

SHADOW REPORT LAUNCH

Montreux Five Years On: An analysis of state efforts to implement *Montreux Document* legal obligations and good practices

Presented by the Initiative for Human Rights in Business, Center for Human Rights and Humanitarian Law

Tuesday, December 3, 2013
11:30 am – 3:30 pm

American University Washington College of Law
4801 Massachusetts Avenue, NW, Washington, DC 20016, 6th floor lounges

This year marks the fifth anniversary 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*. Drafted with multi-stakeholder input and currently supported by 46 states and the European Union, the *Montreux Document* recalls existing international humanitarian and human rights law obligations of states with regards to the activities of private military and security companies, and elaborates good practices to assist states in meeting those obligations. The report, *Montreux Five Years On*, highlights the significant and ongoing challenges that participating states face in meeting their legal obligations and implementing the good practices. The report provides recommendations to states, including the need to ensure better oversight of and accountability for private military and security companies and their personnel and to improve victims' ability to access justice.

The report is being released in advance of a conference, *Montreux +5*, hosted by the Swiss Government and the International Committee of the Red Cross (ICRC) from December 11-13 in Montreux. At the conference, findings will be presented of supporting states' implementation efforts, and examples of good practices will be shared based on information states provided in response to a questionnaire circulated by the Swiss and ICRC. *Montreux Five Years On*, drafted by a global team of academics, human rights activists, and experts on the private military and security industry, provides a critical counterpoint and identifies where there are gaps in states' efforts to meet their *Montreux Document* commitments.

- 11:30am-12:00pm** **Registration and lunch**
- 12:00pm-12:05pm** **Welcome** – *Hadar Harris*, Executive Director, Center for Human Rights & Humanitarian Law, Washington College of Law
- 12:05pm-12:15pm** **Opening remarks** – *Rebecca DeWinter-Schmitt*, Co-Director, Initiative for Human Rights in Business, Center for Human Rights & Humanitarian Law, Washington College of Law
- 12:15pm-1:00pm** **The U.S., U.K., and the U.N.: Implementation challenges and recommendations for Home States, Contracting States, and clients of the industry**
U.S.:
Exercising due diligence – *Kristine Huskey*, University of Arizona
Criminal accountability - *Rebecca DeWinter-Schmitt*, Co-Director, Initiative for Human Rights in Business

Civil liability – *Laura Dickinson*, George Washington University Law School
Access to effective remedy – *Kuzi Charamba*, McGill University

U.K.:

Annie O'Reilly, Legal Adviser to UN Special Rapporteur on Counter-Terrorism's Drones Inquiry and *Karinne Coombes*, Lawyer and Expert on PMSCs

U.N.:

Lou Pingeot, Global Policy Forum

1:00pm-1:15pm

Q and A

1:15pm-1:30pm

Iraq and Afghanistan: Implementation challenges and recommendations for Territorial States

Iraq:

Terri Rockefeller, September 11 Families for Peaceful Tomorrows

Afghanistan:

Leticia Armendariz, NOVACT

1:30pm-1:45pm

Q and A

1:45pm-2:00pm

Coffee Break

2:00pm-2:15pm

Africa and Latin America: Perspectives from other States, challenges, and recommendations

Africa:

South Africa – *Sabelo Gumede*, Private Security Industry Regulatory Authority
Sierra Leone – *Marco Boggero*, Johns Hopkins University, School of Advanced International Studies

Latin America:

Antoine Perret, European University Institute

2:15pm-2:30pm

Q and A

2:30pm-3:15pm

The Montreux Process: Stakeholder reactions and next steps

Civil society:

Tracey Begley, Legal Attaché, Legal Division, International Committee of the Red Cross

Business:

Mark DeWitt, Deputy General Counsel and Vice-President, Triple Canopy

Government:

Col. (ret.) Christopher Mayer, U.S. Defense Department Director of Armed Contingency Contractor Policy and Programs

Dr. Nikolas Stürchler, Legal adviser, Swiss Government UN Mission

3:15pm-3:25pm

Q and A

3:25pm-3:30pm

Closing remarks

Registration is free but required – please go to www.wcl.american.edu/secle/registration.

For further information, contact: Office of Special Events & Continuing Legal Education,
202.274.4075 or secle@wcl.american.edu.

To participate via audio online or phone, please register here

<https://www2.gotomeeting.com/register/723826442>. Participants will be sent an email with log-in instructions. Please note that the online audio conference will begin at 12:00pm.