



Permanent Mission of the Islamic Republic of Iran  
to the United Nations Office and other International  
Organizations

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**Statement**

**By**

**Mr. Yaser Salarian**

**Representative of the Islamic republic of Iran**

**Before**

**Fifth session of the Open-ended 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**

**Geneva, 15<sup>th</sup> April 2023**

**Thank you Mr. Chair-Rapporteur;**

We welcome the convening of the 5<sup>th</sup> session of the Working Group to elaborate the content of an international regulatory framework relating to the activities of private military and security companies;

My delegation congratulates you for re-election as the Chair-Rapporteur of the Working Group and thanks you for presenting the third

revised draft of an international regulatory framework on the regulation, monitoring and oversight over the activities of private military and security companies;

Considering our experience in the imposed eight-year war, the Islamic Republic of Iran fully understand the importance of elaborating a regulatory framework for the activities of such companies and the importance of the Working Group's efforts in this regard;

Hence, Iran fully endorses the mandate of the Working Group and is prepared to actively participate in the discussions during this session in a constructive manner;

While appreciating the working group's efforts to elaborate such a framework, we believe that any regulatory framework should have a look on the historic lessons learnt to prevent violation of the international humanitarian law and guarantee the protection of civilians and countries affected by the illegal involvement of such private companies;

The behavior of companies in general, and of private military and security corporations (PMSCs) in particular may be considered in the context of various sets of regulations. The first is that of international law, in which context we shall consider the extent to which the acts of PMSCs may be attributed to States. This way, in case of violations, the legal consequences of responsibility under international law can be determined in accordance with the principles of the State responsibility (Article 4 of the Responsibility of States for Internationally Wrongful Acts and Article 12

of this third draft).<sup>1</sup> ICJ has also confirmed the rule in categorical terms. In the case concerning *Difference Relating to Immunity from Legal Process of a Special Rapporteur of the Commission on Human Rights*, the ICJ pointed out: “according to a well-established rule of international law, the conduct of any organ of a State must be regarded as an act of that State. This rule ... is of a customary character”<sup>2</sup> We urge a transparent discussion and resolution of this matter as one of the next components governing the operations of PMSCs.

Iran is committed to work collaboratively towards ensuring that the activities of PMSCs align with international norms and human rights standards and looks forward to engage in constructive discussions with Working Group to elaborate an effective regulatory framework on this critical issue.

**I thank you, Mr. Chair-Rapporteur**

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<sup>1</sup> Resolution of the General Assembly, ‘Principles of State responsibility’, Annex in Responsibility of States for internationally wrongful acts, U.N. Doc. A/RES/56/83, 12 December 2001.

<sup>2</sup> *Difference Relating to Immunity from Legal Process of a Special Rapporteur of the Commission on Human Rights*, Advisory Opinion, I.C.J. Reports 1999, p. 62, at p. 87, para. 62, referring to the draft articles on State responsibility, article 6, now embodied in article 4.