***Oak MUN 2025***

***Background Guide***

**Agenda:** *Addressing the Role of Foreign and Private Military Deployments in undermining Disarmament and Regional stability.*

**Letter from the Executive Board**

Dear Delegates,

We are very pleased to welcome you to the simulation of the ***UNGA: DISEC*** at***Oak MUN 2025***. It is an honour to serve as your Executive Board for the duration of the conference. This Background Guide is designed to give you an insight into the case at hand, so we hope this acts as only a ***catalyst*** for furthering your research and not limited to just this guide. Please refer to it carefully. Remember, a thorough understanding of the problem is the first step to solving it.

*Do understand that this Background Guide is in no way exhaustive and is only meant to provide you with enough background information to establish a platform for beginning the research*. Delegates are highly recommended to do a good amount of research beyond what is covered in the Guide. The guide cannot be used as proof during the committee proceedings under any circumstances.

We understand that MUN conferences can be an overwhelming experience for first-timers but it must be noted that our aspirations from the delegates are not how experienced or articulate they are. Rather, we want to see how one manages the balance to respect disparities and differences of opinion and work around this while extending their foreign policy to present comprehensive solutions without compromising on their self-interests and initiate consensus building.

New ideas are by their very nature disruptive, but far less disruptive than a world set against the backdrop of stereotypes and regional instability due to which reform is essential in policy making and conflict resolution. At any point during your research, do not hesitate to contact the Executive Board Members for clarifications or in case you need help in any other aspect. We look forward to a fruitful discussion and an enriching experience with all of you.

**Best regards,**

*Eswar Chava Akash P Videsh Vaibhavi Babu*

**Chairperson Vice Chairperson Rapporteur**

**Important Points to Remember**

A few aspects that delegates should keep in mind while preparing:

1. **Procedure:** The purpose of putting in procedural rules in any committee is to ensure a more organized and efficient debate. The committee will follow the UNA-USA Rules of Procedure. Although the Executive Board shall be fairly strict with the Rules of Procedure, the discussion of the agenda will be the main priority. So, delegates are advised not to restrict their statements due to hesitation regarding procedure.
2. **Foreign Policy:** Following the foreign policy of one’s country is the most important aspect of a Model UN Conference. This is what essentially differentiates a Model UN from other debating formats. To violate one’s foreign policy without adequate reason is one of the worst mistakes a delegate can make.
3. **Role of the Executive Board:** The Executive Board is appointed to facilitate debate. The committee shall decide the direction and flow of debate. The delegates are the ones who constitute the committee and hence must be uninhibited while presenting their opinions/stance on any issue. However, the Executive Board may put forward questions and/or ask for clarifications at all points of time to further debate and test participants.
4. **Nature of Source/Evidence:** This Background Guide is meant solely for research purposes and must not be cited as evidence to substantiate statements made during the conference. Evidence or proof for substantiating statements made during formal debate is acceptable from the following sources:

a. **United Nations:** Documents and findings by the United Nations or any related UN body is held as a credible proof to support a claim or argument. Multilateral Organizations: Documents from international organizations like OIC, NATO, SAARC, BRICS, EU, ASEAN, the International Court of Justice, etc. may also be presented as credible sources of information.

b. **Government Reports:** These reports can be used in a similar way as the State Operated News Agencies reports and can, in all circumstances, be denied by another country.

c. **News Sources:**

1. Reuters: Any Reuters article that clearly makes mention of the fact or is in contradiction of the fact being stated by a delegate in council.

2. State operated News Agencies: These reports can be used in the support of or against the State that owns the News Agency. These reports, if credible or substantial enough, can be used in support of or against any country as such but in that situation, may be denied by any other country in the council. Some examples are – RIA Novosti (Russian Federation), Xinhua News Agency (People’s Republic of China), etc.

*\*\*\*Please Note: Reports from NGOs working with UNESCO, UNICEF and other UN bodies will be accepted****. Under no circumstances will sources like Wikipedia, or newspapers like the Guardian, Times of India, etc. be accepted.*** *However, notwithstanding the criteria for acceptance of sources and evidence, delegates are still free to quote/cite from any source as they deem fit as a part of their statements.*

**Guidelines**

* Read the entirety of the background guide in the order it was written. Make sure to highlight the names of specific treaties, documents, resolutions, conventions, international bodies, events and any other specific incidents so that you can get back to them later and do a lot more thorough research.
* Understand some of the basic details regarding the country that you've been allotted whether this be the capital, current affairs regarding geopolitical situation, political hierarchy etc. While not strictly necessary, you never know when this can turn out to be handy. Geography Now's A - Z Country List has been a particularly helpful resource for this.
* Use a search engine of your choice to create as many tabs as possible for the highlighted terms from your background guide. Wikipedia or a YouTube video act as a great way to get a brief summary of the incidents at hand but such sources (especially Wikipedia articles) cannot be used in committee as sources.
* Delve into deeper research regarding the particular position of your allocation with the agenda at hand. Try searching for the voting stances of your allocation in related conventions and understanding the reasons for voting as so. UN Press Releases are also a helpful source for this matter.
* Find the website for the foreign ministry of the country you have been assigned alongside the "Permanent Mission of COUNTRY to the United Nations" website and search for a key term relating to the agenda, this should often give you statements from recent press conferences or UN committee sessions that can act as valuable sources of information in forming a position.
* Keep a handy copy of the Charter of the United Nations, whether as a .pdf file extension or a physical copy works. This contains the founding principles of the United Nations and contains articles that lay out the mandate of the six bodies that the United Nations is primarily divided into. Spend some additional time researching the specific mandate and functions of the committee that you have been assigned.
* The Executive Board may ask for the source of a statement that a delegate makes in committee either during a Point of Order circumstance or if said statement stands to be of interest to the Executive Board. Therefore, it is recommended that delegates keep track of their sources when making / disputing a claim and also ensure their validity. Please do remember that while you as a delegate are allowed to cite any source you wish during committee.

**Hierarchy of evidence**

Evidence can be presented from a wide variety of sources, but not all sources are treated as equal. Here’s the hierarchy in which evidence is categorised:

***Tier 1***: Includes any publication, statement, resolution, or document released by any of the Nations’ official organs or committees; any publication, statement, or document released by a UN member state in its own capacity. The evidence falling in this tier is considered most reliable during the simulation.

***Tier 2***: Includes: any news article published by any official media source that is owned and controlled by a UN member state. E.g.: Xinhua News (China), Prasar Bharti (India), BBC (United Kingdom) etcetera. The evidence falling in this tier is considered sufficiently reliable in case no other evidence from any Tier 1 source is available on that particular fact, event, or situation.

***Tier 3***: Includes: any publication from news sources of international repute such as Reuters, The New York Times, Agence-France Presse, etcetera. The evidence falling under this tier is considered the least reliable for the purposes of this simulation. Yet, if no better source is available in a certain scenario, it may be considered.

**Foreign Policy and Foreign Relations**

Foreign policy, in simple terms, is what your country aims to achieve in regard to the issue at hand or in general with its relations with other countries.

## *1. What role must foreign policy play in your research?*

## Understanding the foreign policy of your country must be a checkbox that you tick off at the very beginning of your research.

Your foreign policy should dictate everything from the arguments you make, the reasoning you give for making those arguments, and the actions you take in the Council.

*2. Where do I look to find foreign policy?*

Most of the time, foreign policy is not explicitly stated. It must be inferred from the actions and statements issued by the country. Reading the meeting records from previous meetings of UNSC (or any other UN body where your country might have spoken on the issue) is a great place to start. If such records are unavailable, look for statements from your country’s Foreign Ministry (or equivalent like Ministry of External Affairs, Ministry for Foreign Affairs etcetera) and top leadership (PM, Pres., Secretary of State, Defence Minister).

Foreign Relations on the other hand refers to the diplomatic ties that one country has with another and considers elements such as the mutual presence of embassies, consulates, ambassadors & diplomatic dialogue. More often than not, foreign policy is what will be of your primary concern during the MUN, but it is important to also consider any extremities in your allotted country's foreign relations.

**Introduction to the committee**

The United Nations General Assembly (UNGA) is one of the six organs of the United Nations (UN) and the primary policy making and representative organ of the United Nations where all of the 193 members of the UN are represented in the General Assembly. The Disarmament and International Security Committee is the first committee under the General Assembly that deals with disarmament, global challenges and threats to world peace.

The six committees of the United Nations General Assembly being:

* First Committee - Disarmament & International Security,
* Second Committee - Economic & Financial Council,
* Third Committee - Social, Humanitarian & Cultural Issues,
* Fourth Committee - Special Political & Decolonization Committee,
* Fifth Committee - Administrative & Budgetary, &
* Sixth Committee - Legal.

**Mandate**

The Disarmament and International Security Committee is mandated to address the nuclear, chemical, biological, conventional, etc. weapon proliferation and to deal with the issues threatening international security and peace.

DISEC makes recommendations to the UNGA regarding the resolutions and establishes principles and international cooperation between states to maintain global security. It considers all disarmament and international security matters within the scope of the Charter or relating to the powers and functions of any other organ of the United Nations; the general principles of cooperation in the maintenance of international peace and security, as well as principles governing disarmament and the regulation of armaments; promotion of cooperative arrangements and measures aimed at strengthening stability through lower levels of armaments.

DISEC works closely with other UN bodies and agencies like the United Nations Office on Disarmament Affairs (UNODA) and International Atomic Energy Agency (IAEA). The First Committee sessions are structured into three distinctive stages:

1. General debate,

2. Thematic discussions, &

3. Action on Drafts.

**Foreign Military Bases**

The concept of military bases outside a nation’s territory is not a recent development in the realm of international security and the global pursuit for peace. Foreign military bases were at their peak during the Cold War. Ever since the end of the Cold War, there has been a decrease in the number of overseas military developments, particularly so from the Soviet side. However the number of foreign US bases has not just stayed the same, but increased with the advent of the Gulf Wars from the early 1990s. The US Department of Defence defines foreign military bases in the following terms: “The term ‘military installation’ means a base, camp, post, station, yard, centre, homeport facility or any ship, or any other activity under the jurisdiction of a department, agency, or other instrumentality of the Department of Defence, including a leased facility, except that such term shall not include any facility used primarily for civil works, rivers and harbour projects, or flood control projects. An installation is a grouping of facilities, located in the same vicinity, which support the same Air Force operations.”

Foreign military bases are controversial for their negative effects on host countries, and for the way that they contravene the international norm of sovereignty. Foreign military bases, particularly those of the United States, have historically been acquired during, or after, wars. Take for example the US base in Guantanamo, Cuba, which was set up after the Spanish American War. The treaty entitling the United States to this base states that the US control is permanent as long as nominal annual payments are made and may be relinquished only by the mutual consent of both the US and Cuba. Obviously, this does not take into account the views of both the Cuban government and populace, which have on many occasions vehemently demonstrated their hostility to a US base on their soil. The lack of an international framework or consensus on how to deal with the myriad issues raised by the presence of foreign military bases in sovereign states raise several contentious issues that will undoubtedly cause heated debate amongst delegates in the committee room.

**History**

To comprehend the current importance of foreign military bases, it is necessary to consider their historical deployment and use throughout history. The presence of foreign troops on the soil of independent nations has traditionally been seen as an unusual and uncomfortable reality. In fact, the use of military bases overseas dates back to Ancient Greece and its city-states. The dispute between the Delian league (Athenian) and Peloponnesian League (Sparta) two leagues included basing issues that emerged during the war, such as those related to supply distribution and foreign help from allied city-states.

In modern times, with the 15th century maritime empires’ expansion, expansionist powers managed to set up trading posts, warehouses and oversea bases to consolidate their might and influence, aiming to secure vital interests. At that time, commercial importance began to walk together with military issues, with basing access turning crucial to defend new lands for exploration. Also, the presence of foreign troops during the Colonial Period is closely related to foreign military bases. The British Empire presence in the Pacific Ocean, especially in Indian Territory, could be explained by its importance – India was an outpost for strategic routes into the Asian continent. In this case, British troops reinforced India’s value as a colony, also giving support for commerce and military needs of the British crown. The same can be said of the American Presence in the Pacific, when it began to establish its roots to conquer importance in Asia-Pacific.

From the 20th century onwards, with the two Great Wars and the consequently ascension of the United States (USA) and the Soviet Union (USSR) as superpowers, the establishment of overseas military bases assumed the configuration we know today. Only from the late 1930s did overseas military bases in other sovereign nations gradually become a more acceptable reality, for both Americans and other states. After World War II, the United States deployed its forces to large foreign bases abroad in order to contain the Soviet Union. The distribution of bases in Western Europe and Northeast Asia that received US troops and their dependents are a legacy of the Cold War, specifically the unique situation in the early 1950s, when the so-called global threat of the Soviet Union drove many non-Communist states together, uniting them against a shared enemy.

At the 21st century, new directions have been taken by the main states that display military bases overseas in relation to the types of efforts involving military bases. The deepening struggle against terrorism has become central, especially after the September 2001 attacks. The key threats to the USA were redefined as growing religious extremism and other asymmetric threats (unconventional warfare, crime, and the threat of the proliferation of weapons and technologies of mass destruction). France, by its turn, has reduced the size of its forces in Africa, while the USA is increasing its presence on the other side. Along with the counterterrorism force in Djibouti, Washington has secured agreements with southern and western African nations to provide them with logistical support, while it has also worked to build new drone bases in Niger. This American command could be taken as a sign that the exclusively French military influence and presence in Africa is effectively over, besides its actual presence and actions.

**Foreign Military Bases (FMBs) under International Law**

By definition, a military base is an installation created to serve as support for military operations and logistics. These facilities can play different roles, being related to several types of bases, such as navy, land or air bases. Depending on the role it takes, there are many functions that these settlements can exert: test-ranges for new weaponry, posts of intelligence operations, platforms for military operations, weaponry stock or even as host for military corps. The main controversial issue concerning military bases is its establishment in foreign states’ territory, a common practice related to global distribution of power in spheres of influence. Usually linked with great powers’ foreign policy, military installations abroad have led the international community to many debates associated with the principle of sovereignty.

Therefore, according to this concept of sovereignty, no other state can impose its jurisdiction abroad, only inside its own territory. In other words, the principle of sovereignty of a state clashes with the implementation of military bases belonging to other country inside another one’s territory. In this sense, as the presence of foreign military bases increased since the late of the 20th century, the need to solve this paradox and the importance of regulating this situation based on International Law have become apparent. The results of this discussion were the Visiting Force Agreement (VFA) and the Status of Force Agreement (SOFA).

**Visiting Force and Status of Force Agreements**

The Visiting Force Agreement (VFA) and the Status of Force Agreement (SOFA) have basically the same meanings. The only substantial difference between them is their scope: the VFA covers forces which are temporally present in a foreign territory, while the SOFA regulates the situation of military installations effectively established in a host state. Both agreements are created to formalize the superiority of extraterritorial jurisdiction on civil law. The principle of extraterritoriality refers to the exercise of legal power beyond a state’s territorial borders. It means that countries that maintain military forces abroad have the right to exercise their own exclusive jurisdiction over their installations hosted in foreign states.

Thus, VFAs and SOFAs are multilateral or bilateral agreements that generally establish the framework under which a state’s military forces can operate in a foreign country. However, a formal document which specifies the guidelines of these agreements does not exist yet. Then, VFAs and SOFAs are required by states when it is necessary for a specific purpose, but these agreement’s rules are shaped according to the negotiations among countries involved. Commonly, the main issue concerning SOFAs is related to the jurisdiction which will prevail in that specific area, but other provisions dealing with subjects such as taxes and fees, test-ranges for weaponry and number of troops are also included in the SOFA’s scope. It is important to notice that VFAs and SOFAs are not security agreements and do not address the rules of war. In the event of armed conflict between parties to a SOFA, the terms of the agreement would no longer be applicable.

The most important multilateral SOFA is the NATO SOFA, from 1949, among USA and NATO’s countries. This is the only Status of Force Agreement concluded as part of a treaty. Composed of 20 articles, the NATO SOFA is an example of shared jurisdictions: “*Under the shared jurisdiction framework, each of the respective countries is provided exclusive jurisdiction in specific circumstances, generally when an offense is only punishable by one of the country’s laws*”.

Finally, the other multilateral SOFA of great importance is the United Nations SOFA. It is based on pacific principles, being the official guidelines to peace-keeping operations. Since 2002, in the context of the peace-keeping mission in Bosnia, the USA and other countries started to request immunity to their troops for fear of being prosecuted for a crime by the International Criminal Court (ICC). As a result, UN has adopted a SOFA for peace-keeping operations that provides broader sending-state criminal jurisdiction than the NATO SOFA. In other words, the UN SOFA provides exclusive jurisdiction over any criminal offense that may be committed by peace-keeping forces. With this, states’ forces participating in UN actions receive greater protection from ICC prosecution than in other unilateral military action.

***Status of Force Agreements***

The purpose of a SOFA is to lay down the rights, privileges and limits foreign personnel serving in a host country are subject to. “These include administrative and technical staff status under the Vienna Convention on Diplomatic Privileges, commonly referred to as A and T status; a "mini" status-of-forces agreement, often used for a short-term presence, such as an exercise; and a full-blown, permanent status of-forces agreement.” As such, a SOFA is not a mutual defence or security agreement, although it may be part of one. It instead lays down a mechanism for legally protecting the rights of foreign military personnel who are present in a host nation.

There is no singular framework for a SOFA agreement. Each agreement differs from case to case as numerous factors must be taken into account; the current security arrangements and concerns, nature and duration of missions, sentiments of the local populace, and the credibility and rights of jurisdiction. The US has the highest of number of personnel posted across the globe. US SOFAs give provisions in criminal issues for U.S courts to have jurisdiction over crimes committed against other servicemen, or as part of their military duty.

***Absoluteness:*** A sovereign power has absolute sovereignty over the governed region only tampered by the rules and regulations decided upon within the country without influence of external actors. These include neighbouring nations or the much greyer influence exerted over various nations by intelligence agencies across the world.

***Exclusivity:*** This denotes the exclusive right of a nation’s jurisdiction, specifically the degree to which decisions made by the state might be challenged or contradicted by another authority, International Law, or a foreign presence after which represent legal infringement on exclusivity.

***De Jure and De Facto:***De jure or legal sovereignty is concerned with the recognized right to exercise control over a territory. De facto or actual, sovereignty is concerned with whether control exists or not, which includes the cooperation and respect of the locals, control over the national assets, means of security and ability to carry out various functions of governance.

**Role of Foreign Military Bases across the World**

The establishment of military bases is a practice which has increased since the Cold War. For the USA, having access to foreign territories meant conquering spheres of influence which were needed to contain the spread of communism represented by the Soviet Union. Since then, the USA has become the state which has more military installations abroad in the world and its presence in many strategic regions of different continents has become part of US foreign policy.



Other countries, such as France and the United Kingdom, also operate in a significant number of military installations abroad as a remaining of their colonial empires. The French presence in Africa is still very remarkable and dates from the 17th century. However, it was just in the 19th century that African territories under French influence became colonies. The new imperialism practices established in the 1880’s have resulted in the scramble for Africa, when European powers divided and annexed regions of the African continent, during the Berlin Conference of 1884. With the end of World War II, a multiple process of independences started among African states. However, the formal imperialism that dominated Africa was replaced by foreign military presence and strategic economic partnerships.



Today, Africa represents an important French supplier of oil and metals and is a significant market for France’s exports. Therefore, in order to secure its national interests, France maintains military bases in countries such as Chad, Djibouti, Gabon, Ivory Coast, and Senegal. There are French troops installed in Mali and Libya too, as result of recent peacekeeping operations. The United Kingdom also is an important actor regarding foreign military bases issues. The country has fourteen British Overseas Territories (BOT), which are under UK jurisdiction and sovereignty. According to The Telegraph newspaper (2011), “Britain acquired most of them at the apogee of its national power and prestige, with dates of acquisition ranging from the 17th to the early 20th century”. Bermuda was the first, settled in 1609; Britain claimed the last, the British Antarctic Territory, in 1908. These territories are located in strategic region of the Caribbean Sea, North and South Atlantic and in the Indian Ocean. The British National Security Strategy Review (2010) identifies the protection of overseas territories as part of UK security policies. Therefore, the country maintains military facilities in these regions in order to maintain their stability, intervening overseas and using coercive force when it is necessary to guarantee national vital interests.

The British Ministry of Defence provides a permanently military presence of around 1,300 personnel in South Atlantic Islands such as the Falklands/Malvinas and South Georgia. The region is strategic to give UK access to Antarctic, where the country develops the British Antarctic Survey and maintain other permanent scientific stations to do researches about Antarctic environment and resources. The British Indian Ocean Territory (BIOT) also represents strategic issues regarding UK access, due to its localization near the Middle East and Eastern Asia. The BIOT includes 55 islands in the Chagos Archipelago, being Diego Garcia, the largest atoll and the most important island concerning military matters, since the area was leased to US in 1970s and still works as a north-American military base (BBC 2008). The atoll had a vital importance in security purposes, such as the operations in Iraq and Afghanistan. According to the British Ministry of Defence, around 2,500 US personnel are stationed in there, which represents an important part of Anglo-American defence relationship.



Finally, UK has also military installations deployed across states where NATO operates. Since the Iraq War, in 2003, British troops are in this country under Operation Telic scope, namely to restore infrastructure and services and provide security. About 8,000 UK personnel are still in Afghanistan, in order to help Afghan government in its fight against Taliban groups. T he country is involved in United Nations peacekeeping operations too. There are about 300 troops scattered in African countries and in the Balkans region. After the collapse of the Soviet Union, in 1991, Russia had to abandon most of its bases due to international political pressure and budgetary reasons. However, the country continued to play an important role in the domestic issues of former USSR’ states. Institutional arrangements as the Commonwealth of Independent States (CIS) and the Collective Security Treaty Organization (CSTO) were created to integrate the region under Russia’s leadership. In this context, after the independence of Eastern European states, Russian attention returned to renew basing agreements with its traditional partners, alleging the need to protect their borders and the need to develop peacekeeping operations in areas of domestic instabilities

Currently, the establishment of foreign bases by states is directly linked to issues regarding lines of communication. Having lines of communication opened is an essential matter throughout History. They are routes which connect military and commercial units with its supply base, being important to connect markets and being the main issue regarding military logistics abroad. Thus, to install air and navy bases overseas, it is fundamental to control sea lines and air lines of communication, since having the capacity to keep these lines open is as important as assuring the possibility of isolating them in strategic situations. Another modern use of bases abroad refers to intelligence programs. Echelon is the best example of a signal intelligence system which uses states’ foreign military bases as signals receivers. Finally, the major and most traditional use for military bases is hosting states’ personnel during an operation, being a platform for military manoeuvres, serving as stock or location of test-ranging for weaponry and as transport posts. In cases of peace-keeping operations or of international aid in natural disasters, the infrastructure represented by the military bases is also applied. Thus, the extensive use of overseas bases creates a massive network which is responsible to project power beyond boundaries, increasing the capacity of response and control over other regional security problems. This is possible because these installations serve as a military infrastructure that supports states’ operations abroad.

**Impact on the Host State**

Normally, one nation allows another states’ foreign presence in its territory if they are allies or if they share the same perception of a common threat. However, the long-term presence of a country in a host state can result in political, environmental and social problems. The establishment of overseas bases can bring political instability to the region in question. If agreements as SOFAs are negotiated with non-popular local governments, the foreign presence can be seen as an authoritarian policy by the population and by other states as well. Moreover, in the course of time, a military infrastructure can represent a threat to the host country, undermining regional security and representing vulnerability to foreign attacks. Finally, being a host nation effectively means losing sovereignty over part of its own territory to another state.

From the environmental viewpoint, military bases can be aggressions practiced at the local level. The testing of new weaponry, including chemical and nuclear weapons, might represent a risk of contamination and of accidents. Substances based on uranium, for example, can infect the soil and the water, reaching the whole population. Social instabilities are resultants of political and environmental problems associated with crimes that involve foreign personnel as well. It is known that communities living around bases often experienced high levels of rapes, violent crimes and loss of lands committed by soldiers. All these factors together cause popular movements of resistance against international military presence overseas.

Keeping military bases abroad represents huge costs to great powers: large investments in infrastructure result in heavy burdens to public budgets, even to the USA. Bases system depends on relative positions regarding sources of supply, boundaries of enemies’ territories and targets’ localizations. These conditions associated with costs for defence in the area make international projection an expensive undertaking. It is expected that costs will rise even higher as a consequence of the new self-governing posture adopted by many host countries. Since large foreign presence can bring internal vulnerabilities, it has become a common practice to charge fees from great powers wanting to establish bases in foreign territories. Thus, it has become essential to establish international guidelines which regulate the impacts and the sustainability of foreign military bases.

**Covert Operations**

A covert operation is a military, intelligence or law enforcement operation carried out clandestinely and usually outside official channels. Such operations take place without the knowledge of any other parties except the ones sponsoring or carrying out the operations. Foreign bases play a vital role in such operations as they often serve as forward base of operations and localized intelligence cells reporting back to the foreign nation from the host country without fear of liability because of the immunities often granted in State of Force Agreements.

Many infamous covert operations caused great controversy such as the training of rebels in Cuba for the Bay of Pigs invasion, or the training of Afghan rebels during the Soviet invasion of Afghanistan at known or hidden military bases at neighbouring countries. A more recent example is the May 2nd 2011 operation against Osama Bin Laden by US Navy Seals in Pakistan which was done without the knowledge of the Pakistani government; this raid was launched from one of the US bases near the Pakistani-Afghan border. Covert operations, in other countries neighbouring the host nation or even in the host nation is a contentious issue which represents one of the fundamental violations of the sovereignty of a nation and is often used by the Anti-Base movements as an argument in winning support for foreclosures of bases.

**Aid during Natural Disasters**

In current times there is a growing trend for armed forces around the world to go beyond traditional warfare and take on humanitarian and development related tasks. The post-cold war repositioning is responsible for some of these factors; other reasons may include the professionalization of armed forces, the phasing out of draft and a greater investment in and management of each soldier’s career pattern has begun a search for new roles as ‘forces for good’ or ‘humanitarian warriors’. It also reflects moves towards more comprehensive approaches to security. So when a natural disaster strikes, not only the Armed Forces of the host country, but also the Visiting Forces, get activated into action. The International Disaster Recovery Association, (IDRA), has been helped during times of natural calamities by Armed Forces of countries around the world, especially by the United States which makes its military assets available for disaster response. Countries like the USA have a stated policy of maintaining an active international role for its military.

The fact that they maintain a number of military bases globally enables them to reach the affected countries very quickly. Similarly, during the Earthquake in Pakistan on October 8th, 2005, the Visiting Forces of the USA and NATO, already present in neighbouring country Afghanistan, at the request of the United Nations, were immediately activated and within hours, helicopters and other military assets and personnel were deployed to assist initially in search and rescue efforts, followed by medical and rehabilitation efforts. The responsibility of aiding a populace in case of a natural disaster lies with civilian institutions; however, foreign military involvement in disaster relief has increased over the past 40 years. This raises questions regarding the deployment, degree of involvement and withdrawal of troops from the affected areas.

The military is more adept to responding to disasters as they are readily trained to combat any contingency situation, and adapt rapidly to changing situations. The disaster relief provided by foreign military forces, is a two-sided coin, on one hand it reduces the load on the disaster hit nation’s civil and military response units. On the other hand, such endeavours may often be used to further agendas, or establish a foothold in a region otherwise unavailable. The example of Haiti which suffered the devastating earthquake in 2010, easily demonstrates how a military presence can help further the humanitarian effort, and at the same time, present a reason for extended periods of stay of thousands of military personnel, and transference of military from assistance to supervisory roles in relief efforts. A foreign base in the disaster hit country has its advantages as an additional asset for disaster management and relief, but it also provides an opportunity for the foreign nation to gain access to areas of the host nation otherwise restricted. Therefore, the delegates must come to a conclusion whether the benefits outweigh the cons in the overall scenario not just during times of crises.

**Note:** Case studies that the delegates can further research about: USA-Afghanistan, Russia-Ukraine, USA-Japan, the Situation in Djibouti.

**Past International Actions**

The deployment of foreign military bases occurs mostly by bilateral and multilateral agreements, forging cooperation between host states and countries that maintain military bases in its territory. The situation over these bases can be analysed at the regional and global levels. At the regional level, SOFAs and VFAs, as already explained, are the main agreements that forge these commitments. However, the main concern about them is that there is no agreed framework between countries to form those agreements. All SOFAs have different lines, differing from case to case. In this sense, the signed agreement could not limit, for example, criminal and civil jurisdictions, taxes and fees, carrying of weapons, use of radio frequency and regulations about licenses and customs requirements. The US-Philippines relations on this subject, primarily after World War II, shows how states agree and disagree in primordial items, like sovereignty and boundaries to hold the validation of the agreement.

On the other hand, at the global level, international efforts for changing this matter, concerning stipulation of guidelines to avoid abuses of power and reinforcing the role of international courts, are noticeable until today. As an example, two resolutions taken by the General Assembly addressed the importance of ending foreign military presence in Africa, Asia and Latin America. Also, we have the Oslo Guidelines, where the UN Office for the Coordination of Humanitarian Affairs outlines international concerns about how and when using foreign help. In addition, before the 2000s, it became common to see civil arrangements to avoid the deployment of foreign military bases and to remove military forces established in a territory – the No-Bases Network is the main civil effort seen in this matter.

The Resolution 2165, from the 21th Session of the General Assembly, named “Elimination of Foreign Military Bases in The Countries of Asia, Africa and Latin America”, from December 5, 1966, was the first resolution to address the intention of the United Nations to search for results about foreign presence in some regions around the world. In that session of the General Assembly, countries ratified that “this question is of paramount importance and therefore necessitates serious discussion because of its implications for international peace and security”. In 1967, the General Assembly recalled for the ENCD to explore this issue, but the ENCD did not reach consensus, nor cleared information because of its non-binding character and the end of the Committee, in 1969.

Since the 22th session, the issue concerning military bases abroad has not been in discussion again in the General Assembly. In these matters, another global effort is the Oslo Guidelines - Guidelines on the Use of Foreign Military and Civil Defence Assets in Disaster Relief. This civil international joint of non-government organizations and interested scholars became evident since the beginning of the 2000s. By this time, several civil campaigns around the world started to focus on resisting military bases, joining forces to oppose the spread of it, mainly where military presence has brew political opposition and resistance from progressive movements and antiwar activists. In this regard, known as “The International Network for the Abolition of Foreign Military Bases” or No-Bases Network, it claims for all countries to unite local and national campaigns against military presence and militarization. It also works to rehabilitate abandoned military sites, as in the case of Western Europe.

**Private Military Deployments**

Over the last twenty years private military and security companies have become a growing phenomenon. Not only individuals but also legal entities, such as states and international organizations, rely on the private sector in security matters. The issue of security, still stays in the hands of states, which are obliged to provide and ensure public security, the same as protection to individuals when necessary. In practice, multiple examples show that, even if public authorities do their best efforts in delivering safety and security, the result is still not satisfactory. That is why the market of security services belongs to the most interesting and dynamic, and consequently is growing rapidly. Economic demand stimulates supply, and both have created an industry of transnational character.

Private Military Company (PMC, officially Private Military and Security Company (PMSC) refers to a private section that provides armed security service. Ever since the end of the Cold War, the development of PMCs has been increasing rapidly, especially in the last two decades. However, more and more states and organizations have discovered many questions about this international trend. The major problem of PMC lies in the lack of regulations or laws, both domestically and internationally, which creates much vague spaces while addressing the PMCs issue: the private military contractor is not the” mercenary” that we define traditionally, so the current international law cannot be used directly on PMC; these contractors are only regarded as “armed civilians”.

Furthermore, PMCs violate the monopoly of countries to organize forces. Without essential public scrutiny, it is hard to clarify responsibility while national interests or human rights are harmed. Also, PMCs are commercial-oriented, which means they do business for anybody who can afford to hire them. It might cause a war more easily, which indirectly aids the development of anti-nation actions such as terrorist attacks. The development of PMCs has met a cross-intersection, and an intergovernmental consensus is needed to step in a new way.

**What is a PMC?**

A private military company (PMC) is a private company providing armed combat or security services. They are one type of private security companies. PMCs refer to their staff as "security contractors" or "private military contractors". Private military companies refer to their business generally as the "private military industry" or "The Circuit". The services and expertise offered by PMCs are typically similar to those of governmental security, military or police forces, most often on a smaller scale. While PMCs often provide services to train or supplement official armed forces in service of governments, they can also be employed by private companies to provide bodyguards for key staff or protection of company premises, especially in hostile territories.

However, contractors who use offensive force in a war zone could be considered unlawful combatants, in reference to a concept outlined in the Geneva Conventions and explicitly specified by the 2006 American Military Commissions Act. Modern PMCs trace their origins back to a group of ex-SAS British veterans in 1965 who, under the leadership of the founder of the SAS, Sir David Stirling and John Woodhouse, founded WatchGuard International (formerly with offices in Sloane Street before moving to South Audley Street in Mayfair) as a private company that could be contracted out for security and military purposes.

**Understanding the difference between PMCs/PSCs**

Commonly, states distinguish between Private Security Companies (PSCs), which provide security and protective services, and Private Military Companies (PMCs), which provide military support and training. However, this differentiation in practice is problematic. Due to mergers and acquisitions, a majority of the companies in the sector offers a range of services that is not limited to either security or military purposes, but rather they perform both. In addition, they often provide relevant technologies as well as general support to national armies. Governments also often distinguish between companies that operate offensively and companies that operate defensively. This is misleading as well. First, the distinction between offensive and defensive military action does not exist in international law – both amount to “participation in hostilities”. Second, in practice it is not always possible to tell offensive from defensive behaviour.

**Services of a PMC or PMSC**

Nowadays, as patterns of war become more and more complicated, the services that PMSC provides are diverse as well:

(a) Base support: maintaining the grounds, running dining facilities, performing laundry services, transportation, etc.

(b) Military Training and Consultant

(c) Security guard: Protection of diplomats, officials, and military facilities.

(d) Maritime security

(e) Peace industry: Peacekeeping operations, where they are either engaged by States that are unwilling or unable to send their own military personnel to support peacekeeping efforts or by the United Nations.

 **The emergence and evolution of mercenaries**

There is no doubt that the work of mercenaries (Mercenary) Contrary to many of the legal principles established in the public international law and inconsistent with the right of peoples to self-determination and freedom of the state to choose its economic and social development, so the mercenaries work and using it and training them, and financing them is considered contrary to both legal and moral sides, considering each one doing so criminally responsible.

PSMCs have become an important instrument of individual government efforts in pursuit of national security, by what has been widely referred to as “filling the gaps” in the state security forces’ capabilities to tackle security threats to their domestic countries. Counterterrorism proved no different, as actors involved in it often sought the services of the private security market to provide capabilities that they lacked themselves. What has been widely considered a private security bonanza is the post-9/11 security landscape, chiefly but not only, the global war on terrorism (GWOT). The hastened, wide-ranging response to the those unprecedented terrorist attacks of 11 September 2001 opened up room for PSMCs to flourish and greatly profit in a legal vacuum, mostly out of the public sight, providing governments engaged in the war on terrorism with the convenient political expediency and plausible deniability they needed to engage in ‘unconventional’ practices to counter the operations and, ultimately, eliminate the existence of terrorist organizations.

**UN Policies on the use of PMSCs**

As mentioned, the United Nations can hardly be described as a unitary actor, but more as a collective of different types of organisations guided by a common Charter and operating under a common flag. There is a widespread sentiment against the use of PMSCs, but no coherent or consistent policy approach managing the system’s practice in this area. Rather, different political perspectives and practices abound throughout the organisation, and in part there is a coexistence of separate and sometimes contradictory approaches, reflecting the organisational deficiencies of the UN system.

We can review the various policy approaches from different perspectives which together make up the multifaceted UN approach to PMSCs. Complicating the analysis is the fact that, apart from within the UN Working Group on the Use of Mercenaries as a Means of Violating Human Rights and Impeding the Exercise of Rights of Peoples to Self‐ Determination, the issue of PMSC contracting has so far very rarely been dealt with in an open manner within the organisation.

**Cooperation and Controversies**

Despite the success of cooperation between the countries and PMCs more specifically taking USA into account, it also aroused some criticism:

***(a) Monopoly of the legitimate use of force***

In a modern democracy, civilians give the government the authority to manage the country. With the sole right to found force, government guarantees its power and creditability. Laws and regulations set by the state are valid only when they are enforced. Instead, if the state loses control of its monopoly, then its necessary task for the country to survive like tax collecting will be challenged. Since the willingness to obey the obligation is low, the country is unable to operate, which results in a vacuum for a non-state actor to take control.

Nonetheless, after the blossoming of PMCs, the idea that a country should maintain a monopoly is challenged. Some states are trying to outsource the part task of their militaries, such as intelligence gathering and logistics, for the purpose of saving the military budget. The trend of PMCs brings in two arguments: First of all, tasks like information collecting will increase the dependency on PMCs. When intelligence-gathering jobs are handled by the powerful minority, the benefit of the peculiar group will be overemphasized. Also, if important information is leaked, it may threaten national security. Second, without essential democracy scrutiny, PMCs are hard to supervise which could cause abuses.

***(b) Violation of human rights***

 On 16 September 2007 in Baghdad, Iraq, employees of US-based company Blackwater were involved in a shooting incident in Nisour Square in which 17 civilians were killed and more than 20 other persons were wounded, including women and children. Local eyewitness accounts indicate the use of arms from vehicles and rocket fire from a helicopter belonging to this company. Ever since this incident, the problems of human rights violations have been spotlighted.

Furthermore, PMCs are accused of involving many tortures： Arbitrary detention, health damage, and trafficking in persons. Take Blackwater for instance. According to a congressional report on the behaviour of Blackwater in Iraq, Blackwater guards were found to have been involved in nearly 200 escalation-of-force incidents that involved the firing of shots from 2005 to 2010. These disordered behaviours of private contractors during the war show the lack of adequate regulations and the connivance of the government.

In addition to the violation of citizens, the human rights of PMCs employees should be noticed, too. PMCs often put their contractors’ life at risk. On March 31, 2004, Iraqi insurgents in Fallujah ambushed two SUVs, killing four-armed Blackwater contractors inside. Local residents hung the charred bodies above a bridge across the Euphrates. PMCs neglect the safety of employees and did not provide the necessary means in order to carry out the mission.

***(c) Harm of state sovereignty***

Since PMC is a private firm, it relies on commerce institutions. In other words, PMCs could do many things in the grey area of international laws. States or terrorists can take advantage of PMCs to influence other countries’ positions and policies.

One major example is Colombia. PMCs aid US corporations to maintain influence by planting informants within locals and intervening in the humanitarian assistance program funds. With help of PMCs, one can interfere with the operation of a state, even the head of a country. The worst circumstance is that if terrorists or anti-government activists work together with PMCs, it would lead to even more conflicts than before.

**Legal basis for PMCs**

Acknowledging this problem, the Montreux Document, signed by 53 states as well as by NATO, the EU, and the OSCE, defines PMSCs as: “private business entities that provide military and/or security services, irrespective of how they describe themselves. Military and security services include, in particular, armed guarding and protection of persons and objects, such as convoys, buildings and other places; maintenance and operation of weapons systems; prisoner detention; and advice to or training of local forces and security personnel.” Internationally, things have the potential to get complicated quickly.

The Geneva Convention clearly distinguishes between civilians and armed combatants. However, the employees of private companies aren’t civilians “since they are involved in the machinery of war, are employed by governments, and frequently carry arms.” Combatants are defined by the Geneva Convention “as people directly and actively involved in hostilities,” yet new forms of warfare muddle this definition. “To take an illustrative question: Is a private solider in Florida who presses a button launching a carpet bomb attack in Afghanistan only indirectly involved in war, while a regular soldier delivering supplies there is directly engaged in hostilities?”

The legality issues of private soldiers need to be solved on an international level as they currently occupy a grey area in the legal system. However, the US government needs to hold these companies accountable for any crimes that their employees are involved in, if not, then situations like the one mentioned at the beginning of this topic will continue.

**Issues with PMCs**

Democracy Private military corporations threaten democracy solely because they are not accountable to anyone and can do as they please. By not having any accountability, private companies undermine democratic institutions. One of the many roles of government is “to maintain security, which includes democratic control over the use of force.” However, PMCs undermine this because citizens do not have any influence over the services offered by PMCs. For example, “The standards that govern the military, the police, customs officials, border guards, and state intelligence agencies do not apply at all to contracts, given to PMCs.”

Due to citizens having no control over the actions of private companies, democracy is put on the line because in a democratic society, there is a need for checks and balances on all forms of power. By not having this, PMCs are able to go and do as they please due to having no restrictions and, as was noted earlier, this could lead to potential problems. Rape, Crime, Prostitution and Subsequent Diplomatic Immunity Rule 93 of the Geneva Conventions (1949), Common Article 3(1)(c) of the 1949 Geneva Conventions defines Rape, Prostitution and Other Forms of Sexual Violence, which has been stated which provides that “outrages upon personal dignity” are prohibited at any time and in any place whatsoever with respect to persons hors de combat. Hors de Combat literally means "outside the fight". This is a French term, used in diplomacy and international law to refer to soldiers who are incapable of performing their military function.

Examples include a downed fighter pilot, as well as the sick, wounded, detained, or otherwise disabled. Soldiers hors de combat are normally granted special protections according to the laws of war, sometimes including prisoner of war status. Foreign military bases are sometimes associated with increases in instances of rape, crime, and prostitution in the host country. Well documented are the atrocities at Guantanamo Bay in Cuba or in Abu Gharaib prison in Iraq, where actively serving men and women of the US Army were photographed and documented sexually abusing prisoners. Governments have long extended to other sovereign states and their representatives.

**Diplomatic Immunity**

The Basis for Immunity from the Countries Laws, affording them rights and facilities not available to ordinary citizens. State of Force Agreements signed by the US protects US military personal on foreign soil from prosecution even in case of serious crimes, such as rape, thievery and even murder. In some cases soldiers cannot be persecuted for crimes while on duty or even crimes committed in ‘civvies’ by the host country. The SOFA between US and East Timor grants full diplomatic immunity to US soldiers which meant that the domestic authorities could not arrest or hold them, or charge them with a crime making extradition impossible for crimes committed elsewhere or hold them financially or legally responsible for civil matters, including child support.

Additionally, many recent agreements made around US military bases –including the East Timor treaty – have included commitments that no US personnel will be sent to the International Criminal Court, an attempt at global human rights protection which the US government has repeatedly refused to ratify. Even if SOFA conditions allow for soldiers to be held liable by the host country, they cannot be handed over unless the charges are formally filed and proven. This makes prosecution exceptionally difficult, and can be understood by observing the reports of crimes committed in Japan by US soldiers including rape, indirect promotion of prostitution and even murder. Particularly alarming though, is that many such protective agreements also cover employees of companies subcontracted by the US Army.

The most notorious effect of this has been the failure of any authorities – US or European – to bring to justice a number of workers from Dyncorp, who were exposed as being involved in the trafficking of women and children as sex slaves in Bosnia. The question whether employees of PMSCs are combatants is essential to answer for a number of reasons. First of all, it is important to determine whether PMSC employees may lawfully participate directly in hostilities and, as a consequence, whether they are a legitimate military objective for opposing forces that can be attacked. If no, it follows that PMSC employees who in fact participate actively in hostilities may be prosecuted for doing so, and could even potentially be deemed mercenaries.

According to the Third Geneva Convention, combatant status may only be attributed to members of the armed forces, a militia force or a volunteer force of a party to the conflict. As PMSCs are private companies the whole point of which is to privatise some aspects of military operations, it is inherent to the concept that their employees are not members of the armed forces. In fact, examples from Iraq demonstrate that states who hired PMSCs tend to emphasize that the PMSCs’ employees are in fact civilians, so that states generally do not accept responsibility for their actions. Yet, PMSCs “belong” to the armed forces in the sense that they are contracted to perform.

**Regulations under International law**

A call for better regulation services for them, so that they lack the independence to be considered a militia or volunteer force. Therefore, PMC employees can usually not be considered combatants and may not participate actively in hostilities. It follows also that under IHL, PMSC employees are considered civilians. This distinction is important when discussing PMSCs. Nonetheless, there are several features of IHL that impede the implementation of regulatory schemes dealing with PMSC employees as combatants. Most importantly, the concept of what actually constitutes direct participation in hostilities is relatively fluent and still undefined. There is also a lack of distinction in IHL between fighting to attack and fighting to defend, so that it would be meaningless to stipulate that PMSC employees are only allowed to fight to defend. PMSC employees may be extended prisoner-of-war status if they accompany members of the armed forces and provide services such as building bases (GCIII, Art. 4A). It has been argued therefore that PMC employees are “quasi-combatants”, however, such a designation is not provided for under IHL. For instance, if PMCs were construed as state agents, human rights would be legally binding for them. It could further be possible that human rights obligations are directly written into contracts states or state actor conclude with PMCs or even into the national licensing or regulatory schemes under which PMCs are registered.

**States hiring PMSCs**

States are the largest user of PMSCs. They hire PMSCs to provide various services in armed conflicts such as combat, guard and protection, and detention and interrogation. The involvement of PMSCs in armed conflicts to fulfil tasks that are traditionally carried out by national soldiers generates a question concerning the legal status of the personnel of these companies. This chapter clarifies such question and tries to find out how these personnel can be classified when they operate on behalf of a state party to an armed conflict. The purpose of this study is to explore which statuses adopted by IHL can apply to them. Under this law, individuals on the battlefield are either “combatants” or “civilians”. IHL also provides a specific legal framework for civilians who sell military services to parties to armed conflicts under the “mercenary” status. Therefore, there are three possible statuses that may apply to PMSC personnel used by a state party to an armed conflict, which are mercenaries, combatants and civilians.

Firstly, the States hiring PMSCs are all bound to ‘ensure respect for international humanitarian law.... in all circumstances’. This obligation originates from the common Article 1 of the Geneva Conventions, which is also part of the customary international humanitarian law. It has been recognised that the very act of hiring PMSCs does not obviate the need for fulfilling this obligation on the part of the States especially if the PMSCs are acting as agents on behalf of the State. The training given to the PMSCs and rules of engagement that these PMSCs adopt must be overseen and approved by the State if a State is to be deemed fully in compliance with this obligation. In such a case where the PMSCs are integrated into the armed forces of the State, the State itself would be obligated to provide instruction and training to the PMSCs’ members on the applicable IHL and the rules of engagement’s compliance with it. The states in such a circumstance are also required to have legal advisers available on hand for aiding the PMSCs comply with IHL.

If they are not integrated into the armed forces, the obligation related to their training is found within other sources. These include the Third and Fourth Geneva Conventions. Specifically, the Article 127(2) of the Third Convention provides that: ‘Any military or other authorities, who in time of war assume responsibility in respect of prisoners of war, must possess the text of the Convention and be specially instructed as to its provisions.’ Similarly, we find that in Article 144(2) of the Fourth Convention states: ‘Any civilian, military or other authorities, who in time of war assume responsibilities in respect of protected persons, must possess the text of the Convention and be specially instructed as to its provisions.’

**Criminal Responsibility**

Violations of international humanitarian law that are serious and amount to war crimes are subject to universal jurisdiction. Serious war crimes in conflicts of international character are known as grave breaches of norms of international humanitarian law and hence subject to universal jurisdiction that must be obligatorily exercised per the Geneva Conventions. Therefore, per the written law, PMSCs’ individual employees committing war crimes can be prosecuted by any State or any international tribunal that has the right jurisdiction but so far no PMSC employee has been tried for war crimes in any national or international court despite there being ample evidence to try such individual.

Apart from this, if a PMSC’s employee commits a war crime, a certain type of war crime trial maybe difficult to prosecute: those falling under the category of command responsibility because they are linked to a State’s army’s command structure that is lacking in the conduct of PMSCs. There are a few issues in domestic and international systems for regulation of PMSCs’ conduct in armed conflict:

a. The lack of any proper enforcement mechanism in international law that can hold PMSCs’ employees and the States’ hiring PMSCs accountable for any violation of international human rights and humanitarian law.

b. Lack of legal mechanisms in domestic legal frameworks to hold the state or the PMSCs accountable; inherently lack of the political will to do so.

**Grey Areas in International Law**

Internationally, things have the potential to get complicated quickly. The Geneva Convention clearly distinguishes between civilians and armed combatants. However, the employees of private companies aren’t civilians “since they are involved in the machinery of war, are employed by governments, and frequently carry arms.” Combatants are defined by the Geneva Convention “as people directly and actively involved in hostilities,” yet new forms of warfare muddle this definition. “To take an illustrative question: Is a private solider in Florida who presses a button launching a carpet bomb attack in Afghanistan only indirectly involved in war, while a regular soldier delivering supplies there is directly engaged in hostilities?” The legality issues of private soldiers need to be solved on an international level as they currently occupy a grey area in the legal system.

**Conclusion**

As global conflict evolves, the increasing reliance on foreign military deployments and private military and security companies (PMSCs) has redefined the contours of warfare. These actors often operating in legally grey zones challenge the conventional frameworks of state sovereignty and combatant accountability. The deployment of foreign troops under peacekeeping or strategic alliance arrangements, such as NATO operations in Afghanistan or Russian troops in Syria, raises crucial questions about proportionality, sovereignty, and long-term stability. Similarly, the activities of PMSCs like Wagner Group in Africa or Blackwater (now Constellis) in Iraq and Afghanistan reveal deep systemic gaps in the monitoring and regulation of privatized violence.

Lesser-known foreign military and covert private operations have also sparked controversy. The *Camp Lemonnier* base in Djibouti, a U.S. outpost, has faced scrutiny for drone strikes causing civilian casualties across the Horn of Africa. Similarly, Turkey’s military presence in northern Iraq, while officially targeting insurgents, has drawn accusations of sovereignty violations. In the private domain, South Africa’s *Executive Outcomes* faced backlash for intervening in Angola and Sierra Leone in the 1990s without international oversight. Additionally, a failed 2020 coup attempt in Venezuela allegedly involving Silvercorp USA exposed how unregulated private military actions can destabilize nations and damage diplomatic credibility.

Delegates are strongly encouraged to delve into prominent case studies that offer a nuanced understanding of the implications these actors bring. For foreign military deployments, the U.S. and coalition presence in Iraq post-2003 and France’s Operation Barkhane in the Sahel region provide essential insights. On the PMSC front, the 2007 Nisour Square massacre by Blackwater operatives and the widespread deployment of Wagner mercenaries in Ukraine and Sub-Saharan Africa offer critical grounds for legal and ethical analysis.

Ultimately, despite their growing relevance, both foreign deployments and PMSCs remain under-regulated in international law. There exists no unified legal instrument to define the limits, responsibilities, or jurisdictional implications of such actors. As such, the international community must begin considering multilateral treaties, definitions, and compliance mechanisms. Delegates are urged to prioritize legal development, advocate for transparency, and design frameworks that bring accountability to those who operate beyond borders and beneath scrutiny.

**Questions A Resolution Must Answer (QARMA)**

1. How can the UN define and distinguish between legitimate foreign military deployments and those that undermine regional stability or disarmament efforts?
2. What international legal mechanisms can be developed or reinforced to regulate and monitor foreign military bases and private military contractors (PMCs), especially in conflict zones or disarmament-sensitive regions?
3. How can the UN ensure host-state consent and sovereignty are respected in all foreign military operations, including those involving private military actors?
4. What protocols should be put in place to ensure transparency and accountability for private military firms operating in fragile or post-conflict regions?
5. What role should regional organizations like the NATO, AU, ASEAN play in regulating military presence and disarmament within their member states?
6. Should there be a UN registry or reporting mechanism for all foreign military bases and PMC operations globally, and how would it be enforced?
7. How can the international community address covert operations and deployments that are not publicly declared but affect peace processes or arms control agreements?
8. How do foreign and private military deployments impact the enforcement of existing disarmament treaties (NPT, ATT, CWC), and how can such impacts be mitigated?
9. What steps can be taken to prevent states from outsourcing military aggression or regime-change operations through PMCs to bypass international law?
10. How can international humanitarian law (IHL) be enforced in cases involving PMCs, especially when these entities operate in legal grey zones or under multiple jurisdictions?
11. What safeguards can be introduced to prevent the escalation of proxy wars fuelled by foreign military presence or mercenary involvement?

**Legal Instruments**

* + - 1. United Nations, General Assembly, 44/34:

International Convention against the Recruitment, Use, Financing and Training of Mercenaries

<http://daccess-dds-ny.un.org/doc/RESOLUTION/GEN/NR0/547/93/IMG/NR054793.pdf?OpenElement>

* + - 1. 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 <http://www.ohchr.org/EN/Issues/Mercenaries/WGMercenaries/Pages/WGMercenariesIndex.aspx>
			2. United Nations, Human Rights Council, Resolution 7/21:

Mandate 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

<http://ap.ohchr.org/documents/E/HRC/resolutions/A_HRC_RES_7_21.pdf>

* + - 1. The Privatization of War: Mercenaries, Private Military and Security Companies (PMSC)

<http://www.globalresearch.ca/the-privatization-of-war-mercenaries-private-military-and-security-companies-pmsc/21826>

* + - 1. Governance Dynamics and Regulation in the Global Private Security Market <http://www.socsci.uci.edu/files/internationalstudies/docs/avant_01272011.pdf>
			2. UN Use of Private Military and Security Companies: Practices and Policies

<http://www.business-humanrights.org/Links/Repository/1010017>

* + - 1. Military Bases of United Kingdom

<https://www.declassifieduk.org/revealed-the-uk-militarys-overseas-base-network-involves-145-sites-in-42-countries/>

* + - 1. Montreux Document

<https://www.europarl.europa.eu/meetdocs/2009_2014/documents/sede/dv/sede150311audmontreuxdocument_/sede150311audmontreuxdocument_en.pdf>

* + - 1. US-Japan SOFA

[https://www.mofa.go.jp/region/n-america/us/q&a/ref/2.html](https://www.mofa.go.jp/region/n-america/us/q%26a/ref/2.html)

* + - 1. US-Iraqi SOFA

<https://www.dcaf.ch/sites/default/files/publications/documents/US-Iraqi_SOFA-en.pdf>