

## *Analysis of ISO 18788 - ICoCA Certification Assessment Framework*

### Table of Contents<sup>1</sup>

#### **Policies and Programs**

1. Governance/Oversight Framework
  - 1.1 Risk Assessment Program
  - 1.2 Compliance Program
  - 1.3 Reporting Procedures
  - 1.4 Contracting Policy
2. Personnel Management Policy
  - 2.1 Hiring Policy
  - 2.2 Performance Review Policy
  - 2.3 Subcontractor Hiring Policy
  - 2.4 Personnel Code of Conduct
  - 2.5 Terms and Conditions of Work
3. Rules for the Use of Force (RUF)
4. Management of Weapons and Material of War
5. Grievance Mechanism
6. HSE Program
7. Insurance/Liability Program

#### **Training Curriculum**

1. The Code
2. Cultural Sensitivities
3. RUF
4. Reporting Obligations
5. Prohibited Practices
6. Anti-corruption
7. Understanding of Applicable Law
8. Weapons Training
9. Hostile Environment Training
10. Working with Law Enforcement
11. Detention
12. Apprehending Persons

---

<sup>1</sup> Comments highlighted in yellow are linked to additional information contained in Annex B.

Comments highlighted in green are technical differences between the standard and the Code, which do not trigger additional information requirements.

Requirement Category	System/Policy Category	Objective Questions	ICoC Ref	ISO 18788 (2015)	Comments re Standard/ICoC alignment
----------------------	------------------------	---------------------	----------	------------------	-------------------------------------

**Note:** “Annex A (informative) Guidance on the use of this International Standard” of ISO 18788 states that “the additional text given in this Annex is provided to assist in understanding the requirements of this International Standard. While this guidance addresses and is consistent with the requirements, when implementing those requirements, the organization **also needs to consider and implement the relevant clauses of this guidance** that apply to its scope, legal and contractual obligations, and operating environment, based on its risk assessment and human rights risk analysis. Elements of this guidance not considered relevant to the organization’s SOMS need to be justified in the Statement of Applicability.” For purposes of clarification, the ICoCA Secretariat decided to consider the language of Annex A, when applicable, relevant to assess whether the ISO 18788 covers the principles and requirements of the ICoC only if supported by relevant information in the main body of the standard.

<u>1. Governance / Oversight Framework</u>			3, 6, 17, 44		
	<u>1.1 Risk Assessment Program(s)</u> <sup>2</sup>		3, 6		
		Does the standard require the company have a program to conduct risk assessments?		6.1.1; 4.1.5	The Standard broadly requires a “formal and documented” risk assessment process: “the risk assessment shall identify activities, operations and processes that need to be managed.” The Company is also required, in section 4.1.5, to “define and document criteria to evaluate the significance of risk. The risk criteria shall reflect the organization’s values, objectives and resources”.
		Does the standard require sufficient participation in the required risk assessment program by senior operational and field management personnel?		3.74; 5.1.1; 8.6.1; 6.1.2;	“Top management” is defined in the Standard as a “person or group of people who directs and controls an organization at the highest level, and provide resources within the organization.”

<sup>2</sup> The requirement to conduct risk assessments, though not stated explicitly in the Code, can be derived both from the endorsement of the “Respect, Protect, Remedy” framework (ICoC paragraph 3) and from the commitment to operate “in accordance with relevant corporate standards of business conduct” (ICoC paragraph 6(b)).

			6.2.2; A.6.1.2. 4	<p>The Standard requires the “top management” to “demonstrate leadership and commitment” and “ensure that resources needed (...) are available” when developing the Company’s management system, which includes the risk assessment. The Standard also requires the Company to “establish, implement and maintain a formal and documented communication and consultation process with internal and external stakeholders in the risk assessment process” (Section 6.1.2).</p> <p>The Standard further states that the Company have programs to “control and treat risks associated with its operations, subcontractors and supply chains” (Section 6.2.2). In this context, top management is required to: “a) assess the benefits and costs of options to remove, reduce, or retain risk; b) evaluate its security operations programs to determine if these measures have introduced new risks; c) periodically review the risk treatment to reflect changes to the external environment (...).”</p> <p>The Standard therefore requires that the Company devote sufficient and appropriate resources to the risk assessment process (including personnel).</p> <p>The Standard, in A.6.1.2.4, when providing guidance on how to implement “Risk assessment process considerations”, states that “all operational units of the organization within scope of the SOMS should be directly consulted during the data-gathering process. Results of the risk assessment should be reported and reviewed by top management in order to establish the security operations management objectives, targets and strategies.”</p>
		Does the standard require that the company’s risk assessment program cover human rights and humanitarian law related risks?	3.20; 6.1.1 b); 6.2.1 b); 7.2.2 c); A.6.1.2. 3	<p>The Standard defines “human rights risk analysis (HRRR)” in section 3.20 and notes in particular that “the HRRR is part of the Company’s requirement to undertake due diligence (...) on human rights.” It further notes that the “HRRR is framed by relevant international human rights principles and conventions and forms a fundamental part of the organization’s overall risk assessment” and that “HRRRs should be undertaken at regular intervals (...).”</p> <p>The Standard then requires the Company to have a “formal and documented risk assessment process for its security operations” which consist of</p>

				<p>systematic analysis of risk (risk analysis), including a human rights risk analysis (Section 6.1.1 b). The Company is also required to establish objectives to manage the risk, consistent with the risk assessment and international, national and local laws and human rights (Section 6.2.1 b).</p> <p>The Standard further states that personnel working on behalf of the Company shall be competent in “managing risks identified in the risk assessment and potential human rights impacts associated with their work.”</p> <p>It is also worth noting that section A.6.1.2.3 of the Annex details the objectives of human rights risk analysis as well as steps in developing them, including: “a) assess risks directly related to the Company’s security operations activities and linked to their client, subcontractor, outsource partner, supply chain and other business relationships; b) include communication and meaningful consultation with internal and external stakeholders impacted by the risk and associated activities; c) identify and obtain the necessary human rights expertise and competences needed (...); d) document the risk assessment process for purposes such as review, integrating and acting upon findings, tracking effectiveness of responses, external communications and reporting about how impacts are addressed, and litigation protection.”</p>
		Does the standard require a program to conduct impact assessments of ongoing operations, including HRs and IHL?	6 d	<p>6.1.1; 6.1.1 b), c), e); 6.2.2 b), c); 6.2.1; A.6.1.2.3</p> <p>The Standard requires the Company to have a risk assessment process that includes a risk analysis comprising a “likelihood and consequence analysis, including human rights risk analysis.” The Company is also required to “periodically review whether the security operations management scope, policy, risk criteria and risk assessment are still appropriate given the organization’s internal and external context; re-evaluate risks within the context of changes within the organization or made to the organization’s operating environment, procedures, functions, services, partnerships and supply chains; and evaluate the actual effectiveness of risk treatment options post-incident and after exercises” (Section 6.1.1). Top management is required to evaluate the Company’s security operations programs to determine whether new risks and changes to the external environment have been introduced and to reflect them in the risk treatment (Section 6.2.2).The</p>

					<p>Standard further requires that the objectives be reviewed by considering (...) a Company's human rights impacts (Section 6.2.1).</p> <p>Section "A.6.1.2.3 Human rights risk analysis" of the Guidance states that "the human rights risk analysis is the process to identify, assess and document human rights-related risks and their impacts in order to manage risk and to mitigate or prevent adverse human rights impacts and legal infractions."</p>
	<b><u>1.2 Compliance Program</u></b>				
		Does the standard require that all applicable policies be applied to Contractors and Suppliers providing security services?	16	4.4; 6.1.2; 7.1.2.4; A.4.1.4;	<p>The Standard requires in section 4.4 that a Company which "contracts, subcontracts or outsources any process or activity that falls within the scope of application of this International Standard" must "ensure that control of such subcontracted or outsourced process or activity shall be identified and managed within its management system." The Annex further mentions that "supply chains and the use of subcontractors are integral parts of security operations" (Section A.4.1.4).</p> <p>The Company is also required to "identify applicable and relevant legal, regulatory, contractual, licensing and other requirements and commitments related to its business and security operations" and to communicate them "to persons working on its behalf and other relevant third parties, including subcontractors" (Section 6.1.2).</p> <p>In particular, the Standard requires the Company to "have a clearly defined process for subcontracting or outsourcing activities, functions and operations" and to communicate and monitor compliance "with specific terms of reference and codes of conduct to its subcontractors and outsource partners with regards to security operations and respect for human rights." It is required to "have documented agreements on subcontracted or outsourced arrangements that include a commitment by subcontractors to abide by the same legal, ethical and human rights commitments and obligations as held by the organization and as described in this International Standard" (Section 7.1.2.4).</p>

		Does the standard require a company to have a process to consider the potential impact of UN Security Council Sanctions on contracts with governments and their agents?	22, 57	6.2.1; 8.1.1 c)	<p>The Standard mentions a number of normative references, including the UN Guiding Principles on Business and Human Rights (Sections 0.1; 2; 5.1.2; A.1; A.2.2.1) and the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials 1990 (Sections 8.3.1; 8.3.6). It also requires top management to develop the Company's Statement of Conformance indicating the Company's "commitment to and conformance with its responsibility to respect human rights" as reflected in the Montreux Document (Sections 0.1; 5.1.2; 8.8.2), the ICoC (Sections 0.1; 5.1.2; 8.8.2) and "any other applicable internationally recognized human rights commitments (e.g. Voluntary Principles on Security and Human Rights) (Section 5.1.2).</p> <p>The Standard also requires the Company to commit to "respect international, national and local laws and human rights" (Section 6.2.1) and ensure that its security operations "abide by local and applicable international laws, including international humanitarian, human rights and customary laws, as well as other obligations as described in this International Standard" (Section 8.1.1).</p> <p>Note that the Standard only mentions the UN sanctions in section 8.6.3 as an example when requiring a Company that "uses weapons, hazardous materials, explosives and munitions to have "documented procedures and records for the procurement, management, accountability and traceability of weapons, including: compliance with applicable and relevant national and international law (e.g. UN sanctions)." <b>The requirement for the Company to consider the potential impact of UN Sanctions on contracts with governments and their agents could therefore be stronger.</b></p>
		Does the standard require a company to have a process to evaluate and prohibit the practices described in ICoC Paragraph 22?	22	0.2; 1 b); 7.2.2 d); 8.1.3; 8.8.2; 8.1.1 c);	<p>The Standard requires the Company to have a process to evaluate and prohibit the practices described in paragraph 22 of the ICoC, such as:</p> <ul style="list-style-type: none"> <li>- Section 0.2 indicates that the Company is responsible for establishing "policies and control to assure conformance with the principles of the Montreux Document and the ICoC."</li> <li>- Section 1 indicates that this Standard provides a means for PSCs to "demonstrate commitment to relevant legal obligations (...) and conformance with the principles and commitments outlined in the</li> </ul>

			<p>A.2.2.1; A.6.1.2. 1</p>	<p>International Code of Conduct for Private Security Service Providers (ICoC).”</p> <ul style="list-style-type: none"> <li>- Section 7.2.2 requires the Company to ensure that its personnel “demonstrate appropriate level of competency in applicable local and international laws, including criminal, human rights and international humanitarian laws including but not limited to 1) prohibition of torture or other cruel, inhuman, or degrading treatment; 2) prohibition and awareness of sexual exploitation and abuse or gender based violence; 3) recognition and prevention of human trafficking and slavery; 4) measures against bribery, corruption and similar crimes.”</li> <li>- Section 8.1.3 requires the Company to establish procedures “to treat all persons with dignity and with respect for their human rights and to report any non-conformance, consistent with the principles of respect for human rights, as well as any contractual, legal and regulatory requirement applicable to the organization’s security operations.”</li> <li>- Section 8.8.2 requires the Company to have procedures for reporting and investigation of incidents and non-conformances with the principles of the Montreux Document and the ICoC.</li> <li>- Section 8.1.1 requires the Company to ensure that activities “are carried out under specified conditions, which will enable it to abide by local and applicable international laws, including international humanitarian, human rights and customary laws, as well as other obligations as described in this International Standard.”</li> </ul> <p>The Annex further mentions that the Company should respect “all human rights, including but not limited to, non-derogable human rights, such as: the right to life; freedom from genocide and crimes against humanity; freedom from torture, cruel, inhuman, or degrading treatment or punishment; freedom from slavery, slave trade and servitude; the rights to due process, equal treatment before the law and a fair trial; the right to be free from retroactive application of penal laws; the right to freedom of thought, conscience and religion; freedom from discrimination” (Section A.2.2.1).</p>
--	--	--	------------------------------------	--

				Finally, the Annex indicates that the Company should establish processes to “to identify, comply with and evaluate applicable legal and voluntary requirements” and details relevant applicable legal, voluntary, regulatory and other requirements including the ICoC (Section A.6.1.2.1).
		Does the standard require that a company maintains awareness of all reporting requirements?	22, 24, 28, 63	<p>0.2; 5.3 b), g); 7.1.2.4 b); 7.2.2 g); 7.4.2; 7.4.5; 8.1.3; 8.2; 8.5 c); 8.8.2; 8.8.3</p> <p>The Standard requires the Company to maintain awareness of all reporting requirements such as:</p> <ul style="list-style-type: none"> <li>- Section 0.2 mentions that the Company can, by implementing this International Standard, “develop and implement systems for reporting and investigating allegations of violations of international law, local law or human rights (...).”</li> <li>- Section 5.3 indicates that the competencies, roles, responsibility and authority of “one or more individuals within the organization, irrespective of other responsibilities” for reporting on the performance of the management system to top management and top managers for review.</li> <li>- Section 7.1.2.4 states that agreements covering subcontracted or outsourced arrangements shall include a process for reporting of risks and the occurrence and response to undesirable and disruptive events.</li> <li>- Section 7.2.2 requires the Company to establish procedures for “incident reporting (...).”</li> <li>- Section 7.4.2 mentions that the Company’s communication procedures shall allow to “share information about (...) incident reporting to company management, clients, other private security teams and relevant civil or military authorities.”</li> <li>- Section 7.4.5 requires the Company to communicate “to people working on its behalf, who have reasonable belief that a non-conformance of this International Standard has occurred, their right to anonymously report the non-conformance internally, as well as externally to appropriate authorities.”</li> <li>- Section 8.1.3 requires the Company to “establish procedures (...) to report non-conformance” (with respect for human rights).</li> </ul>



				<ul style="list-style-type: none"> <li>- Section 8.2 requires that the Company’s Code of Ethics ensure that “all persons working on its behalf understand their responsibilities to prevent and report any abuses of human rights.”</li> <li>- Section 8.5 mentions that the Company shall have procedures to “support security operation in support of law enforcement to include prompt reporting of incidents of injury or death caused by the use of force and firearms in law enforcement activities to law enforcement authorities, as well as to the organization’s supervisory personnel.”</li> <li>- Section 8.8.2 requires the Company to have procedures for reporting and investigation of incidents and non-conformances with the principles of the Montreux Document and the ICoC.</li> <li>- Finally, section 8.8.3 requires that procedures shall be “communicated to internal and external stakeholders to facilitate reporting by individuals of potential and actual non-conformances with this International Standard, or violations of international, national and local laws or human rights.”</li> </ul>
		Does the standard require a company to have a process to ensure it has all licenses (if any) required for the sale of goods or services?	25	<p>7.5.2.2; 8.6.3 b); A.9.1.2; A.8.6.2. 3 g)</p> <p>The Standard requires the Company to maintain records to demonstrate conformity to the requirements of its management system, including on licenses and operations permits (Section 7.5.2.2). It also requires a Company that “uses weapons, hazardous materials, explosives and munitions” to have “documented procedures and records for the procurement, management, accountability and traceability of weapons including compliance with import and export controls, registrations, certifications, permits and transport requirements” (Section 8.6.3).</p> <p>The Annex further states that the Company “should be able to demonstrate that it has evaluated compliance with the legal and human rights requirements identified, including applicable permits or licenses.” (Section A.9.1.2). Finally, it states that “criteria for subcontracting should include the subcontractor’s capacity to obtain requisite registrations, licenses, or authorizations” (Section A.8.6.2.3).</p>

		Does the standard require a company to have an anti-corruption policy or program?	26	5.2; 7.2.2 d) 4); A.6.1.2. 1 d);	<p>The Standard requires the Company's top management to commit to satisfy applicable legal and other requirements, including voluntary commitments to which the Company subscribes (including the ICoC) that consider anti-corruption (Section 5.2). It also requires the Company to ensure its personnel "demonstrate appropriate level of competency in applicable local and international laws, including criminal, human rights and international humanitarian laws including but not limited to measures against bribery, corruption and similar crimes" (Section 7.2.2).</p> <p>The Annex further states that the Company must establish a process to "identify, comply with and evaluate applicable legal and voluntary requirements, including (...) international and national measures against bribery, corruption and similar crimes" (A.6.1.2.1).</p> <p>Finally, the Standard requires the development of a Code of Ethics on norms of behaviour, that should clearly communicate respect for human rights and the dignity of human beings, as well as the prohibition of bribery, conflicts of interest, corruption and other crimes" (Section 8.2, A.8.2).</p>
		Does the standard require that the company have all required authorizations and licenses to use and maintain weapons and ammunition, and hazardous materials?	56, 43(c)	8.3.1 a); 8.3.2; 8.3.2 b); 8.6.3 e), f), g); 7.5.2.2 o); A.7.5.2. 2 b), c), e), j); A.8.6.3	<p>The Standard requires the Company to have all required authorizations and licenses for the possession and use of weapons, ammunition, and material of war, such as:</p> <ul style="list-style-type: none"> <li>- Section 8.3.1 requires the Company's procedures to include "authorization for the use and carriage of weapons by its personnel."</li> <li>- Section 8.3.2 requires the Company's procedures to document arming authorizations for its personnel. They should be "specific to a type and model of weapon(s) and shall only be issued after the individual has qualified on that type and model to a published standard identified in the use of force procedures which is appropriate to the weapon and expected duties" and be "in writing and signed (e.g. ink or digitally) by the appropriate authorizing official(s) before a weapon is issued to an individual."</li> <li>- Section 8.6.3 requires the Company's procedures to document the procurement, management, accountability and traceability of weapons, including controls over their identification, issue, use,</li> </ul>

				<p>maintenance, return and loss; records regarding to whom and when weapons are issued; and identification and accounting of all ammunition and weapons.”</p> <p>It is also worth noting that records shall include “weapons inventory and receipts for weapons issuance, and licenses and operations permits” (Section 7.5.2.2), as well as “b) authorization to possess weapons; c) accountability for serialized and sensitive equipment; e) tracking of weapons, explosives, vehicles and hazardous materials; j) licensing” (Section A.7.5.2.2).</p> <p>The Annex provides further information on what the procedures should focus on regarding the procurement and management of weapons and ammunitions (A.8.6.3).</p>
		Does the standard require the company to ensure that all vehicles discharging contractual responsibilities are registered and licensed with relevant national authorities?	43(b)	<p>6.1.2; A.7.5.2. 2</p> <p>The Standard generally requires the Company to “identify applicable and relevant legal, regulatory, contractual, licensing and other requirements and commitments related to its business and security operations”, which can be read as including vehicles registration and licensing requirements. The Annex also mentions that records may include information regarding tracking of vehicles and licensing.</p> <p>Even though the Standard does not refer explicitly to registration and licensing of vehicles, section 6.1.2 should be understood as requiring the Company to fulfil registration and licensing requirements related to the vehicles used during operations.</p>
		Does the standard require that all vehicles be individually identifiable while on duty?	43(b)	<p>8.6.4; A.8.6.4; 8.5.1</p> <p>The Standard requires the Company to “use (...) markings to identify its (...) means of transport as belonging to the organization whenever they are carrying out activities in discharge of their contract. This identification should be visible at a distance and distinguishable from those used by military and police forces” (Section 8.6.4). The Annex further details how those markings should appear and be used to be the most effective.</p> <p>The Standard also requires, in the framework of security operations in support of law enforcement, procedures include “vehicle markings as</p>

				directed by the relevant law enforcement or controlling military authority” (Section 8.5.1).
		Does the standard require that all personnel be individually identifiable while on duty?	43(a)	8.6.4; A.8.6.4  The Standard requires the Company to “use uniforms and markings to identify its personnel (...) as belonging to the organization whenever they are carrying out activities in discharge of their contract. This identification should be visible at a distance and distinguishable from those used by military and police forces” (Section 8.6.4).  The Annex further details how uniforms and markings should appear and be used to “facilitate proper identification by the public in the event of a disruptive or undesirable event.” The Annex includes information on individual identification of personnel such as “a badge number, name, or other means to distinguish individual organization personnel.”
		Does the standard require the company to ensure that all weapons transfers are conducted in accordance with applicable laws and UN Security Council requirements, including sanctions?	57	6.1.2 a), b); 8.6.3 a), b); A.8.6.3 b)  Generally, the Standard requires the Company to “identify applicable and relevant legal, regulatory, contractual, licensing and other requirements and commitments related to its business and security operations” as well as “applicable human rights responsibilities relevant to its business and security operations in addition to those required under law” (Section 6.1.2).  More specifically, the Standard also requires a Company that uses weapons, hazardous materials, explosives and munitions to have “documented procedures and records for the procurement, management, accountability and traceability of weapons, including: compliance with applicable and relevant national and international law (e.g. UN sanctions) (and) compliance with import and export controls, registrations, certifications, permits and transport requirements” (Section 8.6.3). The Annex further specifies that the Company’s procedures “should ensure it acquires and maintains legal authorization for the possession, transport, export and transshipment of firearms, ammunition and other controlled goods as required by applicable international and national law.”
		Does the standard require a policy concerning the prohibition of possession and use of illegal weapons and ammunition under any applicable law?	57	8.6.3 a), b); A.8.6.3 b), d)  The Standard requires a Company that uses weapons, hazardous materials, explosives and munitions to have “documented procedures and records for the procurement, managements, accountability and traceability of weapons, including: compliance with applicable and relevant national and international law (e.g. UN sanctions) (and) compliance with import and

				<p>export controls, registrations, certifications, permits and transport requirements” (Section 8.6.3).</p> <p>The Annex further specifies that the Company’s procedures “should ensure it acquires and maintains legal authorization for the possession, transport, export and transshipment of firearms, ammunition and other controlled goods as required by applicable international and national law.” Procedures shall also ensure the Company “uses munitions and equipment, in particular weapons that are not prohibited by international law.”</p>	
		Does the standard require a company to have a program to ensure that their hiring policies and the terms and conditions of work comply with all applicable labour and employment laws and the ICoC?	52	<p>6.1.2 a); 8.7; A.8.6.2.1; A.6.1.2.1; 8.6.2.1; A.8.6.1.2.1 c);</p> <p>The Standard requires the Company to “identify applicable and relevant legal, regulatory, contractual, licensing and other requirements and commitments related to its business and security operations” (Section 6.1.2), including by having procedures to “promote a safe and healthy working environment (...) consistent with legal, regulatory and contractual obligations” (Section 8.7).</p> <p>The Annex further states that the Company’s procedures should be “consistent with the protections provided by applicable labour and other laws (...)” (Section A.8.6.2.1) while “applicable international and national employment and environmental laws and codes” are fully incorporated into the Company’s processes (Section A.6.1.2.1).</p> <p>The Standard also requires the Company to “maintain documented information on all personnel as required by legal and contractual obligations.” The Annex further provides that “applicable international and national employment and environmental laws and codes” should be incorporated into the Company’s processes, including by ensuring the welfare of its personnel consistent with the applicable labour and other laws.</p>	
	<b><u>1.3 Reporting Procedures</u></b>		24,28, 63		
		Does the standard require a reporting program whereby known or reasonably suspected national or		8.8.2; 7.4.2; 8.8.4	The Standard incorporates national and international crimes when stating, in Section 8.8.2, that “the organization shall establish, implement and maintain procedures for incident monitoring reporting, investigations, disciplinary

		international crimes must be reported to the client?			<p>arrangements and remediation. Incidents involving use of force or weapons, any casualties, physical injuries, allegations of abuse, loss of sensitive information or equipment, substance abuse, or non-conformance with the principles of the Montreux Document and the ICoC, as well as applicable laws and regulations, shall be reported and investigated.”</p> <p>The Standard requires the Company to “develop communication procedures to share information about the security team activity, location, operational and logistic status, relevant threat information and incident reporting to company management, clients, other private security teams and relevant civil or military authorities” and to “inform the client of reported violations of law or respect for human rights” (Section 8.8.4).</p>
		Does the standard require a reporting program whereby known or reasonably suspected national or international crimes must be reported to a Competent Authority?		8.8.2 d); 7.4.2; 7.4.5	<p>The Standard requires a Company to have procedures for incident monitoring reporting, investigations, disciplinary arrangements and remediation regarding “incidents involving use of force or weapons, any casualties, physical injuries, allegations of abuse, loss of sensitive information or equipment, substance abuse, or non-conformance with the principles of the Montreux Document and the ICoC, as well as applicable laws and regulations.” The process includes notifying the appropriate authorities when an incident happens.</p> <p>Also, the Company is required to “develop communication procedures to share information about (...) incident reporting to (...) relevant civil or military authorities” (Section 7.4.2).</p> <p>Finally, the Company is required to “communicate to people working on its behalf, who have reasonable belief that a non-conformance of this International Standard has occurred, their right to anonymously report the non-conformance internally, as well as externally to appropriate authorities” (Section 7.4.5).</p>
		Does the standard require a reporting program whereby known or reasonably suspected national or international crimes must be reported	24	8.1.4 h); 8.8.2; 8.8.3.f)	<p>The Standard requires the Company to have procedures for incident monitoring reporting and prevention and management of undesirable or disruptive events. The process includes notifying the appropriate authorities when an incident happens.</p>

		to either the country of nationality of the victim, country of nationality of the perpetrator, or country where the act took place?			However, the Standard only refers to “appropriate authorities” and does not require reporting to the specific authorities listed in paragraph 24 of the ICoC.
		Does the required reporting program include each of the practices or behaviours described in paragraph 22 of the ICoC.		8.8.2; A.8.2	<p>The Standard requires the Company to “maintain procedures for incident monitoring reporting (...), including “incidents involving use of force or weapons, any casualties, physical injuries, allegations of abuse, loss of sensitive information or equipment, substance abuse, or non-conformance with the principles of the Montreux Document and the ICoC, as well as applicable laws and regulations.”</p> <p>The Annex further states that the Company should “establish, implement and maintain a Code of Ethics for its employees, subcontractors and outsource partners.” The Code of Ethics should “ensure that all persons working on behalf of the organization understand their responsibilities to abide by human rights, local, national and international law” and to “prevent and report any abuses of human rights including (but not limited to) prohibition of: a) torture or other cruel, inhuman, or degrading treatment or punishment; b) sexual exploitation and abuse or gender-based violence; c) human trafficking; d) slavery and forced labour; e) the worst forms of child labour; f) unlawful discrimination.”</p>
		Does the required reporting program include a requirement to report violations of the Code?		8.8.2	The Standard requires the Company to “maintain procedures for incident monitoring reporting (...), including “incidents involving use of force or weapons, any casualties, physical injuries, allegations of abuse, loss of sensitive information or equipment, substance abuse, or non-conformance with the principles of the Montreux Document and the ICoC, as well as applicable laws and regulations.”
		Does the standard ensure that company requires a written incident report in response to any of the types of incidents described in paragraph 63 of the ICoC?		8.8.2; A.8.8.2	The Standard requires the Company to “establish, implement and maintain procedures for incident monitoring reporting, investigations disciplinary arrangements and remediation.” A number of steps are identified for report and investigate incidents, including “documentation of the incident.” Also, “records shall be maintained and retained (...).”

					The Annex further states that there should be an incident reporting and documenting program that includes all the types of incidents contained in paragraph 63 of the Code, including what kind of details should be determined and circumstantiated.
		Does the standard require a company to have a process to conduct an internal inquiry regarding incidents described in paragraph 63 of the ICoC?		8.8.2; 8.8.2 c) d) e)	The Standard requires the Company to have a procedure for “incident monitoring reporting, investigations, disciplinary arrangements and remediation” regarding “incidents involving use of force or weapons, any casualties, physical injuries, allegations of abuse, loss of sensitive information or equipment, substance abuse, or non-conformance with the principles of the Montreux Document and the ICoC, as well as applicable laws and regulations.” This procedure includes: c) steps taken to investigate the incident; d) identification of the root causes; and e) corrective and preventive actions taken.”
		Does the standard require an incident report to include each of the following: <ul style="list-style-type: none"> <li>• time and location</li> <li>• identity and nationality of persons involved (including address and contact details)</li> <li>• injuries and damages sustained</li> <li>• circumstances leading up to the incident; and</li> <li>• measures taken by the company in response.</li> </ul>		8.8.2; A.8.8.2	<p>The Standard requires the Company to “establish, implement and maintain procedures for incident monitoring reporting.” A number of steps are identified for report incidents, including: “a) documentation of the incident; b) notification of appropriate authorities; c) steps taken to investigate the incident; d) identification of the root causes; e) corrective and preventive actions taken; f) any compensation and redress given to the affected parties.”</p> <p>The Annex further states that the Company should establish procedures to determine: “a) time and location of the incident; b) identity of any persons involved including their addresses and other contact details; c) injuries/damage sustained; d) circumstances leading up to the incident; e) any measures taken by the organization in response to the incident;” as well as “f) causes of internal and external casualties; g) notification of appropriate authorities; h) identification of root causes; i) corrective and preventive actions taken.”</p>
	<b><u>1.4 Contracting Policies/Programs</u></b>		16-20, 22, 23		



		<p>Does the standard ensure that the company requires Code compliance in its contracts with all contractors or subcontractors?</p>	<p>0.2; 6.1.2 a) b); 8.2; 8.6.2.3; 7.1.2.4 a)</p>	<p>The Standard indicates that the Company is responsible for establishing “policies and control to assure conformance with the principles of the Montreux Document and the ICoC” (Section 0.2) and to “identify applicable and relevant legal, regulatory, contractual, licensing and other requirements and commitments related to its business and security operations, (and) applicable human rights responsibilities relevant to its business and security operations in addition to those required under law” (Section 6.1.2). Those requirements have to be communicated to personnel and third parties, including subcontractors.</p> <p>The Company is also required to have a “Code of Ethics for norms of behaviour for all persons working on its behalf, including employees, subcontractors and outsource partners.” This Code need to clearly communicate respect for human rights and dignity of human beings (Section 8.2).</p> <p>Finally, the Company is “responsible for the subcontractor’s work and is liable, as appropriate and within applicable law, for the conduct of the subcontractors” (Section 8.6.2.3). In particular, the Company is required to “monitor compliance with specific terms of reference and codes of conduct (...) with regards to security operations and respect for human rights.” The Company is required to have documented agreements covering subcontracted or outsourced arrangements that includes “commitment by subcontractors to abide by the same legal, ethical and human rights commitments and obligations as held by the organization and as described in this International Standard” (Section 7.1.2.4).</p>
		<p>Does the standard require the company to have a process to ensure that it does not enter into contracts where performance would directly and materially conflict with</p> <ul style="list-style-type: none"> <li>• the Code;</li> <li>• applicable national or international law;</li> </ul>	<p>0.2; 9.1.2; 6.1.2; 4.3; 4.2 c), d), e); 4.4; A.2.2.1</p>	<p>The Standard indicates that the Company is responsible for establishing “policies and control to assure conformance with the principles of the Montreux Document and the ICoC” (Section 0.2) and procedures “for periodically evaluating compliance with applicable legal, regulatory and human rights requirements” (Section 9.1.2). Also, the Standard requires that the Security Operations Management System (SOMS) “implement the principles and commitments of the ICoC.”</p>

		<ul style="list-style-type: none"> <li>• applicable local, regional and international human rights law.</li> </ul>		<p>The Standard also requires the Company to “identify applicable and relevant legal, regulatory, contractual, licensing and other requirements and commitments related to its business and security operations (and) applicable human rights responsibilities relevant to its business and security operations in addition to those required under law” (Section 6.1.2).</p> <p>The Company is required to define the scope of its management system “consistent with the need to respect applicable international, national and local laws and human rights, while protecting and preserving the integrity of the organization, including relationships with stakeholders” (Section 4.3). Internal and external stakeholder needs and requirements are also identified according to “legal and regulatory requirements and voluntary commitments, human rights responsibilities and impacts relevant to the services provided and impact on and interactions with external stakeholders (such as local communities, clients and other security providers)” (Section 4.2).</p> <p>The Annex also states that the Company should conduct or contract security operations to “respect all human rights, including but not limited to, non-derogable human rights” and lists a number of rights and freedoms that are applicable (Section A.2.2.1).</p> <p>Finally, the Standard mentions that the Company’s management systems, operations and objectives should be consistent with the Code, applicable national or international law, as well as applicable local, regional and international human rights law.</p>
		<p>Does the standard require a process to review contracts and ensure there is no conflict with the Code?</p>	<p>0.2; 4.2 c), d); 9.1.2; 6.1.2 a), b)</p>	<p>The Standard requires the Company to have a process to “establish policies and controls to assure conformance with the principles of the Montreux Document and the ICoC” (Section 0.2) and procedures “for periodically evaluating compliance with applicable legal, regulatory and human rights requirements” (Section 9.1.2).</p> <p>The Standard also requires the Company to “identify applicable and relevant legal, regulatory, contractual, licensing and other requirements and</p>

				<p>commitments related to its business and security operations (and) applicable human rights responsibilities relevant to its business and security operations in addition to those required under law” (Section 6.1.2).</p> <p>In addition, the Standard requires the Company’s “top management (...) ensure that internal and external stakeholder interests are identified, evaluated and documented, in order to achieve the objectives of its contracts and minimize risks. When identifying internal and external stakeholder needs and requirements, the organization shall consider its: c) legal and regulatory requirements and voluntary commitments; d) human rights responsibilities and impacts relevant to the services provided” (Section 4.2).</p> <p>The Standard mentions review of policies and programs consistent with the Code and applicable contractual requirements.</p>
--	--	--	--	--

<b><u>2. Personnel Management Policies and Procedures</u></b>					
	<b><u>2.1 Hiring and Selection of Personnel</u></b>		45, 48, 49, 50-54		
		Does the standard require the company to have a verifiable vetting program for all Personnel?		8.6.2.2; 5.1.2; 8.2; 8.6.2.3; A.8.6.2.2; A.8.6.2.3	<p>The Standard requires the Company to have a verifiable vetting program for all persons working on behalf of the Company, including subcontractors. Specifically:</p> <ul style="list-style-type: none"> <li>- Section 8.6.2.2 describes the elements that the Company shall check when conducting background screening and vetting of persons working on its behalf. The elements are similar to the principles of the ICoC and the Standard requires the Company to verify them.</li> <li>- Sections 5.1.2 and 8.2 mention that personnel should follow the Company’s Statement of Conformance and Code of Ethics for norms of behavior.</li> <li>- Section 8.6.2.3 describes more specifically the requirements regarding the Company’s background screening and vetting of subcontractors. In particular, the Company is “responsible for the subcontractor’s work and is liable, as appropriate and within applicable law, for the conduct of the subcontractors.”</li> <li>- Section 7.1.2.4 describes processes for subcontracting and outsourcing activities, functions and operations, including requiring them to “abide by the same legal, ethical and human rights commitments and obligations as held by the organization and as described in this International Standard.”</li> </ul> <p>Finally, the Annex indicates that “screening and selection procedures should be consistent with legal, contractual requirements and the principles of the Montreux Document and the ICoC.”</p>
		Does the standard require that the vetting process applies to both to new hires and promotions to new positions?		8.6.2.2; 7.2.2; A.7.2; A.8.6.2.2	The Standard requires the Company to have procedures for “background screening and vetting of all persons working on its behalf at all tiers” (Section 8.6.2.2). Also, “screening and selection measures shall be consistent with legal and contractual requirements, as well as consistent with the normative references of this International Standard” (Section 8.6.2.2) and shall “be based on the nature of the job for which the candidate is being considered,

				<p>the person’s level of authority and the area of specialization” (Section A.8.6.2.2).</p> <p>The Standard further states that personnel are “required to notify the organization of any change of circumstances that might lead to a review of their screening status” (Section 8.6.2.2). Also, the Company’s procedures should “screen out personnel who do not meet minimum qualifications established for positions” (Section A.8.6.2.2).</p> <p>The Standard also requires the Company to have procedures to ensure ongoing performance review of personnel, in particular to ensure that “persons performing tasks on its behalf demonstrate an appropriate level of competency in (...) the performance of their security functions” (Section 7.2.2). The Annex further specifies that it is the Company’s “responsibility that all persons working on behalf of the organization are sufficiently trained, both prior to any deployment and on an ongoing basis, in the performance of their functions” (Section A.7.2).</p>
		<p>Does the standard require that all personnel be checked to ensure that they are qualified as defined by</p> <ul style="list-style-type: none"> <li>• the contract;</li> <li>• applicable national law;</li> <li>• industry standards; and</li> <li>• the principles of the ICoC?</li> </ul>	<p>8.6.2.1; 8.6.2.2; A.8.6.2.2; A.8.6.2.3</p>	<p>The Standard requires in section 8.6.2.1 that the personnel retained to have the “appropriate competence to fulfil its contractual obligations.</p> <p>It further requires in section 8.6.2.2 for screening and selection measures to be “consistent with legal and contractual requirements, as well as consistent with the normative references of this International Standard.” It also requires that screening includes elements, which are also principles of the ICoC: a) consistency with legal and contractual requirements; b) identity, minimum age and personal history verification; c) education and employment history review; d) military, police and security service records check; e) review of possible criminal records; f) review reports of human rights violations; g) evaluation for substance abuse; h) physical and mental evaluation for fitness with assigned activities; i) evaluation for suitability to carry weapons as part of their duties.”</p>

					The Annex further specifies that “screening and selection procedures should be consistent with legal, contractual requirements and the principles of the Montreux Document and the ICoC” and “this International Standard.”
		Does the standard require that the company refrain from hiring personnel under the age of 18 to perform Security Services?		8.6.2.2	The Standard indicates that “minimal age requirements may be set by local law, laws applicable in the organization’s legal domicile, or may be required of or by the client” but requires that “in no case, however, shall any person younger than eighteen years of age be employed in duties that require them to use a firearm or other weapon.”
		Does the standard require the company to obtain authorization to access all personnel, government and employment records?		8.6.2.2; A.8.6.2. 2	The Standard requires the Company to “develop (background screening) procedures to appropriately and strictly secure the confidentiality of information both internally and externally” consistent with data protection laws.  The Annex further states that “candidates should sign appropriate authorizations and consents prior to performing background screening.”
		Does the standard require that company personnel agree to participate in internal and external investigations and disciplinary procedures?		8.8.2; 8.8.3;	The Standard requires the Company to have “incident monitoring reporting, investigations, disciplinary arrangements and remediation” procedures” and to assure that its personnel are aware of their “responsibilities and the mechanisms to monitor and report non-conformances and incidents” (Section 8.8.2). The Company is also required to investigate allegations of potential and actual non-conformances “with due consideration to confidentiality and restrictions imposed by local law” (Section 8.8.3).  However, the Standard does not require an explicit agreement from the Company’s personnel to participate in internal and external except where prohibited by law .
		Does the standard require that the company’s anti-discrimination policy apply to race, colour, sex, religion, social origin, social status, indigenous status, disability, or sexual orientation when hiring personnel and selecting personnel on the basis of inherent requirements of the contract?	42	8.6.2.2; 8.1.3; 8.2; 7.2.2 d), e); A.8.6.2. 1 e)	The Standard requires the Company’s screening and selection measures to be “consistent with legal and contractual requirements, as well as consistent with the normative references of this International Standard” (Section 8.6.2.2) which include the Montreux Document, the ICoC and the UN Guiding Principles.  The Company is also required to:

					<ul style="list-style-type: none"> <li>- “Establish procedures to treat all persons with dignity and with respect for their human rights” (Section 8.1.3);</li> <li>- “Establish a Code of Ethics for norms of behaviour for all working on its behalf (...). It shall (...) clearly communicate respect for the human rights and dignity of human beings” (Section 8.2);</li> <li>- “Ensure that persons performing tasks on its behalf demonstrate an appropriate level of competency” in understanding the “ culture, such as customs and religion, of the environment in which they are operating” and in applying “local and international laws, including criminal, human rights and international humanitarian laws, including on: 1) prohibition of torture or other cruel, inhuman, or degrading treatment; 2) prohibition and awareness of sexual exploitation and abuse or gender based violence; 3) recognition and prevention of human trafficking and slavery; 4) measures against bribery, corruption and similar crimes” (Section 7.2.2).</li> </ul> <p>The Annex further states that the welfare of persons working on behalf of the Company includes having procedures “preventing unlawful discrimination in employment” (Section A.8.6.2.1).</p>
		<p>Does the standard require that a company ensure personnel who carry weapons are checked to ensure that they have not:</p> <ul style="list-style-type: none"> <li>• been convicted of a crime that would indicate lack of character and fitness to perform Security Services in a manner consistent with the ICoC;</li> <li>• been dishonourably discharged;</li> <li>• had other employment terminated for documented violations of any of the principles of the ICoC; or</li> </ul>	<p>48</p>	<p>8.6.2.1; 8.6.2.2; 8.3.2 a); A.8.6.2.2; A.8.3.6</p>	<p>The Standard requires that the Company ensure that all personnel, including those carrying weapons, are checked to ensure that they are fit to perform in a manner consistent with the ICoC:</p> <ul style="list-style-type: none"> <li>- Section 8.6.2.1 requires that the personnel retained, including employees, contractors or subcontractors), have the “appropriate competence to fulfil its contractual obligations”.</li> <li>- Section 8.6.2.2 requires to ensure that the screening of all personnel include: “a) consistency with legal and contractual requirements; b) identity, minimum age and personal history verification; c) education and employment history review; d) military, police and security service records check; e) review of possible criminal records; f) review reports of human rights violations; g) evaluation for substance abuse; h) physical and mental evaluation for fitness with assigned activities; i) evaluation for suitability to carry weapons as part of their duties.”</li> </ul>

		<ul style="list-style-type: none"> <li>had other history of conduct that (according to an objectively reasonable standard) brings into question their fitness to carry a weapon.</li> </ul>		<ul style="list-style-type: none"> <li>Section 8.3.2 requires that authorizations for its personnel to be armed “only be granted to those personnel who the organization has determined to be suitable for the tasks to be performed and who have undergone background investigations appropriate for the duties performed.”</li> </ul> <p>The Annex further states that “in verifying the experience and qualifications that are presented by the candidate, the Company should look for unexplained gaps, including by asking for personal references or supervisor and co-worker interviews (Section A.8.6.2.2). The Company should also document its due diligence procedures of “its personnel to assess whether an individual is prohibited from possessing or carrying a weapon.” The Company “should not issue weapons to its personnel until background investigations for that individual are complete” (Section A.8.3.6).</p>
	<b>2.2 Performance Review Process</b>		47	
		Does the standard require that the company have an ongoing personnel performance review process to ensure that personnel meet appropriate physical and mental fitness standards?		<p>7.2.1; 8.6.2.2 h); 7.2.2; 7.2.3; 9.1.1; A.7.2 d); A.8.6.2.2</p> <p>The Standard requires the Company to ensure that its personnel are “competent on the basis of appropriate education, training and experience” (Section 7.2.1), while initial screening should include “physical and mental evaluation for fitness with assigned activities” (Section 8.6.2.2) “both prior to any deployment and on an ongoing basis, in the performance of their functions” (Section A.7.2 d). The Company’s procedures shall also ensure that the personnel are competent enough in the “performance of their security functions” (Section 7.2.2) and that those procedures “screen out personnel who do not meet minimum qualifications established for positions, and select appropriately qualified personnel based on their knowledge, skills, abilities and other attributes” (Section A.8.6.2.2). Competence-based training is required, as well as “a means to measure degrees of proficiency or levels of competency” (Section 7.2.3).</p> <p>Finally, the Standard generally requires performance evaluation (Section 9), in particular it requires the Company to “evaluate (...) capabilities through periodic assessments, testing, post-incident reports, lessons learned, performance evaluations and exercises” (Section 9.1.1).</p>



		<p>Does the standard require that a company’s performance review process assess the ability of personnel to perform duties in accordance with principles of the Code?</p>		<p>7.2.1; 7.2.2; 9.1.1; A.7.2</p>	<p>In section 7.2.1, the Standard requires the Company to “determine the necessary competence of person(s) doing work under its control that affects its security operations performance; ensure that these persons are competent on the basis of appropriate education, training, or experience; where applicable, take actions to acquire the necessary competence and evaluate the effectiveness of the actions taken; retain appropriate documented information as evidence of competence.” Section A.7.2 d) further mentions that it is the company’s “responsibility that all persons working on behalf of the organization are sufficiently trained, both prior to any deployment and on an ongoing basis, in the performance of their functions.”</p> <p>In Section 7.2.2, it further requires the Company to identify “competencies, level of competency and training needs associated with its security operations, particularly the performance of each individual’s functions, consistent with legal and contractual obligations and respect for human rights.” It includes having procedures to ensure that individuals are competent with regards to a number of areas/topics, including the “performance of their security functions”, manage “potential human rights impacts associated with their work”, respect “applicable local and international laws, human rights and international humanitarian laws (...)” and respect “limitations on the use of force related to its security operations.”</p>
	<p><b>2.3 Subcontractor Hiring</b></p>		<p>50-51</p>		
		<p>Does the standard require the company to provide the ICoC to all subcontractors and other personnel providing security services, and to require that they operate in accordance both with the Code and with the standard?</p>		<p>8.2; 6.1.2; 8.8.2; 4.4; 7.1.2.4; 7.1.2.4 a); A.7.1.2.4;</p>	<p>The Standard does not clearly mention that the Company needs to provide the ICoC to its personnel and subcontractor. However, it requires them to be aware of the principles and commitments of the Company (which include the ICoC) and to operate in accordance to those principles.</p> <p>The Standard requires the Company to have a “Code of Ethics on norms of behaviour for all persons working on its behalf, including employees, subcontractors and outsource partners” which clearly states the “importance of professional conduct in security operations and clearly communicate</p>

<p>A.8.2; A.8.6.2. 3</p>	<p>respect for the human rights and dignity of human beings.” All those persons shall be aware, and understand, their responsibilities to prevent and report any abuses of human rights (Section 8.2). “Relevant information on legal and other requirements”, which can include the ICoC, is also required to be communicated to personnel working on behalf, including subcontractors (Section 6.1.2). Finally, the Company is required to assure that “all persons working on its behalf are aware of their responsibilities and the mechanisms to monitor and report incidents and non-conformances (...) with the principles of the Montreux Document and the ICoC” (Section 8.8.2).</p> <p>In parallel, the Standard requires the Company to ensure that “control of subcontracted or outsourced process or activity be identified and managed within its management system.” Running the Company’s management system includes implementing “the principles and commitments of the ICoC” (Section 4.4).</p> <p>The Company is also required to “establish, document, communicate and monitor compliance with specific terms of reference and codes of conduct to its subcontractors and outsource partners with regards to security operations and respect for human rights”, which can read as including the ICoC. Company and subcontractors need to agree on arrangements that include a “commitment by subcontractors to abide by the same legal, ethical and human rights commitments and obligations as held by the organization and as described in this International Standard” (Section 7.1.2.4).</p> <p>It is worth noting that the Annex further specify:</p> <ul style="list-style-type: none"> <li>- In section A.7.1.2.4: the Company is “responsible for all activities outsourced to another entity.”</li> <li>- In section A.8.2: the topics that should be covered by the Company’s Code of Ethics, which are also covered in the ICoC.</li> <li>- In section A.8.6.2.3: the Company should “only retain the services (...) of competent subcontractors capable of operating in a manner consistent with this International Standard and the principles of the Montreux Document and the ICoC.”</li> </ul>
----------------------------------	--

		<p>Does the standard require the company to ensure either:                  (a) that the selection, vetting and training procedures required by the ICoC and the standard are conducted by all subcontractors or                  (b) that, if subcontractors cannot perform the selection, vetting and training procedures required by the ICoC and the standard, the company will ensure that those procedures are conducted in accordance with the ICoC?</p>	<p>7.1.2.4;                  8.6.1;                  8.6.2.1;                  8.6.2.2;                  8.6.2.3;                  A.8.6.2.3;                  A.7.2                  b)</p>	<p>The Standard requires the Company to “have a clearly defined process for subcontracting or outsourcing activities, functions and operations” and to “establish, document, communicate and monitor compliance with specific terms of reference and codes of conduct to its subcontractors and outsource partners with regards to security operations and respect for human rights” (Section 7.1.2.4). In the case the Company subcontracts or outsources any process “that affects conformity with the requirements of this International Standard”, it is required to “ensure that such processes are controlled” (Section 8.6.1).</p> <p>The Company is required to retain personnel with the “appropriate competence to fulfil its contractual obligations”, including employees, contractors and subcontractors (Section 8.6.2.1). For that purpose, the Company shall establish procedures for the selection, background screening and vetting “of all persons working on its behalf”, including of subcontractors, “at all tiers” (Section 8.6.2.2). The Company is therefore “responsible for the subcontractor’s work and is liable, as appropriate and within applicable law, for the conduct of the subcontractors” (Section 8.6.2.3), in a “manner consistent with this International Standard and the principles of the Montreux Document and the ICoC” (Section A.8.6.2.3). In particular, the Company should require “that subcontractors working on its behalf are able to demonstrate that their employees have the requisite competence and/or appropriate training” (Section A.7.2).</p> <p>The Standard therefore requires the subcontractors to abide by the same principles of the ICoC and for the screening process to be in accordance with those principles.</p>
	<p><b>2.4 Employment Practices/Terms and Conditions of Work</b></p>		<p>52-54</p>	
		<p>Does the standard require a company to have a program to ensure that the terms and conditions of work comply</p>	<p>6.1.2                  a); 8.7;                  A.8.6.2.</p>	<p>The Standard requires the Company to “ identify applicable and relevant legal, regulatory, contractual, licensing and other requirements and commitments related to its business and security operations” (Section 6.1.2),</p>

		with all applicable labour and employment laws?	1; A.6.1.2.1	including by having procedures to “promote a safe and healthy working environment (...) consistent with legal, regulatory and contractual obligations” (Section 8.7).  The Annex further states that the Company’s procedures should be “consistent with the protections provided by applicable labour and other laws (...)” (Section A.8.6.2.1) while “applicable international and national employment and environmental laws and codes” are fully incorporated into the Company’s processes (Section A.6.1.2.1).
		Does the standard require that relevant employment reference materials, such as employment contracts, incorporate the Code and applicable labour law?	8.6.2.1; A.6.1.2.1 c);	The Standard requires the Company to “maintain documented information on all personnel as required by legal and contractual obligations.” The Annex further states that “applicable international and national employment and environmental laws and codes” should be incorporated into the Company’s processes, including by ensuring the welfare of its personnel consistent with the applicable labour and other laws.  However, the Standard does not require that relevant personnel reference material, such as employment contracts, specifically incorporate the Code.
		Does the contract require that all terms and conditions of employment are available to personnel in writing, in a language they can understand?	8.6.2.1; A.8.6.2.1 a)	The Standard required the Company to “provide personnel relevant documents in language that is readily comprehensible for all parties.” The Annex further states that personnel should be provided “a copy of any contract to which they are party to, in a language they understand.”
		Does the standard require that employment records and reports be kept for all personnel during and for at least 7 years after employment?	7.5.3; A.8.6.2.1	The Standard requires that the Company retains “employment and service records (...) for a minimum of seven years or as required by applicable law.” The Annex further states that the Company should retain relevant documents for a period of time that complies with applicable laws and regulations, contractual requirements and the organization’s records policies.”
		Does the standard require that the company make employment records accessible to ICoCA or a Competent Authority, except where prohibited by law?	7.4.2; 7.5.3	The Standard requires that “security team activity, location, operational and logistic status, relevant threat information and incident reporting” information be communicated to “relevant civil or military authorities” (Section 7.4.2). The Standard also requires the Company to ensure the integrity of employment and service documents by “rendering them (...)”

				<p>accessible only to authorized personnel, and protected from unauthorized disclosure” (Section 7.5.3).</p> <p>However, the Standard does not explicitly address or require accessibility of employment records by the ICoCA or a Competent Authority.</p>
		Does the standard require that the company hold passports, travel documents, and other identification materials only for such time as is reasonably necessary for administrative processing?	8.6.2.2; A.8.6.2.1; A.8.6.2.2	<p>The Standard requires the Company to conduct background screening in a manner in which it “appropriately and strictly secures the confidentiality of information both internally and externally.”</p> <p>The Annex further states that the Company should ensure that personnel has “unrestricted access to their own travel documents”, consistent with the protections provided by applicable labour and other laws (A.8.6.2.1). “Personal documents, such as passports, licenses and original birth certificates, should be returned to personnel within a reasonable timeframe” (Section A.8.6.2.2).</p>

<b>3. Rules for the Use of Force</b>			29-32	8.3	
		Does the standard require that a company have guidance or general policies covering Rules for the Use of Force?		8.3.1	The Standard requires the Company to establish use of force procedures for persons working on its behalf and to be employed by security operations personnel in self-defense, including the defense of persons under the protection of the organization.”
		Does the standard require that company guidance regarding the use of force is checked for consistency with applicable law?	32	7.2.2; 8.3.1; 8.5.1; 8.3.6	<p>The Standard requires the Company’s procedures on use of force “shall be governed by the rules for the use of force (RUF) published by a competent legal authority for use in its security operations consistent with the requirements of this International Standard. In the absence of authorized RUF, organizations shall base their procedures on published international guidance for use of force (e.g. United Nations Basic Principles on the Use of Force and Firearms by Law Enforcement Officials 1990 and the Montreux Document).”</p> <p>The Standard further states that the use of force procedures shall “be consistent with the appropriate and relevant laws, and (...) with applicable law and contractual requirements.” The Standard also requires the</p>

				<p>Company to have procedures to “ensure persons performing tasks on its behalf demonstrate an appropriate level of competency in (...) the performance of their security functions (...) and applicable local and international laws, including criminal, human rights and international humanitarian laws” (Section 7.2.2).</p> <p>In the specific case of law enforcement duties, the Standard requires the Company to “only perform (...) as specifically authorized to do so by the law enforcement or controlling military authority of the relevant state in accordance with applicable and relevant law” (Section 8.5.1).</p> <p>The Standard generally requires the Company to check its own RUF for consistency with applicable law. However, in the context of assisting in the exercise of a state’s law enforcement authority, the Company’s RUF are not explicitly required, as stated in the ICoC, “to comply with all national and international obligations applicable to regular law enforcement officials of that state and, as a minimum, with the standards expressed in the United Nations Basic Principles on the Use of Force and Firearms by Law Enforcement Officials (1990)” (Article 32 of the Code).</p> <p>The Standard requires the Company to “request RUF from the law enforcement authority or controlling military authority of the relevant state for this function.” It is only when RUF are unavailable, that the UN Basic Principles become applicable. Differently, the ICoC establishes that RUF should comply, at a minimum and in all cases, with the UN Basic Principles.</p>
		Does the standard require that a company’s RUF and guidance incorporate concepts of necessity, proportionality and appropriateness?	8.3.1; 8.3.4; 8.3.3; 8.3.5	<p>The Standard requires the Company’s procedures on use of force to “be employed by security operations personnel in self-defense, including the defense of persons under the protection of the Company” (Section 8.3.1). Similarly, the use of less-lethal force should be done “in accordance with applicable and relevant laws of self-defense” (Section 8.3.4).</p> <p>For that, the procedures shall describe “a use of force continuum, applying an appropriate amount of force reasonably necessary for the security</p>

				<p>operations” which includes: “a) use of force shall be reasonable in intensity, duration and magnitude based on the circumstances applicable at the time; b) warning persons and providing the opportunity to withdraw or cease threatening actions when the situation or circumstances permit; c) de-escalation of applied force if the situation and circumstances permit; d) supervisory controls over initiating, escalating and de-escalating the use of force and the limitation of that authority” (Section 8.3.3).</p> <p>The Standard further states that “lethal force is justified only under conditions of necessity and may be used only when lesser means cannot be reasonably employed or have failed. (...) Lethal force is justified only under conditions of necessity” in circumstances detailed in section 8.3.5.</p>
		<p>Does the standard require RUF stipulations for the use of firearms only in self-defence or defence of others with the threat of death or serious injury is imminent?</p>	<p>8.3.1; 8.3.4; 8.3.5</p>	<p>The Standard requires the Company’s procedures on use of force to “be employed by security operations personnel in self-defense, including the defense of persons under the protection of the Company” (Section 8.3.1).</p> <p>The use of less-lethal force should be done “in accordance with applicable and relevant laws of self-defense” in circumstances (not exhaustive) detailed in section 8.3.4.</p> <p>Similarly, the use of lethal force is only justified “under conditions of necessity and may be used only when lesser means cannot be reasonably employed or have failed.”</p> <p>The Company is required to “identify applicable laws of self-defense for each of its security operations and address the use of lethal force (...) which is justified only under conditions of necessity -and may be used only when lesser means cannot be reasonably employed or have failed- when there is a reasonable belief that: a) a person or persons present an imminent threat of death or serious bodily harm to the individual or others in the vicinity; b) when necessary to prevent the actual theft or sabotage of inherently dangerous property; c) to prevent the sabotage or destruction of critical infrastructure, the damage to which competent legal authority</p>

					determines would create an imminent threat of death or serious bodily harm or injury” (Section 8.3.5).
--	--	--	--	--	--

<b><u>4. Management of Weapons and Materials of War</u></b>			56-62		
		Does the standard require the company to have policies that cover the possession, use and storage of weapons, ammunition, and materials of war?		7.2.2 i); 8.3.1 a); 8.3.2; 8.6.3; 8.3.7 b)	<p>The Standard requires the Company to have policies that cover the possession, use and storage of weapons, ammunitions and materials of war such as:</p> <ul style="list-style-type: none"> <li>- Section 7.2.2 requires the Company to have procedures to ensure persons performing tasks on its behalf are competent in using weapons “including mechanical operations and live fire qualification with the specific weapon(s) authorized and as specified by the organization appropriate to specific security-related tasks.”</li> <li>- Section 8.3.1 requires the Company to have use of force procedures that include “authorization for the use and carriage of weapons by its personnel.”</li> <li>- Section 8.3.2 also requires the Company to “establish and document procedures for authorizing its personnel to be armed in the performance of security operations.”</li> <li>- Section 8.6.3 requires a Company that uses weapons, hazardous materials, explosives and munitions to have “procedures and records for the procurement, managements, accountability and traceability of weapons.”</li> <li>- Finally, section 8.3.7 requires the Company’s training on use of force to include “a review of the organization’s weapons authorization, storage and carriage policy.”</li> </ul>



		<p>Does the standard require that a company have all required authorizations for possession and use of weapons, ammunition, and material of war?</p>	<p>56,60</p>	<p>8.3.1 a); 8.3.2; 8.3.2 b); 8.6.3 e), f), g); 7.5.2.2 o); A.7.5.2.2 b), c), e), j); A.8.6.3</p>	<p>The Standard requires the Company to have all required authorizations for the possession and use of weapons, ammunition, and material of war, such as:</p> <ul style="list-style-type: none"> <li>- Section 8.3.1 requires the Company’s procedures to include “authorization for the use and carriage of weapons by its personnel.”</li> <li>- Section 8.3.2 requires the Company’s procedures to document arming authorizations for its personnel. They should be “specific to a type and model of weapon(s) and shall only be issued after the individual has qualified on that type and model to a published standard identified in the use of force procedures which is appropriate to the weapon and expected duties” and be “in writing and signed (e.g. ink or digitally) by the appropriate authorizing official(s) before a weapon is issued to an individual.”</li> <li>- Section 8.6.3 requires the Company’s procedures to document the procurement, management, accountability and traceability of weapons, including controls over their identification, issue, use, maintenance, return and loss; records regarding to whom and when weapons are issued; and identification and accounting of all ammunition and weapons.”</li> </ul> <p>It is also worth noting that records shall include “weapons inventory and receipts for weapons issuance” (Section 7.5.2.2), as well as “b) authorization to possess weapons; c) accountability for serialized and sensitive equipment; e) tracking of weapons, explosives, vehicles and hazardous materials; j) licensing” (Section A.7.5.2.2).</p> <p>The Annex provides further information on what the procedures should focus on regarding the procurement and management of weapons and ammunitions (A.8.6.3).</p>
		<p>Does the standard require that a company ensure there is no unauthorized or altered, illegal weapons or material of war?</p>	<p>57,61</p>	<p>8.6.3 a), b), e), f), g);</p>	<p>The Standard requires a Company that uses weapons, hazardous materials, explosives and munitions to ensure that its procedures and records for the procurement, managements, accountability and traceability of weapons include: “a) compliance with applicable and</p>

				<p>A.8.6.3 d)</p> <p>relevant national and international law (e.g. UN sanctions); b) compliance with import and export controls, registrations, certifications, permits and transport requirements; e) controls over their identification, issue, use, maintenance, return and loss; f) records regarding to whom and when weapons are issued; g) identification and accounting of all ammunition and weapons.”</p> <p>The Annex further determines that the Company’s procedures should ensure that it “uses munitions and equipment, in particular weapons that are not prohibited by international law.”</p>
		<p>Does the standard require that a company ensure all weapons and materials of war transfers and transactions in are in accordance with applicable law and UN Security Council and sanctions?</p>	57,61	<p>6.1.2; 8.6.3 a), b)</p> <p>The Standard requires the Company to generally “a) identify applicable and relevant legal, regulatory, contractual, licensing and other requirements and commitments related to its business and security operations; b) identify applicable human rights responsibilities relevant to its business and security operations in addition to those required under law; and c) determine how these requirements apply to its operations and those of any subcontractors or joint ventures within the scope of application of this International Standard.”</p> <p>The Standard more specifically requires that the Company’s “procedures and records for the procurement, managements, accountability and traceability of weapons (to include): a) compliance with applicable and relevant national and international law (e.g. UN sanctions); and b) compliance with import and export controls, registrations, certifications, permits and transport requirements.”</p>
		<p>Does the standard require policies for management of weapons and ammunition that include:</p> <ul style="list-style-type: none"> <li>• secure storage</li> <li>• controls over their issue</li> <li>• records regarding to whom and when weapons are issued</li> <li>• identification and accounting for all ammunition</li> </ul>	58,62	<p>8.6.3 c), d), e), f), h);</p> <p>8.3.2;</p> <p>7.5.2.2 o);</p> <p>A.8.6.3</p> <p>The Standard requires a Company that uses weapons, hazardous materials, explosives and munitions to have “documented procedures and records for the procurement, managements, accountability and traceability of weapons” which include provisions on: “c) acquisition; d) secure storage; e) controls over their identification, issue, use, maintenance, return and loss; f) records regarding to whom and when weapons are issued; g) identification and accounting of all ammunition and weapons; h) proper disposal with verification” (Section 8.6.3).</p>

		<ul style="list-style-type: none"> <li>• verifiable and proper disposal.</li> </ul>		<p>The Standard further states that the Company establish procedures “for authorizing its personnel to be armed in the performance of security operations. Authorizations shall only be granted to those personnel (...) determined to be suitable for the tasks to be performed (...) and (...) shall only be issued after the individual has qualified on that type and model to a published standard identified in the use of force procedures which is appropriate to the weapon and expected duties” (Section 8.3.2). Those procedures shall be documented and records must include “weapons inventory and receipts for weapons issuance” (Section 7.5.2.2).</p> <p>It is worth noting that the Annex provides further information on what the procedures should focus on regarding the procurement and management of weapons and ammunitions (A.8.6.3).</p>
--	--	---	--	---

<b>5. Grievance Mechanism</b>			66,67	
		Does the standard require a company to have a grievance program that facilitates claims of violations of Code brought both by company personnel and by third parties?		7.4.4; 8.8.3 The Standard requires the Company to “establish procedures to document and address grievances received from internal and external stakeholders (including clients and other affected parties).” “The complaint and grievance procedures shall be communicated to internal and external stakeholders” (Section 7.4.4) “to facilitate reporting by individuals of potential and actual non-conformances with this International Standard, or violations of international, national and local laws or human rights.”
		Does the standard require the company to have a grievance procedure that facilitates reporting of improper or illegal conduct, both internally and, where appropriate, to Competent Authorities?		8.8.2 b); 8.8.3; 8.8.3 a), f); 8.8.4 The Standard requires the Company to establish, implement and maintain procedures that facilitate reporting of improper or illegal conduct, both internally and, where appropriate, to Competent authorities (mentioned as “appropriate authorities”).  Section 8.8.2 requires the Company to have procedures for “incident monitoring reporting, investigations, disciplinary arrangements and remediation”. All “incidents involving use of force or weapons, any casualties, physical injuries, allegations of abuse, loss of sensitive information or equipment, substance abuse, or non-conformance with the principles of the Montreux Document and the ICoC, as well as applicable

				<p>laws and regulations, shall be reported and investigated”, including by notifying the appropriate authorities.</p> <p>Section 8.8.3 requires the Company to have procedures that allow for “receiving and addressing complaints and grievances” and “communications with appropriate authorities.” Procedures shall be “communicated to internal and external stakeholders to facilitate reporting by individuals of potential and actual non-conformances with (ISO 18788), or violations of international, national and local laws or human rights.”</p> <p>Section 8.8.4 requires the Company to “establish a whistle-blower policy for people working on its behalf, who have a reasonable belief that a non-conformance of this International Standard has occurred.”</p>
		Does the standard require that a company’s grievance mechanism be fair, accessible, and offer effective remedies, including recommendations for the prevention of recurrences?	7.4.4; 8.8.3 e); 10.1; 8.8.2	<p>The Standard requires the Company’s grievance procedure to:</p> <ul style="list-style-type: none"> <li>- Section 7.4.4: “be publicly available on a website and minimize obstacles to access caused by language, educational level, or fear of reprisal, as well as consider needs for confidentiality and privacy;”</li> <li>- Section 8.8.3: include in particular documentation of “corrective and preventive actions taken, including disciplinary action commensurate with any infractions.” The Company shall also “investigate allegations expeditiously and impartially, with due consideration to confidentiality and restrictions imposed by local law.”</li> <li>- Section 10.1: “deal with non-conformities”, including procedures “for taking corrective and preventive action.”</li> </ul> <p>Section 8.8.2 also requires that “incidents (...) or non-conformance with the principles of the Montreux Document and the ICoC, as well as applicable laws and regulations, shall be reported and investigated” following steps that include corrective and preventive actions.</p>
		Is the process published on a publically accessible website?	7.4.4	The Standard requires that the “procedures shall be publicly available on a website (...).”

	Does the procedure allow for investigations, and are the investigations prompt, impartial, and taken with consideration to confidentiality?	8.8.2; 8.8.3; 8.8.4; 7.4.4	<p>The Standard requires the Company’s grievance procedure to address the possibility for grievances (Section 8.8.3), incidents (...) or non-conformance (Section 8.8.2) to be investigated.</p> <p>In the case of incidents or non-conformance “with the principles of the Montreux Document and the ICoC, as well as applicable laws and regulations”, the Company is required to follow certain steps, including: a) documentation of the incident; b) notification of appropriate authorities; c) steps taken to investigate the incident; d) identification of the root causes; e) corrective and preventive actions taken; f) any compensation and redress given to the affected parties.”</p> <p>In the case of grievances, the Company is required to “investigate allegations expeditiously and impartially, with due consideration to confidentiality and restrictions imposed by local law.” Grievances “shall be dealt with immediately by the organization and other authorities, as appropriate.”</p> <p>In either case, the Standard provides for the Company to “respect the right (of its personnel) to anonymously report the non-conformance internally, as well as externally to appropriate authorities” (Section 8.8.4) and for its procedures to “consider needs for confidentiality and privacy” (Section 7.4.4).</p>
	Does the standard require that records be kept of allegations, findings and disciplinary measures?	8.8.3	<p>The Standard requires the Company to have a procedure to “document and address grievances”, when “a) receiving and addressing complaints and grievances; b) establishing hierarchical steps for the resolution process; c) the investigation of the grievances (...); d) identification of the root causes; e) corrective and preventive actions taken, including disciplinary action commensurate with any infractions; f) communications with appropriate authorities.”</p>
	Does the standard require cooperation with offices conducting investigations, and that grievance records be available to Competent	8.8.3; 8.8.3 c) 1; 8.8.3 f)	<p>The Standard requires the Company’s grievance procedure to address the possibility for “grievances alleging criminal acts, violations of human rights, or imminent danger to individuals shall be dealt with immediately by the organization and other authorities, as appropriate.” The procedure shall</p>

		Authorities (except as provided by applicable law)?			include provisions regarding cooperation “with official external investigation mechanisms” and communication of the grievances with appropriate authorities.”
		Does the standard require that the grievance procedure prevent impeding of witnesses, testimony, or investigations to grievances?		8.8.3 c) 2) & 3)	The Standard requires the Company’s grievance procedure to address the possibility for grievances to be investigated. The procedure shall include provisions on preventing “the intimidation of witnesses or inhibiting the gathering of evidence” and protecting “individuals submitting a complaint or grievance in good faith from retaliation.”
		Does the standard require that the grievance procedure provide for disciplinary measures, including termination of contracts?		8.8.3 e); 8.8.2	The Standard requires the Company’s grievance procedure to include provisions regarding “corrective and preventive actions taken, including disciplinary action commensurate with any infractions.” The Company is also required more generally to “establish, implement and maintain procedures for incident monitoring reporting, investigations, disciplinary arrangements and remediation.”
		Does the standard require that a company have a process to provide protection against retaliation for personnel who report wrongdoings in good faith?		8.8.4	The Standard requires the Company to “establish a whistle-blower policy for people working on its behalf who have a reasonable belief that a non-conformance of this International Standard has occurred” (...) specifying that the Company “shall not take any adverse action against any individual for the act of making a report in good faith.”

<b>6. HSE Program</b>			64		
		Does the standard require that a company endeavour to provide a healthy and safe working environment?		8.7; 0.2 e); A.6.1.2. 1 j); A.8.6.2. 1 c)	<p>The Standard requires the Company to “establish, implement and maintain procedures to promote a safe and healthy working environment, including reasonable precautions to protect people working on its behalf in high-risk or life threatening operations, consistent with legal, regulatory and contractual obligations.”</p> <p>It also provides in introduction that by implementing this Standard, companies can “e) ensure (that) suitable and sufficient operational controls based on identified risks are implemented and managed to enhance the occupational health and safety and the welfare of persons</p>

					working on behalf of the organization.” Welfare of persons working on behalf of the Company includes the latest subscribing to healthcare requirements (Section A.6.1.2.1 j), “consistent with the protections provided by applicable labour and other laws including adopting operational safety and health policies” (Section A.8.6.2.1 c).
		Does the standard require that a company provide precautions to protect staff in high-risk or life threatening operations?		8.7	The Standard requires the Company to “establish, implement and maintain procedures to promote a safe and healthy working environment, including reasonable precautions to protect people working on its behalf in high-risk or life threatening operations (...).”
		Does the standard require that a company assess and/or address each of the following: <ul style="list-style-type: none"> <li>• Assessing risk of injury to personnel;</li> <li>• Risk of injury to local populations;</li> <li>• Hostile Environment threats ;</li> <li>• Appropriate PPE ;</li> <li>• Appropriate weapons and ammunition ;</li> <li>• Medical support ;</li> <li>• Psychological health ;</li> <li>• Deterrence of workplace violence ;</li> <li>• Misconduct ; and</li> <li>• alcohol or drug abuse.</li> </ul>		8.7	The Standard requires the Company to establish and maintain procedures that include “a) assessing occupational health and safety risks to people working on its behalf as well as the risks to external parties; b) hostile environment training; c) provision of personal protective equipment, appropriate weapons and ammunition; d) medical and psychological health awareness training, care and support; e) guidelines to identify and address workplace violence, misconduct, alcohol and drug abuse, sexual harassment and other improper behaviour.”

<b><u>7. Insurance /Liability Coverage</u></b>			69		
		Does the standard require evidence of sufficient coverage of financial capacity to meet commercial liabilities?		7.1.2.3	The Standard requires that the Company “demonstrates that it has insurance to cover risks and associated liabilities arising from its operations and activities consistent with its risk assessment.” It also requires that the Company “ensures insurance coverage for the subcontracted activities, as appropriate” when outsourcing or subcontracting services, operations or functions.

Requirement Category	System/Policy Category	Objective Questions	ICoC Ref	ISO 18788 (2015)	Comments re ICoC alignment
Training Programs and Curriculum	Training Requirements		16, 27, 55, 59		
		Does the standard require a training program that applies to all personnel (including contractors and subcontractors)?	16, 55	7.2.3; 0.2 g); 6.1.2; 8.2; 8.7; A.8.6.2.3 c)	<p>The Standard requires the Company to have a training program that applies to all personnel, including contractors and subcontractors, such as:</p> <ul style="list-style-type: none"> <li>- Section 7.2.3 requires “persons working on behalf of the organization shall be trained to demonstrate the level of competence and proficiency required.” The section then describes the training process and program as required by the Company.</li> </ul> <p>Also:</p> <ul style="list-style-type: none"> <li>- Section 0.2 mentions that the Company can, by implementing this International Standard, “conduct effective screening and training of persons working on the organizations behalf.”</li> <li>- Section 6.1.2 requires the Company to “communicate relevant information on legal and other requirements to persons working on its behalf and other relevant third parties, including subcontractors.”</li> <li>- Section 8.2 states that the Company’s Code of Ethics shall be communicated to and implemented for all persons working on its behalf, “including employees, subcontractors and outsource partners.”</li> <li>- Section 8.7 requires the Company to conduct “hostile environment training” and “medical and psychological health awareness training (...)” for all people working on its behalf in high-risk or life threatening operations.</li> <li>- Section A.8.6.2.3 states that the Company should “be responsible be responsible for oversight of the training of personnel supplied by the subcontractor for use on the contract.”</li> </ul>



		<p>Is the training program documented, and does it require that the company keep all records of attendance and results, including practical exercises?</p>	<p>55</p>	<p>7.2.3; 7.2.4 a), b), c); 7.5.2.2 d); A.8.2; 9.1.2; A.7.5.2. 2; 8.3.7</p>	<p>The Standard requires the Company’s training program to be competence-based and to “establish a means to measure degrees of proficiency or levels of competency” (Section 7.2.3). The Company is required to retain records of these trainings, in particular “identified competencies and measurement metrics, training programs and associated records of training and evaluation for persons working on its behalf” (Sections 7.2.4; 7.5.2.2, A.8.2). The Company is also required to “keep records of the results of the periodic evaluations” regarding compliance with applicable legal, regulatory and human rights requirements (Section 9.1.2). The Annex further indicates that records may also include “exercise and testing results” (Section A.7.5.2.2).</p> <p>The Standard also requires the Company to retain records related to the training on the use of force and demonstration of competence, and to maintain them “as long as the individuals are associated with the organization” (Section 8.3.7).</p> <p>Results and programs of training are therefore required to be retained and recorded by the Company.</p>
		<p>Does the standard require that a company have a training program that provides both initial and recurrent training?</p>	<p>55, 59</p>	<p>7.2.3 c), d), e); 8.3.7</p>	<p>The Standard requires the Company to “provide competence-based training and establish a means to measure degrees of proficiency or levels of competency”.</p> <p>In particular, use of force procedures shall include initial and recurrent training requirements, including: initial and regular classroom, physical, mechanical and live-fire training and evaluation for all personnel authorized to carry (...) weapons in the performance of their duties; recurrent training for weapons and the use of force as required by law (...); and other competencies that require periodic refresher training to maintain the required level of performance or to incorporate new requirements. (...) Such training shall be completed every 12 months or more frequently depending on legal or contractual requirements or as indicated by the organization’s risk assessment.”</p>

	<u>Mandatory Subjects for Training:</u>				
		Does the standard require the company to conduct training on each of the following			
		1. the ICoC?	27,55	0.2 g); 7.2.3 d); 8.2; A.1 e), j); A.2.3; A.7.2	<p>The company is required to conduct training for all persons working on its behalf, and such training must include:</p> <ul style="list-style-type: none"> <li>- Section 0.2 mentions that both the clients and the Company “have a shared responsibility to establish policies and controls to assure conformance with the principles of the Montreux Document and the ICoC”, including by conducting “effective screening and training of persons working on the organizations behalf.”</li> <li>- Section 7.2.3 details training for weapons and the use of force and requires the Company to “provide competence-based training and establish a means to measure degrees of proficiency or levels of competency (...) (and) provide training to instil an understanding that respect for human rights is part of the organization’s core values and governance.”</li> <li>- Section A.1 for the Company to develop best practices in “understanding, providing and applying training in respect for human rights (and) developing and conducting training programmes to support operations requiring the use of force.”</li> <li>- Section A.2.3 describes the types of training persons working on behalf of a Company operating in conditions of armed conflict, including on the difference between self-defence and direct participation in hostilities, specific individual crimes (torture, inhumane treatments, war crimes, etc.), considerations on the use of force in armed conflicts, rules of engagement and use of force, etc.</li> <li>- Section A.7.2 states that “Training should specifically include human rights training on key subject matters” such as prohibition of torture, prohibition of sexual and gender violence, prevention of human trafficking and slavery, and other topics such as religious</li> </ul>

				<p>and cultural issues, respect for the local population, handling complaints, measures against corruption and bribery, etc.</p> <p>Furthermore, section 8.2 requires the Company to “clearly communicate respect for the human rights and dignity of human beings. The Code of Ethics shall ensure that all persons working on its behalf understand their responsibilities to prevent and report any abuses of human rights.”</p> <p>The Standard does not specifically require training on the ICoC, although it requires the Company to conduct training for all persons working on its behalf, to communicate respect for the human rights and dignity of human beings, and that most of the topics mentioned to be incorporated in the training are addressed in the Code.</p>
		2. religious, gender, and cultural issues with respect to the individuals they come into contact with as a result of their activities?	4	<p>7.2.2 d) 2), e); A.7.2 c)</p> <p>The Standard requires the Company to ensure its personnel “demonstrate appropriate level of competency in culture, such as customs and religion, of the environment in which they are operating and applicable local and international laws, including criminal, human rights and international humanitarian laws including but not limited to prohibition and awareness of sexual exploitation and abuse or gender based violence.” This provision can be understood as the necessity for the Company to provide training to its personnel when it does not demonstrate appropriate level of competency on the relevant topics.</p> <p>The Annex further mentions that training may include general topics preparing personnel for performance in specific circumstances, including on religious, gender and cultural issues, and respect for the local population.</p>
		3. Rules for the Use of Force, including: <ul style="list-style-type: none"> <li>• legal restrictions</li> <li>• proportionality</li> <li>• appropriateness</li> <li>• use only in self-defense or defense of others?</li> </ul>	29-31,59	<p>8.3.7; 8.3.1; A.2.3; A.8.3.7 a), c), d)</p> <p>The Standard requires initial and recurrent training on use of force. Requirements include all the mentioned elements of training including: a) applicable laws of self-defence to particular security operations; b) a review of the organization’s weapons authorization, storage and carriage policy; c) a review of the differences between use of force appropriate to security operations and the rules of engagement appropriate to military forces; d) a review of legal liabilities that may result from the use of force</p>

				<p>and firearms which result in the death or serious injury of a person; e) obedience to superior orders as a defence shall not be available in circumstances where it can be reasonably determined that instructions to use force were manifestly unlawful; f) application of use of force continuum.”</p> <p>Section 8.3.1 also requires training on use of force to be employed by security operations personnel in self-defence. Finally, the Annex indicates that training should include “a) the difference between self-defence/defence of others and direct participation in hostilities; c) specific considerations for the use of force in international and non-international armed conflicts (...); d) the difference between use of force procedures and rules of engagement proper to armed forces.”</p>
		4. Reporting Obligations	24, 28, 34, 37, 38, 39, 63	<p>7.2.2 f), g); 8.2</p> <p>The Standard requires in section 7.2.2 that the Company to ensure its personnel “demonstrate appropriate level of competency in procedures to reduce the likelihood and/or consequences of a disruptive or undesirable event, including response and mitigation procedures to respond to and report events and incident reporting and documentation procedures.” This provision can be understood as the necessity for the Company to provide training to its personnel when it does not demonstrate appropriate level of competency on the relevant topics.</p> <p>Section 8.2 also requires the Company to assure that “all persons working on its behalf are aware of their responsibilities and the mechanisms to monitor and report non-conformances and incidents” and “understand their responsibilities to prevent and report any abuses of human rights.”</p>
		5. Awareness of Specific Human Rights/ Prohibited Practices described in paragraphs 22 and 23 of the ICoC	22-23	<p>7.2.2 d); 8.1.3; A.1; A.8.2; A.2.3 b)</p> <p>The Standard requires in section 7.2.2 that the Company ensure its personnel “demonstrate appropriate level of competency in applicable local and international laws, including criminal, human rights and international humanitarian laws including but not limited to 1) prohibition of torture or other cruel, inhuman, or degrading treatment; 2) prohibition and awareness of sexual exploitation and abuse or gender based violence; 3) recognition and prevention of human trafficking and slavery; 4) measures against bribery, corruption and similar crimes.” Section 8.1.3</p>

				<p>also requires the Company to communicate the principles of respect for human rights, as well as any contractual, legal and regulatory requirement applicable to the organization’s security operations, to its personnel.</p> <p>Those provisions, although they do not explicitly require training, can be understood as requiring the Company to provide training to its personnel when they do not demonstrate appropriate levels of competency on the relevant topics.</p> <p>The Annex further states that the Company should provide training for personnel to understand their responsibilities to “abide by human rights, local, national and international law and to prevent and report any abuses of human rights including (but not limited to) prohibition of: a) torture or other cruel, inhuman, or degrading treatment or punishment; b) sexual exploitation and abuse or gender-based violence; c) human trafficking; d) slavery and forced labour; e) the worst forms of child labour; f) unlawful discrimination” (Sections A.1, A.8.2). Finally, section A.2.3 requires the Company operating in conditions of armed conflict to “include more comprehensive training for persons working on its behalf that includes, but may not be limited to specific individual crimes, such as torture and other inhumane treatment, that could be charged against them as war crimes or crimes against humanity.”</p> <p>Although the Standard mentions training on a lot of topics, it does not cover explicitly every topic of paragraphs 22 and 23 of the ICoC.</p>
		6. Anti-corruption	26	<p>7.2.2 d) 4); A.8.2; A.7.2 e)</p> <p>The Standard requires the Company to ensure its personnel “demonstrate appropriate level of competency in applicable local and international laws, including criminal, human rights and international humanitarian laws including but not limited to measures against bribery, corruption and similar crimes.” This provision can be understood as requiring the Company to provide training to its personnel when they do not demonstrate appropriate levels of competency on the relevant topics.</p>

				<p>The Annex further states that the Company should provide training on the Code of Ethics, which communicates respect for human rights and the dignity of human beings, as well as the prohibition of bribery, conflicts of interest, corruption and other crimes, to all persons working on its behalf (Section A.8.2). The Annex also states that “training may include general and task- and context-specific topics, preparing personnel for performance under the specific contract and in the specific circumstances. General topics include, but are not limited to (...) measures against bribery, corruption and other related crimes” (Section A.7.2).</p> <p>The Standard can be read as requiring training on anti-corruption.</p>
		7. Applicable law	7.2.2 d); 7.2.3 d); A.7.2	<p>The Standard requires the Company to ensure its personnel “demonstrate appropriate level of competency in applicable local and international laws, including criminal, human rights and international humanitarian laws.” This provision can be understood as requiring the Company to provide training to its personnel when they do not demonstrate appropriate levels of competency on the relevant topics. The Annex further states that “all personnel should receive (...) briefs and training on the key components of the SOMS, as well as the human rights, humanitarian law and relevant criminal law that affect their activities directly” (Section A.7.2).</p> <p>The Standard also requires the Company to provide training on weapons and the use of force, “as required by law” (Section 7.2.3).</p> <p>The Standard can be read as requiring training on applicable law.</p>
		8. Type and model of weapon carried – regular, verified, and recurrent	59 7.2.3 c), d); 8.3.7 b)	<p>The Standard requires the Company to “provide initial and regular classroom, physical, mechanical and live-fire training and evaluation for all personnel authorized to carry lethal, less lethal, or non-lethal weapons in the performance of their duties” as well as “recurrent training for weapons and the use of force as required by law, or contractual requirements or more frequently to retain the appropriate level of competency” (Section 7.2.3).</p>

					The Standard also requires that the use of force training include “a review of the organization’s weapons authorization, storage and carriage policy” (Section 8.3.7).
		9. Hostile Environment Training		8.7 b)	The Standard requires the Company to have “procedures to promote a safe and healthy working environment, including hostile environment training.”
		<p>10. <u>If</u> contract covers law enforcement duties or support to national law enforcement:</p> <ul style="list-style-type: none"> <li>• Laws applicable to enforcement of that state</li> <li>• UN Basic Principles on Use of Force and Firearms by Law Enforcement Officials.</li> </ul>	32	<p>8.3.1; 8.3.6; 8.5.1; 7.2.2 a), d); 7.2.3; A.7.2</p>	<p>The Standard mentions that in the “absence of authorized RUF, organizations shall base their procedures on published international guidance for use of force (e.g. United Nations Basic Principles on the Use of Force and Firearms by Law Enforcement Officials 1990 and the Montreux Document)” (Sections 8.3.1; 8.3.6). It also requires the Company to “only perform such law enforcement operations as specifically authorized to do so by the law enforcement or controlling military authority of the relevant state in accordance with applicable and relevant law” (Section 8.5.1).</p> <p>The Standard also requires the Company to have procedures to “ensure persons performing tasks on its behalf demonstrate an appropriate level of competency in (...) the performance of their security functions (...) and applicable local and international laws, including criminal, human rights and international humanitarian laws” (Section 7.2.2). It also requires the Company to “provide recurrence training for weapons and the use of force as required by law or contractual requirements” (Section 7.2.3).</p> <p>The Annex further specifies that it is the Company’s “responsibility that all persons working on behalf of the organization are sufficiently trained, both prior to any deployment and on an ongoing basis, in the performance of their functions and to respect local, national and humanitarian and human rights laws.” In particular, “training may include general and task-and context-specific topics, preparing personnel for performance under the specific contract and in the specific circumstances” and “all personnel should receive training to perform their individual (...) responsibilities” (Section A.7.2).</p>

				While the Standard does not address specific training requirements for PSCs conducting law enforcement duties or support to national law enforcement, it mentions that the Company shall base its procedures on the UN Basic Principles, that law enforcement operations shall be performed as specifically authorized by the relevant and applicable law and that all personnel should be trained to be able to demonstrate competency in the conduct of their security functions, i.e. on special characteristics of their contract.
		<p>11. <b>If</b> contract involves detention duties:</p> <ul style="list-style-type: none"> <li>• Applicable national and international laws;</li> <li>• Prohibition on torture and other cruel and inhumane or degrading treatment.</li> </ul>	8.5.2; 7.2.2 d) 1)	<p>The Standard indicates in section 8.5.2 that “Guarding, transporting, or questioning persons under arrest, detained, or imprisoned by law enforcement authorities is outside the scope of this International Standard.”</p> <p>The Standard however requires the Company to ensure its personnel “demonstrate appropriate level of competency in applicable local and international laws, including criminal, human rights and international humanitarian laws including but not limited to prohibition of torture or other cruel, inhuman, or degrading treatment.” This provision can be understood as the necessity for the Company to provide training to its personnel when it does not demonstrate appropriate level of competency on the relevant topics. <b>While the Standard does not specifically deal with detention, 7.2.2 requires training in all applicable local and international laws, as well as training regarding prohibition on torture or other cruel, inhuman, or degrading treatment.</b></p>
		<p>12. <b>When</b> Apprehension is required in the course of protecting persons or property:</p> <ul style="list-style-type: none"> <li>• When apprehension is permitted;</li> <li>• How and when persons should be transmitted to competent authorities;</li> <li>• Rules for incidental detention;</li> <li>• Applicable national and international law;</li> </ul>	8.4.1; A.8.4.1	<p>The Standard requires the Company to address apprehension of “persons alleged to have committed an attack against persons or property protected by the security operations” within its operational procedures.</p> <p>The Annex further mentions that the Company should “provide training for its personnel in the apprehension of persons”, which “is normally limited to persons apprehended following an attack against the organization’s personnel, clients, or property under the organization’s protection.” It specifies that the training should be “theoretical, practical and emphasise the protection of persons and property from further attack,</p>



- The requirement and a process for reporting to clients; and
- The requirement for humane treatment.

while treating apprehended persons humanely.” It should also include “measures for protecting the apprehended person from attack or violence, reporting the apprehension to the client and proper authorities, and transferring apprehended persons to the appropriate authority at the earliest opportunity.” Finally, it “should document the transfer of custody including the apprehended person’s identity, alleged offense and to whom the individual was transferred.”