# ADDRESSING SECURITY AND HUMAN RIGHTS CHALLENGES IN COMPLEX ENVIRONMENTS

## TRAINING CURRICULUM ON GENERAL STANDARDS FOR POLICING

ICRC

DCAF
a centre for security development and the rule of law

**With the support of:**

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## Background

The training of law enforcement officials is imperative for a successful field implementation of the Voluntary Principles on Security and Human Rights (VPs). Various stakeholders have expressed the need for a standard training curriculum for public security forces deployed around the operations of extractive companies.

The Geneva Centre for the Democratic Control of Armed Forces (DCAF) and the International Committee of the Red Cross (ICRC) decided to respond to this need and develop a Training Curriculum on General Standards for Policing. As official observers to the Voluntary Principles Initiative (VPI), DCAF and ICRC, with the support of the Human Security Division of the Swiss Federal Department of Foreign Affairs, are experienced in the development of practical tools to help companies and other actors understand and implement the VPs.

Thanks to a number of consultations with various stakeholders over the past two years, DCAF and the ICRC were able to identify the principal needs to ensure the usefulness of this training curriculum.

## What is this curriculum about?

This training curriculum is meant to outline a standard minimal curriculum for the training of law enforcement officials who are deployed around the operations of extractive companies. It aims to build a common understanding of law enforcement officials with respect to the intersection of security and human rights issues. It presents the main blocks of topics that should be addressed in all trainings on security and human rights for law enforcement officials, with learning objectives outlined for each block.

This training curriculum is expected to become a standard that various stakeholders can refer to when discussing their expectations in terms of law enforcement officials' training.

In turn, this training curriculum can inform law enforcement officials on expectations from various stakeholders with regard to the training of their units.

The goal of the training is that participants understand the vital importance of human rights issues in ensuring sustainable, long-term security. The training will ensure that all stakeholders internalize the importance of respect for human rights, their roles and responsibilities, and how to interact effectively with other stakeholders, including public security forces and private security providers. Furthermore, it will enable police forces to communicate effectively and responsibly, in order to defuse sensitive situations.

It should be noted that this training curriculum does not substitute a more comprehensive technical and practical training of law enforcement officials. Its scope is limited to refreshing and refining law enforcement officials' understanding of human rights principles governing their operations.

## Who is this curriculum for?

This training curriculum is addressed to law enforcement officials with previous knowledge on the relevant principles governing law enforcement. Its structure and contents may not in their entirety be appropriate, relevant or sufficient for the training of other types of security providers.

## Using this curriculum

This training curriculum is structured around three main modules covering international standards for law enforcement practitioners. Delivering the entire curriculum will take three days, depending on the primary assessment and needs of the trainees. For each block in the module, suggested training times are outlined.

Each module starts with a general outline describing the overall objective of the modules, as well as the main topics that will be discussed. The modules are then developed in different sections, which highlight the content that should be developed. For each section, suggested effective teaching methods are indicated. Each module ends with a practical exercise during which trainees can test their knowledge of the topic.

## Methodology and tools

Through this curriculum, DCAF and the ICRC encourage the use of proven, participatory methods through which participants of all education levels can internalize the content and are given the possibility to apply the learnt skills. Different tools should be used throughout the training including short videos, role plays and scenario-based simulations. For each of the blocks suitable teaching methods are suggested. The following iconography will be used throughout the training curriculum to provide an indication on how to teach the content.

**Presentation**

**Group work**

**Virtual reality**

**Interactive sessions or Q&A**

**Films**

**Time**

**Case studies**

**Field exercise**

## What's next?

This curriculum is a basis to develop specific training manuals (i.e. longer and more detailed documents). DCAF and the ICRC remain available to further develop this curriculum in order to support its application to different contexts for the training of law enforcement officials.

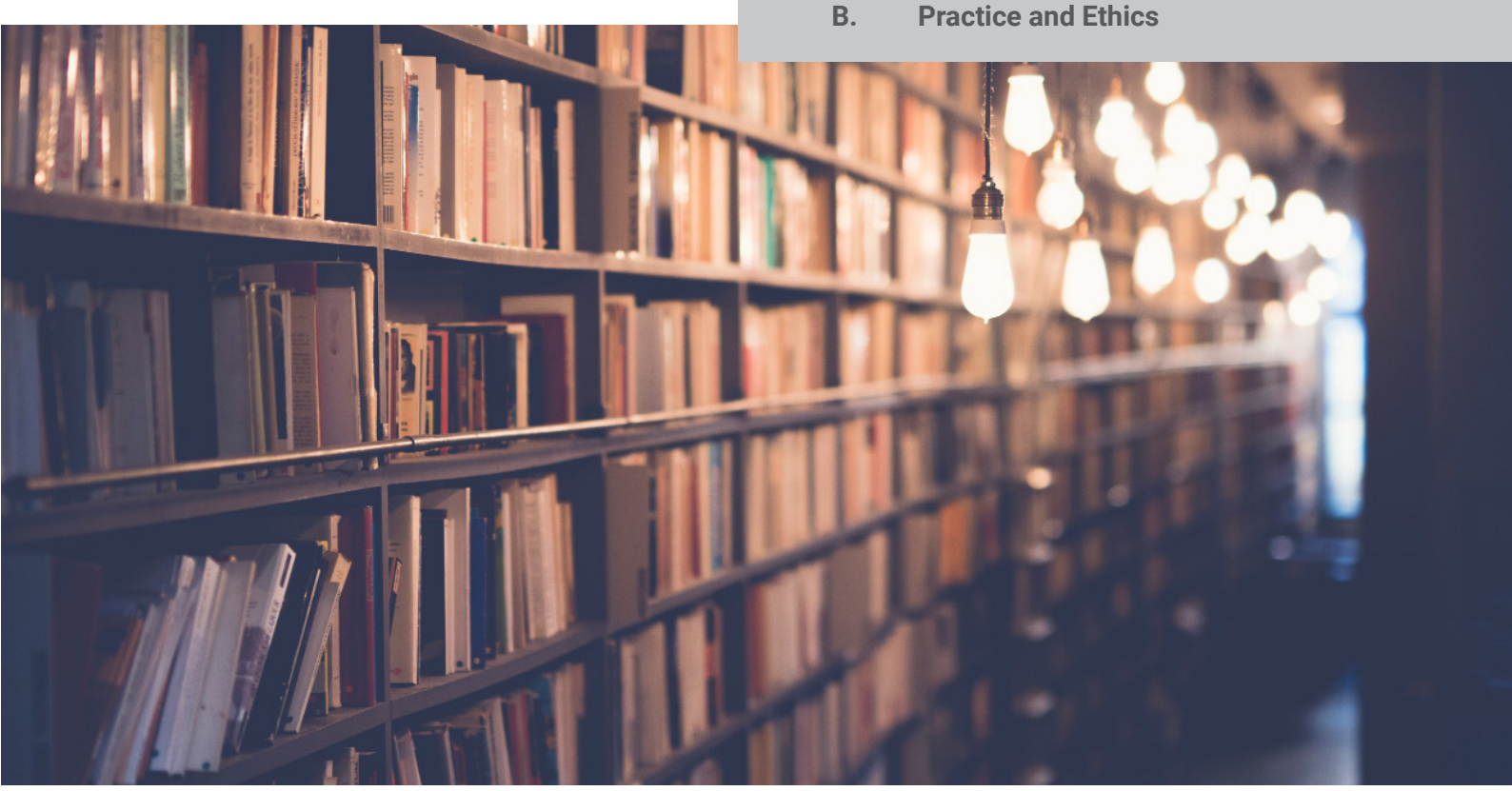
# MODULE 1:
# GENERAL FRAMEWORK

## Objective

After completing module 1, law enforcement officials have deepened their understanding of the national human rights legislation's position within international human rights and policing frameworks. Furthermore, reviewing guiding principles and the practical implications of international standards on the conduct of law enforcement officials increases participants' capacity to uphold human rights when enforcing the law.

## Outline

A. The Legal Framework
B. Practice and Ethics



## Teaching Methods

# A. The Legal Framework

## 1. International human rights law and domestic law

**Learning objective:** By reviewing the main international and applicable regional human rights law texts, treaties and conventions, participants will be able to contrast these to national legislation.

a. Reviewing international human rights law and institutions

b. Reviewing regional human rights law and institutions

c. Reviewing national dispositions with regard to the protection of human rights

   i. Constitution
   ii. Criminal law
   iii. Criminal procedures
   iv. Police regulations
   v. National human rights institutions

**Teaching Methods** **1 hour**

## 2. International standards for policing

**Learning objective:** Participants will refresh their understanding on international standards for policing by reviewing the principal contents of international codes of conduct and principles.

a. UN Code of Conduct for Law Enforcement Officials

   i. Respecting and protecting human dignity and human rights (Art. 2, 5 & 6)
   ii. Police integrity (Art. 1,4 , 7 & 8)
   iii. Proportionality in the use of force (Art. 3)

b. UN Basic Principles on the Use of Force & Firearms by Law Enforcement Officials

   i. General provisions
   ii. Special provisions
   iii. Policing persons in unlawful assemblies, in custody or in detention
   iv. Qualifications, training and counselling

**Teaching Methods** **1 hour**

# B. Practice and Ethics

## 1. Law enforcement responsibilities (tasks) and powers

**Learning objective:** Participants review the implications of international standards on policing and human rights law on the conduct of law enforcement officials and understand how the responsibilities of different policing actors relate to one another.

a. Reviewing the mission and special powers of the police

b. Understanding the relationship between different actors' responsibilities

   i. Law enforcement officials
   ii. Private companies
   iii. Private security providers

**Teaching Methods** **1 hour**

## 2. Linking human rights to law enforcement: the PLAN/P Principles

**Learning objective:** Participants understand how the PLAN/P Principles provide law enforcement officials with guidance for performing their respective duties with respect for human rights.

a. Proportionality

b. Legality

c. Accountability

d. Necessity

e. Precaution

**Teaching Methods** **1 hour**

## 3. Ethics in law enforcement

**Learning objective:** Participants understand ethical standards pertaining to law enforcement and understand what kind of implications a code of ethics can have on the performance of their duties.

a. The role of ethics in law enforcement

b. Understanding codes of ethics

**Teaching Methods** **1 hour**

# Background Informational Material

## On International Human Rights Standards:

Universal Declaration of Human Rights:
http://www.ohchr.org/EN/UDHR/Pages/Language.aspx?LangID=eng

Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment:
http://www.ohchr.org/EN/ProfessionalInterest/Pages/CAT.aspx

Convention on the Elimination of all Forms of Discrimination against Women:
http://www.ohchr.org/EN/ProfessionalInterest/Pages/CEDAW.aspx

International Convention on the Elimination of all Forms of Racial Discrimination:
http://www.ohchr.org/EN/ProfessionalInterest/Pages/CERD.aspx

Convention on the Rights of the Child:
http://www.ohchr.org/EN/ProfessionalInterest/Pages/CRC.aspx

International Covenant on Civil and Political Rights:
http://www.ohchr.org/EN/ProfessionalInterest/Pages/CCPR.aspx

International Covenant on Economic, Social and Cultural Rights:
http://www.ohchr.org/EN/ProfessionalInterest/Pages/CESCR.aspx

International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families:
http://www.ohchr.org/EN/ProfessionalInterest/Pages/CMW.aspx

International Convention on the Rights of Persons with Disabilities:
http://www.ohchr.org/EN/HRBodies/CRPD/Pages/ConventionRightsPersonsWithDisabilities.aspx

## On Regional Human Rights Standards:

African Charter on Human and Peoples' Rights:
http://www.achpr.org/instruments/achpr/

American Convention on Human Rights:
http://www.oas.org/dil/treaties_B-32_American_Convention_on_Human_Rights.htm

Arab Charter on Human Rights:
http://hrlibrary.umn.edu/instree/loas2005.html

ASEAN Charter:
http://asean.org/asean/asean-charter/

European Convention on Human Rights:
http://www.echr.coe.int/pages/home.aspx?p=basictexts

## On International Policing Standards:

Code of Conduct for Law Enforcement Officials (CCLEO):
http://www.ohchr.org/EN/ProfessionalInterest/Pages/LawEnforcementOfficials.aspx

Basic Principles for the Use of Force and Firearms by Law Enforcement Officials (BPUFF):
http://www.ohchr.org/EN/ProfessionalInterest/Pages/UseOfForceAndFirearms.aspx

To Serve and to Protect:
https://www.icrc.org/en/publication/0698-serve-and-protect-human-rights-and-humanitarian-law-police-and-security-forces

Training Manual on Police Integrity:
http://www.dcaf.ch/training-manual-police-integrity

The Police: Roles and responsibilities in good security sector governance:
http://www.dcaf.ch/police-roles-and-responsibilities-good-security-sector-governance

Toolkit on Police Integrity:
http://www.dcaf.ch/toolkit-police-integrity

## Examples of Codes of Ethics:

European Code of Police Ethics:
https://polis.osce.org/node/4711

South African Police Code of Ethics:
https://www.saps.gov.za/about/ethics.php

## On DCAF-ICRC Project 'Addressing Security and Human Rights Challenges in Complex Environments'

The Knowledge Hub:
http://www.securityhumanrightshub.org/

The Toolkit:
http://www.securityhumanrightshub.org/sites/default/files/publications/ASHRC_Toolkit_V3.pdf

# MODULE 2:
# USE OF FORCE AND FIREARMS

## Objective

After completing module 2, law enforcement officials are more familiar with integrating human rights standards related to the use of force and firearms in the context of crowd management. By revisiting the overarching principles which guide the use of force and presenting successful strategies on crowd control, law enforcement officials will improve their knowledge on how to react appropriately in a variety of incidents.

## Outline

A. Principles Governing the Use of Force
B. Crowd Control
C. Firearms
D. Exercise

## Teaching Methods

# A. Principles Governing the Use of Force

**Learning objective:** Participants understand the different principles guiding the use of force in order to appropriately proceed in law enforcement practice, as well as to learn how to report and investigate incidents of human rights abuses.

a. Reviewing the principles governing the use of force

   i. Legality
   ii. Necessity
   iii. Proportionality
   iv. Accountability

b. Applying the principles of law enforcement in daily practice

c. Procedures in relation to reporting and investigation

   i. Medical assistance and notification of family
   ii. Reporting of incident
   iii. Cooperation with investigation

**Teaching Methods** **1 hour**

## B. Crowd Control: Theory and Practice

**Learning objective:** Participants have refreshed their knowledge on the principles and tactics to effectively control crowds and reconsidered the importance of de-escalation skills, protective equipment and alternative measures to lethal force in such contexts. Participants have improved their ability to translate principles of crowd management into practice and can provide differentiated and appropriate responses to different crowd control incidents.

a. Principles, command and control, equipment and training

   i. Overarching principles
   ii. De-escalation and strategies to govern crowd control
   iii. Equipment and training

b. Crowd Control in practice

**Teaching Methods** **2 hours**

# C. Firearms

## 1. Use of firearms

**Learning objective:** Participants have reviewed principles and procedures guiding the use of firearms and are better capable of responding correctly to incidents by following procedures and accountability requirements such as the provision of first aid.

a. Review of principles

b. Learning about security procedures and accountability requirements

i. Secure storage of weapons and ammunitions
ii. Provision of first aid and medical care to wounded persons
iii. Reporting and review procedures for incidents

**Teaching Methods** **1 hour**

## 2. Elements of ballistics

**Learning objective:** Participants know of the different effects of various weapons and ammunitions which allows for a differentiated use of force and firearms.

a. Lethal firearms

b. Non-lethal incapacitating weapons

c. Self-defensive equipment

**Teaching Methods** **1 hour**

# D. Exercise

**Learning objective:** Participants are better able to develop strategies to appropriately respond to different types of incidents involving the use of force and firearms.

Recommended elements for exercises:

a. Simulating a check point

b. Training adequate responses according to different types of incidents

c. Decision-making on the proportional use of force

**Teaching Methods** **2 hours**

## Background Informational Material

Basic Principles for the Use of Force and Firearms by Law Enforcement Officials (BPUFF):
http://www.ohchr.org/EN/ProfessionalInterest/Pages/UseOfForceAndFirearms.aspx

Violence and the Use of Force:
https://www.icrc.org/en/publication/0943-violence-and-use-force

Understanding Arms Carriers:
http://icrcndresourcecentre.org/book-detail/?bookid=OTQz

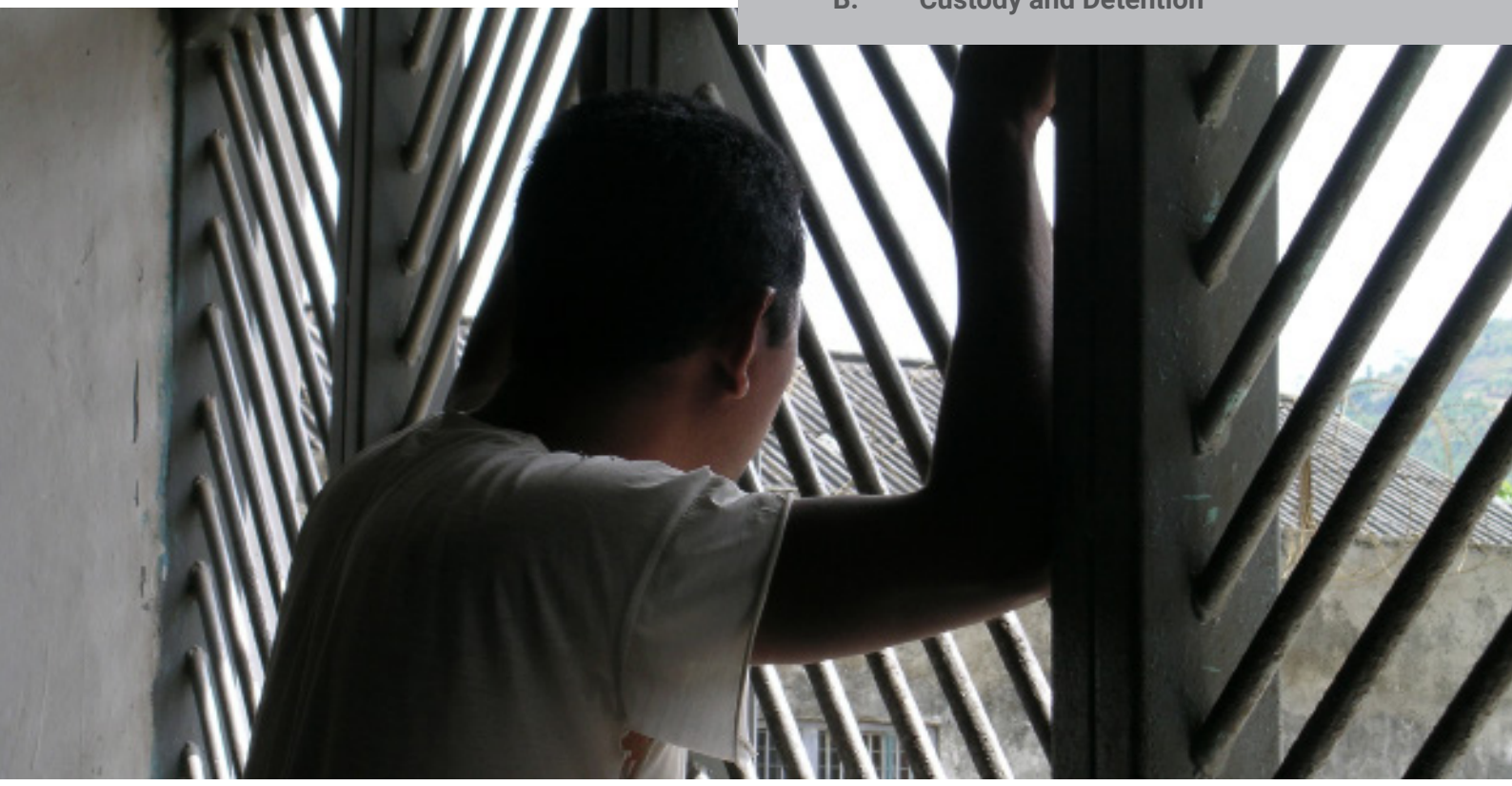
# MODULE 3: ARREST, DETENTION, SEARCH AND SEIZURE

## Objective

After completing Module 3, law enforcement officials have increased awareness on the principlesinci governing their behavior in the case of arrest, detention, search and seizure with a view to the specific rights of vulnerable groups. Furthermore, participants are better able to cope with the different challenges of performing procedures related to custody and detention in accordance with international law.

## Outline

A. Arrest and Seizure
B. Custody and Detention



## Teaching Methods

# A. Arrest and Seizure

## 1. Principles governing arrest

**Learning objective:** Participants understand the implications of principle-based arrest and detention procedures for the conduct of law enforcement officials. By analyzing trespassing and eviction scenarios in detail, participants have an enhanced capability of performing their duties in accordance with international standards.

a. Arrest and detention

i. Grounds for arrest
ii. Rights of an arrested person
iii. Proper use of force during an arrest
iv. Unlawful or arbitrary arrest or detention

b. Implications for special cases

i. Trespassing
ii. Evictions

**Teaching Methods** **1 hour**

## 2. Search and seizure

**Learning objective:** Participants improve their sensitivity for rules and principles pertaining to search and seizure in order to perform their duties appropriately in a variety of scenarios including trespassing and evictions.

a. Rules and principles for different types of searches

i. Ensuring gender sensitivity and privacy
ii. Providing suspect information on reasons for search
iii. Ensure recording of search including confiscated items

b. Procedures

i. Trespassing
ii. Evictions

**Teaching Methods** **1 hour**

## 3. Exercise: arrest, search and seizure in practice

**Learning objective:** Participants are better capable of identifying good practices regarding arrest, search and seizure in a number of situations.

Recommended elements for exercises:

a. Simulating appropriate responses in situations of trespassing and evictions

b. Evaluating and identifying good arrest, search and seizure practices

**Teaching Methods** **2 hours**

# B. Custody and Detention

## 1. Detention and police interviews

**Learning objective:** Participants have refreshed their knowledge on the general provisions which guide the detention and questioning of detainees.

a. General provisions and standards

b. Procedural safeguards

c. Police questioning

**Teaching Methods** **1 hour**

## 2. Vulnerable persons

**Learning objective:** Participants are capable of adapting their conduct towards detainees belonging to vulnerable groups and the special rights afforded to them.

General principles and protection standards to address special needs of vulnerable groups:

a. Women

b. Children

c. Elderly people

d. Non-nationals (refugees, non-citizens, stateless persons)

e. Indigenous people

f. Persons with disabilities

**Teaching Methods** **1 hour**

### 3. Exercise

**Learning objective:** Participants are better capable of assessing the appropriateness of law enforcement officials' conduct in police custody.

Recommended elements for exercises:

a. Upholding the rights of a person in arrest and detention

b. Reviewing procedures regarding access to complaint mechanisms and legal services

**Teaching Methods** **1 hour**

## Background Informational Material

Protecting People Deprived of their Liberty:
https://www.icrc.org/en/publication/0685-deprived-freedom

Body of Principles for the Protection of all Persons under any Form of Detention or Imprisonment:
http://www.ohchr.org/EN/ProfessionalInterest/Pages/DetentionOrImprisonment.aspx

Standard Minimum Rules for the Treatment of Prisoners:
http://www.ohchr.org/EN/ProfessionalInterest/Pages/TreatmentOfPrisoners.aspx

Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power:
http://www.un.org/documents/ga/res/40/a40r034.htm

The Guidelines on the Conditions of Arrest, Police Custody and Pre-Trial Detention:
http://www.achpr.org/instruments/guidelines_arrest_detention/

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