

20 May 2019

Chairperson,

South Africa congratulates you on your election as Chair-Rapporteur of the open-ended intergovernmental working group (OEIGWG) tasked to elaborate the content of an international regulatory framework, without prejudging the nature thereof, relating to the activities of private military and security companies (PMSCs). We wish to align ourselves with the statement of the African Group.

We thank the Secretariat for disseminating the documents which we have studied in detail. Chairperson, this meeting comes at an opportune time when we can begin constructive engagement on the basis of the mandate provided in Resolution 36/11 that reaffirms the need to protect human rights and ensure accountability for violations and abuses resulting from the activities of private military and security companies.

Over the years, we have grappled with establishing a regulatory framework that addresses the role, conduct and accountability of private military and security companies. At present, they operate in a legal vacuum which, if not addressed, further permits impunity for their actions. To do nothing in this scenario has the unintended consequence of wilfully aiding and abetting the more nefarious nature of their activities.

The majority of professional industries are regulated by either national, regional or multilateral instruments. Given the impact that private military security and industry has in developing countries, in particular, urgent attention must be accorded to regulating this multilaterally in view of the transnational nature of the violations.

While my delegation is flexible in our approach in terms of the modalities of establishing a regulatory framework, we reaffirm the importance of this framework in preventing and/or curtailing the impact of such activities in destabilising constitutional democracies and governments and causing social and political unrest which have long term effects and consequences for the victims.

Recognising the urgency of the matter, the African Union is also seized with this issue. We remain concerned about prevention, levelling the playing field and ensuring that we have universal rules to which we all adhere. This is a hotly debated issue in South Africa particularly since we have private military and security companies that operate in various parts of the globe. It is well known that South Africa is involved with conflict prevention on the continent. We appreciate, however, the fact

that our national legislation needs to be buttressed and that while the Montreux Document is a critical first step, it is simply not enough.

In conclusion, Chairperson, we look forward to constructive discussions this week and to engaging with delegations on establishing a regulatory framework.

I thank you.