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GENERAL ASSEMBLY

BACKGROUND GUIDE 2017

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ERFURT MODEL UNITED NATIONS 2017

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The 2017 Erfurt Model United Nations

20 January – 22 January 2017

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Dear Delegates,

Welcome to the 2017 Erfurt Model United Nations in Erfurt, Germany (EfMUN)! We are happy to introduce you to our committee, the General Assembly (GA). Our staff this year is: Director Julia Winzer, Vice President Jonas Sterzenbach and Rapporteur Patrizia John.

The topics under discussion for the General Assembly are:

- I. Ensuring Developing Countries' Sovereignty over Natural Resources
- II. Privatization of War: Prohibition of Private Militias?

The General Assembly is one of the main organs within the United Nations system and is a key element towards equality, the maintenance of peace and security and economic and social questions. The GA is provided with several different powers as for example discussing and making recommendations on any questions within the scope of the Charter, discussing questions relating to international peace and security (if the questions is not under discussion in the SC) or electing the non-permanent members of the Security Council and other organs. Therefore, it is of utter importance that the delegates understand its role and mandate in the given discussion.

We hope that you will use this Background Guide as an introduction to the topics of the committee. However, it serves as an introduction and does not replace delegate's own research. We highly encourage you to do a very detailed research about your Member State's policies and their opinion towards the given topics. In preparation for the conference, each delegation will submit a position paper. Please note that the NMUN policies regarding plagiarism, codes of conduct and dress code as well as the used NMUN Rules of Procedure are applicable for EfMUN.

If you have any questions concerning the preparation for your committee, please feel free to contact as at mun@uni-erfurt.de.

We wish you all the best in your preparations and are looking forward to our joint conference!

Yours sincerely,

Julia Winzer, Director

Jonas Sterzenbach, Vice President

Patrizia John, Rapporteur

The Dais

Your Director Julia Winzer studies Communication and International Relations at the University of Erfurt. She is currently working on her bachelor thesis focusing on truth and misinformation in online journalism. She wishes to specialize in political communications and has interned at the Thuringian State Chancellery's press office and worked for different newspapers. She has participated in several Model United Nations Conferences, the biggest one being the National MUN in New York City.

“For me, one of the most fascinating aspects of Model UN is representing and passionately defending values that might be the complete opposite of one's own beliefs. Putting yourself in another's shoes while getting to know people from all over the world that share your interests - Model UN is about so much more than learning about foreign policy and the art of negotiation.”

Your Vice President Jonas Sterzenbach is a bachelor student, studying Social Sciences and Economics in his final year at the University of Erfurt. He has interned at the German Parliament in Berlin and at a trade association for small and medium sized enterprises, that he is currently working for as a student employee. In the last years he participated in several national and international political simulations and conferences, such as the European Youth Parliament and Model United Nations.

“What I like the most about Model United Nations is the great impact it had on the way I perceive other countries and their foreign policy, the range of things I learned, including speaking in front of dozens of people, and the chance to get in touch with politically active students from all over the world.”

Your Rapporteur Patrizia John studies International Relations and Psychology in her fifth semester at the University of Erfurt. She learned a lot about international communication and cooperation during the year she spent as a volunteer in Mozambique. She participated in several international simulations and conferences, such as Model United Nations and Klimax.

“For me, Model United Nations offered a great learning success. I learned giving speeches in front of hundreds of people, negotiating and talking to those people in a different way than I would do in every-day-life and how my perception of several countries changed after dealing with them. Fortunately, Model United Nations provides the possibility for everybody to get to know how international politics and cooperation partly work.”

For all of them it will be the first time to run a committee and all are very excited to do so.

Committee Overview

Introduction

The United Nations (UN) was officially founded on October 24, 1945 after the collapse of the League of Nations and two devastating world wars.¹ 50 states met at the United Nations Conference on International Organization in 1945 in San Francisco, USA, to create and establish *the United Nations Charter*. The Charter states the main purposes of the UN:

- “To maintain international peace and security (...)
- To develop friendly relations among nations based on the principle of equal rights and self-determination of peoples (...)
- To achieve international co-operation in solving international problems of an economic, social, cultural or humanitarian character, and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language or religion
- To be a centre for harmonizing the actions of nations in the attainment of these common ends”.²

With the creation of the UN, six main organs had been founded: The Security Council (SC), the General Assembly (GA), the Secretariat, the Economic and Social Council (ECOSOC), the Trusteeship Council and the International Court of Justice.³

Governance, structure and membership

The General Assembly is the “main deliberative, policymaking and representative organ of the UN”.⁴ The GA is the only organ which represents all 193 Member States⁵ as stated in the *UN Charter*. The Committee is based on the principle: “one country, one vote“ to guarantee the equality of all Member States. Not addressed in the Charter but developed by practice, states and non-governmental organizations (NGOs) are allowed to occupy an observer status which means that they are allowed to participate in the plenary sessions but are not allowed to vote.⁶ This status is at the moment given to the Holy See, Palestine and more than 70 NGOs.

The GA consists of six subcommittees, which deal with different topics. The *First Committee* deals with questions concerning Disarmament and International Security, the second Committee deals with economic and financial questions, the Third Committee is the *Social, Humanitarian and Cultural Committee*, the Fourth Committee handles questions of special politics and decolonization, the fifth Committee is the Administrative and Budgetary Committee and the Sixth Committee is the Legal Committee.⁷

The GA convenes in ‘regular annual sessions’ which start the third week of September and last for one year.⁸ Officially, the GA is in session during the entire year. Its main work period, however, is between mid-September and mid-December and is called the General Debate.⁹

Decisions are normally made by simple majority except for “important questions” as the maintenance of international peace and security, the election of the non-permanent members of the Security Council, the election of the members of the Economic and Social Council, the election of members of the Trusteeship Council, the admission of new members to the United Nations, the suspension of the rights and privileges of membership, the expulsion of Members, questions relating to the operation of the trusteeship system, and budgetary questions”.¹⁰

¹United Nations, *History of the United Nations*, 2016.

²United Nations, *Charter of the United Nations*, 1945, Ch. I, Article 1.

³United Nations, *Main Organs*, 2016.

⁴Ibid.

⁵Ibid.

⁶Permanent Mission of Switzerland to the United Nations, *The PGA Handbook: A Practical Guide to the United Nations General Assembly*, 2011, p. 30.

⁷United Nations, *The General Assembly. Main Committees*, 2016.

⁸United Nations, *Charter of the United Nations*, 1945, Ch. IV, Article 20.

⁹Permanent Mission of Switzerland to the United Nations, *The PGA Handbook: A Practical Guide to the United Nations General Assembly*, 2011, p. 14.

¹⁰United Nations, *Charter of the United Nations*, 1945, Ch. IV, Art. 18.

These questions require a two-third majority. Usually, decisions are made unanimously to illustrate the consensus within the GA and between the Member States.

Mandate, Function and Powers

The Articles 10 to 17 of the *UN Charter* determine the mandate, the function and the power of the General Assembly. Especially the Articles 10 and 11 enable the GA to “discuss any questions or any matters within the scope of the present Charter or relating to the powers and functions of the organs provided for in the present Charter”.¹¹ Moreover, the GA is allowed to deal with “the general principles of co-operation in the maintenance of international peace and security” and to draw the attention of the Security Council to situations that could be threatening international peace and security.¹²

The only exception to the power of the GA is that it is not allowed to deal with a question which is currently under discussion in the Security Council. Only if there is a veto or the threat of a veto of one of the permanent Member States in the Security Council the GA can take action to promote peace.¹³

Recent sessions and current priorities

The current 71st General Assembly session was opened on September 13, 2016. The current session focuses especially on the implementation of all *Sustainable Development Goals* passed in *Resolution 70/1 (A/RES/70/1)*.¹⁴ In the ongoing session there are eight different topical areas which different main focuses as for example ‘Promotion of Sustained Economic Growth and Sustainable Development’, the combat of HIV/AIDS and promoting sustainable development.¹⁵ In order to maintain international peace and security especially the situations in the Middle East, in Palestine, in Afghanistan and Azerbaijan are relevant.¹⁶ Other topics on the agenda of the 71st General Assembly are the development in and the creation of new partnerships for Africa, the promotion of human rights, the effective coordination of humanitarian assistance efforts, the promotion of justice and international law, the disarmament and organizational, administrative and other matters.¹⁷

Conclusion

Regarding the topics at hand, the General Assembly is able to address either the difficulty of the sovereignty of developing countries over their natural resources as well as the problematic nature of private militias to fulfill their mandate in terms of maintaining international peace and security as well as of economic and social questions. The General Assembly therefore needs to treat these issues with the spirit of unity and a consensus between the Member States.

¹¹ Ibid., Ch. IV, Art. 10.

¹² Ibid., Ch. IV, Art. 11.

¹³ Ibid., Ch. IV, Art. 12.

¹⁴ United Nations News Centre, *As 71st General Assembly opens, new President pledges to ‘turn the wheels’ on implementing 17 Global Goals*, 2016.

¹⁵ UN General Assembly, *Allocation of agenda items for the seventy-first session of the General Assembly (A/71/252)*, 2016.

¹⁶ Ibid.

¹⁷ Ibid.

Bibliography

Permanent Mission of Switzerland to the United Nations. (2011). *The PGA Handbook. A practical guide to the United Nations General Assembly*. Retrieved November 1, 2016, from

https://www.eda.admin.ch/content/dam/eda/en/documents/publications/InternationaleOrganisationen/Uno/UN-pga-handbook_en.pdf

United Nations. *Charter of the United Nations*. (1945). Retrieved November 1, 2016, from

<http://www.un.org/en/documents/charter/index.shtml>

United Nations. *History of the United Nations*. (2016). Retrieved November 1, 2016, from

<http://www.un.org/en/sections/history/history-united-nations/index.html>

United Nations. *Main Organs*. (2016). Retrieved November 1, 2016, from

<http://www.un.org/en/sections/about-un/main-organs/index.html>

United Nations (2016). *General Assembly of the United Nations. Main Committees*. Retrieved November 1, 2016, from

<http://www.un.org/en/ga/maincommittees/index.shtml>

United Nations General Assembly (2016). *Allocation of agenda items for the seventy-first session of the General Assembly (A/71/252)*. Retrieved November 1, 2016, from

http://www.un.org/en/ga/search/view_doc.asp?symbol=A/71/252

United Nations News Centre (2016). *As 71st General Assembly opens, new President pledges to 'turn the wheels' on implementing 17 Global Goals*. Retrieved November 1, 2016, from

<http://www.un.org/apps/news/story.asp?NewsID=54912#.WBhowmfFBaQ>

I. Ensuring Developing Countries' Sovereignty over Natural Resources

Introduction

The principle of developing countries' sovereignty over their natural resources has developed over a period of more than 50 years within the institutional framework of the United Nations. The *UN-Charter* already emphasizes the principles of sovereignty and self-determination in its first chapter which describes the purposes and principles of the United Nations.¹⁸ Especially for less developed countries, controlling resources located on their territory is essential for their development as it often signifies the financial base for economic growth and progress.

This background guide outlines the most important steps regarding the development of the legal concept of national sovereignty over natural resources, which dates back from the 1950s until recent years and discusses one historic and one ongoing example. The two case studies describe actions taken by companies or states to gain access to a developing country's resources and point out the consequences of these actions ranging from socioeconomic collapses, political violence and regional instability to the perpetuation or creation of armed conflicts.

Bearing in mind the variety of possible negative consequences, it is crucial that the General Assembly acts in order to achieve a comprehensive and guaranteed acceptance of every nation's right to dispose freely over its natural resources.

History and legal framework

The principle of sovereignty over natural resources has its roots in traditional principles of international law, such as sovereignty and territorial jurisdiction.¹⁹ Although the foundation treaty of the United Nations – the *UN-Charter* – does not explicitly refer to the control over natural resources, it contains several general references which imply this specific sovereignty. These basic principles are, for instance, the “principle of the sovereign equality of all UN-members” stated in Article 1 (2) or the “principle of equal rights and self-determination” concerning international and social cooperation as stated in Article 55.²⁰

Apart from these general legal principles, Latin American countries have been the driving forces on the way to the first General Assembly Resolution dealing with the sovereignty over natural resources. Due to several resource extraction operations of North American companies on Latin American territory, these countries strongly defended the primacy of states to dispose over their own resources in order to avoid their exploitation by foreign countries. In 1952 their efforts led to *General Assembly Resolution 523 (A/RES/523(VI))* which emphasizes the right of under-developed countries to “determine freely the use of their resources” and to *General Assembly Resolution 626 (A/RES/626(VII))* that “recommends all Member States to refrain from acts, direct or indirect, designed to impede the exercise of the sovereignty of any State over its natural resources.”²¹ Only six years later, in 1958, the General Assembly created the *Commission on Permanent Sovereignty over Natural Resource*, which prepared the *Resolution 1803 (A/RES/1803(XVII))* that was adopted in December 1962. The first paragraph of this Resolution attributes the right to permanent sovereignty to both peoples and nations. Therefore, for the first time this right was granted not only to states, but also to non-state entities.²² The following paragraphs mainly focus on rules for the treatment of foreign investors. *Resolution 1803* is now widely considered as the creation of a proper balance between the interest of capital importing and capital exporting countries.²³

¹⁸ United Nations, *Charter of the United Nations*, 1945, Chapter I, Article 1 (2) and Article 2 (1).

¹⁹ Schrijver, Nicolaas: *Self-determination of peoples and sovereignty over natural wealth and resources*, in: *Realizing the Right to Development*, 2013, Chapter 5, p. 96.

²⁰ United Nations, *Charter of the United Nations*, 1945, Chapter I Article 1 (2) and Chapter IX Article 55.

²¹ United Nations General Assembly, *Resolution 626: Right to exploit freely natural wealth and resources*, 1952; United Nations General Assembly, *Resolution 523: Integrated economic development and commercial agreements*, 1952.

²² ECOSOC, *Indigenous peoples' permanent sovereignty over natural resources*: Final report of the Special Rapporteur, Erica - Irene A. Daes, 2004, p. 5-7.

²³ Schrijver: *Self-determination of peoples and sovereignty over natural wealth and resources*, in: *Realizing the*

On October 16th, 1996, the General Assembly adopted two fundamental multilateral treaties which commit their parties to respect basic civil, political, economic and social rights, called the *International Covenant on Civil and Political Rights (ICCPR)* and the *International Covenant on Economic, Social and Cultural Rights (ICESCR)*. Together with the *Universal Declaration on Human Rights*, these two treaties, which came into force in 1976 after a sufficient number of countries had ratified them, form the *International Bill of Human Rights*. Both, the *ICCPR* as well as the *ICESCR*, contain the right of self-determination over the usage of a country's natural resources in their first article: "All peoples may, for their own ends, freely dispose of their natural wealth and resources without prejudice to any obligations arising out of international economic co-operation, based upon the principle of mutual benefit, and international law. In no case may a people be deprived of its own means of subsistence."²⁴

In 1973, the passage of the *General Assembly Resolution 3171 (A/RES/3171(XXVIII))* marked a turning point in the development of the right to dispose freely over natural resources, as it extended the group of those who benefit from this right. In its second operative clause *Resolution 3171* guarantees support not only for developing countries, but also to "the peoples of the territories under colonial and racial domination and foreign occupation in their struggle to regain effective control over their natural resources".²⁵ Furthermore, in its third operative clause, the Resolution declares nationalization and cartelization as legal means for developing countries "in order to safeguard their natural resources."²⁶ It also upheld the principles allowing for the October 1973 to March 1974 embargo by the Arab OPEC members as a response to the western support of Israel in the Yom Kippur War between Israel and several Arab countries. The embargo led to driving bans, gas stops being out of fuel and a decrease or stagnation of the GDP in many western countries. Due to its great impact on the world economy, *Resolution 3171* is considered to be a landmark Resolution.

In recent years, the General Assembly has expanded the group of actors who can rely on the right to dispose over their natural resources once again by specifically protecting the sovereignty and self-determination of indigenous people. *Resolution 61/295 (A/RES/61/295)*, adopted in September 2007, highlights in its annex "the urgent need to respect and promote the inherent rights of indigenous peoples [...], especially their rights to their lands, territories and resources."²⁷

Case studies

Coup d'état in Iran:

Based on an oil concession from 1933 the British Anglo-Iranian Oil Company (AIOC) exclusively controlled the vast Iranian oil reserves without sharing the great profits with the Iranian people.²⁸ In 1950 Iran only made a profit of £37 million with their oil reserves, which was significantly less than the £275 million they could have earned, if they had controlled their own oil revenues.²⁹

Due to these unfair conditions the Iranian government invited the AIOC in late 1948 with the goal to renegotiate the initial concession from 1933 in order to get a larger share on the oil industry's profit. As both parties could not come to an agreement, the newly elected Prime Minister Mohammad Mossadegh and his nationalist supporters voted to nationalize Persian oil on 30th April 1951.³⁰ Mossadegh stated that his country should profit from its own wealth while the British government accused him of violating the AIOC legal rights and organized a worldwide boycott of Iran's oil.³¹

Two years later, on August 19th, 1953, the intelligence agencies of the United States and the United Kingdom, CIA and MI6, orchestrated a coordinated coup d'état that toppled the democratically elected Prime Minister

Right to Development, 2013, Chapter 5, p. 98.

²⁴ United Nations General Assembly, *International Covenant on Civil and Political Rights*, 1967, Article 1 (2); United Nations General Assembly, *International Covenant on Economic, Social and Cultural Rights*, 1967, Article 1 (2).

²⁵ United Nations General Assembly, *Resolution 3171(XXVIII): Permanent sovereignty over natural resources*, 1973.

²⁶ Ibid.

²⁷ United Nations General Assembly, *Resolution 61/295: United Nations Declaration on the Rights of Indigenous Peoples*, 2007.

²⁸ Mc Murdo, Torey L.: *The United States, Britain, and the Hidden Justification of Operation TPAJAX*, in: *Studies in Intelligence* Vol. 56, No. 2, 2012, p. 16.

²⁹ Pollack, Kenneth: *The Persian Puzzle: The Conflict Between Iran and America*, Random House, New York, 2005, p. 51.

³⁰ Mc Murdo, Torey L.: *The United States, Britain, and the Hidden Justification of Operation TPAJAX*, in: *Studies in Intelligence* Vol. 56, No. 2, 2012, p. 17.

³¹ De Luce, Dan: *The spectre of Operation Ajax*, in: *The Guardian*, 2013.

Mossadegh, called “Operation Ajax”.³² To achieve their goal they launched several coordinated actions such as bribing influential figures, planting false reports in newspapers and provoking street violence.³³ Although the USA and the UK were both involved in the coup d’état, they had different motives. The UK’s main interest was regaining control over Iran’s oil reserves, while the United States motive had a political character. Facing the Cold War the US-government was highly concerned about Iran’s “vulnerability to communist subversion.”³⁴ “Iran’s oil, proximity to the USSR, and geo-strategic location to the Persian Gulf made it simultaneously a western asset and a weak spot in the perimeter fence.”³⁵ Their plan was to evoke the fall of Mossadegh and to replace him with a pro-western leader, which eventually succeeded. Mossadegh was arrested and Fazlollah Zahedi became the new Prime Minister under the rule of Shah Mohammad Reza Pahlavi.

During the coup d’état between 200 and 300 people died in street fights.³⁶ The overthrow of Iran’s first democratically elected Prime Minister resulted in more than 25 years of dictatorship under the Shah that led to the Iranian Revolution in 1979. In 2013, 60 years after the events in Iran, the CIA admitted for the first time publicly that it was involved in the coup d’état in 1953.

Nigeria’s oil curse:

The West African country Nigeria used to be a British colony until its independence in 1960. The interest in Nigerian oil dates back to an ordinance of the British colonial power from 1914 making any Nigerian oil legal property of the crown.³⁷ By 1938 the British colonial government had granted the state-sponsored petroleum company Shell the exploration rights over all minerals and petroleum throughout the entire colonial territory. Shell started its drilling activities in 1958, two years after commercially viable oil was firstly discovered in the Niger Delta.³⁸

Today Nigeria is the largest oil producer in Africa and belongs to the list of countries with the largest oil reserves worldwide, having proven reserves of 37.2 billion barrels.³⁹ Since the 1960s the oil production has generated an estimated profit of \$600 billion.⁴⁰ Nevertheless the majority of people lives in extreme poverty. According to the United Nations Development Programme (UNDP) the region around the Niger Delta suffers from “administrative neglect, crumbling social infrastructure and services, high unemployment, social deprivation, abject poverty, filth and squalor, and endemic conflict.”⁴¹

The extreme contrast between the wealth of the oil industry and the poverty of the major part of the population can be considered as a prime example of the “oil curse”. This phenomenon, also known as the “paradox of plenty” describes the connection between an abundance of natural resources such as oil and the tendency to a lack of democracy, development and stability. In Nigeria the oil curse is mainly based on the “entrenched corrupt behavior of government officials at the federal and state level.”⁴²

As a result of the inequality, the primary ethnic group in the Delta, the Ogoni, started an organized protest against Shell’s drilling activities. In 1990 they founded the non-violent Movement for the Survival of the Ogoni People (MOSOP), which launched a declaration called the Ogoni Bill of Rights, demanding an improvement of the people’s situation in the delta. In the following years Shell conducted several measures in cooperation with the Nigerian government in order to suppress the Ogoni resistance including arresting, convicting and executing Ken Saro-Wiwa, the leader of MOSOP in 1995 for murder in spite of widespread international protests.⁴³ Later, at least two witnesses who accused Saro-Wiwa of murder, testified that they had been bribed by Shell to give

³² Louis, William Roger: *Britain and the Overthrow of the Mosaddeq Government*, in: Mohammad Mosaddeq and the 1953 Coup in Iran. Syracuse University Press, 2004, pp. 126–177.

³³ De Luce: *The spectre of Operation Ajax*, in: The Guardian, 2013.

³⁴ Marsh, Steve: *The United States, Iran and Operation 'Ajax': Inverting Interpretative Orthodoxy*, in: Middle Eastern Studies, Vol. 39, No. 3, 2003. p. 3.

³⁵ Ibid.

³⁶ Wilford, Hugh (2013). *America’s Great Game: The CIA’s Secret Arabists and the Making of the Modern Middle East*. Basic Books, p. 166.

³⁷ Onyiri, Sunny: *The Paradox of Abundant Oil: The Case of the Niger Delta in Nigeria*, 2013.

³⁸ O’Neill, Tom: *Curse of the Black Gold: Hope and betrayal on the Niger Delta*, 2007.

³⁹ Wordatlas: *The World’s Largest Oil Reserves By Country*, 2016.

⁴⁰ Wurthmann, Geerd: *Ways of Using the African Oil Boom for Sustainable Development, African Development Bank, Economic Research Working Paper Series*, No. 84, March 2006.

⁴¹ United Nations Development Programme (UNDP), *Niger Delta Human Development Report*, 2006, p. 9.

⁴² Onyiri: *The Paradox of Abundant Oil: The Case of the Niger Delta in Nigeria*, 2013.

⁴³ The Case Against Shell, *Shell’s Environmental Devastation in Nigeria*, 2009; Entine, Jon., *Seeds of NGO Activism: Shell Capitulates in Saro-Wiwa Case*, 2009.

false testimonies.⁴⁴ Moreover, Shell is alleged to be responsible for the “massive, brutal raids” of the Nigerian army against the Ogoni people in the delta between 1990 and 1995.⁴⁵ The ongoing competition for the oil reserves in the Niger Delta has led to violence between communities and ethnic minorities and a militarization of nearly the entire region by ethnic militia as well as Nigerian military forces.⁴⁶

In addition to the violent suppression of resistance and widespread corruption, the oil industry has also caused tremendous environmental damage, which has a great impact on the ecosystem in the Niger Delta. According to a study carried out by international environmental experts in 2006 the Niger Delta is “one of the world’s most severely petroleum-impacted ecosystems.”⁴⁷ The study states that “the damage from oil operations is chronic and cumulative, and has acted synergistically with other sources of environmental stress to result in a severely impaired coastal ecosystem and compromised the livelihoods and health of the region’s impoverished residents.”⁴⁸ As more than 60 percent of the region’s inhabitants depend on the natural environment as their source of income such as agriculture or fishing, the pollution signifies a serious threat to their livelihood.⁴⁹

As a consequence of the effects caused by the oil industry over the last 50 years, Nigeria has become one of the most unstable countries in the world, ranking 13 out of 178 on the “Fragile State Index 2016”.⁵⁰ Even today the Nigerian people do not benefit from their wealth of oil due to a lack of effective sovereignty over their natural resources.

Conclusion

The debate about developing country’s sovereignty over their natural resources is nearly as old as the United Nations itself. Over the past 50 years there has been a lot of progress aiming to protect a country’s right to dispose freely and independently over its resources. A great number of Resolutions passed by the General Assembly proves this development. However, the two described precedents of Iran and Nigeria are just two examples from a range of cases where foreign attempts to gain control over a country’s natural resources had enormous negative consequences. This underlines that the numerous actions taken by the General Assembly have not been sufficient to guarantee the effective sovereignty for developing countries over their resources.

The General Assembly must bear in mind that ensuring control and self-determination over natural resources is essential not only for the further development of less-developed nations but also to prevent poverty, armed conflicts and the destabilization in these countries.

Further Research: Questions to consider

- Why is the control over its natural resources important to a county’s development?
- How can natural resources be used effectively in order to foster a diversified economic development?
- How can the General Assembly guarantee that the majority of a developing country’s people benefit from its natural resources?
- How can a proper balance between the interests of global companies and developing countries in natural resources be achieved?
- How can the General Assembly address the unique rights and concerns of peoples in territories under occupation or foreign administration?
- How can a sustainable use of a country’s natural resources without permanent environmental damage be guaranteed?

⁴⁴ Entine, Jon., *Seeds of NGO Activism: Shell Capitulates in Saro-Wiwa Case*, 2009.

⁴⁵ The Case Against Shell, *Shell’s Environmental Devastation in Nigeria*, 2009.

⁴⁶ Onyiri: *The Paradox of Abundant Oil: The Case of the Niger Delta in Nigeria*, 2013.

⁴⁷ Amnesty International: *Petroleum, Pollution and Poverty in the Niger Delta*, 2009.

⁴⁸ Ibid.

⁴⁹ United Nations Development Programme (UNDP), *Niger Delta Human Development Report*, 2006, p. 74.

⁵⁰ The Fund for Peace: *Fragile State Index 2016*, 2016.

Bibliography

Amnesty International. (2009). *Petroleum, Pollution and Poverty in the Niger Delta*. Retrieved November 3, 2016, from:

[https://www.amnesty.de/files/Amnesty Bericht Niger Delta 09.pdf](https://www.amnesty.de/files/Amnesty_Bericht_Niger_Delta_09.pdf)

De Luce, Dan. (2013). The spectre of Operation Ajax. *The Guardian*. Retrieved November 1, 2016, from

<https://www.theguardian.com/politics/2003/aug/20/foreignpolicy.iran>

Entine, Jon. (2009). *Seeds of NGO Activism: Shell Capitulates in Saro-Wiwa Case*. Retrieved November 3, 2016, from

<http://www.aei.org/publication/seeds-of-ngo-activism-shell-capitulates-in-saro-wiwa-case/>

ECOSOC. (2004). *Indigenous peoples' permanent sovereignty over natural resources: Final report of the Special Rapporteur, Erica - Irene A. Daes*. Retrieved October 30, 2016, from

<http://www.un.org/esa/socdev/unpfii/documents/Report%20by%20Erica%20Irene%20A.%20Daes.pdf>

Louis, William Roger. (2004). Britain and the Overthrow of the Mosaddeq Government, in: *Mohammad Mosaddeq and the 1953 Coup in Iran*. Syracuse University Press.

Marsh, Steve. (2003). The United States, Iran and Operation 'Ajax': Inverting Interpretative Orthodoxy. *Middle Eastern Studies*, Vol. 39, No. 3. Retrieved November 3, 2016, from

<http://smsisaac.yolasite.com/resources/iran%20marsh.pdf>

Mc Murdo, Torey L. (2012). The United States, Britain, and the Hidden Justification of Operation TPAJAX. *Studies in Intelligence* Vol. 56, No. 2. Retrieved October 31, 2016, from

<https://www.cia.gov/library/center-for-the-study-of-intelligence/csi-publications/csi-studies/studies/vol.-56-no.-2/pdfs/McMurdo-The%20Economics%20of%20Overthrow.pdf>

O'Neill, Tom. (2007). *Curse of the Black Gold: Hope and betrayal on the Niger Delta*. Retrieved November 3, 2016, from <http://ngm.nationalgeographic.com/2007/02/nigerian-oil/oneill-text>

Onyiri, Sunny. (2013). *The Paradox of Abundant Oil: The Case of the Niger Delta in Nigeria*. Retrieved November 3, 2016, from <http://www.campbellsville.edu/the-paradox-of-abundant-oil-the-case-of-the-niger-delta-in-nigeria>

Pollack, Kenneth. (2005). *The Persian Puzzle: The Conflict Between Iran and America*. New York: Random House.

Schrijver, Nicolaas. (2013). *Self-determination of peoples and sovereignty over natural wealth and resources*, in: *Realizing the Right to Development*. Retrieved October 31, 2016, from

<http://www.ohchr.org/Documents/Issues/Development/RTDBook/PartIIChapter5.pdf>

The Case Against Shell. (2009). *Shell's Environmental Devastation in Nigeria*. Retrieved November 2, 2016, from

<http://ccrjustice.org/home/what-we-do/our-cases/wiwa-et-al-v-royal-dutch-petroleum-et-al>

The Fund for Peace. (2016). *Fragile State Index, 2016*. Retrieved November 2, 2016, from

<http://fsi.fundforpeace.org/>

United Nations Development Programme (2006). *Niger Delta Human Development Report*. Retrieved November 4, 2016, from http://hdr.undp.org/sites/default/files/nigeria_hdr_report.pdf

Wilford, Hugh (2013). *America's Great Game: The CIA's Secret Arabists and the Making of the Modern Middle East*. Basic Books.

Wordatlas. (2016). *The World's Largest Oil Reserves By Country*. Retrieved November 3, 2016, from

<http://www.wordatlas.com/articles/the-world-s-largest-oil-reserves-by-country.html>

Wurthmann, Geerd. (2006). Ways of Using the African Oil Boom for Sustainable Development. *African Development Bank, Economic Research Working Paper Series, No. 84, March*. Retrieved November 3, 2016, from <http://www.afdb.org/fileadmin/uploads/afdb/Documents/Publications/00806226-EN-ERWP-84.PDF>

II. The Privatization of War: Prohibition of Private Militias?

Introduction

The use of mercenaries as a solution to the problem of limited political and economic resources is as old as the history of war itself. Having practically disappeared by the beginning of the 19th century, the phenomenon regained significance during the decolonization period in the 1960s. Since these days the number of Private Military and Security Companies (PMSCs) has increasingly grown and numerous conflicts (like for example those in Somalia, Afghanistan or Iraq) have shown what pivotal role private contractors can play in the development of conflicts.⁵¹

The problems that evolve from private actors interfering in both inter and intra state conflicts lie at hand: Apart from an economic interest of PMSCs to keep conflicts going, there is the danger of private militia abusing their power and thus endangering the quick settlement of conflicts and infringing on human rights and the right of peoples to self-determination. This danger of abuse is especially problematic since the legal classification of private militia taking part in conflicts is highly controversial.⁵² Not matching the characteristics of a mercenary in the *International Convention against the Recruitment, Use, Financing and Training of Mercenaries*,⁵³ but unarguably neither being unarmed civilians, private militias are difficult to classify according to international law.⁵⁴

Despite their being involved in countless operations all over the globe, the public awareness concerning the participation of PMSCs is relatively low. Even less known is the fact that, under certain circumstances, the UN itself can draw on the services of PMSC to provide armed security in conflict areas, which it has done on several occasions.⁵⁵ Because of the problematic control of PMSC personnel, their unclear legal classification and the dangers of them abusing human rights and the right of peoples to self-determination, the deployment of such companies is regarded rather critically by numerous states.

International Framework

Although there are several both national and international laws regulating the use and actions of PMSCs, the overall international framework specifically dealing with them until now is rather fragmentary and still in development. The phenomenon of mercenaries, however, has been followed by the UN since the African wars of decolonization. The *International Convention against the Recruitment, Use, Financing and Training of Mercenaries* was concluded by the UN General Assembly (GA) in 1989, yet it did not enter into force until 2001.⁵⁶ Article 1 of this convention contains a definition of the term “mercenary” (a similar definition can be found in Article 47 of the first *Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts*⁵⁷), Article 5 requests State Parties to “not recruit, use, finance or train mercenaries and to prohibit such activities”.⁵⁸ The actual impact of the convention has been questioned since several nations with high military potential have so far refused to ratify it, including all P5 UN Member States.

Human Rights Resolution 2005/2 (E/CN.4/RES/2005/2) established the *Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination* that succeeded the mandate of the Special Rapporteur on the use of mercenaries.⁵⁹ *Resolution 30/6 (A/HRC/RES/30/6)* lists the responsibilities of this group, which i. a. are to strengthen the international legal framework and to monitor mercenaries and mercenary-related activities (Article 20 specifically mentions

⁵¹ Armstrong, *Private Military Companies*, 2007, p. 161f.

⁵² Gillard, *Business goes to war: private military/security companies and international humanitarian law*, 2006.

⁵³ UN General Assembly, *International Convention against the Recruitment, Use, Financing and Training of Mercenaries (A/RES/44/34)*, 1989.

⁵⁴ Won, *The Status of Private Military Contractors Under International Humanitarian Law*, 2010.

⁵⁵ Østensen, *UN Use of Private Military and Security Companies. Practices and Policies*, 2011.

⁵⁶ UN General Assembly, *International Convention against the Recruitment, Use, Financing and Training of Mercenaries (A/RES/44/34)*, 1989.

⁵⁷ International Committee of the Red Cross, *Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I)*, 1977.

⁵⁸ UN General Assembly, *International Convention against the Recruitment, Use, Financing and Training of Mercenaries (A/RES/44/34)*, 1989.

⁵⁹ UN Commission on Human Rights, *The Use of Mercenaries As a Means of Violating Human Rights and Impeding the Exercise of the Right of Peoples to Self-determination (E/CN.4/RES/2005/2)*, 2005.

PMSCs as a part of these).⁶⁰ The same document contains several recommendations for Member States on the considerate dealing with PMSCs, asking Member States to “establish regulatory national mechanisms for the registering and licensing of those companies” (Article 6).⁶¹ Moreover, Article 7 expresses the concern that PMSCs might have a negative impact on the enjoyment of human rights.⁶² Similarly, *Resolution 62/145 (A/RES/62/145)* requests all states to closely monitor the actions of PMSCs and to “impose a specific ban on such companies intervening in armed conflicts or actions to destabilize constitutional regimes” (Article 5).⁶³

Pursuant to *Resolution 15/26 (A/HRC/RES/15/26)* the *open-ended intergovernmental working group to consider the possibility of elaborating an international regulatory framework on the regulations, monitoring and oversight of the activities of private military and security companies* was established in 2010.⁶⁴ The mandate of this working group includes considering the possibility of elaborating an international regulatory framework on PMSCs, “including, inter alia, the option of elaborating a legally binding instrument on the regulation, monitoring and oversight” of their activities, also concerning their accountability.⁶⁵ The group holds annual sessions, followed by a detailed report on the current state of affairs and recommendations on improving the UN’s dealing with PMSCs. In its last report, the open-ended intergovernmental working group i. a. addressed the need to distinguish between private military companies and private security companies, highlighted the importance of ensuring accountability and provision of assistance and remedies for victims and discussed the possibilities of a broader international regulatory framework.⁶⁶

As a result of an international process launched by the Government of Switzerland and the *International Committee of the Red Cross*, the *Montreux Document* was finalized in 2008.⁶⁷ The document compiles international legal obligations of contracting, territorial and home states of PMSCs, their personnel as well as their superior responsibility. Also, it addresses good practices relating to PMSCs for contracting, territorial and home states.⁶⁸ Originally developed by 17 states, the number of states participating is growing steadily. As an international agreement, the *Montreux Document* is not legally binding and can thus only serve as a set of suggestions and proposals.⁶⁹

In 2010 the *International Code of Conduct For Private Security Service Providers (ICoC)* was drafted as the result of a multi-stakeholder initiative, involving private security companies, governments and civil society organizations.⁷⁰ Please note that the ICoC uses the term “Private Security Providers”, thus leaving out the military aspect of the sector. The ICoC sets out principles regarding the conduct of private security company personnel based on international human rights and humanitarian law (for example the prohibition of torture and rules on the use of force). Furthermore, it establishes an external independent governance and oversight mechanism in order to improve accountability of the industry.⁷¹ This mechanism is implemented by the *ICoC Association* (a Swiss-based non-profit Association in Geneva) that certifies member companies, monitors and assesses member companies’ efforts to comply with the ICoC and handles complaints on alleged violations of the Code.⁷² The ICoC is a tool of self-regulation: The main incentive for complying with it is the companies’ reputation.

⁶⁰ UN Human Rights Council, *The use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination (A/HRC/RES/30/6)*, 2015.

⁶¹ UN Human Rights Council, *The use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination (A/HRC/RES/30/6)*, 2015.

⁶² Ibid.

⁶³ UN General Assembly, *Use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination (A/RES/62/145)*, 2007.

⁶⁴ UN Human Rights Council, *Open-ended intergovernmental working group to consider the possibility of elaborating an international regulatory framework on the regulations, monitoring and oversight of the activities of private military and security companies (A/HRC/RES/15/26)*, 2010.

⁶⁵ Ibid.

⁶⁶ UN Human Rights Council, *Report of the 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 on its fourth session (A/HRC/30/47)*, 2015.

⁶⁷ International Committee of the Red Cross & Federal Department of Foreign Affairs of Switzerland, *The Montreux Document*, 2008.

⁶⁸ Ibid.

⁶⁹ Ibid.

⁷⁰ Federal Department of Foreign Affairs of Switzerland, *Regulating Private Military and Security Companies*, 2015.

⁷¹ *International Code of Conduct for Private Security Providers*, 2010.

⁷² Federal Department of Foreign Affairs of Switzerland, *Regulating Private Military and Security Companies*, 2015.

The privatization of war and the scope of the PMSC industry

Since the character of societies, if not of the entire world, is increasingly shaped by the economic and financial sector, it is not surprising that the military sector is no exception to this trend. The use of PMSCs has visibly increased over the last decades. Reasons for that rapid growth are i. a. the downsizing of armed forces after the end of the Cold War and the emergence of numerous new conflicts which increased the demand for military manpower and expertise.⁷³ The industry acts globally and ranges from major multinational corporations to small-small local companies.⁷⁴ There are different approaches to the typology of PMSCs, dividing them into specialized 'business sectors'. It is for example possible to differentiate between (i) private security companies; (ii) defense producers; (iii) private military companies (which can be further divided into those which provide consulting; logistics and support; technical services; training; peacekeeping and humanitarian assistance; and combat forces); (iv) non-statutory forces; and (v) mercenaries.⁷⁵ Especially the need to separately address private security companies and private military companies has been discussed within the UN on several occasions.⁷⁶

Although the use of PMSCs offers several advantages such as the reduction of public spending and a greater efficiency and flexibility in unexpected circumstances, the growing reliance on PMSCs also entails numerous risks and dangers.⁷⁷ The privatization of security and war transforms the role of the state. It loses its monopoly over the means of force, and the quicker accessibility of military personnel makes it easier for political leaders to take their states to war, which is especially problematic with regard to governments with questionable legitimacy.⁷⁸ There is, furthermore, the danger of these kinds of governments using PMSCs in internal conflicts, which might lead to a constraint of the self-determination of the people of this country and their access to resources.⁷⁹ As an obvious consequence to privatization of any kind of good or sector, the growing number of PMSCs leads to security becoming a good people have to pay for, unequally distributed and enjoyed only by those who can pay for it.⁸⁰ The limited legal framework, accountability and control over PMSCs has in several cases led to their personnel supporting extractive industries and committing human rights abuses.⁸¹

PMSCs are employed all over the world. In recent years, there have been numerous issues and problems related to PMSCs on the African continent. In Somalia, for example, the working group on the use of mercenaries noted several grave violations of human rights committed by PMSCs employed by the Somali government in order to provide maritime security.⁸² In Latin America and the Caribbean, PMSCs are utilized mainly by governments (including the US government) in their fight against narco-traffickers and drug cartels.⁸³ Moreover, western governments increasingly draw on PMSCs for domestic purposes.⁸⁴ PMSCs gained special significance with the beginning of the global 'War on Terror' proclaimed by the United States in 2001. For example, PMSCs were contracted by the US in Pakistan, Afghanistan and Iraq, where they played a vital role in the development of the conflicts in these countries.⁸⁵ The most well-known incident involving PMSCs in this context is probably the so-called 'Nisour Square Massacre' of 2007, when contractors of the US PMSC 'Blackwater' were responsible for the death of 14 unarmed Iraqi civilians.⁸⁶

⁷³ Schreier & Caparini, *Privatising Security: Law, Practice and Governance of Private Military and Security Companies*, 2005.

⁷⁴ Federal Department of Foreign Affairs of Switzerland, *Regulating Private Military and Security Companies*, 2015.

⁷⁵ Cameron, *Private military companies: their status under international humanitarian law and its impact on their regulation*, 2006.

⁷⁶ UN Human Rights Council, *Report of the 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 on its fourth session (A/HRC/39/47)*, 2015.

⁷⁷ Schreier & Caparini, *Privatising Security: Law, Practice and Governance of Private Military and Security Companies*, 2005.

⁷⁸ Ibid.

⁷⁹ Ibid.

⁸⁰ Ibid.

⁸¹ UN Human Rights Council, *Report of the 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 on its fourth session (A/HRC/39/47)*, 2015.

⁸² UN Human Rights Council, *Report of the Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination (A/HRC/24/45/Add.2)*, 2013.

⁸³ UN Economic and Social Council, *The Right of Peoples to Self-determination and its Application to Peoples under Colonial or Alien Domination or Foreign Occupation (E/CN.4/2004/15)*, 2003.

⁸⁴ Global Policy Forum, *Private Military & Security Companies*, 2016.

⁸⁵ Ibid.

⁸⁶ Woolf, *Former Blackwater guards sentenced for massacre of unarmed Iraqi civilians*, 2015.

UN Use of PMSCs

Despite the rather critical view on PMSCs expressed by the working group on the use of mercenaries and the open-ended intergovernmental working group, the UN has in recent years increasingly sought the support of such companies for its operations.⁸⁷ Please note that when referring to its own contracting, the UN (with the exception of the UN High Commissioner for Human Rights) uses the term private security companies, leaving out the military aspect of the services provided by the companies.⁸⁸ Apart from providing security services, PMSCs frequently supply the UN with other specialized services such as advice, training, demining, logistics, intelligence etc. However, it is important to note that PMSCs are not providing personnel for front-line peacekeeping: Rather, when cooperating with the UN, PMSCs fulfill only selected tasks the UN has not the means or capacity to deliver. The practice of hiring PMSCs is not limited to particular UN organizations: PMSCs services have i. a. been used by the UN Children's Fund (UNICEF), World Food Programme (WFP) and UN Development Programme (UNDP), for example in Sudan, Somalia and Angola.⁸⁹

The Member States' widely differing opinions concerning the contraction of PMSCs makes it difficult to find a common policy on the UN's use of these companies. Ambiguous approaches and a lack of sufficient regulations, however, might damage the UN's image, credibility and effectiveness, since the organization itself should serve as a role model for its Member States.⁹⁰ A step into the direction of a more consistent approach are the *Guidelines on the Use of Armed Security Services from Private Security Companies*, published by the UN Department of Safety and Security (UNDSS) in 2012.⁹¹ The document lists i. a. the services a UN organization may contract from a PMSC, contains criteria that such PMSC must fulfill; in its Annex it even encloses a model contract.⁹² Despite these attempts, the UN's regulation on its use of PMSCs is still rather fragmentary and numerous questions have so far remained unanswered. Especially the issue whether the UN's reliance on PMSC services further promotes the increasing privatization of security and war requires further consideration and debate, particularly in light of the possible dangers to human rights and the potential advance of inequality resulting from this.⁹³

Conclusion

The increase and growing influence of PMSCs confronts the international community with countless complex and difficult challenges. Apart from ethical considerations on the issue of security increasingly developing into a good only available to those who can afford it, an inconsistent international framework complicates the regulation and accountability of PMSCs. Several cases in the past have shown how the uncertain legal responsibility of PMSC personnel can lead to an abuse of power and violence. A further growth of the PMSC sector might bring along grave dangers to the enjoyment of human rights and the right of peoples to self-determination. The UN, itself being dependent on the services of private security companies, must comprehensively deal with these challenges and reflect on how it can be ensured that key responsibilities remain in its hand.

Further Research: Questions to Consider

- How could the legal gap concerning the classification of PMSC personnel according to international law be closed?
- What could and should be part of an applicable definition of PMSCs and their personnel?
- What can be done to improve the international framework on the use of PMSCs?
- How can PMSCs be held accountable for their past abuses of human rights?

⁸⁷ Spearin, *UN Peacekeeping and the International Private Military and Security Industry*, 2011.

⁸⁸ Østensen, *UN Use of Private Military and Security Companies. Practices and Policies*, 2011.

⁸⁹ Ibid.

⁹⁰ UN Office of the High Commissioner of Human Rights, *Summary report of the expert panel on the use of private military and security companies by the United Nations*, 2013.

⁹¹ UN Department of Safety and Security, *Guidelines on the Use of Armed Security Services from Private Security Companies*, 2012.

⁹² Ibid.

⁹³ Østensen, *UN Use of Private Military and Security Companies. Practices and Policies*, 2011.

- How can further crimes of PMSCs be prevented?
- How can be made sure that security does not entirely develop into a good that only people who own the necessary financial resources can afford?
- Should the UN rely less on PMSCs, and how could that be achieved?

Bibliography

- Armstrong, M. (2007). Private Military Companies, in: Weber, J. A. & Eliasson, J. (eds.). *Handbook of Military Administration*. London & New York: CRC Press.
- Cameron, L. (2007). Private military companies: their status under international humanitarian law and its impact on their regulation. *International Review of the Red Cross* 88 (863), 573-598. Retrieved November 1, 2016, from https://www.icrc.org/eng/assets/files/other/irrc_863_cameron.pdf
- Federal Department of Foreign Affairs of Switzerland (2015). *Regulating Private Military and Security Companies. The Montreux Document and the International Code of Conduct*. Retrieved October 29, 2016, from <http://www.dcaf.ch/Publications/Regulating-Private-Military-and-Security-Companies.-The-Montreux-Document-and-the-International-Code-of-Conduct>
- Gillard, E.-C. (2006). Business goes to war: private military/security companies and international humanitarian law. *International Review of the Red Cross*, 88(863), pp. 525–572. doi: 10.1017/S1816383107000768.
- Global Policy Forum (2016). *Private Military & Security Companies*. Retrieved November 1, 2016, from <https://www.globalpolicy.org/pmscs.html>
- International Committee of the Red Cross (1977), *Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I)*. Retrieved October 29, 2016, from <https://ihl-databases.icrc.org/applic/ihl/ihl.nsf/Treaty.xsp?action=openDocument&documentId=D9E6B6264D7723C3C12563CD002D6CE4>
- International Code of Conduct for Private Security Providers* (2010). Retrieved November 2, 2016, from https://icoca.ch/sites/all/themes/icoca/assets/icoc_english3.pdf
- International Committee of the Red Cross & Federal Department of Foreign Affairs of Switzerland (2008). *Montreux Document on pertinent international legal obligations and good practices for States related to operations of private military and security companies*. Retrieved November 1, 2016, from <https://shop.icrc.org/document-de-montreux-sur-les-entreprises-militaires-et-de-securite-privées-2374.html>
- Østensen, Å. G. (2011). *UN Use of Private Military and Security Companies. Practices and Policies*. Geneva Centre for the Democratic Control of Armed Forces, SSR Paper 3.
- Schreier, F. & Caparini, M. (2005). *Privatising Security: Law, Practice and Governance of Private Military and Security Companies*. Geneva Centre for the Democratic Control of Armed Forces – Occasional Paper No. 6.
- Spearin, C. (2011). UN Peacekeeping and the International Private Military and Security Industry. *International Peacekeeping*, 18 (2), 196-209. Retrieved November 3, 2016 from <http://www.tandfonline.com/doi/abs/10.1080/13533312.2010.546099>
- United Nations Commission on Human Rights (2005). *Human Rights Resolution 2005/2: The Use of Mercenaries As a Means of Violating Human Rights and Impeding the Exercise of the Right of Peoples to Self-determination (E/CN.4/RES/2005/2)*. Retrieved October 29, 2016 from <http://www.refworld.org/docid/45377c39c.html>
- United Nations Department on Safety and Security (2012). *Guidelines on the Use of Armed Security Services from Private Security Companies*. Retrieved November 3, 2016, from <http://www.ohchr.org/Documents/Issues/Mercenaries/WG/StudyPMSC/GuidelinesOnUseOfArmedSecurityServices.pdf>
- United Nations Economic and Social Council (2003). *The Right of Peoples to Self-determination and its Application to Peoples under Colonial or Alien Domination or Foreign Occupation (E/CN.4/2004/15)*. Retrieved November 2, 2016, from <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G03/173/13/PDF/G0317313.pdf?OpenElement>
- United Nations General Assembly (1989). *International Convention against the Recruitment, Use, Financing and Training of Mercenaries (A/RES/44/34)*. Retrieved October 29, 2016, from <http://www.un.org/documents/ga/res/44/a44r034.htm>

United Nations General Assembly (2007). *Use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination (A/RES/62/145)*. Retrieved October 30, 2016, from http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/62/145

United Nations Human Rights Council (2010). *Open-ended intergovernmental working group to consider the possibility of elaborating an international regulatory framework on the regulations, monitoring and oversight of the activities of private military and security companies (A/HRC/RES/15/26)*. Retrieved October 30, 2016, from <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G10/167/42/PDF/G1016742.pdf?OpenElement>

United Nations Human Rights Council (2013). *Report of the Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination (A/HRC/24/45/Add.2)*. Retrieved November 2, 2016, from http://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/A_HRC_24_45_Add.2.pdf

United Nations Human Rights Council (2015). *Report of the 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 on its fourth session (A/HRC/30/47)*. Retrieved November 1, 2016, from <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G15/152/60/PDF/G1515260.pdf?OpenElement>

United Nations Human Rights Council (2015). *The use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination (A/HRC/RES/30/6)*. Retrieved October 30, 2016, from <http://www.refworld.org/pdfid/56b1c2134.pdf>

United Nations Office of the High Commissioner of Human Rights (2013). *Summary report of the expert panel on the use of private military and security companies by the United Nations*. Retrieved November 3, 2016, from <http://www.ohchr.org/Documents/Issues/Mercenaries/WG/StudyPMSC/EventSummary.pdf>

Won, K. (2010). The Status of Private Military Contractors Under International Humanitarian Law. *Denver Journal of International Law and Policy*, 38, pp. 361-402. Retrieved October 29, 2016, from https://papers.ssrn.com/sol3/papers.cfm?abstract_id=1684140

Woolf, N. (14.04.2015). Former Blackwater guards sentenced for massacre of unarmed Iraqi civilians. *The Guardian*. Retrieved November 2, 2016, from <https://www.theguardian.com/us-news/2015/apr/13/former-blackwater-guards-sentencing-baghdad-massacre>