



## **ASSOCIATION MEMBERSHIP REQUIREMENTS**

### **Part 1. Membership in the Association**

1. A person or entity seeking to become a Member of the Association in accordance with Article 3 of the Articles of Association must meet the criteria for one of the three pillars of membership as set forth in Parts 2, 3 and 4 of this Chapter. Any person or entity may seek to participate as an Observer in accordance with Part 5 of this Chapter.
2. The Secretariat will be responsible for all communications with applicants for membership or for Observer status, and will provide information to applicants or to the Board as set forth in this Chapter.
3. The Secretariat will maintain, and update, an official roster of the Members of the Association, and will make this information public via the Association's official website.
4. Information provided by applicants shall be treated as confidential information and shall not be shared or distributed except as required by this Chapter. The Secretariat shall take appropriate steps to ensure the adequate protection of applicant information.
5. The proper exercise of the Association's role and responsibilities depends on the receipt of accurate data from applicants. If an applicant knowingly provides false or inaccurate information with an intent to mislead the Association, the Board, or the Secretariat, the Board may take appropriate action, including rejecting an application or initiating suspension or termination of membership.

### **Part 2. Private Security Company Members**

1. An entity seeking membership in the Private Security Company and Private Security Service Provider (PSC) pillar must submit an Application for Membership using official forms authorised by the Secretariat. The Application for Membership shall require, at a minimum, the following:
  - 1.1. A written commitment from the applicant to adhere to the obligations and requirements of the ICoC.
  - 1.2. Acknowledgment and acceptance of the Articles of Association and the procedures and rules adopted by the Association in accordance with those Articles of Association.
  - 1.3. A commitment to obtain or provide evidence of certification in accordance with Article 11 of the Articles of Association, to submit to reporting, monitoring and performance assessments in accordance with Article 12, and to participate in a complaints process in accordance Article 13. This includes acceptance of the corresponding procedures adopted by the Association.

- 1.4. An agreement to pay assessed Member dues to the Association in a timely manner, including the joining fee assessed at the start of membership.
  - 1.5. Acknowledgement and acceptance that continued membership in the Association is contingent upon meeting and maintaining the obligations and requirements contained in the ICoC, the Articles of Association, and the procedures adopted by the Association.
2. In addition to the Application for Membership, an applicant must submit a Registration Statement providing information about the applicant, its employees, and its activities using official forms authorised by the Secretariat. The Registration Statement shall require, at a minimum, the following:
    - 2.1 Corporate information, including legal form and status, identification of parent and/or subsidiary companies, place of incorporation, location of headquarters and other major offices, and information concerning owners, officers, and directors.
    - 2.2 Public information about the applicant, including copies of recent marketing materials, links to official company websites, and public company annual reports, if applicable.
    - 2.3 Services information for any Security Services as defined in Part B of the ICoC that the applicant currently performs, including types of services provided, location of services by country, and number of personnel.
    - 2.4 Identification of major categories of clients served by industry (e.g., government, shipping, extractive or other)
    - 2.5 Financial disclosures sufficient to determine the proper tier of annual dues the applicant will pay, and to determine the applicant's financial capacity (e.g., insurance or other) as required by Section 69 of the ICoC.
    - 2.6 Point-of-contact information for the applicant for receipt of written or electronic correspondence from the Association. In addition, if separate, point-of-contact information for the person authorised to vote on behalf of the applicant on Association matters.
    - 2.7 Responses to a series of questions related to the applicant's present ability to comply with Article 48 of the ICoC.
    - 2.8 Responses to a series of questions regarding whether, in the last five (5) years, (1) the applicant has been subject to any civil or criminal proceedings in connection with human rights abuses that resulted in a conviction or judgment against the applicant or a parent or subsidiary company, or (2) the applicant has engaged with any non-judicial grievance mechanisms in connection with human rights abuses that resulted in a finding of fault or misconduct involving the applicant or a parent or subsidiary company.
  3. Once the applicant becomes a Member, the Registration Statement may be amended or updated by the Member at any time. The Secretariat shall request updated Registration Statements from Members no less than once every three (3) years.
  4. An applicant also shall submit with its Application for Membership and Registration Statement a written plan discussing its implementation of the obligations and requirements of the ICoC using forms and guidance authorised by the Secretariat. The plan shall summarise actions already taken as well as steps to be implemented in

meeting the obligations and requirements of the ICoC. The plan will specifically identify the following:

- 4.1. The standard to which the applicant has been or will be certified to demonstrate implementation of the ICoC.
  - 4.2. A summary of the personnel suitability procedures used by the applicant to address Article 48 of the ICoC.
  - 4.3. A summary of the grievance mechanism procedures currently used, or proposed for use, by the applicant in meeting Sections 66 and 67 of the ICoC.
5. The Secretariat shall review the Application for Membership, along with the Registration Statement and Implementation Plan, in accordance with the following:
- 5.1. The Secretariat shall review the materials to ensure they are complete. Where necessary, the Secretariat may request additional information, clarifications, or corrections.
  - 5.2. The Secretariat shall confirm that the applicant meets the definition of a Private Security Company and that it provides Security Services as defined in Part B of the ICoC.
  - 5.3. The Secretariat shall perform independent due diligence on the applicant to validate the location and existence of the applicant, as well as to identify any publically available information that may relate to the ability of the applicant to meet the obligations and requirements of the ICoC.
  - 5.4. Once the application has been reviewed and verified by the Secretariat, a summary of the application will be sent to the Board for review and approval. The summary will not include confidential information or data and will consist of the following:
    - 5.4.1. Verification that the requirements of this Part have been met by the applicant.
    - 5.4.2. A description of the applicant and its operations
    - 5.4.3. Details regarding the applicant's Implementation Plan.
    - 5.4.4. Identification of any Secretariat concerns or issues related to the information provided by the Applicant.
    - 5.4.5. The results of the due diligence analysis performed in accordance with Part 5.3.
6. The Board will review and approve or reject the applicant in accordance with the following:
- 6.1. Prior to review, the Chair of the Board will request that any member of the Board that has an actual or potential conflict of interest in considering an application identify and recuse themselves from review and approval of the application.
  - 6.2. The Board will review the summary of the application, and inform the Secretariat of any requests for additional information, clarifications, or corrections. The Secretariat will work with the applicant to address the Board's requests.
  - 6.3. Once review is complete, the Board will vote on membership. If the application is approved, the applicant is granted Member status in the Association. If the application is denied, the Board will provide a written explanation to the Secretariat for the rejection, including whether the basis for the rejection may be cured by the applicant. The Secretariat will provide the explanation to the applicant.
7. If relevant national law, privileges, or contractual obligations affect the ability of an applicant to share information required by this Part, the applicant shall identify and

explain the restriction and the information that it is unable to provide. The applicant shall work with the Secretariat in order to provide as much information as is possible under the circumstances. Any restrictions identified by the applicant shall be included in the summary of the application prepared by the Secretariat for the Board to review.

8. The Secretariat shall not commence the collection of applications and data under this Part until (1) the Association's rules on confidentiality and conflict of interest have been approved by the Board in accordance with Section 7.7 of the Articles of Association and have been published to the Members; and (2) the Board has confirmed that the data security plan and procedures implemented by the Secretariat are adequate and operational.

### **Part 3. Civil Society Organisation Members**

1. A person or entity seeking membership in the Civil Society Organisation (CSO) Pillar must submit a Letter of Application, addressed to the Secretariat, stating its intent to become a member. The letter should include the following:
  - 1.1. A commitment to promote the Purpose of the Association as stated in Article 2.2 of the Articles of Association.
  - 1.2. Acknowledgment and acceptance of the Articles of Association and the procedures and rules adopted by the Association in accordance with those Articles of Association.
  - 1.3. A representation that the applicant is a not-for-profit entity.
  - 1.4. Point-of-contact information for the applicant for receipt of written or electronic correspondence from the Association. In addition, if separate, point-of-contact information for the person authorised to vote on behalf of the applicant on Association matters.
  - 1.5. Information supporting the applicant's demonstrated institutional record at the local, national, or international level of the promotion and protection of human rights, international humanitarian law, or the rule of law through advocacy or working with and supporting communities that may adversely be affected by the activities of private security service providers, including the organisation's mission or purpose.
  - 1.6. Information supporting the applicant's independence from the other Pillars of the Association. Independence shall be assessed by reference to specific, relevant or substantial funding received from members of other pillars for work related to the Purpose of the Association as defined by Article 2.2 of the Articles of Association, or by active working relationships with Members of those Pillars as defined by current or past working relationships within a three year period from date of application.
2. The Secretariat will transmit a Letter of Application for CSO membership to the CSO Members of the Board of Directors, who will conduct a membership decision process in accordance with the following:
  - 2.1. The CSO Board members will circulate the application to the other CSO Members. CSO Members will be given fourteen (14) days to send comments or questions to the CSO Board members. Comments or questions should focus on whether the applicant meets the CSO membership criteria.
  - 2.2. At the close of the comment period, the CSO Board Members will provide questions or comments to the Secretariat for transmittal to the applicant. The applicant will

have fourteen (14) days to provide responses to the comments and questions to the Secretariat. Once received, the responses will be provided to the CSO Board members.

- 2.3. The CSO Board Members, after consultation with the other CSO Members, will make a final decision by majority vote as to whether the applicant will be admitted as a Member of the CSO Pillar. The Secretariat will notify the applicant of the decision.
  - 2.4. The full Board will be notified of decisions on applications for CSO membership. This will include the grounds for the membership decision, and summaries of comments received and transmitted that are prepared by the Secretariat. Full comments will be preserved in case of a request by an unsuccessful applicant to engage in the review process described in Section 3.
3. The Secretariat shall request updated information upon the one year mark of Membership for each Member. When such new information is received, the process laid out above in 2 – 2.4 will commence anew.
  4. An unsuccessful applicant may request a review of a CSO membership decision, with full transparency of all documents transmitted, by submitting a letter to the Chair of the Association Board. The full Board will appoint a group comprised of one representative from each pillar to conduct a review and issue a recommendation to the CSO Board Members. The CSO Board Members will consider the recommendation and then conduct a final vote on the application, after consultation with the other CSO members.

#### **Part 4. Government Members**

1. A state or intergovernmental organisation wishing to join the Association as a Government Member must submit a Letter of Application to the Secretariat stating its intent to become a Member. The letter shall include the following items:
  - 1.1. As specified in Article 3.3.2 of the Articles of Association, a communication of its support of the Montreux Document and of its intent to support the Principles of the ICoC, consistent with national law and policy and to participate in the activities of the Association.
  - 1.2. Acknowledgment and acceptance of the Articles of Association and the procedures and rules adopted by the Association in accordance with those Articles of Association.
  - 1.3. Indication where legal requirements may prevent it from undertaking a specified organisational responsibility set forth in the Articles of Association.
  - 1.4. Consistent with Article 3.3.2 of the Articles of Association, acknowledgment of its intent to provide to the ICoCA information related to its implementation of the Montreux Document in its contracting practices and regulations. This may include reference to laws and regulations which are consistent with the legal obligations and good practices reflected in the Montreux Document. It may also include publicly available contracting procedures, regulations, and instructions which are consistent with the contracted PSCs' implementation of the General Commitments and Specific Principles (Sections D., E., and F.) of the ICoC.
  - 1.5. Acknowledgment of its intent to communicate annually to the General Assembly in regards to its activities related to Section 1.4.

2. Point-of-contact information for the applicant for receipt of written or electronic correspondence from the Association is to be provided to the ICoCA Secretariat. In addition, if separate, point-of-contact information for the person authorised to vote on behalf of the applicant on Association matters, is to be provided to the ICoCA Secretariat.
3. Governments are not to be subject to an assessment of membership dues or fees, which includes observer fees. Applicants to the Government Pillar, may however, offer voluntary financial support to the Association
4. Upon receipt of the letter, the Secretariat will confirm that the items listed in Section 1 above have been provided. If not, the Secretariat will work with the applicant to supplement the letter. Once the letter is complete, the Secretariat will forward the letter to the Board for review.
5. The Board will have seven (7) days to review the letter. If the requirements of Section 1.0 have been met, the Board shall grant membership to the applicant for so long as the applicant continues to meet the requirements of Section 1 of the Articles of Association.

## **Part 5. Observers**

1. A person or entity seeking to become an Observer to the Association must meet the requirements of this Section. Private Security Companies that provide Security Services, as defined in Part B of the ICoC, are not eligible for Observer status.
2. Observers are not Members of the Association, but may participate in the activities of the Association. Such participation is at the discretion of the Board of Directors, and may include the following:
  - 2.1. Participation in Association meetings, including meetings of the General Assembly.
  - 2.2. Receipt of Association communications, reports, and announcements.
  - 2.3. Participation in Association advisory committees or bodies.
3. Observers may include, but are not limited to, persons or entities falling into any of the following categories:
  - 3.1. Industry associations or security-related professional associations.
  - 3.2. Academics or representatives of academic institutions.
  - 3.3. Government entities or international organisations.
  - 3.4. Commercial clients of private security companies.
  - 3.5. Non-governmental organisations or civil society organisations not eligible for Association membership.
  - 3.6. Business entities or individuals that support the private security industry
4. An entity or person seeking Observer status must submit an application, using forms authorised by the Secretariat, that contains the following:
  - 4.1. A statement of support for the Purpose of the Association as stated in Article 2.2 of the Articles of Association.
  - 4.2. An explanation of the reason for seeking Observer status, including what they hope to gain from or provide to the Association by participating as an Observer.

- 4.3. Identifying information, such as name, location, and other information deemed relevant by the Secretariat.
5. In order to reduce costs associated with Observers, the Secretariat shall charge an annual Observer fee to be set and reviewed annually by the Board. The fee may be waived by the Board for specific Observers, in whole or part, for any of the following reasons:
  - 5.1. The entity seeking Observer status is a not-for-profit entity.
  - 5.2. The entity or person has participated or will participate in the activities of the Association to an extent that assessment of the fee is unnecessary.
  - 5.3. The entity or person was invited by the Board to become an Observer.
6. Reviews of Observer applications shall be conducted as follows:
  - 6.1. The Secretariat shall review the application to ensure that it is complete. Where necessary, the Secretariat may request additional information, clarifications, or corrections. Once the application has been reviewed and verified by the Secretariat, it will be sent to the Board for review.
  - 6.2. If the applicant seeks waiver of the Observer dues, the Secretariat shall document the basis for the waiver and provide a statement to the Board as to whether it supports the request.
  - 6.3. Once the Board review is complete, the Board will vote on granting Observer status. If the application is approved, the applicant is granted Observer status in the Association. If the application is denied, the Board will provide a written explanation to the Secretariat for the rejection, including whether the basis for the rejection may be cured by the applicant. The Secretariat will provide the explanation to the applicant.
7. Members of the Advisory Forum of Montreux Document Participants, as defined in Article 10 of the Articles of Association, are granted Observer status in the Association and are not required to pay annual Observer dues.