

Meeting of the Working Group on the use of private military and security companies in maritime security (Maritime Working Group)

12 January 2022, online

CHAIR'S SUMMARY

1. Introduction

The 8th exchange of the Working Group on the use of private military and security companies in maritime security (Maritime Working Group) was attended by Montreux Document participants (MD participants), the co-Chairs of the Montreux Document Forum, Switzerland and the ICRC, and the Montreux Document Forum Secretariat, DCAF. The meeting was conducted in an online format, which facilitated the participation of several State representatives from capital. The meeting allowed for an update on the dissemination of the *Reference Document - Elements for a maritime interpretation of the Montreux Document* (Reference Document).

2. Opening statement by the Chair of the Working Group

In the opening remarks, the Chair of the Maritime Working Group, Mateus Kowalski, Director of the International Law Department, Department of Legal Affairs - Ministry of Foreign Affairs of Portugal, acknowledged that the Maritime Working Group had reached an important milestone, given that the Reference Document was finalised and published.

3. Reference Document - Elements for a maritime interpretation of the Montreux Document: Outreach strategy

The Chair proposed that the Maritime Working Group focused on outreach and dissemination of the principles, rules, and good practices applicable in the context of maritime security. The Chair noted that outreach in the context of the Montreux Document should not be about disseminating the Reference Document itself, but rather implementing and disseminating the norms of International Humanitarian Law and International Human Rights Law reaffirmed in the MD. The Reference Document is therefore an important outreach tool, as it consists of an interpretation and application of the MD to this very specific area. For this purpose, the Chair will propose to MD participants an outreach strategy.

Given that the Maritime Working Group did not have meetings in 2021, the Chair offered an update on the efforts carried out by Portugal to promote the principles, rules and good practices contained in the Reference Document. In particular, Portugal promoted the Reference Document and the work of the Maritime Working Group in regional meetings and meetings of legal experts on maritime security, such as:

- During the presidency of Portugal of the European Union Council during the first semester of 2021.
- In the MDF Regional Conference for the Middle East and North Africa region in June 2021.
- In the Committee on hemispheric security of the Organization of American States meeting in October 2021.
- In the context of the Virtual Working Group 1 (Legal) of the G7++ Friends of the Gulf of Guinea process.

4. Discussion

Several participants congratulated the Chair for the outreach efforts carried out in 2021. Participants and the Chair discussed venues and means to promote the Reference Document with a view to developing the coming outreach strategy, in which several participants expressed interest.

5. Conclusions

With regards to the way forward, the Maritime Working Group will focus on outreach activities and assistance to interested parties to share the good practices identified in the Reference Document. A draft outreach strategy will be shared by the Chair of the Maritime Working Group for consultation and approval with MD participants.

In case there are further questions or comments, please refer them to the Secretariat of the Montreux Document Forum (secretariat@montreuxdocument.org).