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مجلس حقوق الإنسان  
الدورة العاشرة  
البند ٣ من جدول الأعمال

تعزيز وحماية جميع حقوق الإنسان، المدنية والسياسية والاقتصادية والاجتماعية والثقافية، بما في ذلك الحق في التنمية

تقرير الفريق العامل المعني بمسألة استخدام المرتزقة كوسيلة لانتهاك حقوق الإنسان وإعاقة ممارسة حق الشعوب في تقرير المصير\*\*

الرئيس - المقرر: السيد ألكسندر نيكيتين

## إضافة

مجموعة أوروبا الشرقية ومنطقة آسيا الوسطى - المشاورة الإقليمية حول أنشطة الشركات العسكرية والأمنية الخاصة: التنظيم والرقابة (١٧-١٨ تشرين الأول/أكتوبر ٢٠٠٨)

\* تأخر تقديم التقرير عن مواعده.

\*\* يعمم الموجز بجميع اللغات الرسمية. أما التقرير نفسه، الوارد في المرفق لهذا الموجز، فيعمم كما ورد باللغة الإنكليزية فقط.

## موجز

وفقاً لقرار الجمعية العامة ١٤٥/٦٢ ولقرار مجلس حقوق الإنسان A/HRC/7/21، أجرى الفريق العامل مشاوره إقليمية في موسكو يومي ١٧ و١٨ تشرين الأول/أكتوبر ٢٠٠٨.

والهدف من هذه المشاورة هو استجلاء رؤية إقليمية بخصوص الممارسات القائمة في الوقت الراهن فيما يتعلق بالمرتزقة والشركات العسكرية والأمنية الخاصة المسجلة التي تنشط أو تنتدب موظفين للعمل في المنطقة. وأتاحت المشاورة أيضاً فرصة لمناقشة المسألة الجوهرية التي تتعلق بدور الدولة بوصفها المحتكر لحق استخدام القوة ولتقاسم المعلومات بشأن ما تتخذه دول المنطقة من خطوات لإدخال تشريعات وتدابير أخرى تنظم أنشطة هذه الشركات في السوق الدولية وترصدها. وناقش الفريق العامل مبادئ توجيهية عامة ومعايير ومبادئ أساسية لتنظيم ومراقبة أنشطة الشركات الخاصة التي تقدم مساعدة عسكرية وخدمات استشارية وأمنية في السوق الدولية بهدف تشجيع حماية حقوق الإنسان على نحو أفضل.

وحضر المشاورة ممثلون عن حكومة كل من الاتحاد الروسي وأرمينيا وأوكرانيا والبوسنة والهرسك وبولندا وجمهورية مولدوفا وسلوفينيا وصربيا وطاجيكستان وقيرغيزستان وليتوانيا. وحضر المشاورة أيضاً ثمانية من الأشخاص المختصين في الموضوع (بمن فيهم مستشارون) وممثلون عن منظمة معاهدة الأمن الجماعي واللجنة الدولية للصليب الأحمر وعضو من مجلس الدوما الروسي، وممثلون عن المجتمع المدني، وممثل عن مركز الأمم المتحدة للإعلام، وتسعة من الأكاديميين وممثل عن شركة عسكرية وأمنية خاصة. وترد قائمة المشاركين في المرفق الأول.

وكان الفريق العامل ممثلاً من الرئيس - المقرر، السيد ألكسندر نيكيتين، والسيدة آمادا بينايفيدس دي بيريز، والسيد خوسيه لويس غوميز ديل برادو، والسيدة شايستا شاميم.

Annex

**EASTERN EUROPEAN GROUP AND CENTRAL ASIA REGION - REGIONAL  
CONSULTATION ON THE ACTIVITIES OF PRIVATE MILITARY AND  
SECURITY COMPANIES: REGULATION AND OVERSIGHT  
(17-18 OCTOBER 2008)**

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## I. BACKGROUND

1. In paragraph 15 of resolution 62/145, the General Assembly requests the office of the High Commissioner for Human Rights (OHCHR) to convene regional governmental consultations on traditional and new forms of mercenary activities as a means of violating human rights and impeding the exercise of the right of peoples to self-determination, in particular regarding the effects of the activities of private military and security companies (PMSCs) on the enjoyment of human rights.

2. In addition, Human Rights Council resolution A/HRC/7/21 requests OHCHR to inform the Council in a timely manner, of the dates and places for the convening of the other regional governmental consultations on this matter, in conformity with paragraph 15 of General Assembly resolution 62/145, bearing in mind that this process may lead to the holding of a high-level round table of States under the auspices of the United Nations to discuss the fundamental question of the role of the State as holder of the monopoly of the use of force, with the objective of facilitating a critical understanding of the responsibilities of the different actors, including private military and security companies, in the current context, and their respective obligations for the protection and promotion of human rights and in reaching a common understanding as to which additional regulations and controls are needed at the international level.

3. In consultation with OHCHR, the Working Group decided to hold a second regional consultation for the Eastern European Group and Central Asian Region in Moscow on 17 and 18 October 2008. The first regional consultation had been held on 17 and 18 December 2007 in Panama City for the Latin American and Caribbean Region. The regional consultation was organized by OHCHR in close collaboration with the Working Group. In order to gain an in-depth understanding of the issues, the Working Group also organized a legal consultation the day prior to the regional consultation.

## II. SUMMARY OF THE MEETING

4. The following subjects were considered during the consultation: (a) the monopoly of the State on the use of military and security force; (b) private actors and use of military and security force; (c) the role of the State and non-State actors in the military sphere of the CIS (Commonwealth of Independent States) and CSTO Regions; (d) towards the elaboration of a new international convention on private military and security companies; (e) national experiences and views. In addition, - participants met with the Deputy Secretary-General and other members of the CSTO secretariat.

### 1. Opening of regional consultation and introductory remarks

5. Mr. Serguei Chumarev, Chief of the Section of Universal Cooperation on Human Rights of the Ministry for Foreign Affairs of the Russian Federation, welcomed the meeting participants on behalf of the Ministry, and expressed Russia's support of the work of the Working Group and expressed hope that it would continue to hold regional consultations. He observed the shift from traditional mercenarism towards private military and security companies. He recalled the action taken by the General Assembly and the Human Rights Council with respect to the issue of mercenarism, and expressed Russia's desire that a convention on the regulation of private military and security companies be elaborated in accordance with United Nations procedures and be brought before the General Assembly.

6. Mr. Karim Ghezraoui of the Special Procedures Division of OHCHR introduced the work of OHCHR and steps taken to support the work of the Working Group.

7. Mr. Alexander Nikitin opened the consultation, introducing the participants and outlining the agenda and objectives of the consultation, namely to discuss the role of the State as holder of the monopoly of the use of force, gain a regional perspective about the current practices relating to

mercenaries and private military and security companies, and also an opportunity to share information on steps taken by States to regulate and monitor them.

## **2. Monopoly of the State on the use of military and security force**

8. Several participants provided presentations which covered issues including the use of force in international law, developments in United Nations peacekeeping, the question of non-State actors using military force and arms supply, and mercenary activity in the Caucasus.

9. The resource persons emphasized various aspects, including the principles of international law governing the use of force, whether carried out by States or private actors. They recalled that States hold responsibility under public international law, but also considered that regulation of private military and security companies should be increased.

10. In subsequent discussion, members of the Working Group and other participants discussed the use of private security companies by the United Nations, including the degree of its accountability for their actions, and the current “gaps” in the international regulation of these companies. The positive role that private military and security companies can play in the humanitarian sphere was considered, as well as potential practical advantages for States using them instead of or in addition to their armed forces.

## **3. Private actors and the use of military and security force**

11. The session on private actors and the use of military and security force started with presentations by resource persons who were asked to prepare submissions for the consultations.

12. One consultant noted that with private military and security companies, a new commodity - security - was now traded at the international level. This shift has been noticed by several international players - the Council of Europe, the United Nations and also the Swiss Initiative. As regards the Swiss Initiative, the consultant outlined the content of the Montreux Document,<sup>1</sup> explaining that it contains principles of existing international humanitarian and human rights law as well as a series of good practices for relevant actors.

13. The consultant also considered possible next steps to be taken by the international community to better regulate private military and security companies. Proposals included: (a) the international community agreeing on a standard definition of private military and security companies, identifying in what context they operate, and deciding what duties they should or should not perform; (b) transforming voluntary codes of conduct into binding codes; (c) instituting an effective vetting system of private military and security company employees; (d) the international community appointing an independent international ‘PMSC Ombudsman’ who would receive complaints from all interested stakeholders regarding the activities of private military and security companies and perform preliminary investigations to help decide which complaints deserved further attention, keeping such allegations in the public eye; (e) establishing a civil arbitration panel to hear complaints against private military and security companies and developing an international criminal code applicable to private military and security companies on the model of the International Criminal Code.

14. Another consultant highlighted the practice of private military and security companies recruiting former soldiers in Latin America. By setting up several layers of sub-contracting, the legal situation is

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<sup>1</sup> A/63/467.

complicated, so that the companies can effectively bypass international laws. The consultant highlighted the difficulties in obtaining information on the ground during conflict situations and emphasized the need for a solution at the international level, rather than just the national level. He provided options for improved regulation, including that all parties remain focused on the primary responsibility of States to regulate companies incorporated or acting on their territories, as well as suggesting a model contract system. The consultant recommended the continued ratification by states of the International Convention against the Recruitment, Use, Financing and Training of Mercenaries and expressed support for establishing international corporate criminal responsibility.

15. In the ensuing discussion, members of the Working Group and other participants considered the proposals and recommendations of the consultants as they related to the mandate of the Working Group.

16. Mr. José Luis Gómez del Prado, member of the Working Group, presented the findings of a model law project he had coordinated with the School of Law at the University of Wisconsin-Madison on regulating private military and security companies. The document included the following outcomes: (a) in view of a lack of accountability for acts committed by such companies, they posed a greater threat to civilians than regular armed forces these private employees replace; (b) better effective regulation would protect not only civilians but also States from infringement by these companies on the State's monopoly of the use of force; (c) there is a lack of political will to eliminate or regulate such companies; (d) current self-regulation by the security industry is insufficient; and (e) there are a number of activities which are inherently governmental and inappropriate for outsourcing to private companies. The model law proposed, for those States intending to establish judicial, administrative and investigative oversight of the activities of private military and security companies, the establishment of an inter-agency taskforce responsible for adopting legislation and setting up regulatory mechanisms to control and monitor their activities, including a system of registering and licensing that would authorize these companies to operate and allow them to be sanctioned when the norms are not respected. In addition, the taskforce would establish and make known to the public and to all government contractors those functions that the State alone may perform and a list of activities that can be legally conducted by private military and security companies. The taskforce would create a dual ranking system, coordinating (a) the risk that the activity may result in human rights abuses, and (b) the degree to which a private company bidding for a government contract complies with the taskforce's minimum standards for the private military and security industry.

17. Presentations were made by several resource persons and academics in the field and a representative from a private security company. They provided an overview of their work in the area, including an appraisal of recent regulatory changes in South Africa, a view from within the private military and security industry, an analysis of both the potential and the limitations for the private military and security industry to self-regulate, and a new academic research project examining the regulatory framework at national, European and international levels.

#### **4. Meeting with the Collective Security Treaty Organization (CSTO)**

18. The meeting started with a film in Russian, which explained the history and structure of the CSTO. Mr. Valery Semerikov, Deputy Secretary-General, then gave a presentation introducing the CSTO, explaining that it was a military alliance based on the collective security treaty of the CIS. It was founded in October 2002 and as of October 2008 Armenia, Belarus, Kazakhstan, Kyrgyzstan, Russia, Tajikistan and Uzbekistan were members. He explained that the charter of the CSTO affirmed the desire of its signatory States to abstain from the use or threat of force, that signatories were not able to join other military alliances, and that aggression against one signatory would be perceived as an aggression against all.

19. The CSTO is an observer organization at the General Assembly, and recently agreed to expand the organization so that it could create a CSTO peacekeeping force that could be deployed in its member States, or even beyond if authorized under a United Nations mandate. The CSTO cooperated with the Shanghai Cooperation Organization (SCO) on issues such as security, crime, and drug trafficking, and was seeking closer cooperation with NATO.

#### **5. The role of State and non-State actors in the military sphere of the CIS and CSTO regions**

20. Several resource persons provided presentations which covered issues including the legal status of private military and private security companies in the Russian Federation, the experiences of former Soviet soldiers and the social challenges they face, the potential for the international supply of security and military services within the CSTO structure, and the prevalence and regulation of mercenarism within the CIS.

21. In subsequent discussion, members of the Working Group and other participants raised various issues including the distinction between “private military company” and “private security company”, the potential depletive impact on State forces by recruitment practices of these companies, the existence of minimum age limits for private security employees in different jurisdictions, and the degree of national adoption by CIS States of the CIS model law “On counteracting mercenarism”.

#### **6. Towards the elaboration of a new international convention on private military and security companies**

22. A resource person presented a draft for a convention on regulating private military and security companies on behalf of a group of lawyers and academics, prepared at the request of the Working Group. The draft convention includes general provisions setting out the definitions and basic background principles of international law, a core section on applicable principles for regulating private military and security companies, a section on rules to be implemented by States and a section setting out principles on jurisdiction and extradition.

23. It was noted that key aspects of the draft convention related to the distinction between the import and export of services and the licensing of such imports or exports. States would need to establish both a general State registry of private military and security companies and mandatory licensing. Licenses could be issued for domestic operation by a private military or security company, for export of such services, or for import of such services. Other measures would need to be instituted in conjunction with the licensing system, for example criminalizing breaches of the licensing regime and establishing appropriate jurisdiction.

24. The Working Group members and other meeting participants discussed several issues relating to the draft convention such as modalities for its implementation, including reporting obligations. The Working Group noted that any future convention would need to be in full compliance with the current international human rights and humanitarian law framework. It would in no way undermine existing rights and standards, but rather would seek to strengthen their realization.

#### **7. National experiences and views**

25. The representatives of Armenia, Bosnia and Herzegovina, the Republic of Moldova, Poland, Serbia, Slovenia, Tajikistan and Ukraine gave presentations, informing the Working Group on the phenomenon of mercenarism in their respective countries, including specific instances thereof, and on the laws in place for the regulation of the private military and security industry in their countries.

26. Topics highlighted included the status of ratification by their respective countries of the International Convention against the Recruitment, Use, Financing and Training of Mercenaries, provisions within their domestic criminal laws for the punishment of mercenarism, the degree of regulation of their domestic private security industry, the general absence or lack of adequate regulation of private military companies within their territories as well as, in some cases, the prevalence of traditional mercenary activity, either within the State or carried out by nationals abroad.

27. During the discussion, members of the Working Group and other participants raised questions on the degree to which the domestic law of States prohibited mercenary or mercenary-related activities carried out by their citizens abroad, the phenomenon of military and law enforcement personnel seeking employment in the private security and military sector, domestic law relating to the carrying of firearms, the involvement of some of them in the Swiss Initiative process and the prevalence of foreign companies operating in the respective States.

### **8. Other views**

28. A representative from the International Committee of the Red Cross gave a presentation recalling States' obligations under international humanitarian law.

### **9. Concluding remarks**

29. The Working Group concluded the meeting by thanking all participants for their contributions and reiterating key points that had been raised at the meeting, including the discussion on the role of the State as holder of the monopoly of the use of force, the strong desire for increased international regulation of private military and security companies expressed by many participants, the wide range of reported instances of mercenarism and private military and security company activities in the region, and the broad range of regulatory options available to States.

## **III. OBSERVATIONS OF THE WORKING GROUP**

30. The Working Group has taken note of submissions made during the consultation and considers them to be part of the process of establishing within the United Nations community a shared understanding of standards, guidelines and principles for the regulation of the private military and security industry. The Working Group has made the following observations on the discussion at the consultation and its proposed follow-up.

31. The Working Group would like to draw attention to the reaffirmation by representatives of the Governments participating in the Regional Consultation and the members of the Working Group, of the obligation of States to respect, realize and promote human rights.

32. It believes that the consultation, as well as the Working Group's reports, helped raise the awareness of national authorities and international public opinion on the impact of the activities of private military and security companies and their employees on the enjoyment of human rights. In certain situations, those activities may result in human rights violations.

33. The Working Group notes that the operation of private military and security companies is a global phenomenon. They can be found in various countries of the Eastern European Group and Central Asia region, either as branches of foreign multinational private military and security companies, or as companies originating or owned domestically.

34. The Working Group observes that the private military and security industry is growing, and it fears that the rapid rate of this growth has shifted the discussion from whether non-State actors should be

allowed to use force to simply how they should use such force. In accordance with General Assembly resolution 62/145, the Working Group believes that it is essential to actively pursue the debate on the fundamental question on the role of the State as holder of the monopoly of the use of force.

35. The Working Group feels that there seems to be general agreement on elements required to ensure private military and security companies and their employees perform their duties in accordance with international humanitarian and human rights law, in particular a need to develop international definitions of and standards for the phenomenon of private military and security companies and the duties they perform.

36. The Working Group, after consultation with many national Governments in the course of regional consultations and country visits, has come to the conclusion that a legal codification of the comprehensive system of oversight and regulation for the private military and security industry should be based upon certain identified principles.<sup>2</sup> These principles, which were circulated to the participants and informed the meeting, are:

(a) Respect of the private military and security companies as legal bodies and their employees as natural bodies for the universal norms of human rights and humanitarian law;

(b) Respect of the private military and security companies and their employees for national laws of countries of origin, transit and operation;

(c) Respect of the sovereignty of States, internationally recognized borders and rights of people for self-determination;

(d) Non-participation of private military and security companies and their employees in any activities aimed at overthrowing legitimate Governments or authorities, violent change of internationally recognized borders, or taking violent foreign control over natural resources;

(e) Guaranty of legitimate ways of acquiring, exporting, importing, possession and use of weapons by private military and security companies and their employees;

(f) Guaranty of adequate, mandated and proportional use of force;

(g) Restraint from the overuse of weapons, total prohibition of use of weapons of mass destruction, or weapons resulting in overkill, mass casualties or excessive destruction;

(h) Accountability of private military and security companies before the Governments of the country of origin (registration) and country of operations;

(i) Adequate public transparency over the activities of private military and security companies;

(j) Mechanism for the detailed registration of private military and security companies;

(k) Mechanism of licensing of the contracts of private military and security companies for operation abroad;

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<sup>2</sup> A/63/325, para. 90.

(l) Mechanisms of monitoring, inquiries, investigations, complaints and allegations regarding activities of private military and security companies;

(m) Mechanism of sanctions which may be applied nationally and/or internationally to private military and security companies in case of revealed violations;

(n) Standard mechanisms of contracting national and foreign personnel.

37. In accordance with these principles, the Working Group believes there is a need to develop effective vetting systems for the selection of employees of private military and security companies, which would prevent a person who may pose a higher risk of committing human rights violations from performing private military or security duties.

38. The Working Group is of the view that in order for any regulatory mechanisms to be implemented for private military and security companies, enforcement mechanisms should be put in place. Also, effective accountability for violations of human rights by both companies and individuals should be ensured.

39. Further, the Working Group believes that an effective system for the licensing of the private military and security industry and the training of its employees should be developed.

40. The goal of the Working Group is to incorporate these elements into an effective system that is widely embraced and adopted by the international community. Effective regulation needs action at several levels: international and regional agreements, national legislation and policy, parliamentary control, self-regulation by the industry itself and monitoring by civil society institutions.

41. During the regional consultation, drafts of potential new legal instruments - a draft international convention on the regulation and oversight of private military and security companies and a draft model law for the national level of regulation - were introduced by resource persons at the request of the Working Group and subsequently discussed by the members of the Working Group together with representatives of participating States.

42. The Working Group plans in 2009-2011 to hold regional consultations in Asia, Africa and Western Europe. New legal instruments on regulating private military and security companies, which are under elaboration by the Working Group, would be deliberated with Member States at these consultations, to provide wide input into the content and consensus on the format of these instruments.

**Annex 1**

**LIST OF PARTICIPANTS**

Government representatives	Armenia	Col. Arthur Aghababyan Mr. Ruben Ananyan
	Bosnia and Herzegovina	Mr. Haris Lukovac
	Kyrgyzstan	Mr. Erkinbek Atabekov
	Lithuania	Mr. Minijus Samuila
	Republic of Moldova	Ms. Corina Calugaru
	Poland	Ms. Aleksandra Mikula
	Russian Federation	Mr. Serguei Chumarev Mr. Pyotr Ilyichev Ms. Olga Metelina
	Serbia	Mr. Mirko Tomcic
	Slovenia	Mr. Marko Ham
	Tajikistan	Mr. Abdunabi Sattorov
	Ukraine	Mr. Vadim Grechaninov Ms. Maryna Redko
Resource Persons and Consultants		Ms. Anne-Marie Buzatu Dr. Andrei Kazantsev Prof. Alexei Kuzmin Prof. Alexander Mikhailenko Mr. Antoine Perret Mr. Ivan Safranchuk Dr. Alexander Volevodz
Collective Security Treaty Organization		Mr. Valery Semerikov Mr. Alexander Khripunov
International Committee of the Red Cross		Mr. Yuri Shafarenko Mr. Patrick Zahnd
Russian State Duma		Mr. Andrei Golovatyuk

Non-governmental organizations	Federation for Peace and Conciliation Institute for Security Studies  Universal Peace Federation	Mr. Viktor Kamyschanov Mr. Gennady Mikhailov  Mr. Sabelo Gumedze  Mr. Konstantin Krylov
United Nations Information Centre		Mr. Alexander Gorelik
Academics		Mr. Aslan Abashidze Dr. Christine Bakker Mr. Vladimir Baranovsky Major Gen. (ret.) Vladimir Belous Dr. Margaret Chung Dr. Mark Entin Dr. Vladimir Karyakin Major Gen. (ret.) Yuri Kirshin Dr. Oksana Novikova Dr. Serguei Oznobischev Dr. Vladimir Petrovsky Ms. Inna Yurchenko Prof. Viktor Yurchenko Dr. Andrei Zagorski
Representative of a private security company (Control Risks)		Mr. Chris Sanderson
Working Group on the Use of Mercenaries		Mr. Alexander Nikitin Ms. Amada Benavides de Pérez, Mr. José Luis Gómez del Prado Ms. Shaista Shameem
Office of the High Commissioner for Human Rights		Mr. Karim Ghezraoui Ms. Karin Lucke Ms. Dominique Laplace Mr. André du Plessis Mr. Dirk Hebecker Mr. Rachid Alouach

## Annex 2

### PROGRAMME

17 October 2008

#### 1. Opening of the regional consultation and introductory remarks

Mr. Serguei Chumarev, Chief of Section of Universal Cooperation on Human Rights, Ministry for Foreign Affairs

*“Modern Issues of preservation of human rights and international humanitarian law in conflicts and wars”*

Mr. Karim Ghezraoui, Special Procedures Division, OHCHR

Mr. Alexander Nikitin, Chairperson-Rapporteur of the Working Group

#### 2. Monopoly of the State on the use of military and security force

##### 1. Presentations

Pyotr Ilyichev, Counselor, International Organizations Department, Russian Foreign Ministry

*“Regulation by the United Nations of the Use of Force in Peace Support”*

Alexander Gorelik, Director, United Nations Information Centre in the Russian Federation

*“Modern Evolution of the Application of Force by States and Non-State Actors in Military Conflicts, Crises, UN Operations”*

Viktor Kamyshanov, President of the International Federation for Peace and Conciliation

*“Approach of Non-Governmental Organizations to the Issue of Legitimacy of Use of Force by States and Non-State Actors in Modern International Relations”*

Viktor Yurchenko, Head of Section of Information Security, Southern Scientific Center, Russian Academy of Sciences (Krasnodar, Russia)

*“The Use of Force in Conflicts in the Caucasus”*

Vladimir Petrovsky, Chairman of the Board, Russian Political Sciences Association

*“The Use of Force in Conflicts”*

##### 2. General discussion

#### 3. Private actors and the use of military and security force

##### 1. Presentations

Anne-Marie Buzatu, Geneva Centre for the Democratic Control of Armed Forces

*“European Practices of Regulation of Private military and security companies and Recommendations for Regulation of Private military and security companies through International Legal Instruments”*

Antoine Perret, University of Externado de Colombia  
*“Latin American experience and lessons for regulation”*

Jose Luis Gomez del Prado, Working Group member  
*“Proposals of the School of Law, University of Wisconsin (USA) on regulating Private military and security companies”*

Sabelo Gumede, Institute for Security Studies  
*“Private Military/Security Operators and the South African Law”*

Andrei Kazantsev, Moscow State Institute of International Relations  
*“Utilizing Self-Regulation of Private military and security companies: Prospects and Limits”*

Christopher Sanderson, Control Risks, private military and security company  
*“Regulating Private military and security companies: A view from inside the industry”*

Christine Bakker, European University Institute, Florence  
*An introduction to the EUI’s project “Regulating Privatization of war: The EU’s role in implementing international humanitarian law and human rights”*

2. General discussion

**4. Meeting with leadership of the Collective Security Treaty Organization (CSTO)**

Chaired by Mr. Semerikov, Deputy Secretary-General, Collective Security Treaty Organization

**18 October 2008**

**5. The role of State and non-State actors in the military sphere of the CIS and CSTO regions**

1. Presentations

Andrei Golovatyuk, Former MP of the Defence Committee, Member of Expert Council of the Defence Committee of the State Duma (Parliament), Russian Federation  
*“Prospects and Problems of Creation of Private Military and Security Companies in Russia”*

Alexander Khripunov, Counselor, Military Cooperation Department, CSTO Secretariat  
*“Legal regulation of military-technical cooperation between CSTO member-states, prospects and limitations for private sector”* (including issues of training foreign military and trading military equipment and weapons)

Oksana Novikova, Center for Euro-Atlantic Security, Moscow State Institute for International Relations  
*“Legal norms regulating mercenarism in the CIS states”*

2. General discussion

**6. Towards the elaboration of a new international convention on private military and security companies**

1. Presentations

Alexander Volevodz, Rim 2000 Consulting

Ivan Safranchuk, World Security Institute

*“Draft Proposal on Convention on Regulating private military companies. Request for assessment by countries”*

Alexei Kuzmin, Russian State University of Humanities

*“Red Lines: Defining state functions NOT outsourcable to non-state actors and activities prohibited to Private military and security companies”*

2. General discussion

**7. National experiences and views**

Statements by representatives of:

Armenia

Bosnia and Herzegovina

Republic of Moldova

Poland

Serbia

Slovenia

Tajikistan

Ukraine

**8. Other views**

Presentation by Mr. Yuri Shafarenko, International Committee of the Red Cross

**9. Concluding remarks**

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