international community confront PMCs that conduct illicit behaviour? Does there have to be violence?

6. Should there be a limit to the military capacity of a PMC? If so, what structure can be implemented to circumvent or limit their growth?

7. What international programs or initiatives have been created to strengthen the regulation of PMCs? What positive outcomes can be drawn from these examples and applied elsewhere in the world? How can the shortcomings of these programs be remedied?

8. What events involving PMCs have generated many consequences? What can the international community conclude about PMCs from those consequences? How can they tackle these consequences?

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