



The Responsible  
Private Security  
Association

A Focused and  
Operational  
Multi-Stakeholder  
Initiative

Incorporated 2013

A black and white photograph of several private security guards in uniform. They are wearing caps, short-sleeved shirts, and cargo pants. One guard in the foreground is looking upwards. The background shows other guards and palm trees under a cloudy sky.

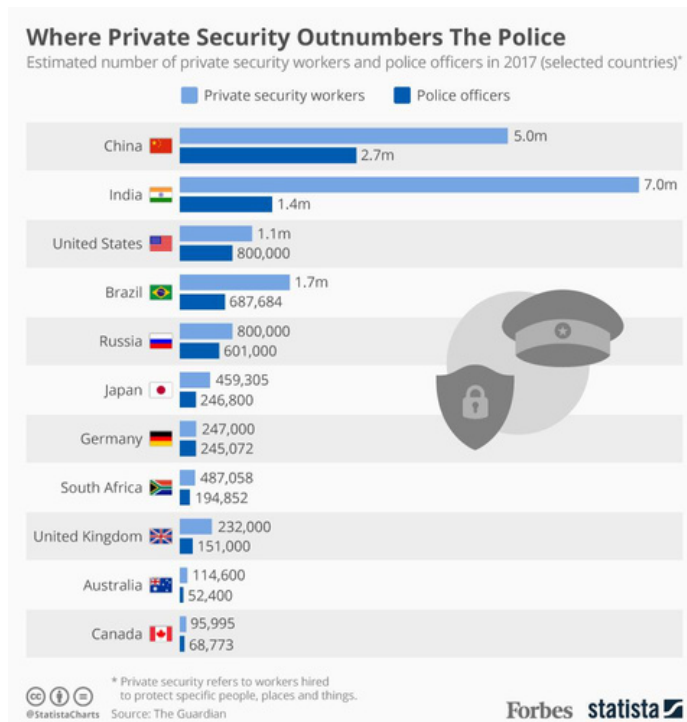
# CASE FOR SUPPORT

[WWW.ICOCA.CH](http://WWW.ICOCA.CH)

**INTERNATIONAL  
CODE OF CONDUCT  
ASSOCIATION**

# PRIVATE SECURITY BY THE NUMBERS

The private security landscape in complex environments has evolved dramatically over the last quarter century. This evolution has been marked by a significant growth in the size of the private security industry across all continents. This growth is seen in both the formal, and informal sector, whether legal or clandestine. More recently, this has been coupled with an increasing market share for local security companies, and an expanding range of services being provided, from manned guarding to cyber security. In half of the world's countries, private security personnel now significantly outnumber the police.



Clients of private security companies are diverse. Everyone uses private security. Corporate entities across every industry, governments, international and nongovernmental organisations, humanitarian agencies, organisers of major events and private individuals - all contract the services of private security providers.



# UNDERSTANDING THE CONTEXT

## HIGH RISK RACE TO THE BOTTOM

It is, however, a highly competitive market space. The clients of private security providers make their purchasing decisions based primarily on cost. Selecting the cheapest providers comes with risk. When private security personnel are poorly vetted, poorly trained and poorly treated, resulting human rights risks can include the unlawful use of force, the illegal apprehension and detention of individuals, sexual exploitation and abuse, human trafficking, modern slavery and the harassment or criminalization of rights holders.

## POOR REGULATION, MORE RISK...

Commercial cost-benefit prioritization has been seen to undermine efforts to ensure that security companies take the necessary measures to operate responsibly, respecting human rights, international humanitarian law and relevant industry focused international standards.

While there have been some developments to strengthen national regulatory frameworks of private security companies in some jurisdictions, implementation levels have been uneven. In numerous regions there remain many unregulated private security companies. Moreover, in many contexts, there is a lack of transparency in and oversight of the activities, responsibilities and corporate structures of private security companies and their subcontractors.

The lack of regulation and the absence of a tradition among companies to recognise the importance of external and independent oversight to ensure the responsible provision of private security services can result in a reduction of accountability and dilution of a sense of responsibility. This, in turn, can lead to an increased risk of abuses occurring and to reputational damage to the industry as a whole and can stain its varied client base.

ICoCA has been invited to participate as an expert and has regularly engaged in international discussions convened by the UN Human Rights Council ongoing since 2017 through the revised mandate of the open-ended intergovernmental working group to consider the possibility of elaborating an international regulatory framework on the regulation, monitoring and oversight of the activities of private military and security companies. While it is unclear what the outcome of these negotiations will be, or when this will happen, ICoCA would likely be an integral complementary mechanism to any treaty that may result from these negotiations.



# MULTI-STAKEHOLDER FRAMEWORK

In complex and fragile settings where demand for private security is greatest, the rule of law is weak, civil society is under-resourced and over-stretched and effective regulations controlling private operations often lacking, with oversight regularly non-existent. There have been many high-profile cases of human rights abuses being perpetrated by private security companies in such contexts. This situation is exacerbated by the growing substitution of public with private security provision which now dominates many settings including prisons, airports, corporate and humanitarian sites; and the growing confusion between the activities and roles of private and public security actors where private security companies are (often) owned by militias or political parties.

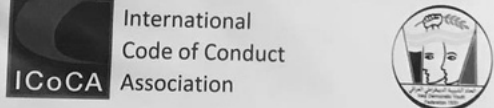
## THE CODE

The International Code of Conduct (the Code) is a soft-law instrument, adopted in 2010 and most recently revised in 2021. The result of a multi-stakeholder initiative launched by Switzerland, the Code is a unique document articulating responsibilities of private security companies under human rights and international humanitarian law to ensure the responsible provision of private security services, particularly when operating in complex environments.

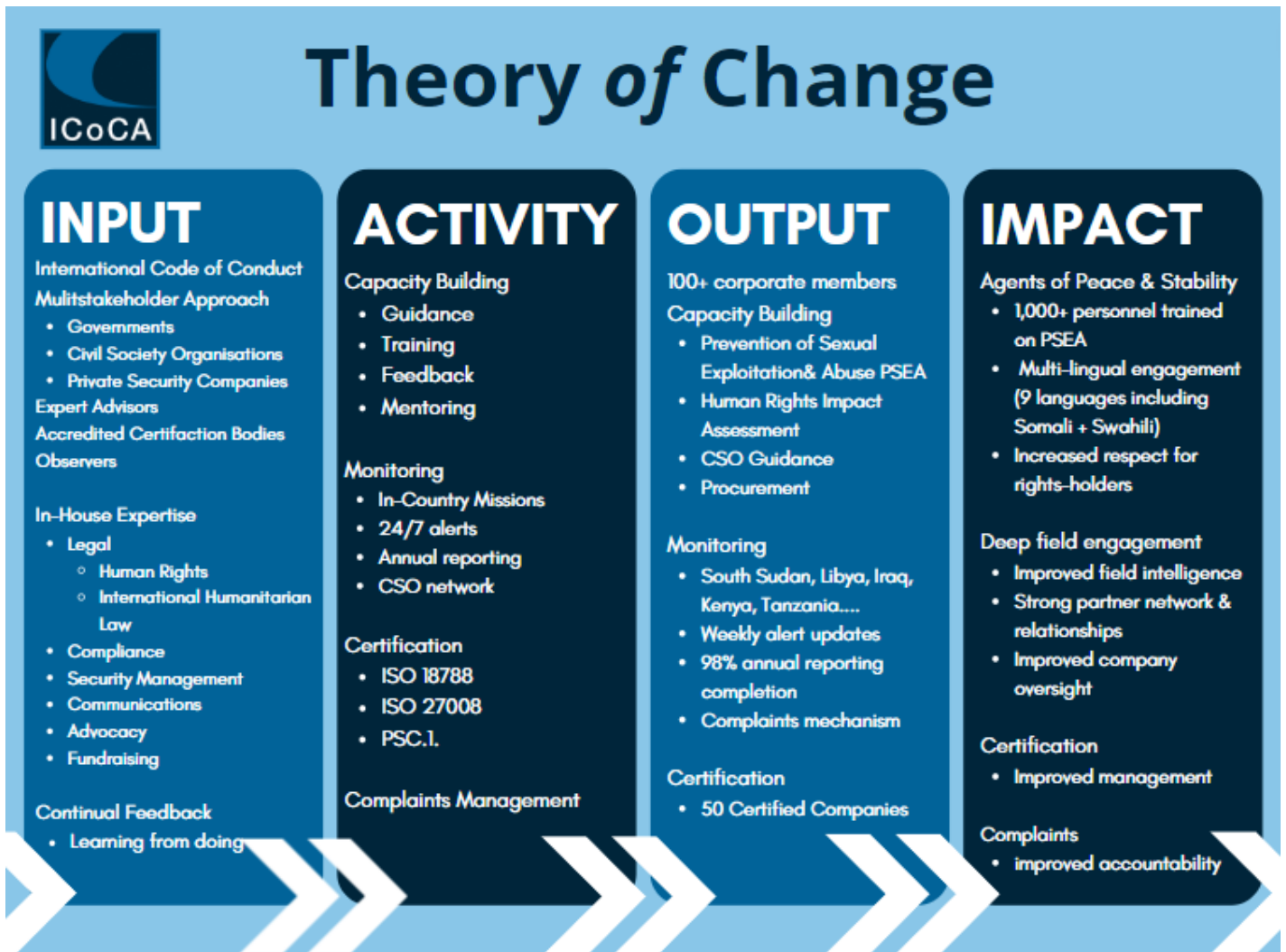
## THE ASSOCIATION

The International Code of Conduct Association (ICoCA) serves as the governance and oversight mechanism of the Code. Acknowledged by the UN Working Group on Business and Human Rights as one of the most robust examples of sector-specific implementation of the UN Guiding Principles on Business and Human Rights, ICoCA is a multi-stakeholder initiative, whose mission is to raise private security standards by striving to ensure that human rights and the Code are respected by private security providers in the environments where they operate. As such, ICoCA is contributing to promoting peace, security and stabilization in complex and fragile environments more usually characterized by high levels of corruption where private interests often trump human rights considerations.

# THE ICOCA THEORY OF CHANGE



ICoCA's work is impactful in many settings characterised as fragile and complex. This includes chaotic and war-torn, conflict and post-conflict states as evidenced in Iraq and Afghanistan. The work of ICoCA is likely to be the most impactful in societies where economic development is well underway despite underlying fragility and pockets of conflict, with regions that may take off creating increasing demand for private security actors. Even in developed countries where local settings present particular complexities, ICoCA has a fundamental role to play.

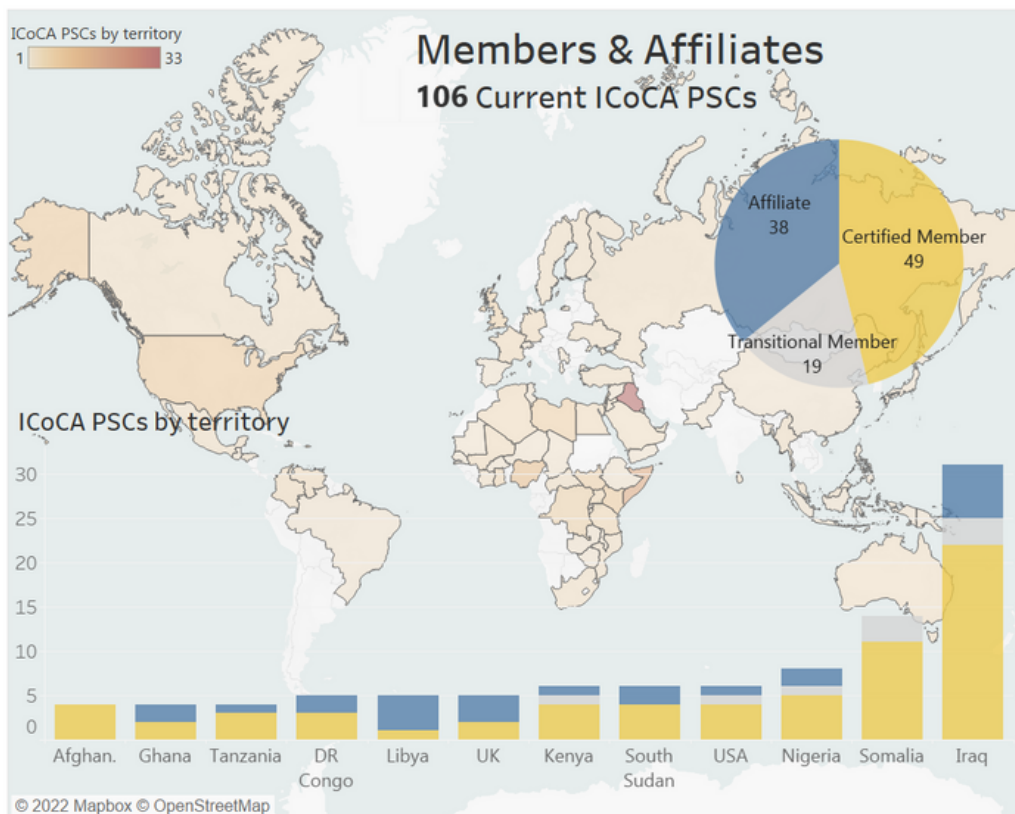


# EMPOWERING CIVIL SOCIETY



As the only initiative focused exclusively on raising standards across the private security sector in line with international human rights and humanitarian law, holding companies to account for wrongdoing and providing remedy, ICoCA's vision is to achieve widespread adherence to the Code around the world.

To do this, ICoCA needs to grow, and key stakeholders require support. Now beyond its proof of concept stage, as it approaches its tenth anniversary in 2023, the time is right for the Association to scale-up its operation and hold more companies to account, raising their standards and protecting the affected communities where they operate. To do so, ICoCA needs to achieve substantial growth across all three pillars: governments, civil society organisations, and private security companies.





# A JOINT EFFORT WITH CIVIL SOCIETY

**In markets where ICoCA has achieved a critical mass of security company Members, such as Iraq,** increasing numbers of clients of private security companies now make ICoCA membership a mandatory procurement requirement. In these, and other markets, ICoCA urgently needs to bolster support for its civil society (CSO) Members.

**ICoCA CSOs act as eyes and ears on the ground,** monitoring the conduct of private security companies and alerting the Association of potential Code violations. In particular, investment is needed to build the capacity of civil society organisations in both mapping and monitoring the industry, bringing attention to the risks posed by an unregulated industry and advocating to regional authorities for stronger oversight and licensing regimes. CSOs also require support in building robust complaints mechanisms that enable access to remedy and justice for victims on the ground. In this way, strong civil society organisations, intensively engaged with ICoCA, play a key role in strengthening mandatory human rights due diligence across supply chains.

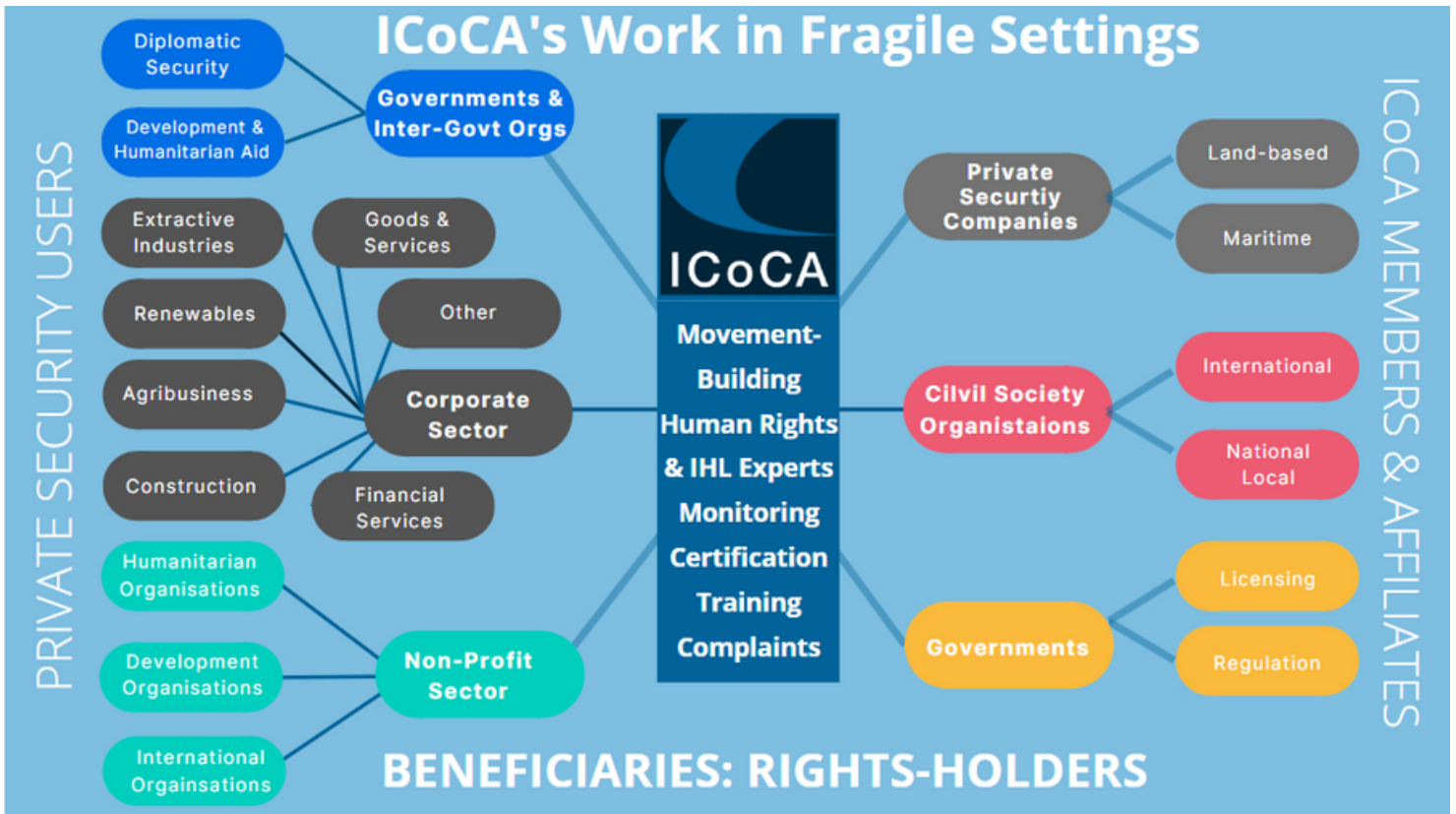
**In markets where a critical mass of private security providers is yet to be attained,** ICoCA needs to raise its profile with industry, regulators and civil society, to encourage all stakeholders to engage with the Association and develop a deeper understanding of risks pervasive in unregulated markets. In particular, ICoCA needs to ensure that local private security companies outside of the international sphere of influence are brought into the Association, avoiding any non-state actors particularly in conflict environments.

*"...human rights organizations working on this issue are few and far between and are not well equipped to document abuses committed by private security companies.*

*We would like to see ICoCA engage in capacity-building training for Congolese civil society organizations in the areas of human rights monitoring and democratic governance of the security sector."*

Mr. Honoré Katamba from Securitas Congo

WITH YOUR HELP...



Human rights risks in contracting private security providers exist, whatever the sector, whatever the geography. Given resource restraints, ICoCA is prioritising its attention on issues and areas of heightened risk. These include contexts involving particularly vulnerable populations, where corruption is rife, the rule of law is weak and where the risk of conflict is heightened.

Balanced growth across all three membership pillars is needed, especially in those markets characterized by heightened human rights risk, **ensuring the integrity and operational impact of ICoCA's multi-stakeholder approach.**



# WE CAN MAKE A BIGGER DIFFERENCE

SECURITY

With more support allowing such balanced growth, ICoCA can:

- **strengthen oversight of supply chain due diligence** of multi-national corporations in the procurement and use of private security companies;
- **strengthen CSO's capacity to play its human rights monitoring role** across the private security industry, especially in the supply chains of the extractive and agribusiness industries.
- **undertake applied research to help address emerging issues** such as human rights challenges stemming from the use of technology by the industry, labour rights of security workers or the growing use of private security for traditional policing roles such as migration and border management;
- **centralise intelligence and increase transparency, oversight and accountability** of the growing industry of **private non state actors in conflict and high risk environments**, including mercenaries, military contractors and private security companies.

*“ICoCA has created a situation where a soft-law standard can become a harder one as it becomes embedded in government procurement.*

*As opposed to static, top-down regulation, ICoCA paves the way for what robust human rights due diligence looks like.”*

Anita Ramasastry, Chair, UN Working group on Business and Human rights