



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

Third Draft of the Reference Document

Elements for a maritime interpretation of 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

Maritime Working Group

Sixth Exchange of the Working Group on the use of private military and security companies in maritime security

Third Draft

Keeping the “big positives” in the Second Draft

- Structure
 - Not a mirror of the MD
 - Remains a shorter, more simplified text
- Neutral and flexible language
- Clear identification and explanation of the roles of different States (Obligations and Good Practices)
- Focus on Flag States
- Focus on the elements of the MD (mainly Good Practices) that are most relevant in the maritime context

Third Draft

What is new?

- Draft incorporates feedback received from 17 entities
 - Montreux Document Participants
 - Security industry (including ICoCA members)
 - Shipping industry
 - Experts from ONGs and Academia
- Feedback was incorporated as much as possible
 - Where incorporation was not possible, the feedback is at least described in a side-comment for Participants to know of and comment upon;
 - Remaining concerns/questions can be raised during this meeting.

Third Draft

What is new?

- Enhanced textual consistency
 - Inconsistencies in spelling were addressed
 - Streamlining language and wording (incl. legal and other technical terms)
- Generally improved interpretative guidance
 - Parts of the text were changed into clearer/more accurate sentences in reaction to doubts and suggestions by the feedbackers;
 - The inputs from experts, academics, civil society, relevant organizations in the public and private sectors make for a more credible, comprehensive and accurate interpretative guidance;

Way forward (indicative)

- **June to September 2020**

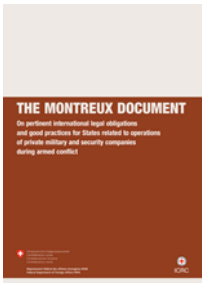
- Optional: Final round of formal consultations (to Participants alone)
- Portugal and the Secretariat consolidate a final draft (Third-*bis* or Fourth Draft)

- **September or October 2020** *(depending on new round of formal consultations)*

Adoption of the final draft by the Maritime WG (silence procedure)

- **November 2020: MDF Plenary**

Approval of the Reference Document by the MDF Plenary



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

Third Draft of the Reference Document

Elements for a maritime interpretation of 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

Maritime Working Group

Sixth Exchange of the Working Group on the use of private military and security companies in maritime security