

CMSI Consultation Response

Respondent Details

NAME

Tom Mather

COUNTRY

Switzerland

PERMISSION

Yes, CMSI can disclose my feedback, name, and organisation.

STAKEHOLDER

Other Standard Setting Body: MSI, focused on human rights in private security

ORGANISATION

ICoCA

COMMENTS & QUESTIONS BY DOCUMENT

Document:
Governance

QUESTION 1

The governance principles that guided the development of the governance model are inclusive, effective, credible, impact-driven, pragmatic and efficient. From your perspective, does the proposed governance model meet expectations for consistency with these principles?

Response: 3: Meets expectations

QUESTION 2

Does the proposed governance model ensure no single group is able to unduly influence decisions?

Response: yes

Document:
Assurance

QUESTION 1

From your perspective, does the Assurance process meet your expectations of a robust, credible, replicable and transparent approach?

Response: 3: Meets expectations

Document:
Standard

Performance Area 11: Security Management

SECTION: 11.1 Security Management, Foundational Practice

COMMENT:

Add new element:

Encourage private security providers to join the Responsible Security Association (ICoCA).

Reasoning:

Foundational practice should see private security providers being encouraged to join ICoCA. Joining ICoCA requires external verification, and ensures third party monitoring. The importance of this is highlighted in the CMSI draft where there are references to the UNGPs and subsequent regulations, e.g. EU CSDDD, which require demonstration of human rights due diligence.

Annex 1, numbers 1 & 2, of the EU CSDDD, as referenced on page 10 in the CMSI draft, states the need for strong human rights due diligence in private security, which is highlighted as a particular risk. As a heightened risk, it should not be ignored under foundational practice.

ICoCA conducts human rights due diligence of all its member and affiliate companies. This due diligence is both upon joining the association and continually thereafter. All companies which have joined ICoCA are subject to ongoing ICoCA monitoring and ICoCA's complaints mechanism.

SECTION: 11.1 Security Management, Good Practice, 7

COMMENT:

Change 7 to:

Require private security providers to join the Responsible Security Association (ICoCA).

Reasoning:

As currently written, private security providers are encouraged to implement the International Code of Conduct for Private Security Providers. However, "implementing" the International Code of Conduct for Private Security Providers requires no external verification, and does not ensure third party monitoring. Both are vital. This is highlighted in the CMSI draft itself where there are references to the UNGPs and subsequent regulations, e.g. EU CSDDD, which require demonstration of human rights due diligence. Self-reporting implementation (which is what "implementing the International Code of Conduct" would amount to) does not satisfy due diligence requirements. Good practice should not be to follow a code of conduct and self-report that its requirements are being fully implemented. Good practice here should require external verification and third party monitoring, which is what joining ICoCA involves.

Annex 1, numbers 1 & 2, of the EU CSDDD, as referenced on page 10 in the CMSI draft, states the need for strong human rights due diligence in private security, which is highlighted as a particular risk.

ICoCA conducts human rights due diligence of all its member and affiliate companies. This due diligence is both upon joining the association and continually thereafter. All companies which have joined ICoCA are subject to ongoing ICoCA monitoring and ICoCA's complaints mechanism.

SECTION: 11.1 Security Management, Leading Practice, 4

COMMENT:

Change 4 to:

Require private security providers to become certified members of the Responsible Security Association (ICoCA).

Reasoning:

As currently written, private security providers are required to implement the International Code of Conduct for Private Security Providers. However, "implementing" the International Code of Conduct for Private Security Providers requires no external verification, and does not ensure third party monitoring. Both are vital. This is highlighted in the CMSI draft itself where there are references to the UNGPs and subsequent regulations, e.g. EU CSDDD, which require demonstration of human rights due diligence. Self-reporting implementation (which

is what “implementing the International Code of Conduct” would amount to) does not satisfy due diligence requirements.

Annex 1, numbers 1 & 2, of the EU CSDDD, as referenced on page 10 in the CMSI draft, states the need for strong human rights due diligence in private security, which is highlighted as a particular risk.

ICoCA conducts human rights due diligence of all its member and affiliate companies, but the highest level of human rights due diligence is for certified members, which makes it the appropriate level for leading practice. This due diligence is both upon joining the association and continually thereafter. All companies which have joined ICoCA are subject to ongoing ICoCA monitoring and ICoCA’s complaints mechanism.

QUESTION 1

Does the scope, content, and narrative style of the consolidated standard meet your individual expectations and the collective industry expectation for responsible production practices?

Response: 3: Meets expectations

QUESTION 2

Do the requirements meet your expectations for being sufficiently clear to support consistent and practical implementation and to achieve necessary performance improvement?

Response: 3: Meets expectations

Some areas in Security Management have been highlighted as needing strengthening.

QUESTION 3

From your perspective, does the three-level performance structure (Foundational, Good, Leading) of the Consolidated Standard meet your expectations for providing an effective on ramp and clear articulation of good practice and effective path to continuous improvement?

Response: 3: Meets expectations

Document:
Claims

QUESTION 1

We would value perspectives on a few additional questions related to threshold of performance associated with achievement claims. Please click here/ see page 11 of Reporting and Claims Policy.

Response: No Response