



Human Rights Council**Forty-fifth session**

14 September–7 October 2020

Agenda item 3

**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development****Resolution adopted by the Human Rights Council
on 6 October 2020****45/16. Mandate 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***The Human Rights Council,**Guided by the purposes and principles of the Charter of the United Nations,**Recalling General Assembly resolution 60/251 of 15 March 2006 and Human Rights Council resolutions 5/1, on institution-building of the Council, and 5/2, on the Code of Conduct for Special Procedures Mandate Holders, of 18 June 2007,**Recalling also Human Rights Council resolution 15/26 of 1 October 2010, establishing the open-ended intergovernmental working group to consider the possibility of elaborating an international regulatory framework on the regulation, monitoring and oversight of the activities of private military and security companies,**Recalling further its resolution 36/11 of 28 September 2017 establishing a new open-ended intergovernmental working group for a period of three years, with a mandate to elaborate the content of an international regulatory framework, without prejudging the nature thereof, to protect human rights and ensure accountability for violations and abuses relating to the activities of private military and security companies,**Noting that the working group held its first session from 20 to 23 May 2019 and duly reported to the Human Rights Council on the outcomes,¹**Recognizing the ongoing need to protect human rights and ensure accountability for violations and abuses relating to the activities of private military and private security companies,**Noting relevant national, regional and international standards and tools, including those prepared by various stakeholders,*

¹ See A/HRC/42/36.



Noting also that the second session of the open-ended intergovernmental working group, scheduled to be held from 11 to 15 May 2020, was postponed owing to the coronavirus disease (COVID-19) pandemic,

1. *Decides* to renew the mandate of the open-ended intergovernmental working group for a period of three years, with a mandate to continue elaborating the content of an international regulatory framework, without prejudging the nature thereof, in efforts to protect human rights and ensure accountability for violations and abuses relating to the activities of private military and private security companies, informed by the discussion document on elements for an international regulatory framework on the regulation, monitoring and oversight of the activities of private military and security companies, as prepared by the Chair-Rapporteur, and further inputs from Member States and other stakeholders, and factoring in the work done under the previous mandate;

2. *Also decides* that the open-ended intergovernmental working group shall meet for five working days and submit an annual progress report to the Human Rights Council in conformity with its annual programme of work;

3. *Acknowledges* the importance of providing the open-ended intergovernmental working group with the expertise and expert advice necessary to fulfil its mandate, and decides that the working group shall invite experts and all relevant stakeholders to participate in its work;

4. *Invites* the contributions of Governments, relevant special procedure mandate holders and mechanisms of the Human Rights Council, treaty bodies, regional groups, intergovernmental organizations, representatives of civil society, the industry and other stakeholders with relevant expertise, including the Co-Chairs of the Montreux Document Forum and the International Code of Conduct Association;

5. *Requests* the Secretary-General and the United Nations High Commissioner for Human Rights to provide the open-ended intergovernmental working group with all the financial and human resources necessary for the fulfilment of its mandate;

6. *Decides* to remain seized with this important matter.

*37th meeting
6 October 2020*

[Adopted without a vote.]
