



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

Addendum to Chair's Summary

Working Group on the International Code of Conduct Association Meeting of 6 July 2017

1. Background

Recalling Paragraph 12 of the [Working Practices of the MDF](#) and the [ICoCA Working Group guidelines](#), wherein the Working Group performs the functions of the Advisory Forum of Montreux Document Participants as provided for by the Articles of ICoCA. Its mandate is, in accordance with Article 10 of the Articles of Association, "to provide advice to the Association on national and international policy and regulatory matters."

Pursuant to that purpose and the specific request made by the ICoCA Working Group to the Chairman of the ICoCA Board of Directors during the July 6 meeting, the Chair of the ICoCA Working Group circulated the following documents to all Montreux Document participants for consultation:

- (1) Proposed Amendment to the Articles of Association on Transitional Membership
- (2) Proposed Amendment to the Certification Procedure

The ICoCA began a series of consultations regarding these proposals in the first week of September in preparation for their Annual General Assembly.

On this basis, Montreux Document participants were asked to review these proposals to determine if there are any existing or proposed national regulations or policies or intergovernmental developments within the respective State or region which could affect the implementation of these proposals by the ICoCA.

2. Advice provided by Montreux Document participants

General comments:

Three Montreux Document participants submitted written statements indicating no issues or concerns with the proposed amendments.

One State indicated no inconsistency with domestic procurement law nor other commercial issues and that the amendments are constructive in that all companies providing services should either be 'in transition' or 'certified.' The amendments remain consistent with the State's current approach to contracts. This State also indicated, however, that the documents are not particularly accessible and that for the sake of stakeholders and in the interests of industry transparency, simplicity might be encouraged.

(1) Proposed Amendment to the Articles of Association on Transitional Membership:

One State proposed that Transitional Members should be clearly distinguished from ICoCA Certified Members. To ensure clear distinction and so that anyone contracting with transitional members understands their transitional status, the State proposes the following amendment to Article 3.3.1: “Transitional Members may only describe themselves as an ‘ICoCA Transitional Member.’”

(2) Proposed Amendment to the Certification Procedure:

One State indicated that it is important that certification bodies would continue to be held to a high standard in accordance with the Montreux Document and ICoCA’s objectives and principles. On a general note, the State indicated that it would be useful to understand in more detail from the ICoCA why the current certification process is not adequate. Understanding that ICoCA is extending its system of transitional membership due to current delays in certification, the proposed amendment to the certification procedure would allow a more streamlined process and introduce an additional pathway for accreditation of certification bodies. However, if the delays in certification are due to fundamental concerns about the standards of private security companies (rather than bureaucratic delays), that gives rise to further concern.

3. Next steps

This addendum will be included with the Chair’s Summary and transmitted to the ICoCA for their review leading up to the Annual General Assembly taking place in 12 October 2017 in Geneva.
