**Intergovernmental Working Group to Elaborate the Content of an International Regulatory Framework, without Prejudging the Nature thereof, Relating to the Activities of Private Military and Security Companies**

**U.S. Statement Delivered by Phillip Riblett
General Discussion
April 26, 2021**

Thank you, Chair, for giving me the floor, and for your work in organizing this week’s meetings. The United States hopes to contribute constructively to the discussion on these important issues.

While private security companies are not a replacement for combat forces, they do play critical support roles in conflict situations. The law of armed conflict has long recognized the legitimate role of civilians to accompany armed forces. Of course, greater reliance on contract personnel requires vigorous oversight and accountability mechanisms. We would welcome further efforts to complement and strengthen the existing initiatives that provide standards and mechanisms for monitoring the activities of private military and security companies, such as the Montreux Document and the International Code of Conduct.

As stated in the Montreux Document, “certain well-established rules of international law apply to States in their relations with private military and security companies (PMSCs) and their operation during armed conflict, in particular under international humanitarian law and human rights law.” It is our view and the view of many other states that in light of the existing legal framework, a new international legally binding instrument is not necessary to ensure effective protection of human rights and access to justice.

There are several non-binding frameworks that promote compliance with these existing rules. The Montreux Document, which is supported by 57 states and 3 international organizations, recalls well-established rules of international law and describes good practices for states to promote compliance with international humanitarian law and human rights law during armed conflict. The International Code of Conduct articulates responsibilities of private security companies and other private security service providers under human rights and international humanitarian law.

The Montreux Document Forum provides a platform for discussion by Montreux Document participants in order to support national implementation of the Montreux Document and encourage more states and international organizations to support it. This discussion occurs principally through the Forum’s two working groups: the ICOCA Working Group and the Working Group on the use of PMSCs in maritime security.

The ICOCA Working Group was established for Montreux Document participants to advise ICOCA, the International Code of Conduct Association. ICOCA has almost 200 members, including states, private security companies, and civil society organizations.

We would encourage states that do not participate in the Montreux Document or ICOCA to consider participating. As I noted, we are also pleased to work with you all in efforts to complement these existing initiatives, including through the discussion this week. Thank you.