

Minutes, ICoC Working Group # 1 Meeting—Thursday, 9 June 2011 via teleconference

Attending :

- Mark DeWitt, Triple Canopy (facilitator)
- Charlotte Gambling, UAE
- Ian Ralby, ADS (SCEG)
- Frank Amoyaw, LandMark Security
- John Morrison, Institute for Human Rights and Business (leaving early)
- Meg Roggensack, Human Rights First
- Richard Fontaine, Center for a New American Security
- Margaret Belof, UK Foreign Commonwealth Office (leaving at 16:15)
- Chris Mayer, U.S. Department of Defense
- Doug Allison, U.S. Department of State (leaving early)
- Jason Pielemeier, U.S. Department of State
- Jamie Williamson, International Committee of the Red Cross
- Glynne Evans,

BEGIN 9 :00 EST/ 14 :00 GMT/ 15:00 CET

1. Roll Call

2. Introductory comments by the TSC members – tour de table of multi-stakeholder comments

- *Mark DeWitt (Industry)* : welcome, discussion of assessment and certification side of the code
 - Discussion to look at understanding of national standards-how do we use that as a foundation for assessment and certification under the code
 - What gaps are there ? How do we fill them ?
- *Meg Roggensack (Civil Society)* : credible assessment mechanism
 - The ICoC and concept paper are great starts, but the governance mechanism will be crucial to the integrity of the effort
- *Margaret Belof (Government)* : UK government wants to see a system established that raises the standards of PMSCs-something that is effective in ensuring human rights and international law, but is also practical.
 - Group needs to discuss everything fully, rather than rushing deadline

3. Brief overview of the purpose of W1 and the work product to be produced

- *Review of nature and structure of report to the TSC—key aspects*
 - This group will look at the concept paper, the questions included, and then provide responses to the questions that reflect the consensus regarding how they should be answered/approached
 - No prescribed format, structure, etc.
 - Suggestion to consult with experts

- Comment was raised that the questions are meant to guide the group through assessment, but there may be other questions that need to be answered as well. We shouldn't feel too constrained by what is said in the concept paper

4. Discussion of the (informal) rules of operation for WG1, to include the Chair process

- *Discussion of informal rules of operation*
 - Steering Committee is not prescriptive in how the working groups will conduct themselves. We can change how we approach problems as we see fit
- *Discussion of Chair election process*
 - Group reached a consensus on having one permanent chair for the sake of efficiency in the short time frame
 - Decision to elect chair at the end of the meeting (Mark DeWitt elected chair)

5. Discussion of a basic work plan and completion time

- *Work Plan – structure, type, and frequency of meetings to accomplished tasks*
 - Chair suggestion to divide the work into 3 sub-groups, for efficiency and easier scheduling
 - Decision to divide the sub-groups into 3 categories: assessment, reporting, and internal/external oversight
 - Consensus that the three groups still need to come together regularly in order to ensure a holistic approach to answering these question. There needs to be an effective mechanism for ensuring that the groups are in touch with each other.
 - Suggestion to create chairs of each sub-group that will report back in the main meetings
- *Discussion of timeline for completion of report*
 - Suggestion to defer timeline issue until we have some substantive information
 - Discussion that current timeline may be too ambitious
 - Suggestion to have regular, routine calls
 - The TSC should receive some input from the Working Group by July 11th (before the Washington DC meeting)

6. Limited Substantive Discussion

- *Overview of US national standards process by Chris Mayer and Ian Ralby*
 - Last year, the US national standards for PMSCs became a requirement under law. NDAA draft 2012 requires a quality assurance plan be developed
 - ASIS has taken the lead under Marc Siegel who is chair
 - Formed committee of 201 members from 26 countries
 - It will be a Quality Management Standard, which is descriptive rather than prescriptive (e.g., says will have vetting process that means certain standards, but doesn't say how to do it)
- *Comments on relation of national standards to ICoC assessment/certification process*
 - Discussion about ANSI process will help to support the ICoC , as well as what ICoC requirements will not be met by the ANSI standard
- *Comments from the WG on the Concept Paper*

- Presentation of Industry TSC member vision of sequenced reporting, policy implementation, internal and external monitoring and to bring signatory companies in compliance with the ICoC:
 - A systems and policies review by the IGOM, and then an internal monitoring process would probably take place before external review
 - External auditing would probably take place at headquarters and then move to the field
- General support for this plan was expressed. This would be a good way to get a company up to speed even before a standard comes into effect.
- Suggestion to structure a call around different approaches to reporting, assessment and internal / external oversight , taking into account other multi-stakeholder initiative experiences

Schedule of Next Meeting

- Agreement to schedule the next meeting for June 23rd at 9 EST/14 GMT/15 CET
- Tentative scheduling of the following meeting on July 6th at 9 EST/14 GMT/15 CET

Last Discussion Points

- *Division of Questions*
 - Decision to divide 3 sub-groups based on the categories of 1) assessment, 2) reporting, and 3) internal & external oversight
 - Each sub-group will look at all 9 questions and answer each question based on how it is relevant to the given topical area
 - Each of the 3 stakeholder groups will place 1 or 2 members on each sub-group
 - Mark DeWitt, Andy Osmond, and Jason Pielemeier will lead the sub-group assignments for industry, civil society, and government, respectively
 - Sub-group assignments are scheduled to be complete by Monday, 13 June at 5pm EST
- *Outside Experts*
 - Suggestions to involve Marc Siegal from ASIS international and Bruce Gray from Hornsby de Gray
 - Chris Mayer will contact Marc Siegal, and Margaret Belof will contact Bruce Gray
- *Chair Decision :*
 - Agreement that Mark DeWitt will fill the role of permanent chair

END: 10:50 EST/ 15:50 GMT/ 16:50 CET

*Reminder: On Monday, June 13th at 9am EST there will be a phone conference call with experts about multi-stakeholder initiatives and how this will affect the code of conduct. All working group members are invited. Please look to email for further details.