Private Security Governance Observatory

AFRICAN PRIVATE SECURITY GOVERNANCE OBSERVATORY FIRST ANNUAL CONFERENCE

Nairobi, Kenya 8th – 9th October 2018

REPORT







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ABBREVIATIONS & ACRONYMS

AFRILAW	African Law Foundation	
BHRRC	Business and Human Rights Resource Centre	
CECIDE	Centre du Commerce International pour le Développement	
СОСОДН	"Collectif Camerounais des Organisations des Droits de l'Homme et de la Démocratie"	
CSO	Civil Society Organization	
DCAF	Geneva Centre for the Democratic Control of Armed Forces	
LITE-Africa	The Leadership Initiative for Transformation and Empowerment	
NNF	New Nigeria Foundation	
OSCMP	Observatoire de la Société Civile pour les Minerais de Paix	
RADDHO	African Assembly for the Defence of Human Rights	
SY.NA.CO.FAS	Le syndicat National de Convoyeurs de Fonds et d'Agents de Sécurité	
URF	Usalama Reforms Forum	
WATED	Women Action Towards Economic Development	
DRC	Democratic Republic of the Congo	
ΙCoC	International Code of Conduct for Private Security Service Providers	
ΙϹοϹΑ	International Code of Conduct Association	
MD	Montreux Document	

SONATEL	Société Nationale des Télécommunications du Sénégal (Senegalese Telecoms Company), Senegal	
OEARSE	Observatoire d'Etudes et d'Appui à la Responsabilité Sociale et Environnementale	
VPs	Voluntary Principles on Security and Human Rights	
PSIA	Private Security Industry Association	
IJМ	International Justice Mission	
IMLU	Independent Medico-legal Unit	
KHRC	Kenya Human Rights Commission	
KEPSA	Kenya Private Sector Alliance	
NITA	National Industrial Training Authority	
TVETA	Technical and Vocational Training Authority	

Introduction

The African Private Security Governance Observatory held its Annual Conference on 8th and 9th October 2018 at the Golden Tulip Hotel in Westlands, Nairobi, Kenya. The Conference brought together for the first time Anglophone and Francophone Observatory member and was held under the theme: "Promoting oversight and accountability of the private security sector in Africa." The conference was hosted by the Usalama Reforms Forum, local partner member of the Observatory, and coordinated by DCAF.

About the Conference

This was the first Annual Conference that brought together the network of civil society organisations (CSOs) within the African Private Security Governance Observatory from both the Anglophone and Francophone Observatories. Approximately 50 participants, representing CSOs from Anglophone and Francophone observatories, deliberated on challenges and opportunities in the private security sector, reflected on Observatory activities in 2018, as well as national initiatives within the framework of the Observatory, discussed various tools and capacity building opportunities available, considered current structures and governance processes in each section of the Observatory and planned for the year 2019. Representatives of the Anglophone and Francophone Steering Committees presented experiences from their regions and the status of their governance structures. Perspectives were offered on the tools developed within the Observatory and international initiatives, such as the International Code of Conduct for Private Security Service Providers, the Montreux Document and the Voluntary Principles on Security and Human Rights, together with an overview on how they can be directly beneficial to the civil society.

Day 1: Monday 08.10.2018

Focus: Experience and Knowledge sharing

The morning of the first Conference Day was opened to external participants. Their presence enriched the discussions around the role of civil society in private security governance and the opportunities for civil society to work constructively with various stakeholders. This first day focused on sharing experience and knowledge, providing an overview of the activities undertaken and the progress made in the framework of the Observatory in 2018 and opening the discussions on planning for the year 2019.



Welcome remarks by Mr. Caleb Wanga

Welcoming Remarks and Participants' Expectations

Mr. Caleb Wanga, representing the Usalama Reforms Forum (URF) welcomed the participants and explained that the conference is aimed at promoting continental cooperation in private security governance.

Participants then introduced themselves, stating briefly their expectation of the Conference. The main expectations were:

- To build a common understanding of the strategy how Observatory member CSOs can continue to support the development of the Observatory;
- To obtain a better understanding on how CSOs can deal with private security actors in the Sahel, Mali, Chad and Niger region, in particular in relation with extractive industries;

- To acquire knowledge on standards and good practices in the private security industry, and how to use this knowledge to deal with one's own national security context;
- To learn how international initiatives such as the International Code of Conduct for Private Security Service Providers (ICoCA), the Montreux Document or the Voluntary Principals on Security and Human Rights (VPs) are used in other parts of the continent.

Opening words

- 1. Mr. Jean Leopold Gueye, Syndicat National de Convoyeurs de Fonds et d'Agents de Sécurité (SY.NA.CO.FAS), Sénégal
- 2. Mr. Joel Bisina, Leadership Initiative for Transformation and Empowerment (LITE-Africa), Nigeria
- 3. Dr. Alan Bryden, Geneva Centre for the Democratic Control of Armed Forces (DCAF), Switzerland

Mr. Gueye, representing the Francophone section of the Observatory, and Mr. Bisina, representing the Anglophone section of the Observatory, opened the conference. They thanked the Kenyan authorities and Usalama Reforms Forum for successfully planning and organizing the conference. They also thanked DCAF for supporting the Observatory since its creation

The importance of security was emphasized, as a precondition for development in any given country.

The following objectives where highlighted for the Observatory and for the Conference:

- For CSOs to review progress made and develop forward-looking strategies to strengthen the Observatory;
- Promote continental cooperation initiatives on the private security sector;
- Establish effective monitoring frameworks and improved oversight for the private security sector which has been neglected for so long.

It was mentioned that, in most African countries, an adequate regulatory framework, oversight and accountability mechanisms are still missing and that the private security industry lacks a professionally motivating and incentive-driven environment.

Dr. Bryden, representing DCAF, thanked the Usalama team from Kenya for the organization of the conference and acknowledged the diversity of the Observatory members CSOs represented at the Conference.

He recalled that in the last 15 years, the private security industry has grown significantly, often surpassing in size the public security actors in most national contexts and has diversified its services

often without adequate oversight. Private security services provided without appropriate democratic accountability have the potential to undermine human rights.

In the framework of the Observatory, ever since its creation during the conference held in Dakar in 2014, DCAF has provided the following type of support:

- Support in the understanding and application of relevant international norms and good practices, such as those contained in the Montreux Document and the ICoC.
- Development of national actions and multistakeholder initiatives to promoting good governance of the private security sector.

He recalled the progress made by the Observatory since its first meeting and emphasized the need for clear demarcation between private and public security, adequate regulation of the sector, including among other training and vetting of PSC personnel, and effective oversight mechanisms.

Dr. Bryden concluded by enumerating the following:

- Need for a wakeup call for States to enhance constructive engagement towards the good governance of the private security industry;
- There is a need for convergence of CSOs from a wide variety of backgrounds on governance, Human rights and environmental issues so that they can advance their agendas and work together with governments and industry to address the challenges;
- There is a need for capacity building and sharing good practices to enable CSOs to play that critical role;
- Work together as a network to achieve desired results and to strengthen the Observatory;
- The importance of evidence-based research and knowledge available for each national context;
- The Observatory initiative has been validated by the progress that has been achieved in the last 4 years;
- Reiterate DCAF's commitment in supporting the private security Observatory.



Opening Remarks by Keynote Speaker

Mr. Eric Okeyo, Vice Chair, Private Security Regulatory Authority, National Chair, Private Security Industry Association & Proprietor, Bedrock Security, Kenya

The keynote speaker thanked the delegates of the Observatory for their attendance to the Conference taking place in Kenya. He explained that bringing the conference to Kenya could not have come at a more opportune time, as the country was in the process of taking stock of the impact of enacting the Kenya Private Security Regulatory Act, 2016. This Conference therefore provides an opportunity to reflect on the progress made so far and to share lessons learned and experiences.

The Private Security Regulatory Authority in Kenya is composed as follows:

- 1 chairperson appointed by the President;
- 2 people representing trade unions;
- 2 people representing Private Security Industry employees;
- 1 person from the office the Inspector General of the National Police Service;
- 1 person representing the Directorate of Criminal Investigations;
- 1 person each representing the Principal Secretaries from ministries of Labour, Finance and Internal Security;
- 1 person representing the Kenya Alliance of Residents Association.

For a long time, the industry, despite having over 2500 registered providers and employing about half a million Kenyans, was regarded as rogue and disorganized. He reiterated statements by earlier speakers that the private security industry was bigger than the state security agency. He assured the participants that there has been cooperation between CSOs, the government and trade unions in Kenya and that his presence was a testimony to that. Civil Society Organizations working on private security issues in Kenya include: Usalama Reforms Forum, International Justice Mission, Independent Medico-legal Unit and Kenya Human Rights Commission. To be possible, the collaboration with civil society on private security matter first needed to build trust, which was not an easy process.

He posed the following questions to the conference participants to deliberate:

- Is it possible to collapse all the different private security associations (providers and trade unions) in Kenya into one?
- Should guards in the private security industry in Kenya be armed?
- How will they be trained to handle emergencies and the handling of arms?

Mr. Okeyo concluded by thanking the organizers and officially opened the Conference.

Guest Panel and discussions

Topic: Challenges and Opportunities in the private security sector

Panellists:

Mr. Eric Okeyo, Vice Chair, Private Security Regulatory Authority; National Chair, Private Security
Industry Association and Proprietor, Bedrock Security, Kenya
Mr. Cosmas Mutava, Chair, Protective Security Industry Association, Kenya
Mrs. Annete Kimitei, Director/Founder, Private Security Training Academy & CEO of Senaca EA, Kenya
Mr. Silvanus Sewe, Kenya Private Sector Alliance, Private Security Representative, Kenya
Moderator: Prof Obafemi Ajibola, New Nigeria Foundation, Nigeria

Mr. Cosmas Mutava, Chair, Protective Security Industry Association, Kenya

He explained that security generally covers self, property and other people and it is the prerogative of the government to provide security to its citizens. The Private Security industry in Kenya has 2500 registered firms, although only about 600 are active, employing over 500,000 people. Among the challenges faced by the industry he mentioned the following:

- Low remuneration for the guards;
- Inferior equipment (for example, PSC personnel are often only armed with rungus (clubs));
- High taxation rates (including of equipment);
- Despite the national legal framework in place, Kenya lacks a national policy regarding private security;
- Underpayment by clients as well as poor customer/client loyalty;
- Lack of training and education of PSC personnel;
- Unfavourable tender procurement process;
- Emerging threats such as terrorism, computer and cyber-crime.

Mrs. Annete Kimitei, Director/Founder, Private Security Training Academy & CEO of Senaca EA, Kenya

Training in the private security industry has been poorly organized, leading to lack of professionalism and accountability. Most organizations view training as a cost and not an investment in human resources. Besides, working in the private security industry is often viewed as a last resort by employment seekers when other opportunities have run out.

Challenges facing the sector:

- The size and geographical spread of the private security sector in terms of employment and number of companies; it is very large and challenging to manage;
- The emergence of terrorism;
- Training on site often faces lack of tools and poor learning environment;
- The cost of training is prohibitive;
- Lack of an effective monitoring and oversight framework for the private security sector, which has been neglected for so long;
- Discrimination in terms of gender and ethnicity by the clients;
- Low literacy levels among existing and potential guards impacts negatively on respect for code of conduct and standards;
- Lack of a database to help in weeding out criminal elements who may want to infiltrate the industry;
- Confusion on which authority should regulate the trainings: should it be National Industrial Training Authority (NITA) or the Technical and Vocational Training Authority (TVETA)?
- Disorganized training, coupled with the general consideration that training is a cost rather than an investment, as well as a poor attitude towards private security jobs.

Opportunities & Hopes:

- Recent trends have witnessed movement of personnel from state security agencies to the private security industry;
- The enactment of the Private Security Regulation Act, 2016;
- The requirement of establishing a database.



Guest panel on Challenges and Opportunities in the Private Security Sector: Mr. Eric Okeyo, Mr. Cosmas Mutava, Mrs. Annete Kimitei and Mr. Silvanus Sewe.

Mr. Silvanus Sewe: Private Security Representative, Kenya Private Sector Alliance (KEPSA), Kenya

Mr. Sewe explained that the private security industry is the largest employer in the world and gave the following statistics:

Country	Number employed
Kenya	250,000 - 500,000
United States	160,000 – 1,000,000
Nigeria	250,000 - 1,000,000
South Africa	800,000 - 1,000,000

He explained that the industry is growing at 7.5% annually and contributes 244 billion USD globally and 146 million USD in Kenya.

He lauded Kenya for enacting the Private Security Regulation Act, 2016 and reiterated that the European Code approach is the way to go.

Mr. Eric Okeyo, Vice Chair, Private Security Regulatory Authority; National Chair, Private Security Industry Association and Proprietor, Bedrock Security, Kenya

Mr Okeyo enumerated the challenges facing the private security industry as follows:

- Suspicion between state security agencies and private security actors;
- Lack of an effective monitoring and oversight framework for the private security sector;
- Cut-throat competition for clients often translating into a lack of respect for ethics;
- Competition from high level public officers having personal interests in the private security business and using their offices to influence tenders;
- Contradiction between the official government policies and the practices in the award of tenders. Tenders are often attributed to the lowest offer, with little to no regard to other selection criteria;
- Poor remuneration of PSC personnel and lack of ethics in payment policies;
- Unregulated training of the private security industry;

 Some PSC personnel turn to crime as a consequence of low wages, poor training and lack of appropriate regulations;

Opportunities in the private security sector

- Creation and implementation of legislative Framework;
- Cooperation with CSOs;
- All Private Security trainers must now be registered by the Board;
- The Private Security Act, 2016 in Kenya requires the creation of a data base; this database would constitute a good step toward monitoring and oversight of the sector.

Overview of main debate questions on the Guest Panel:

- 1. Looking at the duration of the courses, how effective are they? What is the mode of assessment used to determine those who have passed?
- 2. Who controls the Police Reservists (NPR) as it is neither regulated by the Government nor Kenya Private Security Regulatory Authority? How was the Private Security Regulation Act adopted? Did it undergo a participatory process?
- 3. Does the Private Security Regulatory Authority have the financial autonomy and capability to carry out its mandate?
- 4. What has been done to overcome the challenges, in particular of private security personnel joining extremist groups?
- 5. Are there monitoring and mechanisms in place for the implementation of the Private Security Regulation Act?



Guest panel on Challenges and Opportunities in the Private Security Sector: Mrs. Annete Kimitei.

Session 1: Review of activities and Objectives 2018

Session 1 provided the participants with an opportunity to reflect on the work done in the framework of the Observatory in 2018 and an opportunity to get an overview of progress made across the Observatory membership, ensuring a global vision of what has been achieved.

Speakers:

Prof. Obafemi Ajibola, New Nigeria Foundation, Nigeria

Mr. Alioune Badara Diallo, Rencontre africaine pour la défense des Droits de l'Homme (RADDHO), Senegal

Dr. Alan Bryden, Geneva Centre for the Democratic Control of Armed Forces (DCAF), Switzerland <u>Moderator</u>: Mr. Caleb Wanga, Usalama Reforms Forum, Kenya

Mr. Alioune Badara Diallo, Rencontre africaine pour la défense des Droits de l'Homme (RADDHO), Senegal

Thanked DCAF for ensuring that this long awaited Observatory is established. The Francophone section of the Observatory was the first to be established in Africa and has existed for close to three years. The Committee has 5 members, counting with representatives from Senegal, Guinea, The Democratic Republic of the Congo (DRC), Cameroun and Mali.

Decision-making is through consensus and there are regular Steering Committee communications through calls and emails.

Following the discussion held the previous day in the joint Anglophone and Francophone Steering Committee meeting, it has been acknowledged that it is wished and needed to have only one Observatory for the continent.

The Francophone section of the Observatory conducted the following kind of activities:

- Institutional development:
 - Expansion of the network, with several new members joining this year;
 - Changes in the governance structure (additional member to the SC);
 - Dissemination of communication material.

- Tool development;
 - First section of the Practical Guidance Tool was developed in a consultative process, published and disseminated.
- Capacity building:
 - Several workshops have been organised, including in particular in Cameroun and DRC.
 - Other national initiatives to develop research projects are being discussed in Guinea and DRC.

He thanked DCAF for its contribution to the development of the structure, especially in the governance process of the Observatory, as well as the development of the Practical Guide to bring together relevant knowledge, and the holding of several workshops to build the capacities of the Observatories member CSOs that work on extractives, as well as trainings for human rights networks the DRC.

Prof. Obafemi Ajibola, New Nigeria Foundation, Nigeria

Prof. Ajibola explained that the Anglophone Observatory was created in December 2017, in the aftermath of the ACCA GA 2017. The Steering Committee set out the objectives and the activities for 2018. The objectives as set out by the SC were as follows:

- 1. Conduct research on regional challenges and opportunities as a basis to sensitize stakeholders / identify entry points for engagement;
- 2. Foster an enabling environment for CSO network building and establish a CSO network as a community of practice that encourages the exchange of knowledge and good practices;
- 3. Support the capacity of civil society to engage effectively with national authorities, international organisations and companies in order to support more effective oversight and accountability of the private security sector;
- 4. Identify and facilitate entry points for civil society advocacy and monitoring to contribute to accountability mechanisms at national, regional and international levels;
- 5. Expand the virtual space for civil society engagement by enabling the use of innovative online and social media tools.

Activities

The following activities were undertaken in 2018:

- Institutional development;
 - Creation of structures and processes to coordinate the activities of the Observatory

- Regular communication through skype and emails
- Support for good practices and norms;
 - The Montreux Document on how States apply human rights and IHL law to private security.
- Capacity building;
- Promotion of evidenced Based interventions through Research in Kenya, Tanzania, Cameroun and Nigeria;
- Promotion of continental cooperation initiatives on the private security sector;
- Development of the English version of the Practical Guide, Section 1, to bring together all the knowledge acquired;
- Promotion of the network, outreach and networking.

Governance and process

A Steering Committee of the Anglophone network was set up in December 2017. The temporary SC was selected taking into account the diversity of the members as follows:

- 1 SC member from Kenya
- 3 SC members from Nigeria
- 1 SC member from South Africa

The tasks of the SC were first and foremost to develop the necessary governance documents and to establish the first processes needed to make decisions and start functioning. Most of the Committee meetings are conducted through Skype calls and emails. The SC received support from DCAF on developing criteria for the selection of research activities.

Research activities

In order to improve knowledge on private security sectors in their respective regional or national context, mapping studies are being conducted in the framework of the Observatory's call for member proposals:

- Kenya (Usalama Reform Forum): Baseline Study on the Private Security Industry in Kenya: challenges and implementation of the new regulatory framework;
- Tanzania (WATED): Private Security in Tanzania Mainland Research;

• Nigeria (AFRILAW): Baseline Assessment on Private Security Governance in Nigeria. The project intends to also support research on community perceptions on Private Security Actors.

Tools development & capacity building

The SC was able to undertake the domestication and translation into English of section one of the Practical Guidance tool addressing Knowledge building to fit the local, regional or national context. This Guide is being used to assist the research activities underway in selected countries.

Other tools or needs have been identified:

- Based on research, develop a standard requirement for fair competition in the Private Security market, intended to minimize manipulation and exploitation of the workforce, as well as a toolkit for training private security companies personnel;
- Training/workshops on tools: in planning;
- Strengthen capacities of Observatory member CSOs;
- Outreach and network building;

The objectives had been defined in the work plan 2018, established by the SC at the beginning of its mandate.



Session 1: Review of activities and Objectives 2018: Dr. Alan Bryden, Mr. Alioune Diallo and Prof Obafemi Ajibola

Dr. Alan Bryden, Deputy Director, Geneva Centre for the Democratic Control of Armed Forces (DCAF), Switzerland

Dr. Bryden started his presentation with the quote "the past is prologue" and explained that knowledge of history of the Observatory's development is critical in linking the role of CSOs, private security actors

and national governments. He emphasized the need for networking and strengthening monitoring of the private security sector and Human Rights issues for better results.

Dr. Bryden then enumerated some of the activities for 2018 and explained that they were based on practical field research and not just desk work. These engagements, he said, are helping CSOs to contribute towards national security reforms.

Members of the Observatory should take advantage of the potential support of the Observatory structure to enable them influencing good practice in private security sector.

He noted that DCAF will participate in the AU Security sector reform upcoming conference in November to enable official recognition of the Observatory.

Overview of main debate questions on Session 1:

- 1. What can the Observatory do to assist CSOs in dealing with the problem of security in the extractive sector?
- 2. What action is DCAF taking to help in dealing with the challenges mentioned?
- 3. What is the place of private security in DRC on how to engage the Authorities such as the Ministry of Interior?
- 4. How do we connect different sectors represented in the Observatory so that it's not seen as a trade union but partner to strengthen the actions?
- 5. How do we learn from the research undertaken in the framework of the Observatories?
- 6. How do we hold private security actors to account?



CSOs member of the Observatory:

The Observatory now counts 71 members, representing 18 African Countries.

Session 2: Observatory National Initiatives

During the session, Observatory members from Tanzania, Kenya, Cameroun and the DRC gave an overview of the private security sector in their respective national context and presented their projects in terms of rationale, objectives and description. The session concluded with follow-up activities and further engagement by the national observatories.

Speakers:

Mrs Maria Matui, Woman's Action towards Economic Development (WATED), Tanzania Mr. Pierre Paul Moubitang, Collectif Camerounais des Organisations des Droits de l'Homme et de la Démocratie (COCODH), Cameroun Mr. Okereke Chinwike, African Law Foundation (AFRILAW), Nigeria Mr. Alexis Muhima, Observatoire de la Société Civile pour les Minerais de Paix, (OSCMP), DRC Mr. Jacob Atiang, Usalama Reforms Forum, Kenya Moderator: Mr. Aliou Diouf, Business and Human Rights Resource Center, Senegal

Mrs. Maria Matui, Woman's Action towards Economic Development (WATED), Tanzania:

Private Security in Tanzania Mainland Research

She explained that in Tanzania the PSCs are governed by the Companies Act, which came into place in the 1980s. Between 2012-2009, the Tanzania Security Association initiated a move to reform the sector due to increased violation of Human rights especially because of the rush of new extractive sector projects, with large needs of private security services. This situation and the new challenges to human rights also incentivised women to push for reforms in the private security sector.

Therefore, the research undertaken in the framework of the Observatory focuses on challenges, gaps and opportunities and the violations in the private security industry in Tanzania Mainland. Currently, there are 800 private security companies registered, although the database may not be exhaustive.

Mr. Jacob Atiang, Usalama Reforms Forum, Kenya:

Baseline Study on the Private Security Industry in Kenya: challenges and implementation of the new Regulatory Framework

In the framework of the Observatory, Usalama conducted a baseline study in Kenya on the private security sector in three cities of Nairobi, Mombasa and Kisumu. There was public participation by a number of actors in the research which included government agencies, private security providers, CSOs, youth and women. The study revealed that legislation governing the private security industry in Kenya is still at its' formative stage and has not been fully implemented. In addition, the study revealed the need for capacity building for the private security sector players and CSOs to effectively play their distinctive roles. He lauded the efforts put in place by Private Security Training Academy and the National Industrial Training Authority on training and standardization. Finally, the study recommends that there is need for compliance in the sector with regard to regulations, human rights and minimum wage. In order to provide adequate information on private security sector in Kenya, a comprehensive data base for private security providers is required to facilitate public participation and oversight. The final report of the study will be available for sharing with Observatory members and wider public once finalised.

Mr. Okereke Chinwike, African Law Foundation (AFRILAW), Nigeria:

Baseline Assessment on Private Security Governance in Nigeria Project

Mr. Chinwike explained that Nigeria has an Act to regulate and provide for the licensing of private guard companies wholly owned by Nigerians since 1986. The private security industry has expanded in Nigeria as the security needs of the population could not be managed entirely by the national police alone. The Ministry of Interior is responsible for licensing and regulation. The industry however faces several challenges, among them low standards and poor oversight; human rights violations by private security providers; lack of actual data for registered private security companies in Nigeria and the failure to effectively implement private security regulations.

Mr. Alexis Muhima, Observatoire de la Société Civile pour les Minerais de Paix (OSCPM), DRC: Campagne de sensibilisation pour l'amélioration de la gouvernance des ESPs en RDC

It was explained that there is a lot of security presence in DRC due to prolonged conflict which has attracted a large number of private security providers. The Observatory has therefore mobilized civil society organizations to respond to the heavy presence of the private security industry by sharing information and organizing public debates on the private security sector. However, challenges abound such as lack of democratic functioning and institutionalized framework for private security sector in Congo and the vastness of the country since initiatives only exists in 8 provinces out of 46 thereby not being able to reach the entire country. In conclusion, there is a need to professionalize the initiatives and promote compliance to the law.

Mr. Pierre Paul Moubitang, Collectif Camerounais des Organisations des Droits de l'Homme et de la Démocratie (COCODH):

Analyse prospective du secteur de la sécurité privée au Cameroun

Mr. Moubitang explained that the private security industry engagement in Cameroon is new and as a result, there is a need to develop better networking. A capacity building workshop on the private security sector was therefore organised in the framework of a national initiative of the Observatory. The workshop was attended by representatives of CSOs from 10 regions, a representative from the National Human rights and Freedoms commission and an official of DCAF. Among the findings was the lack of strategies for addressing private security issues amongst the CSOs. 2018 has presented an opportunity and as such there is need to consolidate and promote private security governance. COCODH promised to work closely with National Human Rights commission and document human rights violations in Cameroun.



Session 2: Observatory National Initiatives: Mr. Pierre Paul Moubitang, Mr. Alexis Muhima, Mr. Okereke Chinwike, Mr. Jacob Atiang and Mrs Maria Matui.

Sessions 3 & 4:

Observatory national initiatives: next steps

Moderator: Mr. Aliou Diouf, Business and Human Rights Resource Centre, Senegal

During this session, participants were divided into break-away groups to discuss how to build on the momentum created by the national initiatives shared in the previous session.

Leading questions:

- What other kind of initiatives would you see as necessary to be supported by the Observatory? (Such as additional research on private security sector in each region to build a solid knowledge base across the Observatory, or to organise national multistakeholder workshops to disseminate findings). Why – What will these activities help to achieve?
- 2. How can we ensure the continuity of these initiatives? Each project is intended to create clear opportunities for further action: how can we ensure this happens in practice?
- 3. What will be the best way to present and promote those various initiatives:
 - At the Observatory level
 - At the National level

The main kinds of initiatives suggested by participants as requiring support by the Observatory were:

- Research in all countries on private security where it has not been done;
- Increase in visibility of the Observatory activities in every country.

Participants explained that these initiatives can be sustained through carrying-out more targeted workshops to build capacity of the actors in the private security sector and by improving the organization of the Observatory to have more solidarity for those members from the same region.

During deliberations, participants agreed that the best way to present and promote those various initiatives include:

At the Observatory level

- 1. Sharing information on the activities undertaken by the Observatory for learning and to borrow best practices across the board.
- 2. Improve Observatory internal communication. Sharing reports regularly and during annual conferences.
- 3. Monitoring and evaluation of initiatives will be a good practice across the Observatory.
- 4. Print Observatory materials to be shared with partners and other actors during the workshops and events.

At the National level

- 1. Working together with CSOs and state actors will help in achieving the objectives of the Observatory.
- 2. Organizing joint workshops for the private security industry as part of the capacity building for the local CSOs and other actors,
- 3. Erect banners, fliers and billboards to market the Observatory at national levels.
- 5. Use media outlets such as TV, radio, emails, and social media to publicize the activities of the Observatory.
- 6. Research on the role of private security in the extractive industry in specific national contexts.



Session 2: Observatory National Initiatives: Mr. Pierre Paul Moubitang, and Mrs Maria Matui.

Day 2: Tuesday 09.10.2018

Focus: Tools and capacity building Session 5: Available tools and capacity building opportunities

In this session presenters from DCAF, the Centre for Human Rights and the Leadership Initiative for Transformation and Empowerment in Africa took the participants through the capacity building opportunities available in the framework of the Observatory. These included Presentation of the tools developed within the framework of the Observatory (Guide Pratique 1), International initiatives such as ICoCA and how can they be directly beneficial to the civil society and the Voluntary Principles.

Speakers:

Mrs Emmylou Boddi, Geneva Centre for the Democratic Control of Armed Forces (DCAF), Switzerland Mr. Josua Loots, Centre for Human Rights, University of Pretoria, South Africa Mr. Joel Bisina, LITE-Africa, Nigeria <u>Moderator</u>: Mr. Pierre Paul Moubitang, Collectif Camerounais des Organisations des Droits de I'Homme et de la Démocratie (COCODH), Cameroun

Ms. Emmylou Boddi, Geneva Centre for the Democratic Control of Armed Forces (DCAF), Switzerland

Mrs. Boddi informed the participants that there is already a 'toolbox' for the Observatory containing different tools that can be used to support the work and efforts of the members. The "toolbox" contains:

An Online platform that:

 Contains a short profile from each country, providing an overview of the national private security sector, its regulations and main challenges and good practice. The help of all Observatory member CSOs is needed to complement these country profiles and ensure they are kept updated. 2. The platform provides with linkages to main international initiatives, such as the Montreux Document, the ICoCa, and the Voluntary Principles, giving an overview of how CSOs can benefit from them in their work in the field of private security governance.

Practical Guide:

The document addresses knowledge building by:

- raising awareness of issues relating to good governance of the private security sector, as well as the potential of CSOs to take actions in this area;
- Concretely reinforcing the core competencies of CSOs and other actors by providing straightforward advice and guidance.

Mr. Josua Loots, Centre for Human Rights, University of Pretoria, South Africa.

Mr. Loots explained to participants the principles of the International Code of Conduct for Private Security Providers (ICoCA). ICOCA is a multi- stakeholder's initiative, currently counting with membership from 7 Governments; 94 companies in 35 different countries and 29 CSOs in 13 different countries. He further explained that ICOCA has received many applications from CSOs from Africa and South America.

The role of civil society in the ICoCA is as follows:

- Participate in private security governance and oversight through direct engagement with ICoCA's governance bodies;
- Advocate for the effective regulation of the private security industry ;
- Raise awareness among communities, private security companies, security associations and clients about the Code and provide guidance on human rights/international humanitarian law related challenges;
- Bring in expertise on specific topics;
- Provide support to victims of Code violations to access effective remedies;
- Help build bridges between private security governance mechanisms (e.g. ICoCA, Voluntary Principles on Security and Human Rights, the Private Security Governance Observatories).

Members benefit from engaging with ICoCA in the following ways:

- To access an international platform promoting responsible private security;
- To participate in a global network;

- To access guidance, tools and training;
- Engage with other stakeholder groups industry, governments, clients, etc.

Mr. Joel Bisina, LITE-Africa, Nigeria

Mr. Bisina presented on the Voluntary Principle Initiatives (VPs), the work of his organisation in this framework and how the VPs can they be directly beneficial to civil society. The VPs provide guidance for a relationship between companies and security providers (Public and private) that ensure that national and international human rights and humanitarian law are respected, protected and promoted. It is a soft law instrument that appeals to morality, rather than strict judicial processes for enforcement.

He then presented the work LITE Africa has done in the framework of the VPs in Nigeria. Discussions have been held between Nigeria government representatives and LITE-Africa, where strong commitment to taking practical steps to advance discussions on the VPs where discussed. An interministerial Committee coordinated by the Ministry of Foreign Affairs was set up, meetings were held and recommendations extended to the government. A national implementation concept, work plan and budget for two years have been developed. He found that in the case of Nigeria, the VPs presented the following benefits:

- The Nigeria working Group provides the space for cross-pillar cooperation and collaboration.
- It provides the space for government, Companies and NGOs to build trust and develop a common message on Business and Human Rights issues in Nigeria.
- Provides a place for experience sharing and coordination of implementation efforts in Nigeria.
- Serves as a practical tool for building capacity of public security personnel on Business and human rights in the country.



Session 5: Available tools and capacity building opportunities: Mr. Joel Bisina, Mr. Josua Loots and Mrs Emmylou Boddi.

Sessions 6 & 7: Available tools and capacity building opportunities: dissemination and further needs

Moderator: Mr. Pierre Paul Moubitang, Collectif Camerounais des Organisations des Droits de l'Homme et de la Démocratie (COCODH)

Session 6 was a breakout session in which participants discussed dissemination strategies to promote available tools and knowledge and identify further needs. The outcomes of the discussions were then presented during session 7.

Leading questions:

- Have you used the tools and resources developed by or made available in the framework of the Observatory? Which ones, and in which context? Could these existing tools be improved or do you see the need for other tools? What could Observatory members do to promote and disseminate these tools and resources?
- 2. We had identified the need to develop the second part of the Practical Guide focusing on issues of 'Awareness raising, contributing to national policies, Monitoring, Complaint management and victim support'. What form would you see it take? What would be a useful tool to support your work and capacities on each of these topics:
 - Awareness raising and contribution to national policies
 - Monitoring
 - Complaint management and victims support
- Do you see a linkage between the Observatory and international initiatives such as ICoCA and the Voluntary Principles as useful, if so how so?
- 4. How could the Observatory and these initiatives reinforce each other? How could the Observatory concretely link to such bodies? Would it for example be worth creating Working Groups to exchange and coordinate?

During the group presentations, most participants indicated that they have not yet used the Practical Guide, section 1. Only Usalama Reforms Forum from Kenya has applied the tool in the baseline study conducted in July 2018 although, modified into local context.

Participants agreed that with adequate training, the Guide will be useful for them. They indicated the need to contextualize the tool to address the following issues:

- Grievances;
- Working environment;
- General understanding of the private security sector.

On whether the existing tools should be improved, reviewed or replaced with other tools, participants explained that there was a need to create awareness and for Observatory members to internalise its content.

The Observatory members propose to undertake the following to promote and disseminate these tools and resources:

- 1. Engage actors so that they can join the Observatory;
- 2. Identify needs and develop regulations;
- 3. Diplomatic actions;
- 4. Members to send inputs to the Observatory;
- 5. New members to interact with and provide feedback on the tool.

Group 2 identified the need to develop the second part of the practical guide focusing on issues of awareness raising and contribution to national policies, monitoring, compliance, management and victim support. It was recognized that local contexts require serious studies, that should then be widely disseminated, and that there is need to build different approaches in individual member counties on the legal framework regulating the private security sector. Education should be enhanced through the collection of ideas and identifying challenges that emerge from different sessions. DCAF could support this by developing a training video that the CSOs can use to train their members: a first video could address how to use the Practical Guide, section 1. Webinars can also be used to help member CSO learn about the tools offered in the framework of the Observatory. Members agreed that driving activities lies

with them, but they need to make Observatory members aware and everyone can give input to what the Observatory would want to do.

In their presentation, group 2 indicated that they found the linkage between the Observatory and international initiatives such as ICOCA, and the VPs useful. They explained that interaction would be facilitated by regular communication. The international initiatives made all institutions work in improving coherence in private security sector governance, as there is a common denominator among the three. Members however agreed that there is a need to clearly understand the niche areas of the 3 initiatives to help them decide where they want to belong. These areas of expertise should be shared widely for future reference.

Various groups suggested that the Observatory could concretely link to such bodies through possible interactions such as joint experience sharing, a regular communication framework for cooperation, the creation of a joint road map, having a common joint secretariat and sharing of the management strategy with members of Observatory.

Focus: Consolidation of the Observatory and growing the Network Session 8: Governance and processes

The session briefly looked at the current structures and governance processes of each section of the Observatory, as well as the various procedures that have been agreed upon during the last year. The challenges and further needs identified by the SCs were presented as follows.

Speakers:

Mr. Okereke Chinwike, (AFRILAW), Nigeria *Mr. Jean Léopold Gueye, Syndicat National des Convoyeurs de fonds et agents de sécurité* (SY.NA.CO.FAS), Senegal <u>Moderator: Mr. Saa Pascal Tenguiano,</u> (CECIDE), Guinea

Leading questions:

- What are the Governance successes/challenges encountered? What has worked/not worked?
- 2. What are the needs in terms of Governance?
- 3. How can we ensure an appropriate formalisation of standard processes across the Observatory?
- 4. How can we ensure the good coordination and collaboration of both section of the Observatory?
- 5. New members: how can we formalise the process of approval of new members? What should the membership requirements be?

Mr. Okereke Chinwike (AFRILAW), Nigeria

Presenting on behalf of the Anglophone SC, Mr. Chinwike shared on progress in the area of governance and listed the following:

- Establishment of the set of rules that guide the work of the steering committee;
- Balancing of the regional diversity;
- Effective communication in the Anglophone Observatory.

However, he also pointed-out that the steering committee has also faced certain challenges among them:

- The need for having a strong functioning committee based on consensus;
- Lack of a clear mandate of the steering committee ;
- TORs are stipulated and communicated to all members;
- Developing the work plan for the steering committee.

Mr. Jean Léopold Gueye, Syndicat National des Convoyeurs de fonds et agents de sécurité (SY.NA.CO.FAS), Senegal

Presenting on behalf of Francophone SC, Mr. Gueye shared on governance successes and explained that they have put in place strategies to ensure the committee works well in addition to adopting a more robust approach to the government. He stressed the identified need to harmonize the steering committee into one instead of two, as well as to strengthen the common platform and improve communication within the Observatory.

He explained that the Observatory can ensure an appropriate formalization of standard processes through creation of a focal point to coordinate functions of the Observatory and sharing of norms and tools like ICoCA Regulations. It was agreed during the group presentation that the Observatory can ensure good coordination and collaboration of both sections of the Observatory through:

- Harmonization of the SCs into one
- Sharing information across the Observatory
- Having a single voice
- Proper training of the Observatory members

Dr. Alan Bryden, Geneva Centre for the Democratic Control of Armed Forces DCAF), Switzerland,

In his contribution, he explained that this was the first joint meeting in which government representatives attended and that this multistakeholder approach could be replicated in the future. Very clear principles of transparency, equality and prudence governance came out of the steering committee meeting. The Observatory will be most effective trough carefully defining what needs to be decided at the global level and how to ensure innovation and action at the national level.

Session 9:

Looking Forward – Planning for the year 2019

The discussions in this session aimed at defining the wide lines of future Observatory activities and objectives. A draft work plan, consolidated before the Conference by the SCs was presented to the participants and thus supported their discussions. Please find the draft Work Plan in Annex 2.

Speakers:

Mr. Alexis Muhima, Observatoire de la Société Civile Congolaise pour les Minerais de Paix, DRC <u>Moderator</u>: Mr. Saa Pascal Tenguiano, (CECIDE), Guinea

Leading questions:

- 1. On the basis of the Draft Work plan, what do you see as priority activities? Please give us your comments and amendments on the Draft Work plan.
- 2. With a membership as diverse as the Observatory, good communication is essential to ensure the cohesion of the network. The Observatory has set up several tools to ensure good communication across its membership, such as regular emails notifications, newsletters, and the Observatory online platform.
 - In terms of communication what works and where are the challenges in your experience as a member of the Observatory?
 - Would you have suggestions for improvement?
- 3. While membership has grown significantly this last year, it is important to keep reaching out to further members to enrich and strengthen the Observatory. What strategy can be established to grow the Network:
 - At the Observatory level?
 - At National levels?

Participants identified as priority activities for 2019 the following:

- Finalising the activities initiated in the framework of national initiatives;
- Develop the charter of the Observatory to have a clearer governance
- Incorporate CSOs with expertise in the development of the charter.

Members agreed that with the diverse membership of the Observatory, there is a need to use online newsletters to all member organisations, regular email notifications, newsletters and the Observatory online platforms for good communication to ensure the cohesion of the network. Good communication will also help new members to be up to date with the operations of the Observatory. While skype was effective for interaction, some members were not active on Skype and thus missed important information in the process.

Participants also made the following suggestion for improvements:

- Knowledge and capacity building should be developed based on needs assessments of every country;
- 2. Improve the communication, internally and externally. New platforms such as use of radio or videos and other should be taken advantage of for information to the public;

Members noted that membership has grown significantly this last year and recommended that it is important to keep reaching out to other members to enrich and strengthen the Observatory. Some of the strategies suggested were:

- Conduct research on private security for every country;
- Identification of the tools for use in each country;
- Conduct capacity assessment for each country;
- Capacity building for each country and members of Observatory;
- There is need to regulate nomination of members to the Observatory;
- Each country to develop its own work plan and share with DCAF.





Session 9: Looking forward – Planning for the year 2019

Summary of the main discussion points

Moderator: Mr. Saa Pascal Tenguiano, (CECIDE), Guinea

The Conference ended with a call for harmonization of the Anglophone and francophone Steering Committees into one. The conference recognized the important role of trainings and urged that there is need for capacity building for members and the public to properly appreciate the role of private security providers. Aware of the vital role that information plays in such networks, the conference called for increased information flow to all members of the Observatory. In conclusion, it was agreed that research be conducted on private security sector in all the member states.

Mr. Saa Pascal Tenguiano (CECIDE) thanked all national initiatives for sharing their initiatives and explained that there is a need to carry out some form of research before embarking on other activities. He emphasised that there was also a need to identify immediate, mid-term and long-term initiatives from this conference for organizations' action and that a catalogue of action points for communications to prioritized. He commended the panel from the Kenya private security sector for the very enriching discussions from which the participants took valuable lessons about the Kenyan experience. The session will be an example for future activities and conferences in other countries. He concluded his remarks by urging that the Observatory members, as owner of the process, must seek to continue expand the network.

Dr. Alan Bryden in his concluding remarks thanked all the members Observatory for their commitment to improving security and argued for the need to define the identity of the Observatory so that they can walk together as one family. He emphasized the need to conduct sensitization and capacity building through training and train of the trainer activities for sustainability and to improve communication amongst the members.

He concluded by emphasizing the importance of maintaining the spirit of constructive engagement as it leads to a win-win relationship that can achieved through the Observatory and assured the participants that DCAF was committed to ensuring the ownership of the African steering committee and the perennity of the Observatory initiative.

Annex1: Participant List

	Names	Organizations	Country
1.	Bayili Balebo	CP-IS	Burkina Faso
2.	Ndjeng Dora	COFEPRE	Cameroun
3.	Saa Pascal Tenguiano	CECIDE	Guinea
4.	Tiemoko Souleymane	FDS	Mali
5.	Souleyman Bocoum	Grade Banlieue	Mali
6.	Maitre Hamani	ROADDH	Niger
7.	Don Zawadi Kafumba	Dynamique des Femmes des Mines (Dyfem-Tshopo)	DRC
8.	Freddy Kasongo Numbi	Observatoire d'Etudes et d'Appui à la Responsabilité Sociale et Environnementale (OEARSE)	DRC
9.	Alexis MUHIMA	Observatoire de la Société Civile Congolaise pour les Minerais de Paix (OSCMP)	DRC
10.	Diallo Alioune	Rencontre Africaine de Défense des Droits de l'Homme (RADDHO)	Senegal
11.	Saidou Kébé	Partners West Africa Sénégal	Senegal
12.	Jean Léopold Gueye	Syndicat National des Convoyeurs de fonds et agents de sécurité (Sy.Na.Co.Fas)	Senegal
13.	Aliou Diouf	Business & Human Rights Resource Centre	Senegal
14.	ILDJIMA LOKIAM	Public Interest Law Center	Tchad
15.	BOYINDJO Awoussi	Ong Dimension Humaine	Toggo

16.	Moubitang Pierre-Paul	Collectif Camerounais des Organisations des Droits de l'Homme et de la Démocratie (COCODH)	Cameroun
17.	Vincent Azumah	WANEP	Ghana
18.	Prince Aboagye	Centre For Social Impact Studies (CESIS)	Ghana
19.	Wilson Kipsang	Endorois Welfare Council	Kenya
20.	Caleb Oluoch	Usalama Reforms Forum	Kenya
21.	Jacob Atiang	Usalama Reforms Forum	Kenya
22.	Fernando Nkana	FSH	DRC
23.	Cecil B. Griffiths	Liberia National Law Enforcement Association (LINLEA)	Liberia
24.	Saviour Okon Akpan	Community Policing Partners for Justice, Security and Democratic Reforms (Comppart)	Nigeria
25.	Prof. Obafemi Ajibola	New Nigeria Foundation	Nigeria
26.	Joel Bisina	LITE-Africa	Nigeria
27.	Maria Matui	Women Action Towards Economic Development	Tanzania
28.	Okereke Chinwike	AFRILAW	Nigeria
29.	Josua Loots	Centre For Human Rights	South Africa
30.	Hyomeni Paul Guy Merlin	RECODH	Cameroun
31.	Alan Bryden	Geneva Centre for the Democratic Control of Armed Forces (DCAF)	Switzerland
32.	Gabrielle Priklopilova	Geneva Centre for the Democratic Control of Armed Forces (DCAF)	Switzerland
33.	Emmylou Boddi	Geneva Centre for the Democratic	Switzerland

		Control of Armed Forces (DCAF)	
34.	Cosmas Mutava	Kenya Private Sector Alliance	Kenya
35.	Annete Kimitei	Director PSTA	Kenya
36.	Eric Okeyo	Private Security Regulatory Authority	Kenya
37.	Martin Mavenjina	Kenya Human Rights Commission	Kenya
38.	Aggrey Juma	International Justice Mission	Kenya
39.	Otieno Aluoka	Dialogue Africa Foundation	Kenya
40.	Sylvanus Sewe	KEPSA Security Sector Board	Kenya
41.	Mr. John Kipkorir	PSTC	Kenya
42.	Rev. Jami Sasaka	Usalama Reforms Forum	Kenya
43.	Morris Muli	Usalama Reforms Forum	Kenya

Annex2: Draft Work Plan 2019

Category of activity	Activity
	Kenya : Baseline Study on the Private Security Industry in Kenya: challenges and implementation of the new regulatory framework
	Tanzania: Private Security in Tanzania Mainland Research
	Nigeria: Baseline Assessment on Private Security Governance in Nigeria Project
1. National Initiatives	DRC (tbc) : Awareness raising campaign for the improvement of private security governance of PSCs in DRC
	Guinea (tbc) : Prospective analysis of the private security sector in Guinea
	Baseline research on the private security sector should be conducted for each Observatory country represented within the Observatory, following a harmonized structure following the Practical Guide.
	Global objective for the ' National initiatives ' activities: Conduct evidenced-based initiatives with a clear strategy to achieve long-term impact.
2. Governance and processes and development of the network	Development of a draft proposal for a Global Observatory Charter . This Charter should address both Governance and Process issues, as well as needed documents in terms of development of the network.

	 This draft Charter should, among other include the following element: A global charter of the Observatory, setting clear governance structures and processes; A new member outreach strategy, including clear objectives per country; Observatory member criteria. Develop an Observatory strategy
	Identify priority countries for outreach (e.g. Gambia, Mauritania, Sierra Leone)
	Identify tools and needs in terms of capacity gaps/member capacity assessment
3. Knowledge and capacity building: tools and workshop	Capacity building workshops E.g. Increase understanding of the Montreux Document, Voluntary Principles and ICoCA – other international initiatives/platforms.
	Training and support on monitoring
	Global objective " Knowledge and capacity building: tools and workshop ": Increase the capacities of Observatory members to advance private security oversight and accountability.
4. Communications	 Develop clear messages and communication strategy for the Observatory At the International level At the national level Proposition include the development of social media tools & platform (e.g. Twitter) as well as a monthly Observatory newsletter in French & English Possibility to explore the use of other platforms: e.g. radio, TV

Participation to national/international/regional Security Forums and Events to increase visibility/partnerships/networking
Develop a strong brand for the Observatory, in particular for fundraising purposes.
Global objectives "Communications"
- Develop internal communications to enable cross-member knowledge sharing.
- Develop external communications for effective engagement with external stakeholders.

Annex 3: Participant Feedback

Private Security Governance Observatory

Annual Conference 2018

8-9 October 2018, Nairobi, Kenya PARTICIPANTS FEEDBACK

100% OF PARTICIPANTS

Considered that the Annual Conference fulfilled their expectations in terms of:



Experience and information sharing



Better understanding of the Observatory

TO BE DEVELOPED:

Participants suggested various aspects or themes that they would like to further develop in the future, such as:

- Voluntary Principles on Security and Human Rights
- International Code of Conduct for Private Security Service Providers
- Engagement with other stakeholders
- Contribution to national initiatives. legislation and policies
- Availability of practical cases
- Additional capacity building by the Observatory

ALL PARTICIPANTS

Consider that the Observatory contributed or will contribute to increase the impact of their actions, mostly through:

- Capacity building
- Networking opportunities
- Knowledge sharing
- Shared motivation to take action

MOST PARTICIPANTS

Found particularly interesting:

#1

The active participation and dynamic discussions



#2 The harmonisation of both Steering Committees

#3 The diversity and motivation of the members

TO BE IMPROVED:

Most participants agreed that the following should be improved:



Additional day of conference

A great number of participants mentioned that the schedule was too busy, and hence an extra day of conference should be added in the future.



Greater communication

Greater communication and visibility from the Observatory was mentioned by a lot of participants.



Representation of other parties

Comments mentioned that communication and collaboration with other stakeholders working in the private security sector should be improved.

Participants think that, after the conference, their organisations can undertake the following roles in the promotion of private security good governance:



Promotion and awareness raising Knowledge building and dissemination Advocacy Partnerships with other stakeholders Local and national action







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