



Working Group on the International Code of Conduct
Association (ICoCA Working Group)

Working Group on the International Code of Conduct Association Meeting of 2 September 2019

Chair's Summary

1. Introduction

The eleventh exchange of the Working Group on the International Code of Conduct Association (ICoCA Working Group) was attended by Montreux Document Participants, the Co-Chairs of the Montreux Document Forum, Switzerland and the ICRC, the MDF Secretariat, DCAF, as well as the Executive Director and the Chairman of the Board of Directors of the ICoCA. Participants heard updates from the Chairman of the Board of ICoCA and the Executive Director on the recent and future activities as well as the Strategic Plan of the Association.

2. Opening statement by the Chair (USA) of the ICoCA Working Group

During the opening remarks, Mr. Ian McKay, representing the United States as the Chair of the Working Group, provided a brief summary of the last meeting of the Working Group and recalled the agenda of the event. Subsequently, the Chairman of the Board of Directors of the ICoCA, Rémy Friedmann, reminded participants that his second term as Chairman is coming to an end by November. The Chairman further emphasized that currently only three member Governments of the ICoCA are represented on the board of directors, namely Switzerland, the United Kingdom and the United States, leaving one seat vacant. Moreover, Mr. Friedmann encouraged Montreux Document Participants to join the Association and possibly introduce candidates for the board, emphasizing on the simplicity of the process to becoming ICoCA member. Finally, the Chairman underlined the consistency of the ICoCA with efforts of States to fulfil their business and human rights responsibilities under the United Nations Guiding Principles on Business and Human Rights, as well as efforts under international humanitarian law and international human rights law.

3. Update from the ICoCA Executive Director

A) Activities of the Association

- Membership and Certification

The membership currently includes 7 government members, 33 Civil Society Organisations and 91 security companies, with new members from Honduras, Afghanistan and Iraq. The Association is looking into increasing numbers across all pillars. There are currently 20 certified companies.

- Guidelines on prevention of sexual abuse and exploitation

These guidelines are part of the implementation of the International Code of Conduct Article 38. The ICoCA developed the guidelines along with a toolkit for private security companies to include in their policies, procedures and oversight, representing the first such guidelines for private security companies.

- Company Self-Assessment

The Company Self-Assessment (CSA) is an online written assessment that ICoCA member companies must complete on an annual basis. The CSA helps Member Companies reflect on successes, challenges and concerns on how the company implements the Code. The CSA was launched in August 2019. As a multi-stakeholder initiative, ICoCA aims to monitor the activities of private security companies, foster capacity building and address misconduct by member companies in relation to the International Code of Conduct. This year, the Self-Assessment tool focuses on Use of Force, selection and vetting, as well as other questions coming out of field-based reviews. The indicators are available online.

- Upcoming events:

- October 17: Webinar

The Webinar is co-hosted with the Voluntary Principles Initiative and will focus on clients' responsibilities with regard to regulating private security.

- 6 November: Panel during Geneva Peace Week

Co-hosting with DCAF, ICoCA is organising a panel on issues linked to supply chains, as well as clients' responsibility of due diligence. DCAF, ICoCA, Center for Civilians in Conflict (Member CSO on the Board of Directors of ICoCA), as well as a client of private security will be participating.

- 20 and 21 November: General Assembly

The next General Assembly will be held 20 and 21 November in Geneva and will be open to members as well as non-members.

- 16 and 17 December: Conference in China

The ICoCA will be present in Kunming, China, during a symposium organised by the regional delegation of the ICRC on the regulation of PSCs.

- Field Missions

Over the next few months, ICoCA is planning on carrying out several field missions to the Middle East, Africa, as well as Latin America. Next to the gathering of knowledge on the private security landscape and human rights challenges, these visits will seek to strengthen the Association's collaboration with both private security companies and civil society organizations

B) Strategic Plan 2019-2023 – Priority Objectives

The Strategic Plan 2019 - 2023 was developed in order to move beyond the foundation years of the Association and was adopted by the board in May 2019 after a very thorough process, which allowed for broad consultations with different stakeholders. The Strategic Plan is heavily based on an assessment of the current state of the private security landscape. The evolution of the private security landscape since the adoption of the Code was marked by:

- a substantial growth in diversity of the private security industry, both in terms of services offered, as well regarding countries and regions private security companies are active in;
- the market being less dominated by Western-based companies, with a much broader variety of local security companies that take on an increasing market share, and at times partner up with larger companies;
- a change in clients of private security services. Whereas governments used to be the major clients of private security companies, today many private entities, international organisations and CSOs are contracting private security as well.
- Finally, there is a growing interest from civil society organisations, as well as media, in regard to how private security companies are operating and how due diligence is conducted.

The Executive Director illustrated four main goals of the strategic plan:

- **GOAL 1: ICoCA wishes to build the capacity of private security companies to implement the Code of Conduct and become certified Members of ICoCA**

The Executive Director stated the goal aims to elaborate how to work with companies operating in complex environments and build their capacity to drive them towards achieving certification. The Executive Director briefly introduced two possible membership models under consideration that would allow the Association to better engage with companies that are not yet certified. First, the progressive model, would enable member companies to work towards achieving certification while maintaining their membership status. Second, the affiliate model, would create a new category for companies to be part of the Association before becoming certified. Both models are designed to incentivize private security companies to raise their standards.

- **GOAL 2: ICoCA will build upon and continue to develop effective systems for evaluating compliance with the Code of Conduct and addressing non-compliance.**

The Executive Director explained that this goal focuses on the monitoring part of the Association. It includes building an evidence-based system supporting routine monitoring and evaluation of member companies as well as a system to identify non-compliance. This is facilitated through the company self-assessments, as well as field-based evaluations of the companies. Further, this objective recognises the need to engage more with local civil society organisations, which is key in terms of private security oversight.

- **GOAL 3: ICoCA aims to diversify and expand ICoCA's Membership among companies, governments and civil society, and ICoCA's engagement with other relevant stakeholders.**

From a government perspective, the Executive Director underlined that the ICoCA only counts seven governments members at the moment. The Executive Director explained that clients and security companies often inquire what their respective governments are doing regarding private security regulation. The Executive Director therefore underlined that government membership can constitute a tool to foster implementation of good practices by private security companies. This goal also includes addressing other important stakeholders, such as civil society organisations and private security companies.

- **GOAL 4: The Association will develop and protect a distinct and credible worldwide brand reflecting ICoCA's leadership role.**

The Executive Director emphasised that as a fairly young multi-stakeholder organisation, the association aims to improve its branding and recognition. Branding involves closely working with the Montreux Document Forum, but also with other stakeholders, such as donors, insurance companies and trade associations.

4. Discussion of the Strategic Plan

One participant asked for clarification regarding the first goal and the prospective new membership status. The Executive Director reiterated that the issue is currently being discussed by the Board but will be decided at the Annual General Assembly (AGA) and encouraged attendees to be actively involved in the AGA.

Another participant inquired whether, based on the observations of the Association, there are any target countries or regions where ICoCA aims to expand government membership. The Executive Director clarified that given the geographic diversity of member companies, the Association currently follows a broad geographic strategy. Following these questions, the Executive Director asked for inputs regarding obstacles to participation in the ICoCA for Montreux Document participants. Participants discussed options for expanding participation and membership, to include potential events in Geneva.

In closing, the Chair once again invited MD participants to further engage bilaterally with the Association, and to discuss particular priority areas of interest for the ICoCA.

In case there are any further questions or comments, please refer them to the Secretariat of the Montreux Document Forum (s.kung@dcaf.ch).