

Brazil textual contributions to the draft instrument

iii) Art. 1, c (PMSCs).

Brazil favours that the definition of "Private Security or Military Companies" is presented together, as drafted, considering that there is no consensus on what "military services" and "security services" would be.

iv) Art. 1, f (State Functions)

For the definition of "State Functions", Brazil would like to support the text as drafted and is of the view that the concept includes the activities listed in Article 1, f, of the draft.

For Brazil, state functions cannot be delegated to third parties. Employees of PMSCs, therefore, should not act in combat or become directly involved in hostilities in view of the principle of distinction between combatants and non-combatants. By participating in hostilities, employees of PMSCs would lose their status as non-combatants.