International Code of Conduct for Private Security Service Providers

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Effective International PMSC Regulation

Key Challenges:

• Enforcement of laws outside area of jurisdiction

• Lack of consistent/coherent international standards

• Democratic and state responsibility deficits

• Lack of independent oversight and effective accountability
International Code of Conduct for Private Security Service Providers

International PSC Code of Conduct [ICoC]:
Multi-stakeholder process involving companies, states and civil society

- Sets out clear obligations and operational standards for PSCs based on international human rights standards
- Launches a multi-stakeholder process to establish effective oversight and compliance mechanisms
International Code of Conduct for Private Security Service Providers

1 June 2011 – 125 Signatory Companies, 33 States

Europe 68 54.4%
N. America 21 16.8%
Africa 19 15.2%
Asia 13 10.4%
L. America & Caribbean 3 2.4%
Australasia 1 0.8%

November 9, 2010 ICoC Signatory Conference
International Code of Conduct for Private Security Service Providers

International human rights standards –

*international public law standards that have been “translated” into*

- *Specific principles for conduct of personnel*
- *Specific principles for management and governance*
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Effective oversight and compliance mechanisms

*Company agreement to operate in accordance with Code of Conduct*

- Interim stage: unilateral declaration
- Contractual agreement with clients (e.g., UK)
- Contractual agreement with oversight institution
- Contract obligations easily cross borders
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Effective oversight and compliance mechanisms

Oversight and Compliance mechanism

- Certification
- Third-party independent oversight
- Complaints resolution
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Effective oversight and compliance mechanisms

Complementarity

• *Not a substitute for criminal law*

• *Meant to complement national and international regulation*
Effective oversight and compliance mechanisms

Temporary Steering Committee

*Equal representation of 3 stakeholder communities*

- States
- NGO’s
- Private Security Companies

Make decision by *consensus*
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Timetable [ICoC, paras. 11, 7 and 70]

- Workplan, March 2011
- Bylaws / Charter, July 2011
- Operational Plan, November 2011
- Independent External Oversight and Governance Mechanism, May 2012
- Review conference convened by Swiss government
UN Member States and ICoC: The Way Forward

– Dual capacity: client & regulator
  - Client: include standards in contracts with PSCs
  - Regulator: implement procedures/policies requiring compliance

– Engage actively in building oversight and governance mechanism
ICoC website: www.icoc-psp.org

Section Links
- The International Code of Conduct for Private Security Service Providers (ICoC)
  - French Translation
  - German Translation
- ICoC Signatory Companies
- Additional ICoC Signatory Companies as of 1 February 2011
- How to Become a Signatory Company
- The ICoC Process
- Steering Committee

Relevant Links
- The Swiss Initiative
- The Montreux Document
- DCaF
- Geneva Academy of International Humanitarian Law and Human Rights

News
Steering Committee Discussion Paper on ICoC Oversight and Governance Mechanism Click here for the Discussion Paper.

Minutes, 28 Feb 2011
Steering Committee Meeting Click here for the minutes.

For minutes of past Meetings, please visit Steering Committee page.

13 Additional Companies sign the ICoC to bring Signatory Company total to 71
1 Feb 2011 Click here to see the list of 13 additional Signatory Companies.

Calendar
Steering Committee meeting, 28 March 2011