



## Economic and Social Council

Distr.: Limited  
27 March 2012

Original: English

---

### Commission on Crime Prevention and Criminal Justice

#### Twenty-first session

Vienna, 23-27 April 2012

Item 6 of the provisional agenda\*

#### **World crime trends and emerging issues and responses in the field of crime prevention and criminal justice**

##### **United Arab Emirates: draft resolution**

The Commission on Crime Prevention and Criminal Justice recommends to the Economic and Social Council the adoption of the following draft resolution:

#### **Strengthening Government oversight of civilian private security services and the contribution of such services to crime prevention and community safety**

*The Economic and Social Council,*

*Recalling* Commission on Crime Prevention and Criminal Justice resolution 18/2 of 24 April 2009, entitled “Civilian private security services: their role, oversight and contribution to crime prevention and community safety,”

*Recalling also* the Salvador Declaration on Comprehensive Strategies for Global Challenges: Crime Prevention and Criminal Justice Systems and Their Development in a Changing World,<sup>1</sup> adopted by the Twelfth United Nations Congress on Crime Prevention and Criminal Justice, held in Salvador, Brazil, from 12 to 19 April 2010, in which Member States recognized the importance of strengthening public-private partnerships in preventing and countering crime in all its forms and manifestations,

*Recalling further* the Guidelines for the Prevention of Crime,<sup>2</sup> in the basic principles of which it is stated that cooperation and partnerships should be an integral part of effective crime prevention, given the wide-ranging nature of the causes of crime and the skills and responsibilities required to address them, and that includes partnerships working across ministries and between authorities, community

---

\* E/CN.15/2012/1.

<sup>1</sup> General Assembly resolution 65/230, annex.

<sup>2</sup> Economic and Social Council resolution 2002/13, annex.



organizations, non-governmental organizations, the business sector and private citizens,

*Emphasizing* that providers of civilian private security services are present in some States and that their services, while primarily preventive in nature, are increasingly complementing those provided by the criminal justice system and are often supportive of public safety,

*Mindful* of the fact that providers of civilian private security services may create challenges for the criminal justice system in countries with weak criminal justice institutions and in countries in post-conflict situations where the lack of efficient and trusted criminal justice agencies often leads to the increased presence of providers of civilian private security services, at the risk of creating a sector that is parallel to and competes with criminal justice institutions but lacks accountability,

*Taking note* of the notes by the Secretariat on civilian private security services: their oversight and their role in and contribution to crime prevention and community safety,<sup>3</sup>

*Recognizing* Commission on Crime Prevention and Criminal Justice resolution 19/1 of 21 May 2010, entitled “Strengthening public-private partnerships to counter crime in all its forms and manifestations”,

*Mindful* of the planning meeting held in Abu Dhabi on 10 and 11 May 2010, at which further study of the issue was recommended,

*Noting with appreciation* the meeting of the Expert Group on Civilian Private Security Services held in Vienna from 12 to 14 October 2011, and the resulting draft preliminary recommendations on oversight and regulation of civilian private security services and on the contribution of such security services to crime prevention and community safety,<sup>4</sup>

1. *Endorses* the recommendations of the Expert Group on Civilian Private Security Services, annexed to the present resolution, and agrees that they shall be known as the Abu Dhabi Guidelines on the Oversight and Regulation of Civilian Private Security Services and on Their Contribution to Crime Prevention and Community Safety;

2. *Urges* Member States to draw on the Guidelines, as appropriate, when developing or strengthening their strategies, policies and practices in relation to civilian private security services;

3. *Requests* the United Nations Office on Drugs and Crime and other relevant United Nations entities to disseminate the Guidelines widely, to other entities in the United Nations system and other interested entities;

4. *Requests* the United Nations Office on Drugs and Crime to provide Member States, upon request and subject to the availability of extrabudgetary resources, with technical assistance to support the use and application of the Guidelines, including by developing technical tools such as handbooks or manuals to support the use and application of the Guidelines.

---

<sup>3</sup> E/CN.15/2011/14 and E/CN.15/2012/20.

<sup>4</sup> E/CN.15/2012/20.

## Annex

### **Abu Dhabi Guidelines on the Oversight and Regulation of Civilian Private Security Services and on Their Contribution to Crime Prevention and Community Safety**

#### **A. Defining civilian private security services**

1. States may consider defining civilian private security services. While there is currently no commonly accepted definition of civilian private security services, the following criteria are considered indicative of such services:

(a) Civilian private security services provide security-related services with the overall objective of protecting or securing people, goods, sites, locations, events, processes and information from predominantly crime-related risks. Services with expressly or implicitly offensive mandates are not included in the category of civilian private security services;

(b) Civilian private security services are legal entities or individuals supplying services for payment;

(c) Civilian private security services are private entities or individuals, not public entities. They may include commercial firms and non-profit organizations, as well as individuals;

(d) Civilian private security services are officially accredited, regulated and supervised by the State;

(e) Services provided by civilian private security services may be preventive, may support public law enforcement agencies and, where permitted, may be complementary to public law enforcement agencies.

2. It should be noted that private security companies providing protection services on commercial ships may meet the above-mentioned criteria of civilian private security services, provided their primary function is protective, not offensive.

3. Private military companies and private military and security companies are excluded from the scope of the definition, even if part of their operations may fall within the scope of civilian private security services.

4. Although civilian private security services provide services in private prison and detention facilities in various countries, this is considered to be an area requiring specific attention and guidance and is therefore beyond the scope of the present Guidelines.

#### **B. Oversight and regulation of civilian private security services**

5. States may consider reviewing, evaluating and revising existing regulation on civilian private security services and, where no regulation exists, enacting specific comprehensive legislation for the regulation of civilian private security services that:

- (a) Defines civilian private security services;
- (b) Defines the activities and responsibilities of civilian private security services, including their obligations to maintain a register that transparently and efficiently provides for the control of installations, arms, ammunition and related equipment and to ensure that this information is made available to the competent authorities;
- (c) Defines any associated powers of providers and personnel of civilian private security services;
- (d) Defines activities that providers and personnel of civilian private security services are prohibited from undertaking, strictly limits the use of force and establishes a system to enforce sanctions for infractions;
- (e) Ensures that effective regulating mechanisms or bodies are established to oversee the conduct of civilian private security services within national borders, including the oversight of certification and training;
- (f) Includes the regular review and evaluation of the effectiveness of the regulations and the introduction of reforms to address any weaknesses;
- (g) Includes a code of conduct for personnel of civilian private security services.

6. States may also consider establishing standards of operations for civilian private security service providers that:

- (a) Set the minimum standards of eligibility for those who provide civilian private security services, including due diligence checks on owners of such services to prevent criminal control of civilian private security services;
- (b) Set the minimum standards for all spheres of operations and administration of civilian private security service providers;
- (c) Ensure compliance among civilian private security service providers with all national laws and regulations, including applicable international laws, national labour laws, practices and regulations relating to the personnel they employ, relevant health and safety rules, and respect for the human rights of all persons;
- (d) Provide for appropriate licensing regulations for civilian private security services, including provisions for various categories of licence where appropriate. In particular, the regulations may cover the need to ensure that adequate licence documentation is issued to personnel of civilian private security services and that the documentation is time-limited and contains at least a photograph and other relevant identification information.

7. States may further consider ensuring appropriate working conditions conducive to maximizing the effectiveness of personnel of civilian private security services that should include:

- (a) Ensuring that all licensed civilian private security services provide employees with a working and training environment in which minimum standards of health and safety are maintained;
- (b) Ensuring that the work of employees of civilian private security services is remunerated in accordance with set salary levels.

8. States may consider establishing minimum standards for the recruitment and selection criteria for personnel of civilian private security services that cover:

- (a) Standards of education and literacy and language skills;
- (b) Standards of character, including criminal records (and previous convictions) not appropriate for personnel working in the civilian private security service sector;
- (c) Standards of training and competence for all functions of personnel in civilian private security services;
- (d) The regular review of personnel of civilian private security services to ensure they continue to meet the above standards.

9. They may also consider encouraging relevant non-governmental organizations to play a part in the oversight of civilian private security services, by:

- (a) Identifying and preventing any abuses perpetrated by personnel and providers of civilian private security services;
- (b) Raising awareness of the standards with which personnel and providers of civilian private security services should comply.

10. In considering the applicability of the United Nations Convention against Corruption,<sup>5</sup> in particular articles 12 (private sector), 21 (bribery in the private sector) and 22 (embezzlement of property in the private sector), to civilian private security services, States may:

- (a) Ensure that contracts with civilian private security services contain specific no-bribery rules, and sanctions for non-compliance with such rules;
- (b) Appoint an appropriate corruption investigation body or similar external monitor to ensure the transparency of contracts between public security organs and civilian private security services;
- (c) Ensure that all training programmes of civilian private security services include topics such as avoiding bribery, corruption and other unlawful practices, and ethical business behaviour;
- (d) Ensure that the codes of conduct for civilian private security services strictly prohibit bribery, embezzlement, corruption and other unlawful practices, including unethical business practices;
- (e) Issue clear guidelines, to be updated periodically, to private security operators about the appropriate responses to make when offered a bribe, gift or hospitality;
- (f) Issue clear guidelines on appropriate behaviour for persons in a public security organ directly involved with a civilian private security service body regarding having financial interests or any personal involvement in that body;
- (g) Issue clear guidelines on the resolution of conflicts of interest in general;
- (h) Ensure that appropriate post-separation regulations are created for employees of public security organs and civilian private security service bodies;

---

<sup>5</sup> United Nations, *Treaty Series*, vol. 2349, No. 42146.

(i) Ensure that public security organs have adequate safeguards to prevent the abuse of procurement processes, such as through the unauthorized single source procurement (i.e. procurement without due bidding processes) of civilian private security services;

(j) Ensure that public security organs appoint civilian private security service bodies according to transparent and fair tender and other procedures;

(k) Ensure that civilian private security service operators are strictly prohibited from embezzling any property, funds or items of value entrusted to them or obtained by them by virtue of their position;

(l) Ensure that appropriate regulations exist in States where law enforcement personnel are permitted to work as personnel for civilian private security services when off duty.

### **Complaints, inspections and sanctions**

11. Without prejudice to the normal criminal justice system procedures, States may consider subjecting civilian private security services and their personnel to procedures relating to the receipt and investigation of complaints against them. To that end, they may consider:

(a) Establishing mechanisms for the receipt and impartial investigation of complaints by any person against personnel and providers of civilian private security services;

(b) Defining the type of complaints to be subject to such mechanisms;

(c) Utilizing an impartial body to determine guilt and penalties for the most serious complaints and create an appropriate appeals process;

(d) Publicizing the existence of those provisions;

(e) Ensuring that serious cases are prosecuted under the criminal justice system.

12. States may also consider developing standards on the provision of civilian private security services and encouraging the development of codes of conduct by private industry.

13. States may further consider ensuring that civilian private security service providers are subject to regular inspections to maximize compliance, and allocating adequate resources for that purpose.

14. States may consider specifying appropriate penalties for transgressions and breaches of regulations on civilian private security services and for non-compliance with such regulations.

### **Training of civilian private security services**

15. Where States decide to adopt standards on the training of personnel of civilian private security services, the following elements may be included in such standards:

(a) Specific guidance on the topics to be covered;

(b) Guidance on the subjects that should be completed by all personnel as a minimum. Those subjects could include:

- (i) The role of civilian private security services and their contribution to crime prevention and community safety;
- (ii) The relevant legislation relating to powers of arrest, evidence and the use of force;
- (iii) Communication skills relating to oral and written reports;
- (iv) Conflict resolution and de-escalation skills;
- (v) Customer and client service skills;
- (vi) Emergency procedures for natural disasters, accidents and other emergencies;
- (vii) Human rights and adherence to national and international human rights standards and norms;

(c) Basic standard operating procedures on firearms and non-lethal weapons operation and minimum training standards (including refresher courses) for personnel who use firearms and other weapons;

(d) A set of training standards for each sphere that all levels of personnel of civilian private security services might operate in;

(e) Guidance on appropriate assessment and evaluation methodologies to measure the competencies of personnel;

(f) A requirement that all personnel undergo appropriate basic training before any other training is undertaken.

16. States may consider developing a mechanism for the certification of persons and entities providing training to personnel of civilian private security services that:

(a) Ensures that training institutions are properly qualified and equipped to provide the training;

(b) Grants licences to operate as a provider of such training.

17. States may also consider encouraging the specialization and professionalism of the personnel of civilian private security services through the development of an adequate mechanism for such personnel to obtain professional qualifications. The mechanism should:

(a) Provide personnel with adequate certification or licensing from competent bodies that indicates the specific security services such personnel are allowed to provide;

(b) Ensure that the training of personnel is updated periodically.

18. States may further consider encouraging the development of ongoing professional programmes relevant to civilian private security services. These could be:

- (a) Developed in consultation with the regulating authority, law enforcement community, professional and trade associations, non-governmental organizations and clients;
- (b) Offered to personnel working at all levels of civilian private security services;
- (c) Accredited by competent bodies where appropriate;
- (d) Used as a basis for continuing professional development and career progression.

### **C. Contribution of civilian private security services to crime prevention and community safety**

19. States may consider the following principles as underpinning the contribution of civilian private security services to crime prevention and community safety:

- (a) All levels of government should play a lead role in the development of crime prevention programmes and in enhancing community safety;
- (b) Civilian private security services should have an important complementary role in crime prevention and community safety;
- (c) Civilian private security services should be subject to Government regulation and programmes that improve standards to enhance the contribution of such services to crime prevention and community safety.

20. States may also consider prioritizing the development of cooperation between the public and private security sectors. Such cooperation should recognize the central role of Governments in the regulation of civilian private security services and be in line with the Guidelines for the Prevention of Crime<sup>6</sup> and other United Nations standards and norms in crime prevention and criminal justice. In this regard, States may:

- (a) Encourage partnerships between civilian private security services and public security organs;
- (b) Provide funding for research into collaboration between civilian private security services and the public security sector and for the evaluation of such cooperation;
- (c) Establish and encourage specific training programmes, focusing on cooperation and collaboration;
- (d) Establish an appropriate body or mechanism to oversee the implementation of cooperation and collaboration between State security organs and civilian private security services.

---

<sup>6</sup> Economic and Social Council resolution 2002/13, annex.

21. In general, civilian private security services have a duty to convey information to law enforcement authorities. States that decide to share information with civilian private security services as a means of enhancing crime prevention and community safety may consider:

(a) Specifying the different types of information and level of access to such information by the State and civilian private security services and what may be collected;

(b) Strengthening information-sharing between civilian private security services and public security organs;

(c) Establishing secure networks for information-sharing;

(d) Enacting laws that protect information provided by civilian private security services;

(e) Developing coordination between all levels of public security organs for the sharing of information with civilian private security services;

(f) Including rules concerning the ethical and lawful use of information in any code of conduct for civilian private security service operators.

---