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**World crime trends and emerging issues and responses in  
the field of crime prevention and criminal justice**

**Responses of Member States with respect to the Abu Dhabi  
draft preliminary recommendations on the oversight and  
regulation of civilian private security services and on their  
contribution to crime prevention and community safety**

**Report of the Secretariat**

*Summary*

The present report, submitted pursuant to Commission on Crime Prevention and Criminal Justice resolution 21/1, summarizes and provides a synthesis of the responses of Member States to the Abu Dhabi draft preliminary recommendations on the oversight and regulation of civilian private security services and on their contribution to crime prevention and community safety, which were circulated to Member States in a note verbale. The report is structured according to the sections of the draft preliminary recommendations: (a) defining civilian private security services; (b) oversight and regulation of civilian private security services; and (c) the contribution of civilian private security services to crime prevention and community safety. The report reflects both the general comments made by Member States on the draft preliminary recommendations and specific suggestions for alternative or additional language.

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\* E/CN.15/2013/1.



## I. Introduction

1. In its resolution 18/2, entitled “Civilian private security services: their role, oversight and contribution to crime prevention and community safety”, the Commission on Crime Prevention and Criminal Justice noted the importance of effective oversight of civilian private security services by competent State authorities to ensure that they were not compromised or misused by criminal elements, including organized criminal groups, and invited Governments (a) to examine the role played on their territory by such services, assessing, where applicable and consistent with their national laws and administrative policies, the contribution of such services to crime prevention and community safety, and (b) to determine whether national legislation provided adequate oversight.

2. In the same resolution, the Commission decided to establish an open-ended intergovernmental expert group, inviting experts from academia and the private sector to become members of that group to study the role of civilian private security services and their contribution to crime prevention and community safety and to consider, *inter alia*, issues relating to their oversight. Pursuant to Commission resolution 18/2, a meeting of the Expert Group on Civilian Private Security Services was held in Vienna in October 2011 with the participation of experts from 50 Member States, which resulted in the elaboration of the Abu Dhabi draft preliminary recommendations on the oversight and regulation of civilian private security services and on their contribution to crime prevention and community safety. The report of the Expert Group (UNODC/CCPCJ/EG.5/2011/2) was brought to the attention of the Commission at its twenty-first session, in April 2012. In its resolution 21/1, the Commission requested the United Nations Office on Drugs and Crime (UNODC) to circulate the Abu Dhabi draft preliminary recommendations to all Member States through a note verbale requesting their response.

3. Pursuant to the mandate described above, a note verbale dated 27 August 2012 was sent to all Member States. At the time of issuing the present report, the following 22 Member States had provided a reply: Algeria, Australia, Belgium, Burkina Faso, Canada, Denmark, Dominican Republic, Ecuador, Germany, Honduras, India, Lebanon, Mexico, Norway, Panama, Philippines, Singapore, Sweden, Switzerland, Togo, United Arab Emirates and United States of America.

4. The present report, which was prepared thanks to a financial contribution of the United Arab Emirates, summarizes and provides a synthesis of the responses of Member States, as requested by the Commission in resolution 21/1. It is structured according to the sections of the draft preliminary recommendations: (a) defining civilian private security services; (b) oversight and regulation of civilian private security services; and (c) the contribution of civilian private security services to crime prevention and community safety. The draft preliminary recommendations, as sent in a note verbale to Member States in August 2012, are annexed to this report to facilitate the Commission’s deliberations. A version of the draft preliminary recommendations with comments and proposals for amendments to the text as provided by Member States will be circulated as a conference room paper at the twenty-second session of the Commission, for ease of reference (E/CN.15/2013/CRP.4).

## **II. Responses to the Abu Dhabi draft preliminary recommendations**

5. The majority of responding States supported the general purpose and scope of the Abu Dhabi draft preliminary recommendations on the oversight and regulation of civilian private security services and on their contribution to crime prevention and community safety, referring to the importance of effective oversight of civilian private security services by competent State authorities.

6. For instance, the Dominican Republic emphasized the need for State regulation with a view to facilitating the contribution of civilian private security services to crime prevention and community safety. India reported that it considered the recommendations as a way forward in setting global standards in this area and that they would generate awareness of the urgency of speeding up legislative processes to regulate civilian private security services in Member States. Similarly, several responding States indicated that the recommendations could provide guidance to countries seeking to enhance their domestic frameworks in this area. According to Togo, the implementation of the recommendations would allow States to use civilian private security services more effectively for the prevention of crime and the enhancement of community safety. The United Arab Emirates invited Member States to support the recommendations and noted that they complemented the work of the United Nations globally, enhanced professional standards and international good practice, and might benefit countries whether they are in conflict, post-conflict or peaceful situations. In that regard, the country noted that the development of a UNODC handbook on civilian private security services and the oversight and regulation of such services would be useful to assist States that wished to develop appropriate regulatory, training and oversight practices.

7. Canada noted that the recommendations were at times unclear or overly prescriptive and expressed a preference for wording that would not oblige Member States to undertake particular initiatives that were not relevant to their domestic circumstances. India suggested that there was a need to shorten the recommendations so that details concerning the regulation of civilian private security services were left to concerned Member States to be worked out. Australia underlined the non-binding character of the recommendations, and Honduras noted that the provisions set forth in the document must be implemented on the legal basis established by individual States. Sweden reported that it was in favour of the adoption of international recommendations on the oversight and regulation of civilian private security services but that the Abu Dhabi draft preliminary recommendations were too detailed.

### **A. Defining civilian private security services**

8. With regard to defining civilian private security services, Member States reflected on the various criteria included in paragraph 1 of the recommendations. Australia welcomed the definitions and criteria for civilian private security services and supported the clarity provided with respect to spheres of activity outside the scope and applicability of the draft recommendations. India reported on national legislation regulating and defining private security services. Belgium reported the

need for strict control by national authorities over private security services and noted in that regard that it had in place legislation that regulated private security firms, providing a precise definition of their mandate and appropriate licensing regulations. Belgium also noted that it had communicated its support for the “Montreux document” (A/63/467-S/2008/636, annex), a text containing rules and good practices relating to private military and security companies operating in armed conflict, to the Federal Department of Foreign Affairs of Switzerland in February 2012. In its response, the United States indicated with regard to paragraph 1, in which it is recommended that States consider defining civilian private security services, that in the United States, individual states were the primary regulators of such services.

9. As a general comment to the recommendations, Mexico suggested clarifying the concept of personnel of civilian private security services, as the text currently made no distinction between staff that carried out managerial, administrative or operational tasks.

10. With regard to paragraph 1 (a), describing the objectives of civilian private security services, the Philippines added that civilian private security services were also used in the country to provide security for persons of political importance during election periods, in tandem with police escorts. Singapore proposed deleting the word “predominantly” in order to limit the scope of activity of such services to crime-related risks only. Ecuador noted with regard to paragraph 1 (b) that civilian private security services were indeed legal entities with paid staff, but that a non-legal entity such as a community could also organize itself to provide for security and contribute voluntarily to crime prevention and community safety.

11. Singapore further suggested deleting paragraph 1 (d). It was the view of Singapore that the recommendations should not exclude civilian private security services that were not officially accredited, regulated and supervised. On that issue, the Dominican Republic suggested including controls for those civilian private security services provided by individuals that were not linked to any legal entity.

12. With regard to paragraph 1 (d), Canada provided the following suggested amendments and the rationale for those proposals:

For paragraph 1 (d): “Civilian private security services are officially licensed, regulated and supervised by the State.” The view of Canada is that the word “license” would be more appropriate compared to the word “accredited” since the intention here is that the State would bear the responsibility to grant practice by civilian private security services.

13. Concerning paragraph 2, on civilian private security services operating on board commercial ships, Australia expressed its preference for the issue of private security companies providing protection services on commercial ships to be dealt with primarily through the International Maritime Organization. On the same subject, Belgium noted that the primary responsibility for protection on board commercial ships lay with official armed forces and that private security services could play only a complementary role or provide an alternative solution to the deployment of official armed forces when the latter could not provide protection. Belgium therefore highlighted the need for balanced regulations that took into account the need to ensure the safety of crew and passengers when public authorities alone were not able to do so. Panama noted that the provision of private

security services on board commercial ships imposed a range of obligations and duties on the provider of such security given that their responsibility concerning such movable assets had to take into account the concept of security provided pursuant to relevant treaties and conventions.

14. Referring to paragraph 3, under which private military and security companies are to be excluded from the scope of the definition described in the recommendations, Mexico and Ecuador noted that the concept of “private military companies” did not exist in their countries.

15. With regard to paragraph 4, in which private security services in prisons and detention facilities are excluded from the scope of the guidelines, Ecuador noted that its Ministry of Justice is responsible for securing detention facilities, not civilian private security services.

## **B. Oversight and regulation of civilian private security services**

16. Several Member States provided information on their domestic legislation and regulatory mechanisms and partnerships in their countries between the public security sector and civilian private security services. Algeria reported that its national legislation regulated the licensing of civilian private security services and their use of weapons and specified certain limitations with regard to their activities and recruitment. It also reported that civilian private security services might receive authorization to operate from either the Ministry of Interior or relevant authorities at the provincial level and that the companies were subject to periodic evaluation by those authorities.

17. Burkina Faso outlined possible steps it could consider for improving effective oversight of civilian private security services based on the recommendations, including a review of relevant provisions, focusing in particular on the selection and recruitment of private security services personnel, their training and working conditions.

18. Canada reported that the regulation of civilian private security services fell within provincial/territorial jurisdiction in Canada and that robust legislative and accountability frameworks were in place for civilian private security services, as well as for professional organizations that managed certification and promoted professional ethics and training.

19. In response to the recommendations, Canada provided the following suggested amendments and the rationale for those proposals:

- (a) For paragraph 5 (b): “Defines the activities and responsibilities of civilian private security services, including their obligations under any applicable laws or regulations of the State respecting the use, control or prohibition of weapons and specialized security equipment (such as firearms, batons and restraints) and to ensure that this information is made available to the competent authorities.” The view of Canada is that the recommendations should not be overly prescriptive in terms of what means of control should be used, that duplication in terms of State and civilian private security services controls and registers should be avoided and that references to “use” and “prohibition” should be included to clarify the meaning of “control”;

(b) For paragraph 7 (b): “Ensuring that employees engaged in civilian private security services are remunerated in accordance with relevant labour laws.” The view of Canada was that adding a reference to labour laws would make the text clearer.

20. Canada further suggested that the Guiding Principles on Business and Human Rights, as endorsed by the Human Rights Council in its resolution 17/4,<sup>1</sup> be explicitly mentioned in the paragraph 6 (c).

21. Ecuador reported on national legislation providing for mechanisms for the oversight and regulation of private security firms, including monitoring and inspection. In line with paragraph 9 of the recommendations, Ecuador suggested that responsibility for overseeing security firms should also be granted to non-governmental community monitoring centres, which could detect and prevent possible abuses, failure to observe codes of conduct and other irregularities. As for the applicability of the United Nations Convention against Corruption, as referred to in paragraph 10 of the recommendations, Ecuador reported that it had governmental monitoring and investigation bodies in place to verify the transparency of procedures and services, as well as regulations that defined and sanctioned any inappropriate conduct, such as bribery, graft or embezzlement. In that regard, it noted that other useful measures might be to harmonize at the national level the various training procedures, basic codes of conduct, general regulations and commercial procedures. Furthermore, Panama suggested, for paragraph 10 (b), that users of security services be represented in relevant investigative bodies.

22. In response to the recommendations, India, like Ecuador, highlighted the importance of paragraph 9 (a), which encourages the participation of relevant non-governmental organizations in the oversight of civilian private security services, by identifying and preventing any abuses perpetrated by personnel and providers of civilian private security services. In that regard, India stressed the need for proper verification of security guards’ character and antecedents by the local police. Also, it reported that in India, private security services are obligated to inform the police of any unlawful act or crime that came to their attention.

23. Lebanon reported that there was room for further improvements concerning the regulation and oversight of private security services in Lebanon, in terms of both legislation and the conduct of such services. The Government referred in particular to the registration of civilian private security services and their activities and responsibilities, as well as procedures for carrying weapons. Lebanon highlighted existing regulations to prevent and detect criminal control of civilian private security services, and regulations with regard to employees of civilian private security services carrying weapons.

24. Norway emphasized that it was vital to draw clear lines between public and private functions and powers in relation to crime prevention and community safety. In that regard, it reported that the recommendations in paragraph 5 outlining possible elements of legislation for the regulation of civilian private security were

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<sup>1</sup> The “Guiding Principles on Business and Human Rights: Implementing the United Nations ‘Protect, Respect and Remedy’ Framework” were developed by the Special Representative of the Secretary-General on the issue of human rights and transnational corporations and other business enterprises and were endorsed by the Human Rights Council in its resolution 17/4.

of particular importance in establishing and maintaining the right balance between public responsibilities and the contributions of private security companies, including in relation to the use of force.

25. As for the recommendation for States to establish standards of operations for civilian private security services, Panama noted that setting a minimum standard of eligibility, as suggested in paragraph 6 (a), could limit the competitiveness of security service providers, although it would also make it possible to detect criminal use of such services. For paragraphs 7 (a) and 7 (b), which deal with ensuring proper working conditions, Panama suggested that “other specialist authorities” be involved for that provision to be effective, without specifying which authorities.

26. The United States provided the following suggested amendments to paragraph 5 of the text of the recommendations:

(a) For paragraph 5 (c): “Defines any associated powers of providers and personnel of civilian private security services, even if those powers are based on legal authority available to any citizen”;

(b) For paragraph 5 (d): “Defines activities that providers and personnel of civilian private security services are prohibited from undertaking, strictly limits the use of force and establishes a system to enforce sanctions for infractions and clarifies criminal liability for unlawful acts”.

27. Furthermore, the United States proposed adding the following subparagraphs:

(a) Paragraph 6 (e). “Require providers of civilian security services to report all criminal activity encountered to police authorities”;

(b) Paragraph 6 (f). “Require providers of civilian security services to report all use of force incidents to the appropriate oversight authority”.

As for paragraph 7, on working conditions of personnel, the United States suggested the following amendment of subparagraph 7 (b): “Ensuring that the work of employees of civilian private security services is remunerated in accordance with set salary levels, in accordance with applicable laws”.

28. The view of the United States was that the term “set salary levels” was not clearly defined and should therefore be followed by the phrase “in accordance with the applicable laws”.

29. The Philippines recommended periodic physical examination and evaluation of private security personnel.

30. As for paragraph 8, dealing with minimum standards for recruitment, the United States suggested the following amendment of subparagraph 8 (d): “The regular review of civilian private security services individual personnel conduct and performance to ensure that each employee continues to meet the above standards”.

31. Concerning paragraph 10 (a), referring to no-bribery rules to be included in contracts with civilian private security services, the United States requested more clarity concerning the entities that sign a contract (government or private entities, or both).

## **1. Complaints, inspections and sanctions**

32. Member States elaborated on the paragraphs of the recommendations that refer to the establishment of mechanisms to deal with employees of civilian private security services who had committed a crime during their employment. Panama mentioned that its laws provided for a regulatory authority concerning private security services, which had the power to prosecute and punish all offences committed by legal entities or individuals who provided private security services. Hence, Panama saw no need for providing another entity or agency with the authority to determine penalties. Similarly, Togo reported that it did not seem appropriate to establish special mechanisms for the receipt and impartial investigation of complaints with regard to civilian private security services: criminal complaints were to be managed according to the normal penal law. However, complaints relating to the provision of services for customers and respect for rules of professional ethics by private civil security guards, among other things, could be dealt with through a special mechanism, according to the Member State. Togo further provided an alternative text for paragraphs 11 (e) and 14 of the recommendations.

33. Other comments on the text of the recommendations relating to complaints, inspections and sanctions included a suggestion from Canada to include a reference to the Guiding Principles on Business and Human Rights in paragraph 11, which deals with procedures for the receipt and investigation of complaints.

34. Ecuador suggested replacing the word “developing” with “promoting” in paragraph 12, which deals with standards on the provision of civilian private security services and the development of codes of conduct.

35. Mexico suggested that it would be appropriate for the document to recommend establishing means of appeal against administrative decisions to the extent that they affected the legal rights of individuals.

## **2. Training of civilian private security services**

36. On the recommendations concerning the training of civilian private security services, Canada suggested amendments to paragraph 15 (b) (vii): “Human rights and adherence to applicable national and international human rights standards and norms”. The view of Canada was that not all standards and norms would be applicable in each jurisdiction.

37. Ecuador reported on the leading role that the State of Ecuador was taking with regard to setting standards for training of security personnel, including the development and provision of training programmes. Ecuador underlined that professional training and accreditation programmes for security personnel must be led by or have active input from the State through its specialized bodies (i.e. the national police in the case of Ecuador).

38. The United States provided the following suggested amendments to paragraph 15 (c): “Basic standard operating procedures on firearms and less-lethal weapons operation and minimum training standards (including refresher courses) for personnel who use firearms and other weapons”. The view of the United States was that “less-lethal” was a more acceptable and clearer term than was “non-lethal”.



39. The United States further suggested adding a subparagraph 15 (g): “A requirement for periodic in-service or refresher training to update and reinforce basic training”.

40. With regard to paragraph 17 (b), dealing with the periodic updating of training, the United States suggested that the language should be more precise as in its current form it was not clear whether the update referred to the training, or the training of personnel.

### **C. Contribution of civilian private security services to crime prevention and community safety**

41. Several responding States acknowledged the complementary role of civilian private security services in crime prevention and community safety and reflected on cooperation between the public and private security sectors. In that respect, Norway stressed that crime prevention and community safety were a public responsibility to which private security services could make a valuable contribution if sufficiently regulated and controlled. Similarly, Sweden reported that it was the duty of law enforcement agencies to combat crime and maintain public order and that private security services had only a limited and complementary role in the enforcement of law in the country.

42. In a similar vein, Canada expressed the view that a State’s choice of whether and how to involve private security should be respected and suggested the following amendment of paragraph 19 (b) of the text: “Civilian private security services can have an important role in crime prevention and community safety”. Canada noted that the suggested language was consistent with the language used in paragraph 1 (e) and that, by removing the word “complementary”, it reflected the fact that civilian private security services could play an important role in their own right.

43. Burkina Faso made the following suggestions to enhance cooperation between public and private security services referred to in section C of the recommendations:

- (a) To involve private security services in community policing;
- (b) To create a special section or unit in each civilian private security service that was responsible for the collection and analysis of information;
- (c) To provide rewards to security personnel and services that performed well;
- (d) To support civilian private security services in training their personnel.

44. Ecuador stressed that links between public and private security services must be strengthened, beginning with training and arms control. It also suggested that such links could be strengthened through regular and secure sharing of specific information, confidentiality protection laws and rules concerning the use of information.

45. Panama deemed it advisable, in addition to the recommendations in section C of the recommendations, to create a lead agency from among private and public

security bodies, which would organize, supervise, coordinate or carry out action required to implement each of the proposals in the section.

46. The Philippines suggested that States might consider supporting civilian private security services with training and education on public safety services and crime prevention to enhance coordination between public and private security services.

47. The United States stated that the “duty” referred to in paragraph 21 should be defined.

### **III. Conclusions and recommendations**

48. The replies provided by the 22 Member States show that most of these States welcome the general purpose and scope of the Abu Dhabi draft preliminary recommendations on the oversight and regulation of civilian private security services and their contribution to crime prevention and community safety. The responding countries mentioned in particular the importance of effective oversight of civilian private security services by competent State authorities and, in that regard, that the recommendations were useful to guide countries seeking to enhance their domestic frameworks in this area. At the same time, several States noted that the recommendations should not be overly prescriptive and that, in their current form, they were too detailed in places.

49. It was also emphasized by several responding States that, while civilian private security services could provide support to public security services, they were subordinate to State security control and that clear lines between public and private functions and powers in relation to crime prevention and community safety were vital.

50. Specific suggestions for alternative and additional language for the Abu Dhabi draft preliminary recommendations on the oversight and regulation of civilian private security services and their contribution to crime prevention and community safety were made by several responding States.

51. As a follow-up to Commission resolutions 18/2 and 21/1, the Commission might wish to consider how to proceed in addressing issues relating to oversight and regulation of civilian private security services and their contribution to crime prevention and community safety, taking into account the work carried out so far by the Expert Group on Civilian Private Security Services, including the development of the Abu Dhabi draft preliminary recommendations, as well as the comments from Member States on the recommendations.

## Annex

### **Abu Dhabi draft preliminary recommendations on the oversight and regulation of civilian private security services and on their contribution to crime prevention and community safety**

#### **A. Defining civilian private security services**

1. States may consider defining civilian private security services. While there is currently no commonly accepted definition of civilian private security services, the following criteria are considered indicative of such services:

(a) Civilian private security services provide security-related services with the overall objective of protecting or securing people, goods, sites, locations, events, processes and information from predominantly crime-related risks. Services with expressly or implicitly offensive mandates are not included in the category of civilian private security services;

(b) Civilian private security services are legal entities or individuals supplying services for payment;

(c) Civilian private security services are private entities or individuals, not public entities. They may include commercial firms and non-profit organizations, as well as individuals;

(d) Civilian private security services are officially accredited, regulated and supervised by the State;

(e) Services provided by civilian private security services may be preventive, may support public law enforcement agencies and, where permitted, may be complementary to public law enforcement agencies.

2. It should be noted that private security companies providing protection services on commercial ships may meet the above-mentioned criteria of civilian private security services, provided their primary function is protective, not offensive.

3. Private military companies and private military and security companies are excluded from the scope of the definition, even if part of their operations may fall within the scope of civilian private security services.

4. Although civilian private security services provide services in private prison and detention facilities in various countries, this is considered to be an area requiring specific attention and guidance and is therefore beyond the scope of the present draft preliminary recommendations.

#### **B. Oversight and regulation of civilian private security services**

5. States may consider reviewing, evaluating and revising existing regulation on civilian private security services and, where no regulation exists, enacting specific

comprehensive legislation for the regulation of civilian private security services that:

- (a) Defines civilian private security services;
- (b) Defines the activities and responsibilities of civilian private security services, including their obligations to maintain a register that transparently and efficiently provides for the control of installations, arms, ammunition and related equipment and to ensure that this information is made available to the competent authorities;
- (c) Defines any associated powers of providers and personnel of civilian private security services;
- (d) Defines activities that providers and personnel of civilian private security services are prohibited from undertaking, strictly limits the use of force and establishes a system to enforce sanctions for infractions;
- (e) Ensures that effective regulating mechanisms or bodies are established to oversee the conduct of civilian private security services within national borders, including the oversight of certification and training;
- (f) Includes the regular review and evaluation of the effectiveness of the regulations and the introduction of reforms to address any weaknesses;
- (g) Includes a code of conduct for personnel of civilian private security services.

6. States may also consider establishing standards of operations for civilian private security service providers that:

- (a) Set the minimum standards of eligibility for those who provide civilian private security services, including due diligence checks on owners of such services to prevent criminal control of civilian private security services;
- (b) Set the minimum standards for all spheres of operations and administration of civilian private security service providers;
- (c) Ensure compliance among civilian private security service providers with all national laws and regulations, including applicable international laws, national labour laws, practices and regulations relating to the personnel they employ, relevant health and safety rules, and respect for the human rights of all persons;
- (d) Provide for appropriate licensing regulations for civilian private security services, including provisions for various categories of licence where appropriate. In particular, the regulations may cover the need to ensure that adequate licence documentation is issued to personnel of civilian private security services and that the documentation is time-limited and contains at least a photograph and other relevant identification information.

7. States may further consider ensuring appropriate working conditions conducive to maximizing the effectiveness of personnel of civilian private security services that should include:

- (a) Ensuring that all licensed civilian private security services provide employees with a working and training environment in which minimum standards of health and safety are maintained;

(b) Ensuring that the work of employees of civilian private security services is remunerated in accordance with set salary levels.

8. States may consider establishing minimum standards for the recruitment and selection criteria for personnel of civilian private security services that cover:

(a) Standards of education and literacy and language skills;

(b) Standards of character, including criminal records (and previous convictions) not appropriate for personnel working in the civilian private security service sector;

(c) Standards of training and competence for all functions of personnel in civilian private security services;

(d) The regular review of personnel of civilian private security services to ensure they continue to meet the above standards.

9. They may also consider encouraging relevant non-governmental organizations to play a part in the oversight of civilian private security services, by:

(a) Identifying and preventing any abuses perpetrated by personnel and providers of civilian private security services;

(b) Raising awareness of the standards with which personnel and providers of civilian private security services should comply.

10. In considering the applicability of the United Nations Convention against Corruption, in particular articles 12 (private sector), 21 (bribery in the private sector) and 22 (embezzlement of property in the private sector), to civilian private security services, States may:

(a) Ensure that contracts with civilian private security services contain specific no-bribery rules, and sanctions for non-compliance with such rules;

(b) Appoint an appropriate corruption investigation body or similar external monitor to ensure the transparency of contracts between public security organs and civilian private security services;

(c) Ensure that all training programmes of civilian private security services include topics such as avoiding bribery, corruption and other unlawful practices, and ethical business behaviour;

(d) Ensure that the codes of conduct for civilian private security services strictly prohibit bribery, embezzlement, corruption and other unlawful practices, including unethical business practices;

(e) Issue clear guidelines, to be updated periodically, to private security operators about the appropriate responses to make when offered a bribe, gift or hospitality;

(f) Issue clear guidelines on appropriate behaviour for persons in a public security organ directly involved with a civilian private security service body regarding having financial interests or any personal involvement in that body;

(g) Issue clear guidelines on the resolution of conflicts of interest in general;

(h) Ensure that appropriate post-separation regulations are created for employees of public security organs and civilian private security service bodies;

(i) Ensure that public security organs have adequate safeguards to prevent the abuse of procurement processes, such as through the unauthorized single source procurement (i.e. procurement without due bidding processes) of civilian private security services;

(j) Ensure that public security organs appoint civilian private security service bodies according to transparent and fair tender and other procedures;

(k) Ensure that civilian private security service operators are strictly prohibited from embezzling any property, funds or items of value entrusted to them or obtained by them by virtue of their position;

(l) Ensure that appropriate regulations exist in States where law enforcement personnel are permitted to work as personnel for civilian private security services when off duty.

### **Complaints, inspections and sanctions**

11. Without prejudice to the normal criminal justice system procedures, States may consider subjecting civilian private security services and their personnel to procedures relating to the receipt and investigation of complaints against them. To that end, they may consider:

(a) Establishing mechanisms for the receipt and impartial investigation of complaints by any person against personnel and providers of civilian private security services;

(b) Defining the type of complaints to be subject to such mechanisms;

(c) Utilizing an impartial body to determine guilt and penalties for the most serious complaints and create an appropriate appeals process;

(d) Publicizing the existence of those provisions;

(e) Ensuring that serious cases are prosecuted under the criminal justice system.

12. States may also consider developing standards on the provision of civilian private security services and encouraging the development of codes of conduct by private industry.

13. States may further consider ensuring that civilian private security service providers are subject to regular inspections to maximize compliance, and allocating adequate resources for that purpose.

14. States may consider specifying appropriate penalties for transgressions and breaches of regulations on civilian private security services and for non-compliance with such regulations.

### **Training of civilian private security services**

15. Where States decide to adopt standards on the training of personnel of civilian private security services, the following elements may be included in such standards:

- (a) Specific guidance on the topics to be covered;
- (b) Guidance on the subjects that should be completed by all personnel as a minimum. Those subjects could include:
  - (i) The role of civilian private security services and their contribution to crime prevention and community safety;
  - (ii) The relevant legislation relating to powers of arrest, evidence and the use of force;
  - (iii) Communication skills relating to oral and written reports;
  - (iv) Conflict resolution and de-escalation skills;
  - (v) Customer and client service skills;
  - (vi) Emergency procedures for natural disasters, accidents and other emergencies;
  - (vii) Human rights and adherence to national and international human rights standards and norms;
- (c) Basic standard operating procedures on firearms and non-lethal weapons operation and minimum training standards (including refresher courses) for personnel who use firearms and other weapons;
- (d) A set of training standards for each sphere that all levels of personnel of civilian private security services might operate in;
- (e) Guidance on appropriate assessment and evaluation methodologies to measure the competencies of personnel;
- (f) A requirement that all personnel undergo appropriate basic training before any other training is undertaken.

16. States may consider developing a mechanism for the certification of persons and entities providing training to personnel of civilian private security services that:

- (a) Ensures that training institutions are properly qualified and equipped to provide the training;
- (b) Grants licences to operate as a provider of such training.

17. States may also consider encouraging the specialization and professionalism of the personnel of civilian private security services through the development of an adequate mechanism for such personnel to obtain professional qualifications. The mechanism should:

- (a) Provide personnel with adequate certification or licensing from competent bodies that indicates the specific security services such personnel are allowed to provide;
- (b) Ensure that the training of personnel is updated periodically.

18. States may further consider encouraging the development of ongoing professional programmes relevant to civilian private security services. These could be:

- (a) Developed in consultation with the regulating authority, law enforcement community, professional and trade associations, non-governmental organizations and clients;
- (b) Offered to personnel working at all levels of civilian private security services;
- (c) Accredited by competent bodies where appropriate;
- (d) Used as a basis for continuing professional development and career progression.

### **C. Contribution of civilian private security services to crime prevention and community safety**

19. States may consider the following principles as underpinning the contribution of civilian private security services to crime prevention and community safety:

- (a) All levels of government should play a lead role in the development of crime prevention programmes and in enhancing community safety;
- (b) Civilian private security services should have an important complementary role in crime prevention and community safety;
- (c) Civilian private security services should be subject to Government regulation and programmes that improve standards to enhance the contribution of such services to crime prevention and community safety.

20. States may also consider prioritizing the development of cooperation between the public and private security sectors. Such cooperation should recognize the central role of Governments in the regulation of civilian private security services and be in line with the Guidelines for the Prevention of Crime and other United Nations standards and norms in crime prevention and criminal justice. In this regard, States may:

- (a) Encourage partnerships between civilian private security services and public security organs;
- (b) Provide funding for research into collaboration between civilian private security services and the public security sector and for the evaluation of such cooperation;
- (c) Establish and encourage specific training programmes, focusing on cooperation and collaboration;
- (d) Establish an appropriate body or mechanism to oversee the implementation of cooperation and collaboration between State security organs and civilian private security services.

21. In general, civilian private security services have a duty to convey information to law enforcement authorities. States that decide to share information with civilian



private security services as a means of enhancing crime prevention and community safety may consider:

- (a) Specifying the different types of information and level of access to such information by the State and civilian private security services and what may be collected;
  - (b) Strengthening information-sharing between civilian private security services and public security organs;
  - (c) Establishing secure networks for information-sharing;
  - (d) Enacting laws that protect information provided by civilian private security services;
  - (e) Developing coordination between all levels of public security organs for the sharing of information with civilian private security services;
  - (f) Including rules concerning the ethical and lawful use of information in any code of conduct for civilian private security service operators.
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