



European Union

5th 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

15 to 19 April 2024

Opening remarks by the European Union

Monday, 15 April 2024

- CHECK AGAINST DELIVERY -

Chair-Rapporteur,

The European Union would like to thank the Chair-Rapporteur and the Secretariat for holding the fifth session of the Open-ended intergovernmental working group on PMSCs.

We would also like to thank the Chair-Rapporteur for his continued efforts in advancing the overall proceedings of the IGWG on PMSCs, and for sharing the revised third draft instrument.

Since the establishment of this open-ended intergovernmental working group (OEIGWG) mandated to elaborate the content of an international regulatory framework, without prejudging the nature thereof, the European Union has engaged openly and constructively, and joined consensus to renew the mandate for the next three years period at HRC54.

As in the past, we would like to recall that the use of private military and security companies is legitimate and advisable in certain circumstances. However, we remain deeply concerned about the increasingly destabilising role of some unregulated private military entities that do not comply with international standards and international humanitarian law. It has been documented, including by UN special procedures and civil society organizations, that some of these entities are involved in serious human rights abuses, and international humanitarian law violations in conflict-affected areas, against civilian populations. These abuses and violations are unacceptable and must not remain unpunished.

States have the primary responsibility to regulate PMSCs and their services, including to, *inter alia*, protect and respect human rights. In this regard, the Montreux Document, which is supported by 58 States and three international organisations, including the EU

itself and 26 EU Member States, plays an important role in reaffirming existing international legal obligations for contracting States, territorial States, home States and other States relating to the activities of PMSCs in areas of armed conflict. We take this opportunity to call on all other countries, which have not supported yet the Montreux Document to do so.

Chair-Rapporteur,

Since the informal consultation held last February, the EU's position on the OEIGWG process overall has not been finalised, as it is still under consideration in our capitals, including on the nature of the instrument. However, we would like to reiterate our commitment to engaging in the proceedings of this OEIGWG process, and that we will be carefully following the discussions during this week's session.

Thank you