

Minutes, ICoC Working Group #3 Meeting: 15 August 2011 via teleconference

Attending

- James Cockayne, Center on Global Counterterrorism Cooperation – co-chair
- Melike Yetkin, US Department of State – co-chair
- Phil Rudder, WSI International
- Sylvia White, Aegis
- Margaret Belof, UK Foreign & Commonwealth Office
- Will Imbrie, Dyncorp International
- Glynne Evans, Olive Group
- Doug Brooks, ISOA
- Ian Ralby, ADS Security in Complex Environments Group
- Meg Roggensack, Human Rights First
- Whitney Grespin, New Century U.S
- Jenny Stein, US Department of State
- Anne-Marie Buzatu, DCAF
- Thomas Haueter, DCAF

BEGIN 11:00 DC / 16:00 UK / 17:00 GENEVA

Chairs comments:

- Their understanding of the WG task was to identify the common ground that exists how an IGOM can be governed and to point out to the TSC where there is no consensus and more work has to be done. Everything that is not in the report to the TSC can be verbally or individually addressed to the TSC too.

General comments:

- Regarding procedural issues: the WG should try their best to reduce the number of brackets before the report goes to the TSC, reducing the options will make the work easier for the TSC.
- It was mentioned that the annual budget must not be all that big, the report should reflect the need of additional funding sources, such as sponsorship and in-kind services (e.g. venue for plenary).
- Regarding the title of the report to the TSC it was agreed that it will not be the “final report” but rather just the report.

Stakeholder Groups and IGOM Participation:

- It was brought up that there hasn't been a wide degree of consultations: other governments (e.g. Montreux Document signatories), clients, stable group of NGOs need to be included into the process. Therefore before a draft charter is written, the discussion should go on and the next

document for the process should rather be a paper which includes the different elements of an IGOM governing body.

IGOM Bodies:

- It was discussed if the plenary should have decision making power. There was no consensus on this point. The report will try to make some workable middle-ground for the TSC.
- It was brought up that the company contributions will have to cover a lot of things so the plenary should be covered by sponsorship and a small registration fee. Point 2.19 (running costs of Annual Plenary) will include “covered by sponsorship and small registration fee”
- Civil Society and small PSCs might need financial sponsorship to attend the plenary; the TSC should look at this issue. For the “launch” plenary the voluntary trust fund will not be established yet.
- Point 2.1.11 (reducing costs of annual plenary) should include in-kind expenses (for governments) such as the provision of venue.

The IGOM Board:

- It was brought up that the report might be missing a fourth option: the one where a board is consisting of signatory companies with an advisory board consisting of the different stakeholders.
- After a discussion about which of the IGOM board option is the most preferable, it emerged that there is no consensus at the moment in the WG. More research needs to be done. It was agreed that there will not be a recommendation from the WG to the TSC which option is preferable.
- It was mentioned that the board should cover further functions, such as: governance of the IGOM in monitoring compliance with the ICoC, setting targets and objectives for the IGOM, fund raising for the trust fund, approving annual business plan, monitoring the finances.
- The voting of the board was discussed, but since the composition of the board is not decided, no consensus option emerged.

Secretariat:

- The task to raise money for the voluntary trust fund will be added to the functions of the secretariat. Further other functions such as fundraising, liaising with governments, civil society, international organizations, clients of the industry could be added. If funding permits, organizing training, guidance/technical assistance to companies seeking to comply with the ICOC could be another function of the secretariat.

Venue and legal form:

- It was brought up that the report should highlight more the possibility to have a headquarter of the IGOM in some country and still have a set up in other countries. Further the report should highlight that liability is an essential issue and should play a decisive role in choosing the location.

Next steps:

- It was brought up that due to the limited degree of consultation, further consultations are necessary: with governments, clients, etc. Therefore a consolidated document as draft charter might not be the best way forward, but rather a paper about the different issues to be looked at. This might potentially slow down the process but will give a bigger buy in from all the relevant stakeholders. A lack of consultation might lead to a lack of legitimacy.
- It was proposed that the WG should include a paragraph in the report which expresses concern that significant further consultation will be needed before any legitimate and workable charter can be adopted.
- It was argued that there has actually been a wide degree of consultation: people have the ability to give their comments and people that wanted to be included are included in the process. It is not true that there hasn't been much consultation.
- There was no agreement on this point, so the WG decided to discard the "next steps" paragraph of the report to the TSC.
- There will be no more calls for the Working Group #3.

END 12:00 DC / 17:00 UK / 18:00 GENEVA