

35th Round Table on current issues of International Humanitarian Law
Private Military and Security Companies
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Ms. SYLVIA WHITE
DIRECTOR & GENERAL COUNSEL AEGIS DEFENCE SERVICES LIMITED

Aegis was founded in 2002 and is a leading provider of private security services such as stabilisation, transition and reconstruction support for government agencies and corporate clients. The Company also has a consultancy operation branded as Aegis Advisory which not only supports all the Company's operational activities but also provides due diligence and risk assessments and to a wide range of corporate clients including banks, insurance companies and natural resource companies. In addition Aegis has built and continues to grow a steady number of training contracts for governments across four continents.

The industry sector of which Aegis now forms a significant part is much misunderstood, from both a regulatory and operational perspective. The Company has taken great care to position itself such that its operational activities are absolutely compliant from a legal perspective, and to maintain the highest level of ethics and transparency in its business activities. The Company specialises in providing a wide range of risk management and mitigation strategies to recognised governments, international bodies such as the UN, World Bank and the European Union and certain corporate clients that meet strict eligibility standards. Aegis seeks to offer real value added services through its ability to provide solutions to complex problems which may encompass such issues as command, control, communications and intelligence tailored to specific circumstances, or alternatively for example, which may involve community affairs and "hearts and minds" support roles in post conflict environments. Whilst in certain circumstances in specific countries, the Company may have a requirement to arm its personnel, this is uniquely for defensive purposes and this activity is always overseen and regulated by the most stringent procedures and oversight.

I have been General Counsel at Aegis since 2007 .Prior to that time I worked in the Pharma/healthcare sector and the telecoms sector – both "in-house" roles. Since joining Aegis I have taken an active role in all areas of the business including, specifically, in the furthering of the Company's aims on national and international regulation. The Company has spent a considerable amount of time and money supporting the case for clear and transparent regulation; I was personally deeply involved in the development and signature of the ICoC from the initial planning stages post Montreux. As a Company we have consistently worked closely with Governments and industry associations to promote high standards and increase levels of transparency and accountability.

Early on in the company's history the "Iraq bubble" came into play. Immediately the industry (as it quickly became) was populated with a large number of small players operating in the market with minimal corporate focus on compliance, internal systems and control. Aegis thinks "doing the right thing" makes for good security – we also think understanding the environment in which we operate and forging relationships with the local community is key to supporting our client's by enabling their mission, adding to their security and their business's success.

Part of our commitment to doing the right thing means we must ensure that all our personnel understand what is expected of them and this is as relevant in relation to human rights as any other area of our business. We make it clear to our personnel that they are no longer in the military, and that if they deploy armed they can act only in a defensive capacity. There have been several references to the historic immunity in Iraq provided by the CPA during

this conference. I want to stress that Aegis never assumed any such immunity and briefed all personnel accordingly as well as making it clear contractually. All personnel we engage receive a briefing on applicable laws, including the Law of Armed Conflict (notwithstanding that we only ever act in a defensive capacity and consider that we are non-combatants under the Geneva Convention). We build the principles of legal compliance respect for local customs and IHL into our standard operating procedures and we exercise the necessary leadership and management to ensure adherence. We believe it is important that all our personnel understand the high degree of responsibility entrusted to them in the special circumstances in which they operate, not just when they are armed, including an understanding of the Universal Declaration of Human Rights and other key documents such as the UN Charter and Trafficking in persons regulations.

The industry we now participate in has made great strides with the signature and acceptance of the ICoC but Aegis remains committed to the process of continuous improvement because we are not there yet. Commercial decisions will always be based on commercial imperatives but if we all truly desire to raise standards across our industry and compete on a level playing field then there must be an enforceable minimum relevant standard that all companies adhere to. The PSC-1 ANSI standard is but one piece of this jigsaw. A workable oversight mechanism that is relevant, realistic, scalable and achievable and which is also recognised as the applicable benchmark by all stakeholders and all users of our services is also necessary to secure the future of an industry which is still treated with more suspicion than trust. We, as a company and I, as an individual member of the ICoC Temporary Steering Committee, continue to work closely to meet this aspiration and goal.