**Open-ended intergovernmental working group to consider the possibility of elaborating an international regulatory framework on the regulation, monitoring and oversight of the activities of private military and security companies**

**Fifth Session**

**12-16 December 2016**

***Opening Remarks by Ambassador Nozipho Joyce Mxakato-Diseko,
Chairperson-Rapporteur of the intergovernmental working group***

Excellencies,

Distinguished Delegates,

Ladies and Gentlemen,

It is a pleasure to welcome you today and I thank you for your trust in electing me as the Chairperson-Rapporteur of the open-ended intergovernmental working group pursuant to Human Rights Council resolutions 15/26, 22/33 and 28/7.

At the outset, I would like to pay tribute to my predecessor, Ambassador Abdul Minty, and to all your work and constructive discussions on the regulation, monitoring and oversight of the activities of private military and security companies (PMSCs). During the previous four sessions, the intergovernmental working group has addressed a range of issues, including existing laws and practices related to accountability for human rights abuses linked to the activities of private military and security companies as well as challenges for member States. Since its creation, the Working Group has also looked into various related issues, including the definition, scope and nature of PMSCs, specificities of regulating sea-based private security activities and the use of private security companies by the United Nations. Participants have reaffirmed the shared goal of protecting human rights and ensuring accountability for abuses relating to the activities of PMSCs. At the end of the fourth session held last year, the intergovernmental working group noted the initiatives undertaken by various stakeholders, while highlighting the challenges that remain.

Indeed there have been some valuable initiatives and progress in the areas of developing more concrete initiatives around the globe, most of which are, however, voluntary codes and principles. I consider it important to build on this earlier work, and to continue to engage in constructive interaction with a view to making further progress.

Excellencies, Distinguished Delegates, Ladies and Gentlemen,

The programme of work before you was developed based on discussions with the regional coordinators. I would like to take this opportunity to thank all the speakers who have agreed to share their expertise and experiences during this session.

According to the programme of work, we will discuss this morning the substantive report of the Chairperson of the UN Working Group on the use of mercenaries. Later this afternoon as well as tomorrow morning, we will hold a general discussion and share updates from relevant organizations, processes and participants on developments since the fourth session of the intergovernmental working group, including relevant legislation, initiatives and other measures taken concerning the regulation, monitoring and oversight of the activities of PMSCs.

Tomorrow afternoon, we will discuss in further detail issues related to access to justice and remedies for victims of violations and abuses linked to the activities of PMSCs. On Wednesday, we will focus on the operation of private security companies in maritime and other contexts. On Thursday, we will hold a general discussion directly with a representative of PMSCs and on Friday I shall present to you my draft summary report of this session.

As you know, the mandate of the intergovernmental working group has been extended by the Human Rights Council twice, in 2013 and 2015. After this fifth session, we shall be shortly convening again for another session, scheduled from 22 to 26 May 2017, with a view to presenting the recommendations of this intergovernmental working group to the Human Rights Council for its consideration in September 2017.

 I thank you all for your continued active engagement in this process and look forward to a fruitful session for the next five days.