



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

Working Group on the International Code of Conduct Association Meeting of 29 November 2018

Chair's Summary

1. Introduction

The tenth exchange of the Working Group on the International Code of Conduct Association (ICoCA Working Group) was chaired by of the United States of America (USA) and held in Geneva on 29 November 2018. The meeting was attended by Montreux Document (MD) participants, Mr. Jamie Williamson, the Executive Director of the ICoCA, the Co-Chairs of the MDF (Switzerland and the International Committee of the Red Cross (ICRC)), and the Secretariat of the Montreux Document Forum [(Geneva Centre for the Democratic Control of Armed Forces (DCAF)]. This summary provides a brief account of the key issues discussed during the meeting. Its content is the sole responsibility of the Chair and does not reflect the consensual view of participants.

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, recalled the main points of the agenda.

The opening remarks were complemented by an intervention from Switzerland, as the Co-Chair of the Montreux Document Forum, together with the ICRC. The representative of Switzerland presented the early planning for the 2019 Plenary meeting of the MDF. The date of the 2019 plenary has not yet been set, and will depend on preparatory work for the 33rd International Conference of the Red Cross and Red Crescent which will occupy the co-Chairs considerably in 2019. The Co-Chairs would welcome proposals or themes to address in the upcoming Plenary, as well as comments on how to structure the Plenary meeting. Participants can contact the Swiss Permanent Mission to the UN in Geneva, the ICRC, or the Secretariat directly with any questions or comments in this regard. The Co-Chairs also intend to consult with the Group of Friends on preparations for the 2019 Plenary.

Switzerland also noted that several regional seats in the Group of Friends are to be filled in 2019 (the Asia-Pacific Group, the Eastern European Group, and the Western European and Others Group), and encouraged participants to consider nominations for those roles.

3. Comments from ICoCA Chairman of the Board

The presentation by Rémy Friedmann, representative of Switzerland and Chair of the Board of Directors of ICoCA, recalled the background of the establishment of the ICoCA Working Group of the Montreux Document Forum. He underlined that the ICoCA has developed into an operational, hands-on multi-stakeholder initiative, based on the MD and the United Nations Guiding Principles on Business and Human Rights. Switzerland encouraged more Governments to join them in the common effort and participate in the governance of the ICoCA.

4. Thematic discussion: ICoCA Strategic Plan

Background: Requirements of the Strategic Plan

The goal of this session was to discuss the five goals as laid out in the draft ICoCA strategic plan, as well as to begin collecting ideas for the next stage of the plan: developing measurable objectives and identifying activities to achieve those objectives.

The Executive Director began his presentation by mapping out the main trends in the private security landscape that have shaped the five goals of the strategic plan. He emphasized that the industry is increasingly global, with activities in many different regions of the world, and increasingly dominated by smaller companies.

The Executive Director explained how the ICoCA can be a tool for clients and governments to incentivize private security companies to act responsibly. He added that donors and investors are also of particular importance in influencing the choices of private security companies. They decide on how financial resources are allocated, and ultimately bear a responsibility in terms of how their funds are being dispersed in fragile environments. Discussions with donors and investors have revealed that they are increasingly aware that security is an issue they need to take into account, and the ICoCA may serve as a helpful tool for them as well.

Description of the ICoCA Strategic Plan

The Executive Director presented each of the five goals identified in the Strategic Plan.

1. Build the capacity of Member companies to comply with the Code of Conduct

This goal focuses on the support the Association can provide to member companies to help them meet their commitments under the Code, such as the development of guidance tools. It encompasses efforts by the Association to promote effective engagement between affected communities, civil society organisations (CSOs), and private security companies to facilitate the sharing of technical expertise for addressing community-based concerns. Tapping into resources offered by these and other institutions can prove beneficial to developing best practices for private security providers.

2. Develop effective systems for evaluating compliance with the Code of Conduct and addressing non-compliance

The ICoCA has a mandate to ensure that member companies of the Association are putting in place the systems and processes needed to meet their commitments under the Code of Conduct, and that they are excluded from the membership if they fail to meet their obligations. This entails the development of appropriate indicators for assessing company performance, and the effective implementation of the Association's functions: certification, monitoring, and complaints.

3. Engage with other relevant actors in supporting implementation of the Code of Conduct

Given the range of companies and the environments that private security companies work in, it is important to tap into different multilateral platforms, such as international fora, trade associations, and other entities in different parts of the world.

4. Diversify and expand ICoCA's membership among companies, governments, civil society and other relevant stakeholders

To fulfil its global mandate, the Association recognizes the importance of ensuring a diverse membership. This includes diversification of membership in terms of nationalities, but also expertise across each of the

three pillars. It also entails dialogue with the full range of different ministries in governments to ensure all relevant actors are engaged in the process.

5. *Be the leading international governance and oversight framework for the responsible provision of private security services and have a distinct and credible worldwide brand.*

The ICoCA is a unique platform bringing PSCs to the table to interact with CSOs and governments, and has the potential to make a practical contribution to raising the standards of private security companies around the world.

Discussion

During the subsequent discussion, one participant asked why the three core functions of the ICoCA (certification, monitoring, and complaints) do not appear in the five goals of the strategic plan. The Executive Director explained that the Association is aiming to move away from a siloed approach towards a more integrative system, with the different parts working together. As a result, the goals are not framed in terms of the three core functions of the Association.

Another participant inquired about concrete examples of the complaint mechanism. The Executive Director stated that ICoCA had processed in excess of 30 communications many of which were making a range of allegations against companies in the maritime sector, and many labour-related

In closing, the Executive Director solicited further comments through the MDF WG, the Annual General Assembly, or bilaterally via members of the Board of Directors or the Secretariat. The Association is particularly eager to hear from governments on their priorities and the particular areas of focus they would like the ICoCA to work on.

Please refer any further questions or comments to the Secretariat of the Montreux Document Forum (s.kung@dcaf.ch).
