



## DEFENCE SECTOR - HOW TO ACCESS NEW MARKETS

2023



### Our clients engage us because we:

- **Protect** them, enabling business growth in new markets
- **Advise** them based on decades of experience
- **Detect** problems to minimise or prevent harm
- **Investigate** to ensure their decision-makers are fully informed
- **Resolve** complex issues and provide innovative solutions
- **Train** them to enhance performance and reduce risk



### OUR VALUE PROPOSITION

Your defence sales



Pavocat's university-accredited Human Rights and Law of Armed Conflict training for your buyers



Access to new markets, increased sales, and much more



## OUR VALUE PROPOSITION

By linking your defence sales to our practical and university-accredited training in the Law of Armed Conflict:

- We **open up** your access to new markets
- We **facilitate** sales (and purchases)
- We **enhance** your ESG compliance
- We **safeguard** your reputation
- We **offer** a compelling offset option
- We **strengthen** your existing relationships

*“By linking sales directly to practical training in the Law of Armed Conflict and Human Rights to end-users, defence companies not only contribute to enhancing the rule of law on the ever-changing battlefield of the 21st Century, but they are also able to expand their markets and profitability, as well as enhancing and protecting their corporate reputations.”*

**General The Lord David Richards of Herstmonceux GCB, CBE, DSO, DL - Former UK Chief of Defence Staff**

## THE WIN-WIN OPPORTUNITY



YOU WILL BE ABLE TO EXPAND YOUR MARKET	
ACCESS TO NEW MARKETS	Linking accredited training in LOAC and Human Rights to equipment sales opens up your access to new countries and markets around the world. This also includes a wide range of possible users, such as Armed Forces, Gendarmeries, Law Enforcement Agencies and Private Military Contractors / Security Companies.
EXPORT LICENCES	Insisting on mandatory LOAC and Human Rights training that is relevant and proportionate to the equipment being sold increases (1) the likelihood of the shareholders, the Board and government permitting the sale, and (2) the chances of success in applying for Export Licences and End-User Certificates.
ENHANCE REPUTATION	Enhance your international reputation and profile significantly as an <b>'Ethical and Responsible Defence Manufacturer'</b> , making you more attractive to buyers than your competitors in the defence industry.
PROTECT REPUTATION	If a Buyer misuses the purchased equipment, the Seller can point to its requirement for mandatory, monitored and verified LOAC and Human Rights training to show that it acted reasonably and responsibly, thereby protecting its legal and reputational positions.
OFFSET & ESG OPTIONS	LOAC and Human Rights training courses provide excellent options for (1) defence sale offsets and for (2) your corporate ESG commitments.

BUYERS ALSO BENEFIT	
ACCESS TO NEW EQUIPMENT	The Buyer is enabled to purchase your equipment - which previously had been inaccessible - by undertaking practical training that is relevant and proportionate to the type, purpose and quantity of equipment involved.
ACCESS TO FUNDING	Improve ability to obtain funding (e.g., from the European Peace Facility) for your equipment (and our training) by satisfying its stated requirement "to arm Governments to fight terrorism, protect civilians and stabilise fragmenting States but also promote Human Rights".
EARN REVENUE	Having undertaken LOAC and Human Rights training, States will be able to contribute properly trained, respected and trusted forces to take part in well-paid international missions.
PROTECT REPUTATION	Proper training reduces the risk of an incident causing harm to the State's national and international reputation, and ensures the State fulfils its international obligations to advance compliance with LOAC and Human Rights.
OFFSET OPTIONS	Pavocat's LOAC and Human Rights university-accredited training courses and programs for States provide perfect projects for defence offsets.



## OPENING ACCESS TO NEW MARKETS

- Shareholders, boards, governments and export licensing authorities are understandably reluctant to sell to end-users if there are concerns and/or fears about non-compliance with LOAC and Human Rights.
- Our Law of Armed Conflict and Human Rights training raises the competency and capability of armed forces (including gendarmeries, law enforcement authorities and private military contractors / security companies) by improving compliance with international law and promoting the exercise of restraint in conflict situations.
- Taken together, Pavocat's training and expertise increases (1) the likelihood of shareholders, the Board and government permitting the sale, and (2) the chances of success in applying for Export Licences and End-User Certificates.

## ENHANCING AND PROTECTING REPUTATIONS

- By linking mandatory practical Law of Armed Conflict and Human Rights training that is relevant and proportionate to the equipment being provided, a defence contractor enhances its reputation by demonstrating that it is an **'Ethical and Responsible Defence Manufacturer'**. The manufacturer also has legal and reputational protection if the purchaser subsequently misuses the equipment.
- Pavocat can deploy active Law of Armed Conflict and Human Rights **'Monitoring and Verification Programs'** to ensure the correct use of equipment and thereby protect a company's reputation and allow for a meaningful defence for the company in the event of any Law of Armed Conflict or Human Rights breaches by the end-user when using the manufacturer's equipment.

## FACILITATING SALES AND PURCHASES

- Pavocat's expertise in Law of Armed Conflict and Human Rights training ensures (1) that companies can sell to new countries and markets, and (2) that those new markets are now able to purchase the equipment they need.
- By undertaking such training, a State's armed forces demonstrate their suitability for international missions, and private military contractors / private security companies are able to reassure their clients. Pavocat's training and expertise also provides a significant **differentiator** that helps our clients stand out when bidding for contracts.

## PROVIDING OFFSET AND ESG OPTIONS

- Training is provided by the Pavocat-Stellenbosch Academy and all courses are accredited by Stellenbosch University. Training can be provided either at the Academy and/or in the buying State.
- Our LOAC and Human Rights training is provided to a State's armed forces, gendarmeries, law enforcement authorities, and private military contractors / private security companies to improve compliance with international and domestic laws.
- Pavocat's training courses are an ideal option for defence offsets and ESG opportunities. As regards ESG options, your company could:
  - Sponsor a set number of students to attend courses run anywhere by the Pavocat-Stellenbosch Academy;
  - Sponsor designated courses to be delivered by the Academy;
  - Sponsor the Academy's counter-corruption courses; and/or
  - Donate funds to the Academy to be used at the Academy's discretion (e.g., to commission research, improve facilities, etc).



## OUR FEES

### 1. THE RETENTION FEE

- Our annual fee covers the following:
- Pavocat's proactive efforts to steer client States towards your company (to include international advocacy and persuasion).
- Design and implementation of a plan - and the provision of support - to secure international funding to permit a buying State to:
- Purchase your equipment and services; and/or
- Pay for the Law of Armed Conflict training insisted upon by you as part of the sales contract.
- Creating a 'Monitoring & Verification Strategy and Implementation Plan' to ensure Law of Conflict compliance by the purchaser.
- Assisting you, as required, in securing Export Licences and End-User Certificates.
- Developing contract-specific Law of Armed Conflict training course proposals.
- Training an agreed number of your company's leadership team in Law of Armed Conflict and Human Rights.
- Supporting your leadership team in enhancing the company's ESG profile and status.
- Explaining to the purchasing State the numerous advantages of linking training to purchases of your equipment and services, which include:
  - We open up the State's access to reputable defence manufacturers;
  - We facilitate their ability to purchase;
  - We enhance their armed forces' suitability for international missions;
  - We strengthen their armed forces' capabilities; and
  - We offer an offset option.

## OUR FEES

### 2. THE SUCCESS FEE

We are motivated to achieve sales for you.

#### Scale

The Success Fee is ordinarily paid by you:

- On a sliding scale of 3%-5% of contract value (other than in exceptional circumstances); and
- Upon you signing a contract with a new or existing client and receiving payment thereunder.

#### Payable

Payable in the event that you and Pavocat together secure new business or retain existing business for you.

## THE COST TO THE BUYING STATE

### COURSE DELIVERY FEE

The fee is specific to the training requirements and logistical specifics associated with each sale. It covers the cost of:

- Training (undertaken anywhere in the world by Pavocat-Stellenbosch Academy); and
- Any other work that is contractually necessary, such as a 'Monitoring & Verification Program'.

### COURSE FEE FUNDING OPTIONS

- Paid by the buying State;
- Funded through an offset arrangement;
- Funded by a 3<sup>rd</sup> party organisation (e.g., the European Peace Facility); or
- Covered in part or wholly by you.



## EXAMPLES OF SALES SUPPORT OPTIONS

You can ask Pavocat to help facilitate sales to a new State ('Orange' or 'Red') previously considered difficult or impossible to sell to. Success Fee payable on sale.

You can propose Pavocat's training services to existing or prospective ('Green') buying States as:

- a sales differentiator;
- an ESG commitment; or
- a proof of concept.

Cost falls on the buying State (unless you decide to absorb it).

Pavocat also specialises in **counter-corruption** and provides a full spectrum of services, including safeguarding operations in complex integrity environments. Pavocat opens up challenging markets, and protects you from integrity risks when you enter.

You have the option of contracting with one or more of Pavocat Group's subsidiaries: Pavocat Ltd (UK), Pavocat Europe Ltd (EU), or Pavocat South Africa PTY Ltd (RSA).



### 'Red' State

Poses significant and complex problems to be resolved.



### 'Orange' State

Usually requires a sophisticated approach and detailed work.



### 'Green' State

An existing or potential client with no issues affecting sales.

## NEXT STEPS

We can arrange a one-on-one virtual conference with a handful of our specialists in which you can ask our panel about the challenges you are facing. In our experience, it is an hour well-spent as such sessions give both parties a better understanding of the specifics.

Please contact us on:  
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 or  
 +44 (0) 20 3773 7887

*"Leadership is a potent combination of strategy and character.  
 But if you must be without one, be without the strategy"*

**Gen. Norman Schwarzkopf, Jr.**

*"The one quality that can be developed by studious reflection and practice is the leadership of men"*

**Dwight D. Eisenhower**

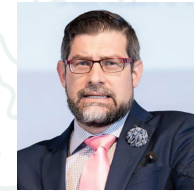


## WHO WE ARE: SOME OF OUR SENIOR TEAM

Subject Matter Experts | Distinguished Lawyers | Leading Academics | Experienced Instructors | World Class Specialists | Senior Officers



**Prof Charles Garraway**  
Fellow, Human Rights Centre (University of Essex)  
Former Senior Officer (British Army Legal Services)



**Prof Geo Quinot**  
Professor of Public Law (SU)  
Board Member (Pavocat-Stellenbosch Academy)  
Founder - African Procurement Law Unit



**Prof Lee Marler**  
(Founder & Director)  
Extraordinary Professor of Public Law (SU)  
Leading Counsel  
Expert in Counter-Corruption  
Expert in LOAC & HR  
Former Senior Army Officer



**Prof Thuli Madonsela**  
Professor of Law (SU)  
Formerly South Africa's Public Protector  
TIME100's 'Most Influential People in the World'



**Prof Gregory P. Noone**  
Professor of Politics and Law  
Expert in LOAC  
Former Commanding Officer of Defense Institute of Intl Legal Studies; and of the US Navy JAG



**Prof Laurie Blank**  
Clinical Professor of Law  
Director, International Humanitarian Law Clinic  
Expert in LOAC



**Brig (Retd) D Stewart**  
Former Head of Operational Law (British Army) and Chief Legal Advisor (ISAF)  
Expert in LOAC  
Member, Governing Body at IIHL (San Remo)



**Prof MS Tshehla**  
Dean of the Faculty of Military Science (Stellenbosch University)  
Interim Director for SIGLA (Security Institute Governance and Leadership In Africa)



**James Stuart**  
(Founder & Director)  
Operations Specialist  
Expert in Political & Security Issues  
Expert in Threat Finance  
Expert in Terrorism Finance  
Former Senior Army Officer



**Lt Gen (Retd) Jasbir Lidder**  
Former UN Force Commander  
Deputy Special Representative of Secretary General (Political)  
Expert on Peace-building  
Expert on the Protection of Civilians



**Jonathan Shapiro**  
Former Commanding Officer (Defense Institute of Intl Legal Studies)  
Expert in Counter-Corruption  
Expert in LOAC



**General The Lord Richards**  
Former UK Chief of Defence Staff  
Chief of General Staff, British Army  
Senior Advisor to the International Institute for Strategic Studies



**Akere T Muna**  
Counter-Corruption Expert  
Former Vice President of Transparency International  
Chair of the International Anti-Corruption Conference



**Richard Westley, OBE, MC**  
Former Commander (Operational Training Advisory Grp)  
Expert in Police, Army, Intelligence and Counter-Poaching Training



**James Johnstone**  
(Founder & Director)  
Group Chief Operating Officer  
English Barrister  
Expeditionary Counter-Corruption Counsel



**Prof Sope Williams-Elegbe**  
Head of the Mercantile Law Dept (Stellenbosch University)  
Specialist in Anti-Corruption Law  
Expert - Public Procurement Law



**Mike Kramer**  
Former Special Attorney  
Global Expert on Combatting Corruption & Fraud  
Director of Training at the International Anti-Corruption Resource Centre (IACRC)



**Kevin Malunga**  
Formerly South Africa's Deputy Public Protector  
Expert in Counter-Corruption Lawyer

## ABOUT THE PAVOCAT GROUP

Pavocat was established in 2019 by bringing together the world's leading experts in **Counter-Corruption, Human Rights and the Law of Armed Conflict**. Our acknowledged expertise and experience in these fields, combined with our comprehensive and integrated range of services, means that we can handle any Corruption, Human Rights and Law of Armed Conflict issues that our clients may have.

Our short and highly practical training courses are designed primarily to develop law enforcement personnel, prosecutors, judges, members of the armed forces, gendarmeries, private military contractors and other professionals, such as Compliance Officers and Integrity professionals. Courses are provided by leading instructors from The Pavocat-Stellenbosch Academy and can be delivered anywhere in the world. **All courses are accredited by Stellenbosch University.**

Headquartered in central London, and with wholly-owned subsidiaries in South Africa and Malta, we provide our full spectrum of services and university-accredited training globally to States, organisations and corporations.



Pavocat Ltd (UK) provides the full spectrum of Counter-Corruption, Integrity, and Compliance services to clients globally.



Pavocat South Africa (Pty) Ltd (South Africa) is our South African trading company.



Pavocat Europe Ltd (South Africa) is our European trading company.



Pavocat Chambers Ltd (UK) administers Pavocat Chambers, a set of barristers specialising in Counter-Corruption, Human Rights, the Law of Armed Conflict, together with International Criminal Law.



Pavocat IHL Ltd (UK) provides Human Rights and LOAC advice and on-the-ground support - including **Monitoring & Verification** and mission-specific **Pre-Deployment Training** - to armed forces and PMCs / PSCs.



The Pavocat-Stellenbosch Academy, which provides practical short training courses in countering Corruption, Human Rights and the Law of Armed Conflict. Courses are accredited by Stellenbosch University.





Photo: Anton Jordaan / SCPS

**STELLENBOSCH UNIVERSITY:**

- is one of Africa’s leading tertiary institutions based on research output, student pass rates and rated scientists, and is recognised internationally as an academic institution of excellence;
- is cementing its reputation as a world-class institution; and
- is one of the top 300 universities in the world, and amongst the top 20 in BRICS countries (according to the Times Higher Education World University Rankings).
- has more than a century of experience in providing world-class teaching;
- has a student community of 32,000, including more than 4,000 international students from over 100 countries;
- has 3,000 permanent staff members including more than 1,000 academics;
- has state-of-the-art facilities to present training in-person, online and in hybrid modes; and
- has more than 500 short courses presented annually.



SOUTH AFRICA  
MZANTSI AFRIKA  
SUID-AFRIKA

experts in  
counter-corruption and  
the law of armed conflict

THE  
PAVOCAT-STELLENBOSCH  
ACADEMY



Stellenbosch

UNIVERSITY  
IYUNIVESITHI  
UNIVERSITEIT

forward together  
sonke siya phambili  
saam vorentoe

- The Pavocat-Stellenbosch Academy (“the PSA”) is a joint venture between Stellenbosch University and Pavocat South Africa (Pty) Ltd
- The PSA provides practical, university-accredited training courses on campus, online and on site to professionals (e.g., judiciary, prosecutors, public officials, law enforcement agencies, the public and private sector, etc.) on how to combat corruption and advance integrity, compliance and the rule of law.
- The PSA also provides ‘gold standard’ university-accredited training to uniformed personnel (e.g., armed forces, law enforcement, police, etc.) to advance human rights and improve compliance with the Law of Armed Conflict (‘LOAC’).
- The PSA is working on a programme to establish Regional Centres of Excellence in Integrity (‘RCOE’) around the world. The first RCOE was established in South Africa in August 2022 (see pp20-22) and covers the African continent. In addition to this Proposal for ASCOE, the PSA is currently working with partners and States to establish RCOEs in (i) the Caribbean, (ii) the Middle East, and (iii) Latin America.





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