



**European Union**

**UNITED NATIONS**

**4<sup>th</sup> session of the Open-ended intergovernmental working group to elaborate the content of an international regulatory framework on the regulation, monitoring and oversight of the activities of private military and security companies**

**17 to 21 April 2023**

**Concluding remarks by the European Union**

**Geneva, 21 April 2023**

**- CHECK AGAINST DELIVERY -**

Chair Rapporteur,

The EU thanks the Chair-Rapporteur, his team and the Office of the High Commissioner for their hard work and for having smoothly run the activities in hybrid format.

The European Union participated openly and constructively throughout this week's session. Regrettably, the current revised second draft instrument continues to indicate the intention of the drafters towards a legally binding nature of the future instrument. In relation to this, the EU has reiterated its doubts over the opportunity of adopting this as a legally binding instrument to regulate the activities of PMSCs, primarily from the perspective of international human rights law, as it does not sufficiently take into account other crucial areas such as international humanitarian law, international criminal law and State responsibility. The EU will carefully assess the content and added value of any possible proposal of a non-binding international regulatory framework based on the substance and progress achieved by the IGWG.

Chair-Rapporteur,

During this week's session, we heard a number of stakeholders calling on the Chair-Rapporteur to clarify the nature of the future instrument in order to avoid further confusion as we move forward in this process.

While we reserve our position on the Chair-Rapporteur's proposed way forward but have no objection to the conclusion of this week's session, we would like to reiterate once again our call on the Chair-Rapporteur to inform us of the decision regarding the legal nature of the potential future framework. This information is essential for stakeholders to decide on their future engagement in -and contributions to- the proceedings of this IGWG for the next three years.

Thank you.