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WORKING PAPER

Private Military Companies and Child Rights

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Executive summary

This working paper examines the expanding role of Private Military Companies (PMCs) in contemporary armed conflicts and considers the implications of their operations for the protection and realisation of children's rights. As the number and intensity of armed conflicts increase globally, and as States increasingly outsource military and security functions, PMCs have become prominent actors in conflict-affected environments where children face heightened risks. Drawing on desk-based research, legal analysis, documented cases, and interviews with UNICEF field staff and practitioners, the paper provides an exploratory assessment of how their presence and activities may affect children both directly and indirectly. While the findings of this working paper are not intended to be generalisable, they identify recurring patterns of concern that warrant closer attention from government policymakers, international organisations, and industry actors.

The analysis suggests that the operations of Private Military Companies may be associated—directly or indirectly—with all six grave violations against children identified under the United Nations Security Council's children and armed conflict agenda*:* killing and maiming of children; recruitment or use of children; sexual violence; abduction; attacks on schools and hospitals; and the denial or obstruction of humanitarian access. Documented cases and credible allegations indicate possible links across multiple contexts. Even where attribution remains difficult or contested, the close operational proximity of PMCs to State armed forces and non-State armed groups, combined with opaque command and contractual arrangements, appears to complicate accountability and increase risks for children.

The working paper also highlights the significance of indirect impacts. Militarised environments that PMCs often help to shape or reinforce have been associated with forced displacement, disruption of access to education and healthcare, and increased insecurity around humanitarian operations. These secondary effects disproportionately affect children and undermine their safety, well-being, and long-term development.

Overall, findings indicate that existing regulatory and institutional frameworks are insufficient to prevent, monitor, or address the impact of the operations of Private Military Companies on children's rights. The paper therefore concludes by proposing targeted recommendations to strengthen their regulation and oversight, to ensure the full respect of children's rights in conflict-affected contexts.

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I. Background: The global proliferation of Private Military Companies

The number of armed conflicts has continued to grow globally, exposing children to serious risks. ACLED has reported a 25% rise in conflicts in 2024 compared to the previous year.[1] Africa has emerged as the most affected region, with the number of conflicts having more than doubled since the 2010s.[2]

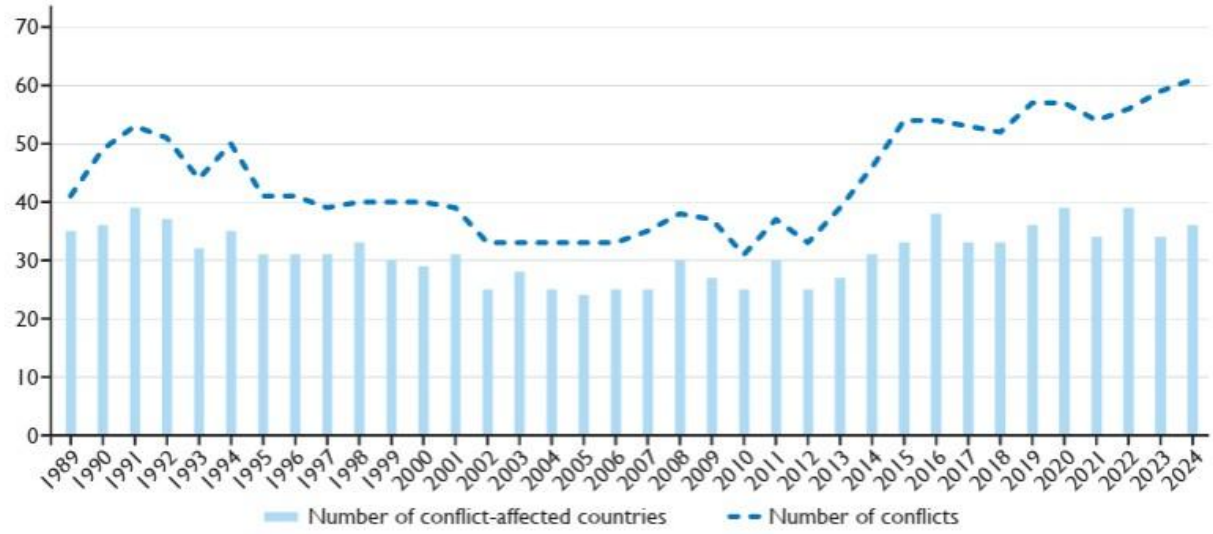

Figure 1. Number of conflicts and conflict-affected countries, 1989-2024 (Source: Rustad, Siri Aas, *Conflict Trends: A Global Overview, 1946–2024*, PRIO Paper, Norway, 2025)

The increase in the number of armed conflicts has been accompanied by an apparent weakening of international humanitarian law and human rights law in precisely the places where they are needed. Civilians have suffered from military operations by actors who do not take sufficient precautions to prevent harm. The situation becomes more precarious for children in conflict-affected regions. The Peace Research Institute Oslo (PRIO) highlighted that as of 2024, "around 1.6 billion children – 65% or roughly two out of three – were living in a conflict-affected country," a figure that has likely grown since then.[3] Approximately 218 million children were living in conflict zones in Africa, followed by Asia with 169 million, the Americas with 65 million, the Middle East with 50 million, and Europe with 15 million (see Figure 2). It is worth noting that Europe experienced an almost twofold increase in the number of children living in conflict compared to 2023, when the figure stood at 8 million. This escalation is primarily driven by a rise in conflict events in Russia related to the Russia–Ukraine war.[4]

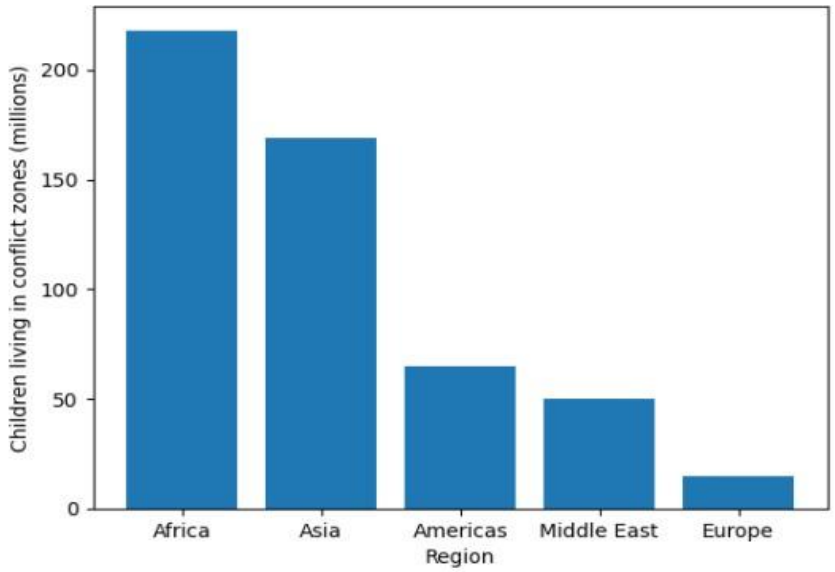

Figure 2. Children living in conflict zones by region in 2024 (Source: Østby, Gudrun and Siri Aas Rustad, *Children Affected by Armed Conflict, 1990–2024*, PRIO Paper, Norway, 2025)

Tens of thousands of these children suffer grave violations at the hands of parties to the conflict, with the most recent UN Secretary-General's Report on Children and Armed Conflict confirming a 25% increase in violations, amounting to 41,370 verified cases.[56]

The growing toll of armed conflict on children has brought renewed scrutiny to the constellation of actors operating in today's fragmented battlefields. Prominent among them are Private Military Companies (PMCs), whose ascendancy over the past two decades reflects a broader shift toward the outsourcing of force, and the use of proxies in conflicts. Valued for their operational efficiency and lower political exposure, these actors often offer governments a cost-effective alternative to conventional military deployments. Yet their expanding role raises complex questions about accountability, oversight, and the potential effects on civilian protection, especially for vulnerable groups such as children.

NOTE ON METHODOLOGY

This working paper is an exploratory investigation, not an in-depth and detailed examination of the activities of Private Military Companies in conflict zones. Therefore, it only provides limited insight into the issues surrounding them and their impact on children. Second, because of the limited number of interviews conducted, it is not possible to generalise the findings of the paper.

Since this is a sensitive area of research, the data collected from interviewees has been anonymised so that participants cannot be identified.

This working paper examines, within this growing sector of work, the risks the actions of PMCs may pose to children and their rights. It provides a brief analysis of how their presence and activities in conflict-affected areas may affect children's rights, directly or indirectly, including through conduct

that falls within the United Nations Security Council's framework on grave violations against children.[7] Drawing on legal analysis, documented cases, industry reviews, and interviews with industry professionals and UNICEF field staff, this paper identifies key gaps in regulation and child protection policies that enable such violations. In its final section, the researchers offer recommendations for mitigating these challenges and strengthening child protection in conflict settings.

Definitions and Typologies

Private Military Companies are often bundled together with commercial entities contracted to offer a diverse security-related services, including military training, consultancy, risk assessment, intelligence, dynamic guarding (such as convoy protection), static guarding (for example the protection of facilities, infrastructure, and mines), strategic planning, anti-piracy services, logistical support, and combat operations.[8]

The term "private military and security companies" is used to cover a range of different businesses. As the definitions below explain, private military companies undertake offensive activities, sometimes involving combat, while private security companies are contracted to provide security services that are defensive in nature, including guarding compounds and warehouses storing humanitarian aid. The two terms are frequently conflated, erasing the important distinctions between them:

Mercenaries are typically individuals—often former soldiers—recruited for specific military-type operations. These operations are usually offensive in nature, which can make it difficult to distinguish mercenaries from those who work for Private Military Companies, which also engage in offensive operations. Confusingly, the terms are often used interchangeably by policymakers, International Non-Governmental Organisations (INGOs) and academics. What separates the mercenary from private military company is that the former is always illegal under international law (see section 3 for the definition of a mercenary). The mercenary's primary motivation is personal gain, which sets him or her apart from soldiers who have a duty to serve their country. Mercenaries must not be citizens or residents of the country for which they fight.

Private Military Companies offer military services that usually include providing direct support to military operations (including taking part in combat) or delivering military training and advice. These services are used by their clients to seek to shift the military advantage in their favour. The services of PMCs are usually offensive in nature and can therefore have a *strategic impact* on the political and security environment of the countries in which they operate.[9] Unlike mercenaries, international law per se does not prohibit the services of PMCs, although their operations are

bound by both international humanitarian law, international human rights law and international criminal law, as well as by all relevant domestic legal frameworks.

Private Security Companies are corporate entities that offer security services that are typically defensive in nature. These services are performed in high-risk and low-risk environments. These companies may employ unarmed or armed personnel, with weapons used only for self-protection or the protection of clients. The roles played by armed personnel in high-risk or conflict environments can include guarding personnel and convoys, including humanitarian personnel and convoys. Private Security Companies also undertake guarding roles that do not include the use of weapons. For example, UN agencies, and other international organisations such as the European Union, and corporations, including mining and oil companies, often employ security not bearing lethal weapons to guard warehouses full of humanitarian aid, offices and accommodation where international staff work and live, and mines and oil fields. The guards who perform these roles are usually local. Finally, Private Security Companies function as legally registered businesses with structured management, operating from established offices with databases of qualified personnel to meet client demands.[10] They are also bound by all domestic legal frameworks, including contract law, as well as international human rights law, and, when operating in conflicts environments, are protected as civilians by international humanitarian law. There are important voluntary principles on security and human rights, codified in the International Code of Conduct for Private Security Companies, that private security companies should adhere to.[11] More efforts are needed to ensure that those contracting private security companies, notably humanitarian organisations and actors, only procure the service of those companies that adhere to and are certified as complying with these standards.

The term Private Military Companies (PMCs) is used throughout this paper for consistency. The analysis recognises that the term private military and security companies (PMSCs) is also often used. This paper examines private enterprises and their contractors engaged in military-type functions that may affect children's rights, regardless of how such activities are formally labelled in contractual terms.

II. Risks: The impact of Private Military Companies on child rights in conflict zones

In this section, we empirically examine how the presence and activities of Private Military Companies directly or indirectly influence child rights in practice.

It is important to note that our analysis here is based on a limited number of media and international reports and interviews with six UNICEF staff members with experience in conflict-affected contexts. Within these constraints, interview responses consistently pointed to several persistent challenges in documenting Private Military Companies' actions. Chief among these is the unclear chain of command between public and private actors, stemming from the close ties between these actors and state security forces, and the informal and opaque nature of their deployment. One interviewee noted that this lack of clarity blurs lines of accountability and often results in impunity for misconduct, as violations may be attributed to state forces or ignored entirely.[12] Another interviewee raised concerns about discussing PMCs with government officials. They pointed out that access is usually mediated by government actors overseeing PMC operations, but these actors may be unable or unwilling to address such activities due to political sensitivities and affiliations. They highlighted in particular the sensitivity of reporting on PMC activities in certain contexts, citing a case where a UN staff member was declared *persona non grata* after publishing a report implicating a PMC in human rights violations.[13] Additionally, another interviewee highlighted uncertainty around how actions should be reported, noting that PMCs are not usually recognised as formal parties to the conflict, and that UNICEF lacks clear internal policies or guidelines for engaging with them through formal mechanisms and channels.[14] Beyond these issues, stigmatisation, the fear of reprisals and intimidation among victims and affected communities has been repeatedly mentioned by interviewees as another factor that hampers the monitoring of PMC operations.[15]

Keeping in mind all these practical barriers to monitoring, the following two sub-sections will be a brief analysis of the ways in which the presence and operations of PMCs in conflict-affected areas influence children's rights, both directly and indirectly.

Direct Impacts of Private Military Companies' Actions on Children

Evidence gathered from reported cases shows that Private Military Companies have played a role in each of the six grave violations against children in armed conflicts covered under the UN Security Council's children and armed conflict agenda. Among these, severe abuses such as killing and maiming of children, recruitment or use of children, sexual violence, and abduction have been documented as direct consequences of their activities on children's safety and well-being during hostilities.

Killing and Maiming of Children

Cases in this category involve the deliberate or indiscriminate killing or injuring of children during hostilities.

The most recent examples involve activities of the Russian Wagner Group in Ukraine and Africa. According to confessions from ex-Wagner commanders Azmat Uldorav and Alexey Savichev, the group reportedly intentionally killed more than 20 Ukrainian children and teens in Ukraine as they were ordered to "destroy everyone: men, women, children, elderly."[16] Beyond these confessions, there is substantial documentation from international organisations implicating Wagner contractors in intentional or indiscriminate killing and maiming of children in Mali and the Central African Republic (CAR).[17]

A notable earlier case is the 2007 Nisour Square massacre in Baghdad, where contractors from the US-based Blackwater engaged in indiscriminate gunfire in a crowded urban area that resulted in the killing of 17 civilians, including two children aged 9 and 11 and the injury of several children due to grenades thrown into a nearby school.[18] The incident has since stood as a stark example of how operations of private contractors can result in indiscriminate attacks with devastating consequences for children.

Our interviewees also repeatedly pointed out the indiscriminate nature of certain attacks arising from how PMCs carry out operations or the weapons they choose to deploy.[19] Both have the potential for intentional or accidental harm to civilians, including children, particularly those abducted or recruited by non-State armed groups (NSAGs) for fighting or camp work. For example, two interviewees cited allegations that PMCs had carried out blanket firing[20] across wide areas suspected of harbouring non-state armed group bases and had attacked villages.[21] In both instances, no distinction was apparently made between combatants and civilians, and children were very likely among the victims. One of them referred to an allegation that a company had used

barrel bombs, an imprecise weapon type, against NSAGs, with no confirmation as to whether civilians were among those targeted or otherwise impacted by these attacks.[22]

Although these activities are in clear violation of international humanitarian law and the larger legal framework ensuring the protection of children during armed conflicts, neither international tribunals nor domestic courts have effectively tried or convicted those perpetrators for child killings and injuries yet. In the Blackwater case, the contractors were indicted and tried in US courts and sentenced to lengthy prison terms in 2015, largely because of global outcry, but later received a presidential pardon in 2020.[23]

Recruitment or Use of Children

Recruitment and use of children under 18[24] by state armed forces or non-state armed groups for combat or support roles (e.g., messengers, cooks, spies, etc.) is a grave violation of child rights. The UN Secretary-General's 2025 report on children and armed conflict records 7,402 cases from 2024, indicating the continued prevalence of this violation.[25] Among the perpetrators mentioned, the report only documented the Wagner-trained Ti Azande Group in the recruitment and use of 21 children in support roles in CAR.[26] This same group has been flagged for a range of violations by the UN panel of experts and in MINUSCA human rights reports.[27] An earlier report from the Working Group on the use of mercenaries reported allegations that former children associated with armed forces and armed groups (CAAFAG) from Uganda and Sierre Leone had been recruited by private contractors operating in Iraq and Afghanistan, though it was unclear if those recruits were still children or not at the time.[28]

As PMCs frequently act in coordination with state security forces or non-state armed groups and often through a range of contractual arrangements, it becomes difficult or politically complicated to clearly identify their responsibility in the recruitment or use of children.[29]

Sexual Violence against Children

Violations in this category involve rape, sexual slavery, prostitution, and forced pregnancy and are designated as crimes against humanity and war crimes under Articles 7, 8(2)(b)(xxii) and 8(2)(e)(vi) of the Rome Statute.[30] UN data for 2024 shows a 35% increase in documented cases of sexual violence against children compared to the previous year,[31] with 11 of those cases committed by Wagner-trained Ti Azande forces in CAR.[32]

Our findings suggest that these figures do not fully capture the full extent and severity of the situation for a variety of reasons. For example, two interviewees reported encountering allegations of sexual exploitation of girls by PMCs, with most cases going unverified due to survivors' fear of reprisals and social stigma.[33]

Accountability for cases of sexual violence also remains a problem and can impact the willingness of survivors to report abuse. One notorious case from the late 1990s in post-war Bosnia illustrates the issue. In 1999, a deeply troubling case unfolded in post-war Bosnia, where employees of DynCorp (contracted by the US to support UN peacekeeping missions) were accused of participating in a sex trafficking ring that targeted and enslaved underage girls.[34] A whistleblower report revealed that some contractors (along with international police officers) were involved in sexual acts with girls as young as 12 to 15, effectively participating in sexual violence against children, including rape and forced prostitution.[35] However, despite the gravity of the allegations, the only consequence for the accused contractors was their dismissal and repatriation, with no prosecution for crimes such as rape or human trafficking.[36] Another similar allegation against the company emerged regarding its activities in Afghanistan. DynCorp had been contracted by the US government to provide security services in the US Embassy in Kabul. In 2010, WikiLeaks disclosures alleged that DynCorp contractors hired Afghan "dancing boys" (*bacha bazi*) and subsequently sexually exploited them.[37] Once again, those responsible faced no legal penalties beyond losing their jobs.[38]

Abduction of Children

Abduction of children by armed forces and NSAGs for purposes such as human trafficking, ransom, recruitment, forced labour, or sexual exploitation remains a problem in conflict-affected countries. In 2024, the UN verified 4,573 cases of child abduction[39], 18 of which were attributed to Wagner-trained Ti Azande in CAR.[40] While the UN report does not detail the motives behind these particular abductions by the Wagner-connected group, it notes that most of the 141 children abducted in CAR that year were taken for recruitment or sexual violence.[41] It was also observed during the interviews that cases of abduction were typically addressed in conjunction with these grave violations.[42] Yet, events in Ukraine reveal another dimension. According to a 2024 Yale School of Public Health report, at least 314 Ukrainian children were forcibly transferred to Russia, where they were placed with adoptive families or in state institutions.[43] Many of these transfers reportedly involved a military unit and aircraft connected to the Wagner Group.[44] This type of action would appear to constitute a clear breach of Article 49 of the Geneva Convention (IV), which prohibits the forcible transfer of individuals from occupied territory to the territory of the occupying power.

This pattern of conduct also aligns with other documented abuses attributed to the Wagner Group in different conflict zones. For instance, the U.S. Department of the Treasury has previously designated the Wagner Group as a significant transnational criminal organisation, in part for its role in child abductions in CAR and Mali, as well as for other serious crimes (such as mass executions, rape, and physical abuse).[45]

Indirect Impacts of Private Military Companies' Actions on Children

In the previous section, we examined cases of immediate and direct harm to children's lives and well-being. In this section, we will focus on the indirect ramifications of military operations. As highlighted by one of the interviewees, Private Military Companies can contribute to generating and consolidating conflicts through their advice and operational support to local military forces with structural consequences that disproportionately affect children's well-being.[46] For example, PMCs or Mercenaries may influence local forces to militarise a particular region because it has resources they want to exploit financially. The most often cited indirect impacts in our findings were forced displacement, disruptions to children's access to essential services such as education and healthcare, and the denial of humanitarian aid.

Forced Displacement

Between 2010 and 2024, the number of displaced children worldwide nearly tripled, from approximately 17 million to 48.8 million.[47] Although the direct contribution of PMCs to displacement has not been systematically documented, emerging international evidence indicates that their operations may have, in certain contexts, contributed to civilian displacement, including that of children. In one example from 2021, UN experts raised concerns about the Wagner Group's close operational proximity to the CAR's armed forces (FACA) and its interactions with the United Nations Multidimensional Integrated Stabilisation Mission in the Central African Republic (MUNISCA) personnel and bases, warning that such blurred roles may have contributed to the forced displacement of civilians.[48]

The operational conduct of PMCs can also indirectly drive displacement through the use of tactics or weapon systems that endanger civilian populations. Several interviewees emphasised that the use of indiscriminate or disproportionate firepower—such as heavy artillery—creates widespread insecurity that compels civilians, including children, to flee their homes.[49] Amnesty International has documented such patterns in Mozambique, where the Dyck Advisory Group (DAG), a South African company contracted by the government to support counterinsurgency efforts in Cabo Delgado, reportedly conducted indiscriminate attacks, including firing from helicopters and dropping hand grenades into populated areas. These operations, combined with violence perpetrated by other armed actors, displaced more than half a million people. [50]

Disruption of Children's Access to Education and Health

Attacks against schools and hospitals are among the six grave violations affecting children and have a disruptive impact on children's access to education and healthcare due to activities such as bombing, looting, or the military use of these facilities. While comprehensive data on PMC

involvement in such violations is lacking, limited sources indicate some level of involvement. For example, 53 witnesses who spoke to Amnesty International reported that Dyck Advisory Group operatives repeatedly fired at civilian infrastructure in Mozambique, including hospitals and schools.[51] One of our interviewees also reported that they had previously documented an attack and occupation of a school by PMCs in their country of operation.[52] The same interviewee noted that, beyond direct attacks or occupations, the mere stationing of military forces (including military contractors) near schools and hospitals transforms civilian infrastructure into unsafe spaces, disrupts service delivery, and generates fear and displacement. These are the effects that disproportionately impact children's access to education and healthcare.

While much of the evidence points to negative impacts, one interviewee emphasised the positive effects of private contractors in their area, particularly in supporting national military forces to secure environments for children's education.[53] Another interviewee echoed this, arguing that under certain circumstances, partnerships between them and state forces can increase stability and expand children's access to healthcare and schooling.[54] These observations highlight that involvement is not uniformly detrimental and that, under strictly regulated conditions, such operations could potentially be aligned with the protection of children's access to education and healthcare.

Denial of Humanitarian Aid

Drawing on the provisions in international humanitarian law, international human rights law and the Conventions on the Rights of Children (CRC), guidance within the UN's children and armed conflict agenda defines denial of humanitarian access to children as:

> *the intentional deprivation of or impediment to the passage of humanitarian assistance indispensable to children's survival, by the parties to the conflict, including wilfully impeding relief supplies as provided for under the Geneva Conventions; and significant impediments to the ability of humanitarian or other relevant actors to access and assist affected children, in situations of armed conflict. The denial should be considered in terms of children's access to assistance as well as humanitarian agencies' ability to access vulnerable populations, including children.*[55]

According to the UN's latest report, there were 7,906 such incidents in 2024,[56] of which 5,091 have been verified in the West Bank, including East Jerusalem (2,828) and the Gaza Strip (2,263), underscoring the severity of the issue in that context.[57] In our interviews, we found no evidence of private contractors engaging in such practices; in fact, one interviewee noted their potential usefulness in supporting humanitarian delivery, while warning of the risks posed by blurring the lines between military and humanitarian roles.[58] The activities of US private contractors operating

under the Gaza Humanitarian Foundation (GHF) illustrate how this “grey zone” can negatively affect humanitarian operations.

In February 2025, the American nonprofit GHF was created to deliver food, medical aid, and other essentials in coordination with the Israeli military during the ongoing crisis in Gaza.[59] When it began operations in May, GHF replaced over 400 UN-run distribution points in response to claims that aid to Gaza was being stolen by Hamas under a preexisting system coordinated by the UN.[60] GHF contracted two US companies, Safe Reach Solutions and UG Solutions, to provide site security for its hubs.[61] However, instead of facilitating aid, their role soon became linked to the denial of humanitarian access and civilian casualties. According to a 22 July 2025 statement by the OHCHR office in the State of Palestine, since May of that year, Israeli forces had killed 1,054 Palestinians, including children, while attempting to access food, with 766 of these deaths occurring near GHF sites.[62] These figures add weight to first-hand accounts from contractors about what was happening on the ground at these sites. Media cited anonymous contractor testimonies from both entities reported unprovoked use of excessive force (including live fires, stun grenades, and pepper spray) by their personnel against unarmed civilians at aid distribution points.[63]

In such contexts, it is essential to distinguish accountability from engagement. As clarified by the UN Office for the Coordination of Humanitarian Affairs (OCHA) and the International Committee of the Red Cross (ICRC), humanitarian actors may engage with private security actors for the purpose of enabling humanitarian access, securing facilities, or negotiating safety arrangements, irrespective of whether such companies are linked to parties to the conflict. However, such engagement is only permissible provided it is principled, neutral, and subject to rigorous risk assessment.[64]

III. Regulation: Legal Accountability of Private Military Companies

The allegations mentioned in the section above underscore the challenges of ensuring compliance with international humanitarian and human rights law when Private Military Companies operate in close coordination with states, particularly in high-risk environments where oversight and accountability mechanisms are weak. Such incidents highlight the need for enforcement of regulations and monitoring of their engagements in conflict settings, including the integration of child protection standards into contractual frameworks, operational oversight, and accountability processes.

International law clearly restricts and prohibits mercenaries, as explicitly addressed under Article 47 of Additional Protocol I to the Geneva Conventions, denying them both combatant and prisoner-of-war status, thereby stripping them of the protections otherwise afforded to lawful participants in hostilities.[65] Moreover, they are effectively banned under a set of binding international instruments developed in response to mercenaries' destabilising role in decolonisation struggles of the 1970s and 80s.[66] Most notably, the 1977 OAU Convention for the Elimination of Mercenarism in Africa and the 1989 International Convention against the Recruitment, Use, Financing and Training of Mercenaries, which criminalise mercenary activity and impose obligations on States to prevent, prosecute, and punish such conduct.[67]

Private Military Companies, as corporate entities rather than individuals, may fall outside the scope of these conventions. Yet, their activities are clearly legally bound, first by the applicable domestic law, and by international human rights law. In addition, those operating in conflict settings must comply with international humanitarian law when they directly participate in hostilities.

This section will unpack the complementary regulatory layers regulating the conduct of Private Military Contractors affecting children. It first outlines the applicable international legal standards to their conduct, the soft law instruments that support these standards, then briefly examines child protection under international law with a particular focus on the role of the UN Security Council and related compliance mechanisms.

Under **International Humanitarian Law (IHL)**, PMCs are not recognised as a separate category, and their involvement in armed conflict is regulated through existing status- and function-based frameworks. In non-international armed conflicts (NIAC), a contractor is regarded as a party to the conflict where it satisfies the two cumulative criteria applicable to organised armed groups, namely (a) the intensity of violence between the private military contractors and other actors and (b) the degree of organisation within the entity.[68] In terms of intensity, relevant indicators include the

frequency of armed confrontations, the extent of destruction caused, the use of military weapons and the duration of violence. In terms of organisation, factors such as a recognisable command structure, an internal disciplinary system, logistical capacities and the ability to plan and conduct sustainable operations are important. If both thresholds are met, the private contractors can be classified as an NSAG and thus as a party to the conflict.[69] Where these criteria are not met, personnel of PMCs remain civilians, albeit subject to the loss of protection attendant upon direct participation in hostilities.[70] By contrast, in international armed conflicts, the analytical framework differs fundamentally. As such conflicts exist exclusively between States, private military companies cannot qualify as parties to the conflict as corporate entities. Instead, their involvement is assessed through the individual legal status of their personnel—such as members of the armed forces, civilians accompanying the armed forces, or civilians directly participating in hostilities—and through the attribution of their conduct to States for the purposes of international responsibility.[71] This divergence underscores the functional rather than institutional approach of IHL to private military and security actors across different conflict classifications.

In practice, however, PMC staff usually remain in the category of civilians, even though they may temporarily lose their protection from attacks during periods of direct participation in hostilities (Protocol 1, Art. 51(3); Protocol II, Art. 13(3)).[72] Typical examples include provisions for armed escorts for convoys and participation in sporadic firefights. However, if a PMC conducts sustained, independent combat operations, particularly if it controls territory, engages in continuous armed conflict or operates without the direction of a state military, it could cross the threshold to party status. Once this is the case, the company is bound by the full range of IHL obligations applicable to the conflict in question, its personnel may be treated as lawful targets at any time, and both companies and individuals could be held criminally liable for serious violations, including the recruitment or use of children in hostilities (Rome Statute, Art. 8(2)(b)(xxvi), 8(2)(e)(vii)).[73]

In comparison, private security personnel performing guarding or protection functions—such as securing humanitarian warehouses, UN compounds, or UNICEF officers—are considered civilians not participating in hostilities.[74] They remain fully protected under IHL and must not be treated as parties to the conflict.

Under **International Human Rights Law (IHRL)**, contracting, territorial and home States are required to regulate and oversee all individuals and companies operating within their jurisdiction or under their control, including all private military and security actors, and ensure accountability for abuses. Existing research indicates that national regulations of PMCs vary between explicit regulation, implicit regulation, and non-regulation.[75] In most cases, these regulatory frameworks reflect a political inclination to utilise PMCs as instruments of foreign policy beyond traditional accountability mechanisms, rather than a genuine commitment to enforcing compliance with international law and human rights standards.[76]

At the same time, PMCs must comply with IHRL and act in accordance with standards articulated in the UN Guiding Principles on Business and Human Rights, the UN Principles for Responsible Contracts, and most notably in the Children's Rights and Business Principles developed by UNICEF, the UN Global Compact and Save the Children as all clearly underscore that all contract parties—regardless of contracting states or organisations—should properly act in accordance with human rights principles and standards.[77] The need to comply is particularly salient given the inherently coercive nature of the use of force and its heightened risk on vulnerable populations such as children.

Soft Law

To support the implementation of these norms, international initiatives have led to the emergence of **soft-law governance frameworks** such as the Montreux Document on Private Military and Security Companies and the International Code of Conduct for Private Security Providers (ICoC). These initiatives emerged from the so-called "Swiss Initiative," launched in 2005 by the Swiss Government in cooperation with the ICRC, with the aim of addressing regulatory gaps in the oversight of private military and security companies, broadly speaking, particularly in armed conflict settings. This process culminated in the adoption of the Montreux Document in 2008[78] the ICoC in 2010, and its multi-stakeholder governance mechanism, ICoCA, in 2013.[79] The Montreux Document consolidates existing State obligations under international law and articulates good practices on matters such as vetting, training, and accountability; it does not create new legal obligations. Similarly, the ICoC establishes human rights and IHL standards for private security companies specifically, relying on voluntary adherence and association-based monitoring through the ICoCA (see Table 1 for comparison). The Montreux Document and ICoCA are today seen as the soft law foundations on which to build stronger oversight and accountability of private military and security companies.

Table 1. Comparison of the Montreux Document and ICoCA

Criteria	Montreux Document	ICoCA
Membership	• State-led initiative • Over 50 state signatories	• Multi-stakeholder initiative (involving States, civil society organizations and private security companies) • Over 180 PSC members

Key Features	• Outlines the responsibilities of states and PMSCs under IHL and IHRL • Includes good practices to help states regulate PMSCs • Not legally binding	• Promotes compliance with IHL and IHRL • Set standards for Private Security Companies with independent oversight and certification mechanisms • Requires companies to establish grievance procedures so that victims can file complaints • Not legally binding
Child's Rights	• Does not specifically address child rights but aligns with broader IHL and IHRL	• Prohibits the worst forms of child labour (including any forms of slavery and forced or compulsory recruitment of children for use in provision of armed services)

Industry Standards for Private Security Companies

Companies adopt their own complaint mechanisms, but often against best practice from resources such as those of the International Organization for Standardization, especially ISO900 and ISO18788, and from the International Code of Conduct Association (ICoCA). The latter provides a complaint mechanism[80] and resources companies can use to build their own capacity for compliance[81]. Importantly, ISO18788 includes guidelines for how complaints should be managed by companies.[82] ISO9001 and ISO18788 are often mandated, the latter especially by governments and some large organisations. Thus, clients, including UN entities, should require Private Security Companies to meet standards and may also insist in the tender process and otherwise that companies hold an association accreditation, for example, be a member of the ICoCA and hold certain certifications such as ISO9001 and ISO18788. Performance standards and breaches are usually part of the Statement of Works (SoW) and, for larger organisations, may be included as part of their key performance indicators.

No equivalent industry standard currently exists for PMCs.

Child Protection under International Law

International law also sets out a broad and multifaceted framework of child protection norms that is binding on States and applicable to all actors involved in armed conflict, including PMCs. This framework consists of IHL, IHRL, international criminal law, refugee law, child rights law, and a series of binding and non-binding instruments adopted under the UN Security Council's children and armed conflict agenda. Among them, the Geneva Convention (IV) Relative to the Protection of

Civilian Persons in Time of War[83], and the Additional Protocols (Protocol I, 1977; Protocol II, 1977), the Convention on the Rights of the Child (CRC, 1989)[84] and its Optional Protocol on the Involvement of Children in Armed Conflict (OPAC, 2000)[85], the Rome Statute of the International Criminal Court (1998) and the series of Security Council resolutions under the children and armed conflict agenda. An increasing number of political agreements, while non-binding, continue to expand the normative framework that helps protect children. Some recent examples include work on the use of explosive weapons in populated areas, attacks on and the military use of schools (Safe Schools Declaration), strengthening understanding of the recruitment and use of children (Paris Principles), and child protection in peacekeeping (Vancouver Principles).[86]

PMCs must comply with the IHL including the principles of distinction, proportionality, and precaution and prevent harm to children and not recruit or use them. In addition, the CRC and OPAC require states to take all feasible measures to prevent all non-state actors, including PMCs under their jurisdiction, from recruiting or using children under the age of 18 in hostilities (CRC, Art. 38; OPAC, Art. 1–4). In addition to these provisions, the Rome Statute criminalises the conscription, recruitment or use in hostilities of children under the age of 15[87], exposing PMC personnel who would engage in such conduct to individual criminal liability.

This is complemented further by the UN Security Council's ongoing agenda on the protection of children in armed conflict.

UN Security Council's Children and Armed Conflict Agenda

The Impact of Armed Conflict on Children, a landmark report presented to the United Nations General Assembly in 1996,[88] highlighted a range of child rights violations and harms to children in conflict-affected countries and called for concerted international attention to address them.

The UN Security Council subsequently adopted its first resolution on children and armed conflict in 1999 (UNSC Resolution [89]1261), in which it formalised the agenda and identified six grave violations most severely affecting children in times of war: *killing and maiming of children*, *recruitment or use of children*, *sexual violence against children*, *abduction of children*, *attacks against schools or hospitals*, and *denial of humanitarian access for children*.[90] Through this framework, the Security Council has sought to bring parties to armed conflict into compliance with international child rights standards. In 2005, this framework was further strengthened when the UNSC adopted Resolution 1612, mandating the creation of the Monitoring and Reporting Mechanism (MRM) on Grave Child Rights Violations in Situations of Armed Conflict to gather systematically objective and reliable data and provide up-to-date information on these violations to the Security Council.[91]

While these developments have strengthened the UN's capacity to address child rights violations, the growing involvement of PMCs in conflict zones creates new obstacles to maintaining these standards.

IV. Summary of Findings

This working paper has examined the expanding role of Private Military Companies in contemporary armed conflicts and assessed the implications of their operations for the protection of children and respect of child rights. Drawing on desk-based research, legal analysis, documented cases, and a limited number of interviews with practitioners, the findings point to a pattern of structural risk rather than isolated misconduct. While PMCs do not operate uniformly, their growing presence in conflict-affected environments presents significant and persistent challenges to children.

First, we found that PMC operations have been linked—directly and indirectly—to all six grave violations against children identified under the UN Security Council's children and armed conflict agenda. Documented cases and credible allegations associate some of them with the killing and maiming of children, recruitment or use of children, sexual violence, abduction, attacks on civilian infrastructure such as schools and hospitals, and the denial or obstruction of humanitarian access. Even where direct attribution is difficult or remains contested, the close operational proximity of PMCs to state armed forces and non-state armed groups, together with opaque command and accountability structures, appears to complicate accountability and to increase risks for children.

Second, we observed that indirect impacts of PMC operations can also be harmful. Militarised environments shaped by their activity have contributed to forced displacement, disruption of access to education and healthcare, and heightened insecurity around humanitarian operations. Children are disproportionately affected by these secondary consequences, which undermine their long-term physical, psychological, and social development.

Third, while international humanitarian law and international human rights law apply to PMCs and their conduct in principle, the enforcement is fragmented and inconsistent in practice, leaving accountability gaps. As a result, alleged violations affecting children may not be reported, investigated or generate accountability, reinforcing patterns of impunity.

Fourth, soft-law governance mechanisms and initiatives and industry regulation of PSCs remain insufficient to safeguard children's rights. The Montreux Document and the International Code of Conduct for Private Security Providers, establish important normative standards but lack binding force. Furthermore, they do not reach Private Military Contractors, which do not join such initiatives.

Finally, we identified institutional blind spots within humanitarian organisations and UNICEF, including the limited ability of child protection and monitoring mechanisms to systematically document and respond to violations involving Private Military Companies. While frameworks such as the Monitoring and Reporting Mechanism are well established, they may not capture PMC-related violations due to a lack of guidance, unclear engagement protocols, and operational constraints faced by field staff.

Consequently, these findings underscore that the implementation of the current regulatory, operational, and institutional environment is not adequate to prevent, monitor, or remedy the impact of PMC operations on children's rights. Without targeted reforms that explicitly integrate child protection into legal frameworks, contracts, oversight mechanisms, and industry standards, the risks identified in this report are likely to persist and intensify in conflict-affected contexts. Against this backdrop, in the following section, we propose a set of strategic recommendations intended to place children's rights at the centre of regulatory, institutional, and corporate responses to the activity of private military and security actors.

V. Recommendations

To States:

- States should ensure that the activities of Private Military Companies are adequately regulated, including to protect children, and these regulations must be enforced.
- States must accede to, adhere to and enforce all relevant conventions—including the 1989 UN Mercenary Convention and, when applicable, the 1977 OAU Convention on the Elimination of Mercenarism—and agreements—including the Montreux Document and International Code of Conduct.
- States must ensure that all private companies, including those operating extraterritorially, respect international human rights law, and also IHL when it applies.
- States should seek to close accountability gaps by investigating any actor who commits grave violations, including those against children.

To International and Regional Organisations:

- The UN should develop further guidance for the MRM on how to document and report on grave violations by PMCs in armed conflict situations. The MRM is a robust mechanism but currently lacks clarity on how to do this.
- The UN should develop or clarify guidance to enable consistent engagement with private military companies. While engagement protocols exist for non-State armed groups and for government armed forces, and to a certain extent private security companies, such explicit structures do not exist for PMCs, creating ambiguity for child protection actors.
- UNICEF should develop operational guidance and procedures that enable field staff to engage with PMCs to advise them on the rights of children living in conflict zones. As with those processes, guidance will need to minimise risk to UNICEF staff and those of partners and ensure that the communication does not undermine UNICEF's operating principles/impartiality.
- At the global and normative level, UNICEF should consider engaging with the private security industry through the International Code of Conduct Association in Geneva to ensure that all procurement of private security requires their certification and to promote training on the rights of children living in conflict zones. UNICEF should also consider engaging with the Montreux Document follow-up processes to further integrate explicit language, guidance, and action on the protection of children.

To Companies and Associations:

- All relevant organisations (notably ICoCA) should require member companies to address child rights explicitly. This could take the form of compulsory training in child rights. These organisations should also ensure their members have child protection guidelines in place for their employees to follow when operating in areas where there are children.
- Companies and their associations should promote pre-deployment training that emphasises child protection and the principles of the Convention on the Rights of the Child, IHRL and IHL when applicable.
- Where PMCs operate in conflict-affected environments, companies should adopt internal codes of conduct and compliance mechanisms that explicitly address children's rights, including prohibitions on recruitment or use of children, safeguards against harm to civilians, and clear rules governing the use of force in populated areas.
- PMCs should establish accessible grievance mechanisms, including procedures that allow allegations of violations affecting children to be safely reported, investigated, and addressed, even in the absence of external certification schemes.
- Companies and their associations should improve transparency through periodic public reporting on allegations and investigation outcomes, while safeguarding sensitive information.
- Humanitarian organisations should ensure that contracts with private security companies include mandatory certification under ICoCA, requirements for child protection training, prohibitions on practices that may endanger children (e.g., use of live fire or intimidation near aid distribution sites).
- Humanitarian organizations, ICOCA and security providers should collaborate to create operational guidelines tailored to conduct near schools and hospitals, behaviour at humanitarian distribution points, and interactions with children during protective tasks such as guarding warehouses or escorting convoys.

Further Research Areas:

- Further research should be conducted into the impact of private military companies on child rights. This research should take the form of a series of case studies and focus on where private military companies primarily operate in Africa (Niger, Mali, Central African Republic, Sudan, Libya). A case study approach, working with African universities and human rights organisations, would provide a deeper and more comprehensive analysis of where and how private military companies impact child rights in conflict zones.
- Further research should be conducted into the impact of private security companies on child rights. This research should take the form of a series of studies that focus on the

extractive industry and its operations in countries where political authority is fragile, and the security forces are mainly ineffective at protecting the local population. Under such conditions, the security activities of PSCs often go unchecked and may impact the well-being of children.

- Further research should be conducted into whether the present set of international and regional legal frameworks to protect child rights is sufficiently robust to foster accountability of PMCs for violations against children in armed conflict situations.
- Further research should be conducted into whether the present set of industry standards are sufficiently robust to ensure that Private Security Companies fully respect the rights of children, including their rights to life and to health.

Endnotes

[1]Armed Conflict Location & Event Data Project (ACLED), 'ACLED Conflict Index', ACLED, 2025, <https://acleddata.com/conflict-index/>, accessed 29 December 2025.

[2] Rustad, Siri Aas, *Conflict Trends: A Global Overview, 1946–2024*, PRIO Paper, Norway, 2025, <https://cdn.cloud.prio.org/files/31b69202-0728-4852-94e9-a08bdf662fe9/Rustad%20-%20Conflict%20Trends%201946-2024%20-%20PRIO%20Paper.pdf?inline=true>, accessed 20 January 2025.

[3] Østby, Gudrun and Siri Aas Rustad, *Children Affected by Armed Conflict, 1990–2024*, PRIO Paper, Norway, 2025, <https://cdn.cloud.prio.org/files/9acb28bd-ee6a-47e9-82ec-e596752ab8f7/Conflict%20Trends%201-2025.pdf?inline=true>, accessed 20 January 2025.

[4] Ibid.

[5] Office of the Special Representative of the Secretary-General for Children and Armed Conflict, *Annual Report of the Secretary-General on Children and Armed Conflict*, United Nations, New York, A/79/878–S/2025/247, 2025, <https://childrenandarmedconflict.un.org/document/annual-report-of-the-secretary-general-on-children-and-armed-conflict-5/>, accessed 29 December 2025.

[6] The most common violations have been reported as killing and maiming (11,967cases), denial of humanitarian access (7,906 incidents), recruitment and use of children (7,402 cases), and abductions (4,573 cases). The largest numbers of confirmed grave violations were recorded in Israel and the Occupied Palestinian Territory (8,554), followed by the Democratic Republic of the Congo (4,043), Somalia (2,568), Nigeria (2,436), and Haiti (2,269). The most significant percentage increases in violations were observed in Lebanon (545%), Mozambique (525%), Haiti (490%), Ethiopia (235%), and Ukraine (105%).

[7] Office of the Special Representative of the Secretary-General for Children and Armed Conflict, 'The Six Grave Violations', Office of the Special Representative of the Secretary-General for Children and Armed Conflict, n.d., <https://childrenandarmedconflict.un.org/six-grave-violations/>, accessed 25 February 2025.

[8] Kinsey, Christopher, *Corporate Soldiers and International Security: The Rise of Private Military Companies*, Routledge, Oxford, 2006; Singer, P.W., *Corporate Warriors: The Rise of the Privatized Military Industry*, Cornell University Press, Ithaca, 2007.

[9] Shearer, David, *Private Armies and Military Intervention*, International Institute for Strategic Studies, OUP, 1998, p. 9.

[10] Ibid., p. 16.

[11] International Code of Conduct Association, 'The Code', <https://icoca.ch/the-code/>, accessed 29 December 2025.

[12] Interview 6, 5 June 2025.

[13] Interview 7, 11 June 2025.

[14] Interview 4, 30 May 2025.

[15] Interview 3, 28 May 2025; Interview 5, 02 June 2025; Interview 7, 11 June 2025.

[16] Melkozerova, Veronika, 'We Killed Ukrainian Children, Ex-Wagner Soldiers Say in Apparent Confession', *POLITICO Europe*, April 2023, <https://www.politico.eu/article/former-wagner-group-commanders-azmat-uldarov-alexey-savichev-confess-murder-ukraine-civilians-including-children/>, accessed 29 December 2025.

[17] Doxsee, Catrina, and Jared Thompson, *Massacres, Executions, and Falsified Graves: The Wagner Group's Mounting Humanitarian Cost in Mali*, Center for Strategic and International Studies, Washington, D.C., November 2022, <https://www.csis.org/analysis/massacres-executions-and-falsified-graves-wagner-groups-mounting-humanitarian-cost-mali>, accessed 29 December 2025; U.S. Department of State, Bureau of Democracy, Human Rights, and Labor, *Central African Republic 2022 Human Rights Report*, Country Reports on Human Rights Practices for 2022, U.S. Department of State, Washington, D.C., 2022, <https://www.state.gov/wp-content/uploads/2023/02/415610_CENTRAL-AFRICAN-REPUBLIC-2022-HUMAN-RIGHTS-REPORT.pdf>, accessed 29 December 2025; House of Commons Foreign Affairs Committee, *Guns for Gold: The Wagner Network Exposed*, Seventh Report of Session 2022–23, House of Commons, London, 2023; Human Rights Watch, 'Mali: Army, Wagner Group Atrocities Against Civilians', 28 March 2024, <https://www.hrw.org/news/2024/03/28/mali-army-wagner-group-atrocities-against-civilians>, accessed 29 December 2025; Human Rights Watch, 'Mali: Atrocities by the Army and Wagner Group', 12 December 2024, <https://www.hrw.org/news/2024/12/12/mali-atrocities-army-and-wagner-group>, accessed 29 December 2025; United Nations General Assembly and United Nations Security Council, *Children and Armed Conflict*, United Nations, New York, various years.

[18] Mazzetti, Mark, and James Risen, 'Blackwater Said to Pursue Bribes to Iraq After 17 Died', *The New York Times*, 10 November 2009, <https://www.nytimes.com/2009/11/11/world/middleeast/11blackwater.html>, accessed 30 December 2025; U.S. Department of Justice, 'Four Former Blackwater Employees Sentenced to Decades in Prison for Fatal 2007 Shootings in Iraq', Press release, United States Department of Justice, Washington, D.C., 13 April 2015, <https://www.justice.gov/archives/opa/pr/four-former-blackwater-employees-sentenced-decades-prison-fatal-2007-shootings-iraq>, accessed 30 December 2025.

[19] Interview 2, 27 May 2025; Interview 3, 28 May 2025; Interview 4, 30 May 2025; Interview 7, 11 June 2025.

[20] The purpose of the tactic is to inject fear into the non-state armed groups and thus stop them from occupying territory.

[21] Interview 2, 27 May 2025; Interview 3, 28 May 2025.

[22] Interview 2, 27 May 2025.

[23] Durso, James, and Christopher Mayer, 'Blackwater Pardons Were the Right Call', *DEFENSE.Info*, 1 August 2021, <https://defense.info/dannys-corner/2021/01/blackwater-pardons-were-the-right-call/>, accessed 29 May 2025.

[24] The Rome Statute sets the age limit at 15 and classifies the conscription, enlistment, or use of children under the age of 15 in hostilities—whether by national armed forces or non-state armed groups—as a war crime under Articles 8(2)(b)(xxvi) and 8(2)(e)(vii).

[25] 'Annual Report of the Secretary-General on Children and Armed Conflict', p. 3.

[26] Ibid., p. 5.

[27] Office of the United Nations High Commissioner for Human Rights, *Rapport du Haut-Commissariat des Nations Unies aux droits de l'homme sur les événements survenus à Moura*, OHCHR, Geneva, 12 May 2023, <https://www.ohchr.org/sites/default/files/documents/countries/mali/20230512-Moura-Report.pdf>, accessed 29 December 2025; United Nations, Office of the Special Representative of the Secretary-General on Sexual Violence in Conflict and Office of the United Nations High Commissioner for Human Rights, *Rapport sur les allégations de violences sexuelles liées au conflit à Dembia, République centrafricaine*, United Nations, New York, March 2025,

<https://www.un.org/sexualviolenceinconflict/wp-content/uploads/2025/03/report/auto-draft/20250304-minusca-ohchr-dembia-report.pdf>, accessed 29 December 2025.

[28] United Nations Human Rights Council, *Report of the Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination*, A/HRC/39/49, United Nations, Geneva, 13 July 2018.

[29] This was also articulated by one of the interviewees. They mentioned allegations of child recruitment by a PMSC but said the issue could not be adequately investigated due to its political sensitivity in the field country. Interview 6, 11 June 2025.

[30] United Nations, *Rome Statute of the International Criminal Court*, United Nations, Rome, 17 July 1998.

[31] 'Annual Report of the Secretary-General on Children and Armed Conflict', p. 3.

[32] Ibid., p. 5.

[33] Interview 6, 05 June 2025; Interview 7, 11 June 2025.

[34] International Code of Conduct Association (ICoCA), 'Sex Trafficking Scandal in Post-Conflict Bosnia', ICoCA, n.d., <https://icoca.ch/case-studies/sex-trafficking-scandal-in-post-conflict-bosnia/>, accessed 27 February 2025.

[35] 'Sex Trafficking Scandal in Post-Conflict Bosnia'.

[36] Ibid.

[37] Boone, Jon, 'Foreign Contractors Hired Afghan "Dancing Boys", WikiLeaks Cable Reveals', *The Guardian*, World News, 2 December 2010, <https://www.theguardian.com/world/2010/dec/02/foreign-contractors-hired-dancing-boys>, accessed 29 December 2025.

[38] Lardner, Richard, 'Contractors Behaving Badly Mean Headaches for U.S.', *NBC News*, 20 December 2010, <https://www.nbcnews.com/id/wbna40747012>, accessed 29 December 2025.

[39] 'Annual Report of the Secretary-General on Children and Armed Conflict', p. 3.

[40] Ibid., p. 5.

[41] Ibid., p. 5.

[42] Interview 4, 30 May 2025; Interview 7, 11 June 2025.

[43] Humanitarian Research Lab, *Intentional, Systematic, & Widespread: Russia's Program of Coerced Adoption and Fostering of Ukraine's Children, A Conflict Observatory Report*, Yale School of Public Health, New Haven, CT, 2024, <https://files-profile.medicine.yale.edu/documents/aa3bcb47-c4db-4d86-994c-22489c70581b>, accessed 29 December 2025.

[44] Ibid., p. 29.

[45] U.S. Department of the Treasury, 'Treasury Sanctions Russian Proxy Wagner Group as a Transnational Criminal Organization', Press release, U.S. Department of the Treasury, Washington, D.C., 26 January 2023, <https://home.treasury.gov/news/press-releases/jy1220>, accessed 29 December 2025.

[46] Interview 3, 30 May 2025.

[47] United Nations Children's Fund (UNICEF), 'Child Displacement and Refugees', *UNICEF Data*, June 2025, <https://data.unicef.org/topic/child-migration-and-displacement/displacement/>, accessed 29 December 2025.

[48] Office of the United Nations High Commissioner for Human Rights (OHCHR), 'CAR: Experts Alarmed by Government's Use of "Russian Trainers", Close Contacts with UN Peacekeepers', Press release, OHCHR, Geneva, 31 March 2021, <https://www.ohchr.org/en/press-releases/2021/03/car-experts-alarmed-governments-use-russian-trainers-close-contacts-un>, accessed 29 December 2025.

[49] Interview 3, 30 May 2025; Interview 4, 02 June 2025; Interview 6, 11 June 2025.

[50] Amnesty International, *'What I Saw Is Death': War Crimes in Mozambique's Forgotten Cape*, Amnesty International, London, AFR 41/3545/2021, 2021, <https://www.amnesty.org/en/documents/afr41/3545/2021/en/>, accessed 29 December 2025.

[51] Ibid., p. 17.

[52] Interview 4, 30 May 2025.

[53] Interview 6, 05 June 2025.

[54] Interview 3, 28 May 2025.

[55] Office of the Special Representative of the Secretary-General on Children and Armed Conflict and United Nations Children's Fund, *Denial of Humanitarian Access to Children: A Guidance Note for the Children and Armed Conflict Agenda*, United Nations, New York, 2025, p. 17.

[56] 'Annual Report of the Secretary-General on Children and Armed Conflict', p. 3.

[57] Ibid., p. 13.

[58] Interview 3, 28 May 2025.

[59] Knell, Yolande, and Imogen Foulkes, 'US Confirms Plan for Private Firms to Deliver Gaza Aid despite UN Alarm', *BBC News*, 9 May 2025, <https://www.bbc.com/news/articles/cp92rlm300mo>, accessed 15 October 2025.

[60] Ahmed, Kaamil, et al., 'Eleven-Minute Race for Food: How Aid Points in Gaza Became "Death Traps" – a Visual Story', *The Guardian*, 22 July 2025, <https://www.theguardian.com/global-development/2025/jul/22/food-aid-gaza-deaths-visual-story-ghf-israel>, accessed 15 October 2025.

[61] Junli, Lim, 'The Privatisation of Humanitarian Aid and Its Implications', *RSiS,* 24 June 2025, <https://rsis.edu.sg/rsis-publication/idss/ip25068-the-privatisation-of-humanitarian-aid-and-its-implications/>, accessed 22 November 2025.

[62] United Nations, 'OHCHR: Palestinians in Gaza Continue to Be Killed by Starvation or by Bullets from the Israeli Military While Trying to Access Food', UN Question of Palestine, 22 July 2025, <https://www.un.org/unispal/document/ohchr-palestinians-in-gaza-continue-to-be-killed-by-starvation-or-by-bullets-from-the-israeli-military-while-trying-to-access-food/>, accessed 25 November 2025.

[63] Frankel, Julia, and Sam Mednick, 'US Contractors Say Their Colleagues Are Firing Live Ammo as Palestinians Seek Food in Gaza', *AP News*, 3 July 2025, <https://apnews.com/article/palestinians-israel-gaza-contractors-aid-distribution-fe27f3ea83e06a09d66424eed7a5d56f>, accessed 15 October 2025.

[64] For humanitarian actors working to protect children, this necessitates the inclusion of PMCs in stakeholder mapping and contextual analysis. Understanding who these actors are, whom they

represent, and how they operate is a prerequisite for mitigating risks and safeguarding child rights in complex operational environments.

[65] Protocol Additional to the Geneva Conventions of 12 August 1949, and Relating to the Protection of Victims of International Armed Conflicts (Protocol I), Geneva, 1977, <https://ihl-databases.icrc.org/en/ihl-treaties/api-1977>, accessed 17 September 2025.

[66] Kinsey, Christopher, *The Mercenary: An Instrument of State Coercion*, Oxford University Press, Oxford, 2023.

[67] Organization of African Unity (OAU), *Convention for the Elimination of Mercenarism in Africa*, OAU, Libreville, 3 July 1977, <https://ihl-databases.icrc.org/en/ihl-treaties/oau-mercenarism-1977?activeTab=undefined>, accessed 30 December 2025; United Nations, *International Convention against the Recruitment, Use, Financing and Training of Mercenaries*, United Nations, New York, December 1989, <https://ihl-databases.icrc.org/en/ihl-treaties/conv-mercenaries-1989?activeTab=undefined>, accessed 30 December 2025.

[68] The Prosecutor v. Tadić, Case No. IT-94-1-AR72, International Criminal Tribunal for the former Yugoslavia, 2 October 1995, <https://www.icty.org/en/case/tadic>, accessed 18 November 2025; International Committee of the Red Cross, 'Commentary of 2016 on the Geneva Convention (I) for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field', IHL Database, 2016, <https://ihl-databases.icrc.org/en/ihl-treaties/gci-1949/article-1/commentary/2016>, accessed 19 October 2025.

[69] International Committee of the Red Cross, *Commentary of 2016 on the Geneva Convention (I) for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field*, ICRC, Geneva, 2016.

[70] International Committee of the Red Cross, *Interpretive Guidance on the Notion of Direct Participation in Hostilities under International Humanitarian Law*, ICRC, Geneva, 2009.

[71] International Committee of the Red Cross, *Commentary on Additional Protocol I to the Geneva Conventions*, ICRC, Geneva, 2018, arts. 4 and 43; Articles on Responsibility of States for Internationally Wrongful Acts (ARSIWA), arts. 4, 5 and 8.

[72] International Committee of the Red Cross, *Protocol Additional to the Geneva Conventions of 12 August 1949, and Relating to the Protection of Victims of International Armed Conflicts (Protocol I)*, ICRC,

Geneva, 8 June 1977, <https://ihl-databases.icrc.org/en/ihl-treaties/api-1977>; International Committee of the Red Cross, *Protocol Additional to the Geneva Conventions of 12 August 1949, and Relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II)*, ICRC, Geneva, 8 June 1977, <https://ihl-databases.icrc.org/en/ihl-treaties/apii-1977>.

[73] Rome Statute of the International Criminal Court, 1998.

[74] Office for the Coordination of Humanitarian Affairs (OCHA), *IASC Non-Binding Guidelines on the Use of Armed Escorts for Humanitarian Convoys*, United Nations, New York, 2013; Office for the Coordination of Humanitarian Affairs (OCHA), *Civil–Military Guidelines and Reference for Complex Emergencies*, United Nations, New York, 2008; 'Interpretive Guidance on Direct Participation in Hostilities'; International Committee of the Red Cross (ICRC), *Professional Standards for Protection Work Carried Out by Humanitarian and Human Rights Actors in Armed Conflict and Other Situations of Violence*, ICRC, Geneva, 2018.

[75] Stinnett, Nathaniel, 'Regulating the Privatization of War: How to Stop Private Military Firms from Committing Human Rights Abuses', *Boston College International & Comparative Law Review*, vol. 28, no. 2, 2005, pp. 211–223; Has, Özlem, 'Regulating Private Military and Security Companies: A Comparative Study of National Approaches in the US, Turkey, and Russia', *Journal of Conflict and Security Law*, vol. 30, no. 3, 2025, pp. 359–375, <https://doi.org/10.1093/jcsl/kraf012>, accessed 30 December 2025.

[76] Kinsey, *The Mercenary: An Instrument of State Coercion.*

[77] United Nations Office of the High Commissioner for Human Rights, *Guiding Principles on Business and Human Rights: Implementing the United Nations "Protect, Respect and Remedy" Framework*, United Nations, New York and Geneva, 2011; United Nations Office of the High Commissioner for Human Rights*, Principles for Responsible Contracts: Integrating the Management of Human Rights Risks into State–Investor Contract Negotiations*, United Nations, New York and Geneva, 2015; United Nations Children's Fund*, Children's Rights and Business Principles*, UNICEF, United Nations Global Compact and Save the Children, New York, 2012.

[78] International Committee of the Red Cross and Swiss Federal Department of Foreign Affairs, *The Montreux Document on Pertinent International Legal Obligations and Good Practices for States related to Operations of Private Military and Security Companies during Armed Conflict*, ICRC and FDFA, Geneva, 2008.

[79] 'The Code'.

[80] International Code of Conduct Association, 'Registering a Complaint', <https://icoca.ch/registering-a-complaint/>, accessed 23 December 2025.

[81] International Code of Conduct Association, 'Capacity Building', <https://icoca.ch/what-we-do/capacity-building/>, accessed 23 December 2025.

[82] International Organization for Standardization (ISO), *ISO 18788:2015—Management System for Private Security Operations: Requirements with Guidance for Use*, ISO, Geneva, 2015, https://www.iso.org/standard/63380.html, accessed 23 December 2025.

[83] International Committee of the Red Cross, *Geneva Convention (IV) Relative to the Protection of Civilian Persons in Time of War*, ICRC, Geneva, 12 August 1949, <https://ihl-databases.icrc.org/en/ihl-treaties/gciv-1949?activeTab=>, accessed 30 December 2025.

[84] United Nations, *Convention on the Rights of the Child*, General Assembly resolution 44/25, United Nations, New York, 1989, <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-rights-child>, accessed 30 December 2025.

[85] United Nations, *Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict*, United Nations, New York, 25 May 2000, <https://ihl-databases.icrc.org/en/ihl-treaties/crc-opac-2000?activeTab=>, accessed 17 December 2025.

[86] Safe Schools Declaration, *Safe Schools Declaration*, Global Coalition to Protect Education from Attack, Oslo, 29 May 2015; United Nations Children's Fund, *The Paris Principles: Principles and Guidelines on Children Associated with Armed Forces or Armed Groups*, UNICEF, New York, February 2007; Government of Canada, *The Vancouver Principles on Peacekeeping and the Prevention of the Recruitment and Use of Child Soldiers*, Government of Canada, Vancouver, November 2017.

[87] Rome Statute of the International Criminal Court, Art. 8(2)(b)(xxvi) and Art. 8(2)(e)(vii).

[88] Machel, Graça, *Promotion and Protection of the Rights of Children: Impact of Armed Conflict on Children*, Report of the Secretary-General, A/51/306, United Nations General Assembly, United Nations, New York, 1996, <https://www.onlinelibrary.iihl.org/wp-content/uploads/2021/04/Machel-Report-Impact-Armed-Conflict-Children-EN.pdf>, accessed 15 December 2025.

[89] United Nations Security Council, *Resolution 1261*, S/RES/1261, United Nations, New York, 25 August 1999.

[90] 'Six Grave Violations', n.d., <https://childrenandarmedconflict.un.org/six-grave-violations/>, accessed 25 February 2025.

[91] United Nations Children's Fund, *25 Years of Children and Armed Conflict: Taking Action to Protect Children in War*, UNICEF, p. 9.

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